
Appeal Decision

Site visit made on 13 January 2020

by Diane Cragg DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 February 2020

Appeal Ref: APP/J4423/W/19/3239736

Manor Castle (R95065), East Side of Manor Lane, Sheffield S2 1WU

- 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 EE Ltd & Hutchinson 3G UK Ltd against the decision of Sheffield City Council.
 - The application Ref 19/02900/TEL, by letter dated 31 July 2019, was refused by notice dated 23 September 2019.
 - The development proposed is erection of 20.0m Phase 8 monopole and associated equipment cabinets.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. In describing the proposal on the application letter reference is made to a second monopole which is not part of this prior approval application. For clarity I have used the description cited on the appeal form in the banner heading above and determined the appeal accordingly.
3. There is an existing telecommunication mast a short distance to the south of the appeal site which is the subject of a separate appeal ref: APP/J4423/W/19/3239732 for its replacement with a new 20-metre-high mast. The appellant indicates that the development of both masts is required to deal with the data demands in this location, therefore, I have taken account of the details of the proposed adjacent mast in coming to my decision on this appeal.

Main Issue

4. The main issue is the effect of the siting and appearance of the telecommunications equipment on the character and appearance of the area.

Reasons

5. This appeal follows a decision by the Council not to give their approval for the siting or appearance of a development that would otherwise be permitted under Schedule 2, Part 16, Class A of the Town and Country Planning (General

Permitted Development) (England) Order 2015, as amended by the Town and Country Planning (General Permitted Development) (England) (Amendment) (No.2) Order 2016. Therefore, the principle of the development is not a matter for consideration in this appeal, which is limited to matters of siting and appearance.

6. Manor Lane is a through route connecting the A57 to the A6135. The appeal site is located within the footpath adjacent to a low stone wall fronting Manor Lane. The site sits between two open areas of land which I saw at my site visit are used for recreational purposes. In the wider area there is a grade II* listed building and a scheduled ancient monument. Although these two features are not mentioned in either the Council or the appellant's submissions as being impacted by the development, I take the location of these features and the interpretation board adjacent to them as evidence that the area attracts visitors. The open areas to the east and west of the appeal site also appear well used.
7. There is an existing telecommunication mast a short distance to the south of the appeal site. The existing mast sits acceptably within the street scene. Although slightly higher than the street lights and wider, in longer distance views its siting and appearance is not significantly more apparent.
8. The proposed monopole mast would be approximately 20 metres high. The base of the mast would be wrapped by a cabinet and a small number of other cabinets would be replaced adjacent to it. There is limited intervening tree cover between the appeal site and Manor Park to the east. The land rises towards the appeal site and the mast, due to its height and siting, would become a prominent and dominant feature of the view towards the site. From the west the impact would be less severe, because of the land levels and tree cover. Nevertheless, considering the structure's height it would still be a significant feature of the views from this open area. Further, when approaching the appeal site along Manor Lane, being more than twice the height of the street lights and of greater width, the mast would be particularly prominent.
9. Overall, I consider that the mast would be highly visible from the adjacent open areas and would be a prominent feature when approaching the site along Manor Lane. Its size and siting would dominate the street scene and detract from the area's open and undeveloped appearance. Despite there being an existing mast to the south of this site, the height and width of the proposed structure, would result in a prominent and dominant development which would be an incongruous addition to the street scene.
10. Further, the appellant indicates that in order to facilitate the increase in data demand in the area it will be necessary to install two monopoles adjacent to each other. Appeal reference APP/J4423/W/19/3239732 relates to an application for a new mast of 20 metres to replace the existing mast. Taken together the two masts, in the context of the open and undeveloped area, would exacerbate the prominence and dominance concerns I have identified.
11. Overall, I conclude that the siting and appearance of the telecommunications equipment would harm the character and appearance of the area.

Other Considerations

12. Whilst not decisive, I have had regard to local planning policies relevant to the appeal. Policy BE14 of the Sheffield Unitary Development Plan March 1998 seeks to minimise the visual impact of telecommunications development.
13. The Framework advises that high-quality communications infrastructure is essential for sustainable economic growth, and that the expansion of electronic communications networks, including next generation mobile technology, should be supported. However, the Framework also advises that the use of existing masts, buildings and other structures for new electronic communications capability should be encouraged. Where new sites are required, equipment should be sympathetically designed.
14. The proposal for the mast is a result of considerable demand for data within this area and the need to facilitate 5G coverage. I recognise the economic and social importance of advanced, high quality and reliable telecommunications and the strategic role of infrastructure in supporting growth.
15. The proposal would facilitate up to 5G coverage and it would be shared by 2 operators. It would also be available to the Emergency Services Network (ESN). I also appreciate that the equipment is necessary to achieve the required standard of network coverage in the area and I have no reason to question the appellant's evidence that the monopole's dimensions are the minimum necessary.
16. However, paragraph 115 of the Framework advises that applications for electronic communications development should be supported by the necessary evidence to justify the proposed development. The paragraph makes the distinction between an addition to an existing mast and a new mast. For new masts evidence that the possibility of erecting antennas on an existing building, mast or other structure has been considered should support the application whereas for the addition to an existing mast no such evidence is required.
17. In this case the appellant states that evidence of the need for this location was submitted when the original mast on the adjacent site was approved. However, this application is for a new mast. I have not been provided with any evidence that existing buildings, masts or other structures have been considered. Given my conclusions in terms of the harm to the character and appearance of the area I do not have sufficient information to balance the harm I have identified against any evidence of the limitation of or lack of other available sites.
18. I appreciate that the appellant sought to engage with the local planning authority and that there was no response to that consultation. However, this does not diminish the harm I have identified.

Planning Balance and Conclusion

19. For the reasons set out above the mast would unacceptably harm the character and appearance of the area. In this regard it would conflict with Policy BE14 of the Sheffield Unitary Development Plan March 1998 which seeks to minimise the visual impact of telecommunications development. This is consistent with the objectives of the Framework.

20. As I have not been provided with evidence of the limitation of or lack of other available sites, I do not find that the locational needs of the operators outweigh the harm that I have identified to the character and appearance of the area.

21. For these reasons, the appeal is dismissed.

Diane Cragg

INSPECTOR