



Appeal Decision

Site visit made on 21 July 2020

by Mr W Johnson BA(Hons) DipTP DipUDR MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 August 2020

Appeal Ref: APP/P4225/W/20/3249075

Dane Street, Rochdale, Greater Manchester OL11 4EZ (Easting 389124; Northing 413082)

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by EE Ltd & Hutchinson 3G UK Ltd against the decision of Rochdale Metropolitan Borough Council.
 - The application Ref 19/01145/FUL, dated 25 September 2019, was refused by notice dated 26 November 2019.
 - The development proposed is described as: 'Proposed telecommunications upgrade. Proposed Phase 8 monopole c/w wraparound cabinet at base'.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue of this appeal is the effect of the proposed development on the character and appearance of the appeal site and surrounding area.

Reasons

3. The proposed development is for the replacement of existing 11.7m high monopole (the existing installation) with a 20m monopole, together with equipment cabinets and ancillary development (the proposed development). The appeal site is part of a grass verge running along the side of Dane Street, close to the Norman Road junction. The carriageway is a notable arterial route, close to Rochdale town centre. The verge separates the road from a footpath, where a tall brick wall and palisade fencing provide the boundary treatment to the commercial unit behind. Opposite the site is Mellor Street, including a bridge over the River Roch.
4. The verge contains a number of lighting columns, some road signals and a pedestrian crossing in proximity. Close to the appeal site is the existing installation. The existing installation is clearly visible from views within the public realm along Dane Street and on the surrounding road network as there is a notable absence of screening or landscaping. I note that the appellant questions the Council's citation of Policy P1 of the Rochdale Adopted Core Strategy 2017 (CS) on its decision. However, for the above reasons, I consider CS Policy P1 to be relevant in the determination of this appeal.
5. The proposed development would replace the existing installation with a 20m mast, which would be sited close to the site of the existing installation, albeit located further away from Norman Road on the highway verge. The proposed

development would have a wrap-around cabinet at its base and 3 separate cabinets adjacent. I note that the Council's refusal notice makes no reference to the proposed ground base cabinets but to the monopole only. In this regard, I acknowledge that the base cabinets are low level and located to the rear edge of the verge. Accordingly, on the details before me, I have no reason to form a different view.

6. The appeal site is located in a visually prominent location adjacent to a busy road network. I have had regard to the urban, commercial environment within which the appeal site is located, which includes large commercial buildings to the rear of the site and along Norman Road when it is viewed from Dane Street and other features such as street lighting, traffic signals, amongst other things. As such, I find that this is not an unsuitable location in principle for the siting of telecommunications equipment.
7. Whilst, the existing mast to be replaced is highly visible within the street scene itself, it does not appear unduly prominent or visually intrusive within the context of the adjacent street lighting columns, due to its similar slim, vertical design, with a height and column width which are not significantly greater than those of the lighting columns. I accept that the proposed development retains a monopole form, but it would have a much more visually dominant presence in views from the public realm than the existing installation, particularly due to the combination of its greater height, column width and more bulky and visibly distinct array on top of the supporting column.
8. As a consequence, the proposed development would not successfully integrate with its surroundings, which includes the street lighting, due to the notable increase in height and column width. Consequently, the proposed development would appear as a stark, incongruous feature within the street scene. The position of the proposal close to the roadside and footpath would further heighten the visual prominence of the proposed development by passing drivers and pedestrians alike. Accordingly, the proposed development would result in unacceptable harm to the character and appearance of the appeal site and surrounding area.
9. For the above reasons, I therefore conclude that the proposal would harm the character and appearance of the appeal site and surrounding area. Thus, the proposed development would conflict with the design, character and appearance aims of CS Policies P1, P3 and DM1, and the requirements of the National planning Policy Framework (the Framework).

Other Matters

10. Paragraph 112 of the Framework is clear that planning decisions should support the expansion of electronic communications networks. I have no reason to question the appellant's contention that the proposal is required to give coverage and capacity to the wider area. I also recognise the proposed installation has been designed to be shared between 2no. operators and would be available to the Emergency Services Network. These factors weigh in the proposal's favour.
11. Moreover, the Framework sets out that applications for electronic communications development should be supported by the necessary evidence to justify the proposed development, including, for a new installation, evidence

- that the possibility of erecting antennas on an existing building, mast or other structure has been explored.
12. Paragraph 113 of the Framework also states that the use of existing masts is encouraged. Whilst the new monopole is located in a slightly different location than the existing mast, the proposal development is in essence for the re-use of an existing electronic communications network site. I acknowledge that the height of the proposed development must be sufficient to enable local provision and clear surrounding buildings and the installation with 5G also needs to be at the height detailed to clear ICNIRP guidelines and thus there is no scope to lower the height of the array.
 13. The Appellants argue that the current siting was agreed by the Council as the most appropriate location when the existing monopole structure was previously approved, and that since discounted options were supplied with the original planning submission, the principle of the siting is already established.
 14. Nonetheless, paragraph 115(c) of the Framework outlines that 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 should be submitted. The requirement for such evidence is relieved only where the proposal is for an addition to an existing mast or base station. The Framework does not exclude replacement masts from such an assessment. As submitted, the proposed development before me relates to a new installation. Consequently, I find that it is necessary to consider alternative sites and information about the network coverage and the gaps in the network coverage that the proposed development seeks to address.
 15. I have also had regard to concerns raised by the appellant about the way that the Council handled the scheme, particularly regarding the request for pre-application advice, but this does not affect the planning merits of the case. I have considered this appeal proposal on its own merits and concluded that it would cause harm for the reasons set out above.

Planning Balance and Conclusion

16. I acknowledge the potential economic and social benefits of the proposal detailed by the Appellants, and the support given by the Framework towards a high quality and reliable communications infrastructure, including 5G networks, in supporting economic growth and social well-being.
17. In this instance, I do not consider that the public benefits of the installation in terms of the enhancement of the telecommunications network, its contribution to economic growth and the operational and locational needs of the operators outweigh the significant harm that I have identified to the character and appearance of the appeal site and surrounding area.
18. Taking all matters into consideration, I conclude that the appeal should be dismissed.

W Johnson

INSPECTOR