



Appeal Decision

Site visit made on 21 January 2020

by J Williamson BSc (Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 February 2020

Appeal Ref: APP/P4605/W/19/3242513

A47, Streetworks 209507, Coleshill Road, Ward End, Birmingham B34 6BN

- 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 UK Ltd against the decision of Birmingham City Council.
 - The application Ref 2019/04469/PA, dated 24 May 2019, was refused by notice dated 18 July 2019.
 - The development proposed is telecommunications upgrade, proposed phase 7 monopole, C/W wrapround cabinet at base and associated works.
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Decision

1. The appeal is allowed and planning permission is granted for telecommunications upgrade, proposed phase 7 monopole, C/W wrapround cabinet at base and associated works at A47, streetworks 209507, Coleshill Road, Ward End, Birmingham B34 6BN in accordance with the terms of the application, Ref 2019/04469/PA, dated 24 May 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin no later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 002 Site Location Drawing, 100 Existing Site Plan, 150 Existing Elevation A, 003 Access Plan, 215 Maximum Configuration Site Plan, 265 Maximum Configuration Elevation and 005 Cherry Picker/Crane Location(s).

Procedural Matters

2. I note that the applicant's name, the site address and the date of the application have been redacted from the application form. I have therefore taken the address from the Council's Decision Notice, which corresponds with documents submitted by the appellant. I have taken the appellant's name from their appeal form, as it does not appear on the Decision Notice. I have used the date given on the appeal form, which corresponds with the 'date received' stamp on the application form.

Main Issue

3. The main issue is the effect of the proposal on the street scene and character and appearance of the area, with particular regard to siting and size.

Reasons

4. The site comprises a grass verge at the edge of a public house car park. The proposed development would be around 3 m from the site of an existing telecommunications pole and associated cabinets. The site is located adjacent to a footpath just off a busy roundabout on the A47 Coleshill Road. Although the site is close to the gable end of a dwelling, No 296 Stechford Road, the proposed equipment would actually be around 3 m further from the dwelling than the existing equipment. The immediate surroundings of the site comprise the public house car park to the north-east and east, open amenity space comprising grassland and trees to the north and west and residential properties to the south-west, south-east and east of the public house car park.
5. There are 4 roads off the roundabout all of which have street furniture adjacent to them, mainly streetlights and highway signs with a few advertisement signs erected on upright posts. In addition, there is another telecommunications pole and associated cabinets located within a grass verge on the opposite side of the public house car park to the proposed site.
6. The Council has evidently considered the location to be acceptable in principle for the installation of telecommunications equipment. I appreciate that the proposed monopole would be around 8 m higher than the existing pole and, following the removal of existing equipment, that there would be more cabinets than currently exists. However, except for views one would have when close to the pole, when viewed from most of the surrounding vantage points and approaches to the roundabout, the proposal would be perceived as appropriate within its context. Therefore, I conclude that the proposed development would not harm the street scene or character and appearance of the area, with particular regard to siting and size.
7. As such, the proposal would accord with saved Policy 8.55 of The Birmingham Plan: Birmingham Unitary Development Plan (2005) and guidance in the Telecommunications Development: Mobile Phone Infrastructure Supplementary Planning Guidance (2008) and the National Planning Policy Framework. Collectively, and among other things, these policies and guidance require operators to share sites where possible, and design equipment to minimise its impact on the visual amenity of the area, taking account of factors such as the existing structures, masts and buildings in the area and the height of the equipment relative to its surroundings.

Other Matters

8. I note that concerns have been raised regarding emissions from the equipment proposed. I understand the concerns. However, the appellant has submitted documentation confirming the proposal's compliance with the International Commission on Non-Ionizing Radiation Protection public exposure guidelines (ICNIRP). As such, the proposal does not raise any concerns regarding emissions and public health.
9. Representation was received by the Council suggesting that Birmingham Airport should be consulted on the proposal. I have not been provided with any

evidence that the Council has not followed any statutory publicity requirements.

Conditions.

10. I have had regard to the conditions suggested by the Council, and I have attached a condition specifying plans for the avoidance of doubt.

Conclusion

11. For the reasons outlined above, I conclude that the appeal is allowed.

J Williamson

INSPECTOR