

APPLICATION NUMBER: 23/00336/TELE

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
23/00336/TELE	Rosalind Gralton	18 May 2023

Address: Land At Hollands Farm, Rooley Moor Road Rochdale, OL12 6BN

Proposal: The removal of an existing 12m monopole mast and associated compound and the installation of a replacement base station which includes a 25m monopole sharable mast, a new perimeter fence and the addition of 7no. new cabinets. A single headframe will be mounted to the top of the mast which host 6no. antenna and 2no. 600mm dishes mounted to it with ancillary development thereto.

PUBLICITY	Weekly list expired?	N/A	Site notice expired?	N/A
	Neighbour letters expired?	N/A	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
	Neighbour comments received?	Y

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

RECOMMENDATION	REFUSE
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CHECKED AND SIGNED OFF BY: LA

DATE: 25.05.23

SITE AND SURROUNDINGS

The site relates to an existing 12m monopole, located just north of land at Hollands Farm, located off Rooley Moor Road. The topography of the site is set higher than the highway on Rooley Moor Road, located to the west.

The site is not located within a conservation area, adjacent to a listed building. The site is located within the Green Belt.

The application site is located within a rural landscape, a public right of way runs east just south of the site, and another runs north, through Smallshaw wood, north east of the site.

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 6 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.*

Before beginning the development described in paragraph A.2(3) of the above Order, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the siting and appearance of the development.

Paragraph 8 of A.3 (Prior Approval) states that the development must not begin before the occurrence of one of the following –

- a) the receipt by the applicant from the local planning authority of a written notice of their determination that prior approval is not required;*
- b) where the local planning authority gives the applicant written notice that prior approval is required -*
 - i. the giving of that approval to the applicant, in writing, within a period of 56 days beginning with the date on which the local planning authority received the application in accordance with sub-paragraph (5);*
 - ii. the expiry of a period of 56 days beginning with the date on which the local planning authority received the application in accordance with sub-paragraph (5) without the local planning authority notifying the applicant, in writing, that such approval is given or refused; or*
 - iii. the expiry of a period of 56 days beginning with the date on which the local planning authority received the application in accordance with sub-paragraph (5) without the local planning authority notifying the applicant, in writing, of their determination as to whether such prior approval is required.'*

The submitted application seeks prior approval for the replacement of an existing 12m monopole mast and associated compound with a new base station which includes a 25m monopole sharable mast, a new perimeter fence and the addition of 7no. new cabinets. A single headframe will be mounted to the top of the mast which host 6no. antenna and 2no. 600mm dishes mounted to it with ancillary development thereto.

The applicant's supporting statement states that the new monopole and cabinets is required as being necessary for effective service coverage, business needs and to provide 5G coverage to the area.

RELEVANT PLANNING POLICY

National Guidance

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

National Guidance

National Planning Policy Framework (NPPF) – July 2021

Adopted Rochdale Core Strategy (CS):

SO3	Improving design, image and quality of place
P3	Improving design of new development
DM1	General development requirements

Unitary Development Plan (UDP):

G/D/1	Defined Urban Area
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RELEVANT SITE HISTORY

05/D46374 – Determination of prior approval for the installation fo a 10m high telecommunications monopole with 2 antennae and 2 transmission dishes with associated equipment cabinets – Grant subject to conditions 20/12/2005

CONSULTATION RESPONSES

Highways And Engineering

The proposed telecoms site is remote from the adopted highway network so its position should have little impact on its safe operation.

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

Env Health - Noise/Odours

No comments received to date

REPRESENTATIONS

One representation was received objecting to the application. Concerns raised are summarised below:

- The much larger tower has not met the requirement that the scheme has taken all reasonable steps to reduce the impact of the proposal
- The new mast would be twice the height of the existing

- The new mast would tower over existing trees, complex and noticeable design,
- Visually clash
- Overbearing to residential properties
- The justification is based on potential future opportunities which are uncertain
- Contrary to the GPDO

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 submitted application seeks prior approval for the installation of a new a 25m monopole sharable mast with new headframe, antenna and dishes, a new perimeter fence and the addition of 7no. new cabinets, 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.

Visual Amenity

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. However Policy DM1 states that proposals should be compatible with surrounding land uses and not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy.

Policy P1 of the adopted Core Strategy will require high quality design in all new developments and Policy P3 requires all new developments, regardless of location in the borough, to adhere to high standards of design, and enhance the boroughs 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. The contents of these policies aligns with the contents of Paragraph 130 of the NPPF which states that planning decision should ensure that new development is visually attractive as a result of good architecture, layout and appropriate and effective landscaping and is sympathetic to local character and history, including the surrounding built environment and landscape setting.

