

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
23/00071/TELE	Majid Mir	24/03/2023

Address: Land Off Wallhead Road, Rochdale

Proposal: Prior notification for the installation of a new 18m monopole with associated equipment cabinets and ancillary works

PUBLICITY	Weekly list expired?	Y	Site notice expired?	Y
	Neighbour letters expired?	Y	Press Notice expired?	N/A

DELEGATION	Significant departure from local plan?	N	Contrary to national policy?	N
	Applicant a Council Member or officer?	N	Contrary to previous decision?	N
	Major with 10 or more objections and recommending approval?	N	Called in or Planning Panel objection?	N

COMMENTS	Planning Panel comments received?	N/A
	Neighbour comments received?	N

EIA	Screening opinion completed and saved to Onbase?	N
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CONDITIONS	Pre-commencement conditions proposed?	N
	Pre-commencement conditions agreed (or notification period expired)?	N/A

RECOMMENDATION	
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CHECKED AND SIGNED OFF BY: RC

DATE: 30.03.23

SITE

The application relates to land on Wallhead Road. The site is located on the edge of Blueberry Business Park. On the opposite side of the road is Kingsway Retail Park. Blueberry Business Park is also identified as a primary employment zone as identified in policy EC/2 of the saved UDP policies.

The immediate surrounding area is commercial with industrial and retail premises. To the east of the site is Rochdale Canal. The Rochdale Canal which has a number of designations including Special Area of Conservation (SAC), Site of Special Scientific Importance (SSSI) and Site of Biological Importance (SBI). The site of the proposal is located within the SSSI Impact Zone. On the other side of the canal is a residential development. To the west, Wallhead Road joins up with Kingsway, a busy road that is a key route connecting the town centre with the M62 motorway.

PROPOSAL

Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) allows 'development by or on behalf of an electronic communications code operator for the purpose of the operator's electronic communications network in, on, over or under land controlled by that operator or in accordance with the electronic communications code, consisting of-

- a. the installation, alteration or replacement of any electronic communications apparatus;
- b. the use of land in an emergency for a period not exceeding 18 months to station and operate moveable electronic communications apparatus required for the replacement of unserviceable electronic communications apparatus, including the provision of moveable structures on the land for the purposes of that use, or
- c. development ancillary to radio equipment housing.

The submitted application seeks prior approval for the installation of an 18m high Phase 8 telecommunications monopole and associated equipment cabinets and ancillary works. This would include a wraparound cabinet at the base of the monopole, 3 ancillary equipment cabinets. The monopole and the ancillary equipment will be galvanised and grey in colour.

The applicant's supporting report notes that the location has been identified for new monopole as the area is an acute need for a new mast to deliver 5G. The report added that the higher radio frequencies used for 5G do not travel as far as those frequencies currently in use and that sometimes not all existing sites can be upgraded. Additionally, the report states that the 'site has been selected on a wide adopted area of the highway in a position that will not impede pedestrian flow or the safety of passing motorists'. Furthermore, the report states that the 'optimum solution has been proposed from a radio and planning perspective. The location must be close to the users in order to fulfil the masts operational requirements'.

In regards to the appearance, the report has stated the proposed design has been selected to minimise visual impact upon the street scene by integrating with the existing street furniture, and noting that there are similar vertical lines and lighting columns in this area. The reports adds that the 'existing tall vertical columns (streetlights) will help the mast assimilate into its surroundings'.

RELEVANT PLANNING POLICY

Legislation

The Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended).

National Guidance

National Planning Policy Framework (NPPF)

Adopted Rochdale Core Strategy (CS):

SO3 Improving design, image and quality of place

P1 Improving image

P3 Improving design of new development

G9 Reducing the impact of pollution, contamination and land instability

DM1 General development requirements

Unitary Development Plan (UDP):

G/D/1 Defined Urban Area

RELEVANT SITE HISTORY

No relevant planning history.

CONSULTATION RESPONSES

Highways Engineer

The application site is within the adopted verge of Wallhead Road and although the equipment is to be sited close to the carriageway we do not feel that this would be an issue bearing in mind existing traffic levels in this location.

We would not expect there would be any impact on pedestrian movements in this area.

Highways raise no objection to this application and request no specific planning conditions.

Environmental Health – Noise/Odours

No response received.

GMEU

Although the application site is within 50m of the Rochdale Canal Special Area of Conservation and SSSI, I would consider that the nature and scale of the proposed development will not cause any harm to the special nature conservation interest of the Canal.

In particular, the development will not –

- Cause shading of the Canal
- Cause sedimentation or siltation of the Canal
- Result in an increase in boat movements
- Cause any direct impacts on the Canal or the Canal banks
- Involve and dredging or draining of the Canal

I therefore have no objections to the proposals.

