APPLICATION NUMBER: 19/00431/FUL

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
19/00431/FUL	Michael Atkinson-Smith	19 June 2019

Address: Land Rear of Moor Street Heywood OL10 3HB

Proposal: Increase in height of existing telecommunications tower from 21m to 28.5m with 6 no. new apertures and other associated 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
	Neighbour comments received?	Y

EIA	**Screening opinion completed and saved to Onbase?**	N/A

CONDITIONS	**Pre-commencement conditions proposed?**	N/A
	Pre-commencement conditions agreed (or notification period expired)?	N/A

RECOMMENDATION	REFUSE

CHECKED AND SIGNED OFF BY: AT **DATE: 20.06.2019**

SITE

The application relates to an established ground based telecommunications infrastructure site which is accessed off Moor Street in Heywood. A recent

residential development lies to the south and east of the site which was granted planning permission under application ref. 09/D52309 in October 2009. Spring Mill stands to the west across Moor Street which includes a number of light industrial uses including units which open onto Moor Street. Immediately to the north of the site is a yard and buildings occupied by a landscaping gardening business. The A58 (Bury Street) runs in an east-direction beyond this yard to the north of the site.

PROPOSAL

The information submitted with the application is contradictory in that it states the existing 21m tower would be upgraded with new equipment and a tower extension to facilitate 5G coverage, but then goes on to state that the mast would be replaced entirely with a new lattice tower. Either way, the resultant structure would be a 28.5m high tower on the site of the existing tower fitted with six new apertures and two dishes and nine new ground based cabinets in place of the existing equipment cabin.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF) – February 2019
National Planning Practice Guidance (NPPG)

Adopted Rochdale Core Strategy (CS):

SO3	**Improving design, image and quality of place**
P1	Improving image
P3	Improving design of new development
DM1	General development requirements

Unitary Development Plan (UDP):

G/D/1	**Defined Urban Area**

RELEVANT SITE HISTORY

0053/PDN	Notification under the Electronic Communications Code Regulations of the intention to install electronic communications apparatus. Notification Acknowledged September 2014
07/D48778	Installation of 22m high telecommunications tower with three antennae supporting frames and associated equipment cabins – relocation of existing equipment. Granted STC June 2007

CONSULTATION RESPONSES

Highways and Engineering - We have no objections to this proposal.

Public Protection (Noise / Odours) - No comments received to date

REPRESENTATIONS

Letters of notification were sent to surrounding neighbours and a site notice posted in the vicinity. One letter of objection was received citing displeasure at the original decision to site the existing mast in its current location and at the applicant's

proposal to now make it larger. The visual and amenity impacts of the proposed extension to the existing mast are addressed in the Analysis section below.

ANALYSIS

Paragraph 113 of the National Planning Policy Framework states '*the numbers of radio and telecommunications masts, and the sites for such installations, should be kept to a minimum consistent with the need of consumers, the efficient operation of the network and providing reasonable capacity for the future. Use of existing masts, buildings and other structures for new electronic communications capability (including wireless) should be encouraged. Where new sites are required, equipment should be sympathetically designed and camouflaged where appropriate'.*

Further to this, paragraph 115 of the NPPF requires that applications for telecommunications development should, where necessary, be accompanied by the necessary evidence to justify the proposed development including:

- the outcome of consultations with organisations with an interest in the proposed development, in particular with the relevant body where a mast is to be installed near a school or college or within a statutory safeguarding zone surrounding an aerodrome, technical site or military explosives area; and
- for an addition to an existing mast or base station, a statement that self-certifies that the cumulative exposure, when operational, will not exceed International Commission on non-ionising radiation protection guidelines; or
- for a new mast or base station, evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure and a statement that self-certifies that, when operational, International Commission guidelines will be met.

Paragraph 116 of the NPPF stipulates that '*local planning authorities must determine applications on planning grounds only. They should not seek to prevent competition between different operators, question the need for the telecommunications system, or determine health safeguards different from the International Commission guidelines for public exposure'.*

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. In addition, Policy P3 requires all new developments, including associated landscaping, regardless of location in the borough, to adhere to high standards of design. Policy P1 – Improving Image – is especially relevant as it specifies that high quality design is particularly important key gateways and prominent sites.

Impact on Visual Amenity

In addition to Core Strategy policies DM1 P1 and P3 which relate, amongst other things, to design and visual appearance, Paragraphs 124 and 127 of the National Planning Policy Framework (NPPF) state that good design is a key aspect of sustainable development and that planning policies and decisions should ensure that developments function well and add to the overall quality of the area and are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character.

The existing mast measures 21m in height and despite being a lattice tower design is particularly bulky at the upper reaches as a result of the circular headframes to which the antennae are appended. The present mast is an unattractive feature of the built environment and particularly in this location which is heavily constrained by development on all sides, including residential dwellings closely located to the south and east. The mast is also a dominant feature which is highly visible on the busy A58 which links Heywood with Bury.