The proposed tower would introduce a 25m structure, replacing a 12m high mast, located on land at Hollands Farm. The proposal would be over double the height of the existing mast, 2.2m wide - over four times the width of the existing pole, and would, as a result of its height, width and mass, be highly visible within the rural landscape. The proposed headframe and antennas would be over 3m wide, and highly visible from long range views. In terms of impact on visual amenity and the character and appearance of the area, the proposed mast would tower 7m above the height of the nearest trees, as shown on plans, and would be of a scale much larger and obstructive than any immediate structure, including the existing two storey buildings to the south. The proposed mast would therefore appear distinctly out of scale, as demonstrated by 'PROPOSED SITE ELEVATION - Dwg No 301 A'.

The existing street furniture and buildings in the area would serve to highlight the disproportionate height and scale of the proposal rather than integrate it into its surroundings and would emphasise the massing and height of the mast, which would sit conspicuously out of scale in the surrounding context. The existing monopole of 12m is well assimilated within its surrounding landscape, in context and scale to minimise visual appearance. The proposed replacement tower's increase in scale and massing, by virtue of its width, design, headframe and antennae's, would not achieve the same, or similar, result.

It is appreciated that some of the visual harm resulting from the monopole would be mitigated by virtue of the choice to colour the monopole grey, where it is predominantly viewed set against the sky. This however would fail to adequately disguise the height or mass of the installation, given the highly visible location and the inappropriate design and scale, within the rural landscape.

It is considered that a scaled down version of the tower, that would be much slimmer in width and of a simpler appearance, would be preferable in this location, and more akin to the design of the existing mast.

In other matters it is noted that it is appropriate to assess the proposed siting in respect of highway safety. However through consultations with the Council's Highway Service no concerns have been raised in this regard.

The irregularity of the form in the context of this residential area would be unduly harmful to the character and appearance of the immediate area, contrary to the requirements of Policies P1 and, P3, of the adopted Core Strategy and the National Planning Policy Framework.

Other Matters – Site Selection

The application sets out the need for an expansion of infrastructure as necessary for business development and meeting specific technical and operational requirements. No information has been provided on the extent of the coverage of the current network. An understanding of the broader network context is helpful to properly appreciate how a proposed mast fits into the network and to then be able to assess what alternatives have been investigated.

The applicant has stated that there are no other viable options which are extremely limited, and a small number of options have been provided and disregarded. However, no detailed information in relation to any other alternative sites/rooftops have been provided as part of this proposal which is limited, this is required under the NPPF.

The application includes a Site Specific Supplementary Information, which details the site selection process providing details of alternative sites considered for development. No details have been provided in respect of the cell search area, or of the cell centre and other existing sites in the surrounding area, which would be useful in demonstrating the suitability of the site. No alternative sites have been submitted with reasons relating to the site being an existing mast site.

No further information has been provided to conclude that the application site, is the only viable sites to fulfil the needs of the operator within this undefined area.

Conclusion

The proposed 25m monopole sharable mast, with headframe and 6 antenna and 2 dishes, as well as a new perimeter fence and the addition of 7no. new cabinets would result in social and economic benefits through the improvements to local communications networks, however it is not considered that the application suitably demonstrates that it would not be possible to locate the proposed development at a site which would be less harmful to the character and appearance of the area generally, and taken as a whole, would fail to comply with the requirements of paragraphs 115 to 117 of the NPPF. Prior approval for the siting and appearance is therefore required and the application is refused.

RECOMMENDATION

Refuse for the following reason:

1. The proposed installation, by virtue of its height, massing, siting and appearance, would represent an incongruous feature of the street scene in an area adjacent to a prominent junction, and residential properties. Furthermore, no thorough justified information in relation to alternative sites has been provided as part of this proposal, required under paragraph 117 of the National Planning Policy Framework. The development would therefore result in unacceptable harm to character of the site and be contrary to policies P1, P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Notes for Applicant:

INFORMATIVE:

For the avoidance of doubt, this decision relates to the following list of submitted plans / documents:

- PROPOSED SITE ELEVATION - Dwg No 301 A
- PROPOSED SITE LAYOUT - Dwg No 201 A
- SITE LOCATION MAPS - Dwg No 100 A
- SITE SPECIFIC SUPPLEMENTARY INFORMATION PREPARED BY ENTRUST PROFESSIONAL SERVICES LIMITED
- Copy of the Developers Notice and letter served on the owner(s) of the site
- ICNIRP Compliance Certificate.

Report Author Rosalind Galton