Environment Agency

No response received.

REPRESENTATIONS

Letters of notification were sent to all surrounding properties and a site notice was posted. No representations were received.

ANALYSIS

Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) states that development consisting of the installation, alteration or replacement of electronic communications apparatus (other than on a building) is not permitted by Class A(a) if –

- (a) in the case of the installation of electronic communications apparatus (other than a mast), the apparatus, excluding any antenna, would exceed a height of 15 metres above ground level;
- (b) in the case of the alteration or replacement of electronic communications apparatus (other than a mast) that is already installed, the apparatus, excluding any antenna, would when altered or replaced exceed the height of the existing apparatus or a height of 15 metres above ground level, whichever is the greater;
- (c) in the case of the installation of a mast, the mast, excluding any antenna, would exceed a height of— (i) 30 metres above ground level on unprotected land; or (ii) 25 metres above ground level on article 2(3) land or land which is on a highway;
- (d) in the case of the alteration or replacement of a mast, the height of the mast, excluding any antenna, would when altered or replaced exceed the greater of the height of the existing mast or a height of— (i) 30 metres above ground level on unprotected land; or (ii) 25 metres above ground level on article 2(3) land or land which is on a highway; or
- (e) in the case of the alteration or replacement of a mast— (i) the mast is on any land which is, or is within, a site of special scientific interest; and (ii) the mast would, when altered or replaced, exceed the original width of the mast by more than one third.

The site lays within an SSI Impact Zone, but is not within the SSSI.

Paragraph 4 adds that development consisting of the installation, alteration or replacement of an antenna, a mast or any other apparatus which includes or is intended for the support of an antenna, or the replacement of an antenna or such apparatus by an antenna or apparatus which differs from that which is being replaced, is not permitted by Class A(a)—

- (a) on any article 2(3) land unless—
 - (i) the development (excluding the installation, alteration or replacement of a mast) is carried out in an emergency and is within any limitations specified in paragraph A.1 for development of the same type on unprotected land;
 - (ii) the antenna or apparatus comprises or is part of a small cell system and is on a building which is not a dwellinghouse or within the curtilage of a dwellinghouse;
 - (iii) the antenna is a small antenna and the development is within the limitations specified in paragraph A.1(5) or (6); or
 - (iv) where the antenna or apparatus is not a small cell system or a small antenna, the development is within the limitations specified in paragraphs A.1(1)(c)(ii), A.1(1)(d)(i)(bb) A.1(1)(d)(ii) or A.1(2)(f);
- (b) on any land which is, or is within, a site of special scientific interest unless—
 - (i) the development (excluding the installation, alteration or replacement of a mast) is carried out in an emergency and is within any limitations specified in paragraph A.1 for development of the same type on unprotected land; or
 - (ii) the development is within the limitations specified in paragraph A.1(5).

The erection of a 18m high monopole mast on the verge to support electronic communications transmission apparatus with associated cabinet equipment would be development permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), Schedule 2, Part 16, Class A.

The application is therefore for a determination whether the prior approval of the Council will be required as to the siting and appearance of the installation, as required under paragraph A.3 of the Order.

Siting and Design

Paragraph 115 of the NPPF requires installations to be kept to a minimum and encourages the reuse of existing electronic communications infrastructure such as existing masts, buildings and other structures. Where new sites are required such as for new 5G networks, equipment should be sympathetically designed and camouflaged where appropriate.

The adopted Rochdale Core Strategy does not contain any policies specific to telecommunications application given that the NPPF contains a clear expression of Government policy that advanced, high quality communications infrastructure is essential for sustainable economic growth and in this respect there is

encouragement to local planning authorities to support the expansion of electronic communication networks, including telecommunications.

Policy P1 of the Council's adopted Core Strategy seeks to require design which is of a high standard, demonstrating innovation and originality, and maximising the potential for heritage assets to provide a sense of place and image.

Further to this, Policies DM1 and P3 of the Council's adopted Core Strategy require development proposals to adhere to high quality design and enhance the borough's identity and sense of place, by respecting context where it is positive and having regard to the scale, density, massing, height, layout, landscape, materials and access of surrounding buildings and areas in general. In addition, paragraph 126 of the National Planning Policy Framework (NPPF) states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Paragraph 130 of the NPPF goes on to state that planning policies and decisions should ensure that developments function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

It is noted that the site is located on Wallhead Road which provides access to the business park and retail park. The site is located to the eastern end of the road with the access to the rear of the buildings within the business park and retail park. There is no parking or access for members of the public to the rear. However, it is noted that pedestrian access to canal tow path is located by the divergence of the road for the access to the rear of the business park and retail park.

