



Appeal Decision

Site visit made on 28 January 2020

by D Hilton-Brown BSc (Hons) CIEEM

an Inspector appointed by the Secretary of State

Decision date: 13 February 2020

Appeal Ref: APP/W4325/W/19/3238784

King Street, Adjacent Rudgrove Place, Egremont, Wirral CH44 8AN

- 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 Wirral Metropolitan Borough Council.
 - The application Ref APP/19/00799, dated 28 May 2019, was refused by notice dated 31 July 2019.
 - The development proposed is for the upgrade to existing telecommunications apparatus. Proposed 20.0m high phase 7 monopole C/W wrapround cabinet at base and associated works.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. During my site visit it was evident that there was a discrepancy with the address given above. The appeal site is adjacent to Rudgrave Place and not Rudgrove Place as stated in the planning application. I have therefore assessed this appeal on this basis.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the surrounding area.

Reasons

4. This appeal proposal would result in the upgrade of the existing installation to enable 5G coverage, with the construction of a 20m monopole 5G telecommunications mast and ancillary equipment cabinets. The structure would be located within the pavement outside the Esso petrol station on King Street. The surrounding area consists of a mix of residential and commercial properties.
5. I acknowledge that the replacement of the equipment cabinets would have no detrimental effect on the character and appearance of the area. They would not be prominent features and would be located to the rear of the pavement against the existing boundary wall. Furthermore, this development would not be situated in an area with any statutory designations.
6. The proposed upgrade would result in the replacement of the existing communications mast, which is approximately 11.7m in height and situated

- directly adjacent to the appeal site. The new proposed monopole would be about 8.3m higher than the existing structure. Furthermore, it would be almost twice the height of the surrounding 2 storey properties and would be substantially higher than the existing streetlights and signage. Additionally, its girth would be considerably greater than the existing telecommunications mast and streetlights.
7. Consequently, the proposed structure would be the tallest visible structure in the surrounding vicinity and would be a discordant feature within this streetscene. This would be exacerbated by the fact that the road is reasonably straight, which would allow clear views of this dominant and incongruous structure for a significant distance along King Street. Furthermore, due to its height it would be visible above the roofline of some of the surrounding properties.
 8. I have taken into account the need for the proposal and that it would be situated, designed and coloured to remain as discreet as physically possible within this streetscape. However, it would not be possible to effectively soften the visual impact of this mast in this prominent location.
 9. Reference is made to 'Planning for Growth', Communities and Local Government, a letter to chief Planning Officers, dated 31 March 2011, which relates to delivering sustainable development. However, this only relates to development that does not compromise the key sustainable development principles set out in the National Planning Policy Framework, 2019 (the Framework).
 10. Having regard to guidance in the Framework, paragraph 11 makes it quite clear that planning permission should not be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
 11. I have taken into consideration that the construction of the proposed telecommunications mast would bring some economic and social benefits in the form of an enhanced level of digital communications service. However, I consider that these do not outweigh the significant harm to the character and appearance that I've already identified.
 12. The sequential approach has been referenced in the site selection process for this monopole mast. I appreciate that there are limiting factors to positioning this structure in order to provide suitable coverage for telecommunications. However, I can give this little weight, as limited evidence has been submitted to demonstrate this sequential process.
 13. I therefore conclude that the proposed telecommunications mast would have a detrimental impact on the character and appearance of the surrounding area. This would be contrary to policies TE1 and TEL1 of the Wirral Unitary Development Plan (including Minerals and Waste Policies), Written Statement, Adopted February 2000 and paragraph 11 of the Framework. Together these policies require the impact through development to be minimal through siting and external appearance.

Other Matters

14. The appellant references the lack of response to their written pre-application request relating to this proposal. However, I can give this issue little weight in

the consideration of this appeal and it remains a matter between the appellant and the Council. As such I have paid little regard to it in this decision.

Conclusion

15. For the reasons detailed above and having regard to all other matters raised, I conclude the appeal should be dismissed.

D Hilton-Brown

INSPECTOR