The information submitted in support of the proposal to extend the existing tower to provide a 28.5m structure in place of the existing 21m tower states that *'it is felt that such an increase in the overall bulk of the installation would not detract from the character of the area in which the proposal sits*'. The supporting information goes on to state that '*the proposed design has been selected to minimise the visual impact upon the street scene by integrating with the existing built environment'* and concludes with '*although it is accepted that there will an intensification in the amount of equipment it is felt that such a minor increase would not detract from the character of the area in which the proposal sits'.*

Contrary to the above statements, it is clearly apparent that the enlarged mast would not integrate with the existing built environment as neither does the existing mast. It is not considered that a 7m (25%) increase in height, i.e. the height of a two storey house, can be considered to be a minor increase and it is certainly not possible to conclude that such an increase would not detract from the character of the area.

Whilst the clear incompatibility of the existing mast with the later-constructed residential dwellings is acknowledged, this does not provide justification to make the existing situation worse. The surrounding dwellings, Spring Mill and the low rise buildings associated with the landscape gardening company's yard which surround the site would be even further dwarfed by such an increase in height. Of greater concern, however, is the resultant visual impact of the increase in height of the mast from the A58 which is a busy main thoroughfare that connects to the M66, thus forming a main transport artery within Heywood township and the borough as a whole. The increased impact of an overly dominant, bulky and unattractive structure in such close proximity to a key route is not considered to be acceptable as it would be unduly harmful to visual amenity generally and the image of the borough.

As a result, the proposed location is considered to be unacceptable in respect of visual amenity (Core Strategy policy P3) and the policy requirement to improve the image of the borough's townships (Core Strategy policy P1). The proposal also fails to comply with paragraph 127 of the NPPF as the development would not be sympathetic to local character, be visually attractive or add to the overall quality of the area.

<u>Residential amenity</u>

Although Government guidance clearly establishes that the perceived health risks associated with telecommunications development are not for consideration, it is still important to ensure proposals would not impact on the amenity of any surrounding residents. In this regard, Core Strategy policy DM1 requires all development proposals to demonstrate that they are compatible with surrounding land uses and do not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy. Whilst the proposed increase in height and bulk would render the mast more visible from the rear of the terrace at Nos. 113-229 Bury Street, with Nos. 113-115 most affected, and from the front of Nos. 80-118 Bury Street, it is not considered that the degree of visual intrusion that would arise would be so significantly greater than the existing situation by virtue of the separation distance to cause undue harm to residential amenity. The increased height, however, would have a notably greater impact on the residential dwellings

immediately to the south and east, with Nos. 7a-9a Moor Street and Nos. 23-36 Victory Way most affected in respect of overbearing impact and visual intrusion. Whilst it is noted that the existing mast was erected prior to occupation of these dwellings, it is not considered that this provides sufficient justification to permit such a significant increase in the height and bulk of the mast given the clear incompatibility of the relationship. On this basis, the application is considered contrary to Core Strategy policy DM1 and the National Planning Policy Framework.

Impact on the Highway Network and Highway Safety

Policy DM1 of the Core Strategy requires that developments provide satisfactory vehicular access with adequate parking, manoeuvring and servicing arrangements, taking account of the proposed use and location. Given the proposed use, vehicle access to the site is only required for construction, maintenance and decommissioning and as such any traffic movements associated with the development are negligible. The Council's Highways Officer has raised no objections to the proposal and the application is therefore considered to be acceptable in this regard.

Conclusion

The supporting information notes that no alternative sites have been investigated as the application proposes an upgrade to an existing telecommunications site which is sequentially preferable as per the requirements of the National Planning Policy Framework. The applicant has also provided a certificate which confirms that the proposed installation would be in full compliance with the International Commission on Non-Ionising Radiation Protection (ICNIRP) guidance.

However, for the reasons listed above, the proposed development is considered to result in material harm to the character and appearance of the surrounding residential amenity of immediately surrounding occupiers. As such, the proposal fails to comply with the requirements of Core Strategy policies DM1, P1, P3 and the National Planning Policy Framework.

RECOMMENDATION

REFUSE for the following reason:

By virtue of its height, siting and appearance, the proposed extension of the existing telecommunications tower would result in a significantly incongruous and dominant feature of the street scene of a major through route and of a residential area. The increased tower height would additionally exacerbate the existing residential amenity impacts of the existing tower to an unacceptable degree, notably through increased visual intrusion and overbearing impact. The development would therefore result in unacceptable harm to the street scene and visual amenity generally and also to residential amenity of surrounding occupiers. On this basis the application is 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:

- 1115722_ROD079_56800_OL0187_M001 Issue A 002 Site Location Plan

- 1115722_ROD079_56800_OL0187_M001 Issue A 100 Existing Site Plan
- 1115722_ROD079_56800_OL0187_M001 Issue A 150 Existing Elevation A
- 1115722_ROD079_56800_OL0187_M001 Issue A 215 Max Configuration Site Plan
- 1115722_ROD079_56800_OL0187_M001 Issue A 265 Max Configuration Elevation
- 1115722_ROD079_56800_OL0187_M001 Issue A 003 Access Plan
- 1115722_ROD079_56800_OL0187_M001 Issue A 004 Lease Demise
- 1115722_ROD079_56800_OL0187_M001 Issue A Cherry Picker & Crane Location
- 1115722_ROD079_56800_OL0187_M001 Issue A 007 FIXITs & Dependencies
- ICNIRP Declaration

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