The Street furniture within the vicinity of the site comprises of street lights with an approximate height of 8 metres and trees that run along the canal tow path. Additionally it is noted that there are numerous freestanding advertisements for premises on the business park and retail park. These are all of various sizes, height and appearance. When viewing from the west, and in particular from Kingsway, the existing street furniture is considerably more prominent. When viewed in the backdrop of all the various street furniture and sandwiched in between a business park and retail park, the proposal would not appear overly obtrusive when viewed from the west.

When viewing from the east, and from along the canal tow path, the proposed monopole is screened by the trees. The proposed monopole is visible when viewing from further out, in particular, from the opposite side of the canal and from the residential properties. However, it is noted that the nearest residential property is at least 60m away. Additionally, the proposed antennas are relatively lean.

The proposed monopole would be at its most prominent when walking to or from the canal tow path and towards or from Wallhead Road. However, when viewed from these positions, it would be viewed with the backdrop of the business park and retail park and with all the associated advertisements and other street furniture. Additionally, it would be prominent when travelling towards the rear of the business

park or retail park. However, this would be limited to those who would either work there or are delivering goods.

Due to the distance, the design and the height of the proposal, the existing neighbouring uses and the existing street furniture, it is considered that the proposal would not be harmful to the character and appearance of the area.

In light of the above, it is considered that the siting and design of the proposals is acceptable and compliant with the requirements of the NPPF. Prior approval is therefore not required.

Amenity

Paragraph 130 of the NPPF states that planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Paragraph 185 of the NPPF also states that planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

Policy DM1 of the adopted Core Strategy requires new development to not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy. Further to the above are the considerations of the Council's Supplementary Planning Document (SPD) 'Guidelines and Standards for Residential Development' which states that new developments 'should be carefully designed to protect the amenity of the occupants of adjoining properties.' Policy G9 states that we will reduce all forms of pollution, contamination and land instability in the borough, by requiring that development does not have impacts that lead to an unacceptable increase in air, water, noise, light or other pollution.

Given the distance of the proposed development away from residential properties, it is considered the proposal would not have a significantly detrimental impact on the residential amenity of neighbouring properties. Additionally, it is noted that the proposed site is located by a business park and a retail park. As such, it is considered that the proposal would not lead to an unacceptable level of disturbance for occupiers of neighbouring properties.

As such it is considered that the proposal would not unduly impact on the amenity of neighbouring properties and users, and therefore would accord with policies DM1 and G9 of the Core Strategy, the SPD and the National Planning Policy Framework.

Highways matters

Paragraph 111 of the NPPF states 'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'

Policy T2 of the Rochdale Core Strategy relates to improving accessibility. Policy T2 states that 'in all circumstances, the safety, accessibility and amenity of those who live or have business in the area will have priority.'

From the submitted plans it would appear that the equipment will be positioned on a grass verge. As such the proposal would not interfere with pedestrian movement. Additionally, the highways department have stated that although the site is close to the carriageway, the proposal would not be an issue due to low traffic levels in this location. As such, the highways department raised no objection to the proposal and did not request any specific conditions.

As such it is considered that the proposal would have an acceptable impact on highway safety, and would be in compliance with policies T2 and DM1 of the Rochdale Core Strategy as well as the National Planning Policy Framework.

Ecology

Policy G7 of the Core Strategy states aims to protect and enhance the borough's wildlife habitats and species and key natural resources and features. Policy G7 states that no development should result in a net loss of biodiversity or geodiversity interest in the borough and overall development in the borough should result in a net gain. Furthermore, policy G7 states that developments proposals which would affect a species protected by law or its habitat will not be permitted unless it can be demonstrated that there is no adverse impact on the species concerned and damage to habitats is minimal and alternative habitat provision is effective in maintaining those species.

The proposed site is close to Rochdale Canal, which has a number of designations. The designations include Special Area of Conservation (SAC), Site of Special Scientific Importance (SSSI) and Site of Biological Importance (SBI). The site of the proposal is located within the SSSI Impact Zone.

GMEU were consulted on the proposal and stated that it would not cause any harm to the special nature conservation interest of the Canal. GMEU considered that the proposal would not cause any shading of the canal, cause sedimentation or siltation of the canal, cause any direct impacts on the canal or the canal banks, or involve dredging or draining of the canal. As such GMEU raised no objections to the proposal.

It is therefore considered that proposal would be acceptable and accord with policies G7 and DM1 of the Core Strategy and the NPPF.

Recommendation

PRIOR APPROVAL NOT REQUIRED

For the avoidance of doubt, this decision relates to the following set of plans:

002 Site location plan.
100 Existing site plan.
150 Existing elevation A.
210 Proposed site plan

260 Proposed elevation

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