



Appeal Decision

Site visit made on 8 November 2022

by R Morgan BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 December 2022

Appeal Ref: APP/P4225/W/22/3302906

MANCHESTER ROAD, SUDDEN, ROCHDALE, OL11 4JR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by CK Hutchinson Networks (UK) Ltd against the decision of Rochdale Metropolitan Borough Council.
 - The application Ref 22/00543/TELE, dated 15 April 2022, was refused by notice dated 13 June 2022.
 - The development proposed is 15.0m phase 9 super slimline monopole and associated ancillary works.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. As the proposed equipment falls within the scope of permitted development, the principle of the development, including the need for the facility, has already been accepted. Part 16 of the General Permitted Development Order (GPDO) requires that the proposed development be assessed solely on the basis of siting and appearance, taking into account any representations received. I have assessed the appeal proposal on that basis.

Planning Policy

3. The GPDO does not require regard to be had to the development plan, but policies may be material considerations where relevant to matters of siting and appearance. The adopted development plan for the area is the Rochdale Core Strategy 2016, and the Council has referred to Policies P1, P3 and DM1 in its decision notice. As these policies are concerned with high standards of design in all developments, they are relevant to considerations of siting and appearance.
4. The National Planning Policy Framework (the Framework) includes sections on supporting high quality communications and achieving well designed places. The Framework is also a material consideration.

Main Issues

5. The main issues are:

- i. the effect of the siting and appearance of the proposed installation on the character and appearance of the area, and
- ii. if any harm would occur, whether this is outweighed by the need for the installation to be sited as proposed, taking into account any suitable alternative sites.

Reasons

Character and appearance

6. The proposed equipment would provide improved digital connectivity for the surrounding area, including 5G coverage, on behalf of Three UK.
7. The proposed monopole and cabinets would be installed at the side of Manchester Road. There are a wide mix of uses along this stretch of the road, which forms a main route into Rochdale. The road is formed of a dual carriageway in this location, with regular street lights and other highway infrastructure. Built development is generally set back from the road, frequently behind the mature trees which line much of the route.
8. The equipment would be sited on an area of wide pavement and verge, in an open position, where there is a gap in tree coverage. Just behind the appeal site is a large modern church building, which is set back from the road, in an elevated and prominent position. The church is not unattractive, and forms something of a landmark along this section of Manchester Road.
9. The monopole would be of a slimline design with a compact headframe. Whilst it would be taller and wider than the existing streetlights, it would not be an unexpected feature on this main road. However, the equipment would be sited directly in front of the church, and when viewed from the front, the grey mast would stand out against the red brickwork of the building. I appreciate that the mast needs to be of sufficient height to achieve the necessary coverage, but it would appear taller than the church, and would visually compete with the white spire, which sits just to the side of the main building.
10. The proposed siting of the mast, in front of the church and away from tall trees which might otherwise provide screening, means that the equipment would be very obvious in the street scene, and would contribute to visual clutter in this open location. The installation would form an obtrusive feature which, for those travelling along Manchester Road, would be visible for some distance in both directions. In this way, it would fail to improve the image of this main transport corridor, which Core Strategy Policy P1 seeks to achieve.
11. In light of the above considerations, I conclude that the siting and appearance of the proposed equipment would cause harm to the character and appearance of the area. It is therefore necessary to consider whether other, less harmful, options may be available.

Alternative sites

12. Paragraph 117 of the Framework requires that information is provided to justify the proposed development. In relation to a new mast, this includes evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure. In this case, the appellant has confirmed that there are no opportunities for site sharing in the area, and that

due to technological constraints, a new mast is the only option to provide the required coverage. I have no reason to doubt this conclusion.

13. The submitted information shows the cell search area to be a short section of Manchester Road. The search area is limited in geographical extent, but includes areas which are less open, with greater tree coverage, than the proposed site.
14. A number of options have been discounted. Various reasons are given, but in several cases, this is due to insufficient pavement width. The explanation for this is not entirely clear, as there are wide grass verges along much of this section of Manchester Road, adjacent to the tarmacked footways. The proposed installation would be sited on the grass verge, and it is unclear why an alternative verge location could not be found, which could accommodate the proposed equipment without obstructing the movement of pedestrians.
15. The submitted information indicates that Option 2, on the other side of Manchester Road, has been discounted because it is further from the preferred 'nominal' location than the appeal site. No other reasons are provided as to why option 2 might not be suitable, but it is still well within the search area, and would be in a less prominent position than the appeal site.
16. Overall, despite the restricted extent of the search area, I am unconvinced that there are no other possible sitings, which would be less prominent than the appeal site, with greater potential for screening from the many mature trees which line Manchester Road.

Other Matters

17. The appellant has made reference to various social and economic benefits of the proposal. These factors are recognised in paragraph 114 of the Framework, which supports the expansion of electronic communications networks. However, as consideration of this proposal is restricted to matters of siting and appearance, I have not taken these into account.
18. As part of the application the appellant has provided a certificate to confirm that the equipment would not exceed the guidelines for public exposure set by the International Commission on Non-Ionizing Radiation Protection. As such, the proposal meets the requirements of Framework paragraph 117 in relation to public health. This represents a lack of harm, and is neutral in the planning balance.

Conclusion

19. I have found that the proposed siting and appearance would cause harm to the character and appearance of the area. As it has not been satisfactorily demonstrated that there are no other, less harmful options available, the appeal should be dismissed.

R Morgan

INSPECTOR