
Appeal Decision

Site visit made on 7 January 2020

by A Denby BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 February 2020

Appeal Ref: APP/P4605/W/19/3240623

**Glebe Farm Road, Streetworks, Glebe Farm Road, Kitts Green,
Birmingham, West Midlands B33 9EJ**

- 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 Birmingham City Council.
 - The application Ref 2019/05350/PA, dated 20 June 2019, was refused by notice dated 16 August 2019.
 - The development proposed is upgrade to existing telecoms site. Proposed Phase 7 monopole c/w wraparound cabinet at base and associated works.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The site is located at the southern end of a central reservation on Glebe Farm Road close to its road junctions with Audley Road and Kitts Green Road. A large proportion of the central reservation is utilised for parking. The site however comprises a small grassed area surrounded by pavement. There are existing ground level cabinets on the site and a 10metre high monopole located just to the south.
4. The proposal is for a 20metre high monopole with a wraparound cabinet at its base and new ground level cabinets. The proposals would also involve the removal of the existing monopole, and all but one of the existing ground level cabinets. The works are to provide an upgrade of the existing installation to facilitate 5G coverage.
5. There are a mix of commercial and residential uses in the vicinity and the development in the area is predominantly two-storey and set well back from the road. It is acknowledged that the site is not subject to any special designations in relation to its character and appearance. However, the pavements to Glebe Farm Road, and adjacent to the road junction are substantial. Considering this and the central reservation the area has a very open and spacious character.

6. The proposed monopole would therefore be within a very prominent location and there would be wide ranging and clear views of it from the surrounding area. There are some mature trees to Glebe Farm Road and vertical features, such as lampposts and road signs. The existing mast due to its height and narrower width assimilates with these vertical structures and whilst clearly visible, is not an overly dominant feature.
7. By contrast, the proposed monopole would be significantly taller and wider than these existing features and they would do little in the way of screening the proposal. The mast would be a dominant feature, towering over existing built development, and its prominent position within the street would exacerbate its incongruity. An appropriate colour finish for the proposed monopole could be secured by condition, though I do not consider this would sufficiently mitigate its overall visual impact.
8. The appellant considers the ground level cabinets proposed would constitute Permitted Development (PD). Even if these were not PD, considering their low-level nature and that they would replace existing structures of a similar size and design I do not consider their impact would result in significant harm to the character and appearance of the surrounding area. I note the Council have also raised no concerns in this regard.
9. Nevertheless, for the reasons outlined above the proposed monopole, due to its size and design, would have an unacceptable harmful impact on the character and appearance of the area. It would therefore conflict with saved Policy 8.55 of the Birmingham Unitary Development Plan, 2005 (UDP) which seeks to ensure that the design and siting of proposals minimise their visual impacts. For the same reasons the proposal would also not accord with the guidance in the Council's Supplementary Planning Document: Telecommunications Development: Mobile Phone Infrastructure, 2008 (SPD) and the National Planning Policy Framework (the Framework) which seek to ensure developments respect and respond to the existing character of development in the surrounding area.

Planning Balance

10. Section 10 of the Framework provides clear support for development that is needed to facilitate high quality communications infrastructure. These aims are also supported within the UDP and SPD.
11. The appellant has stated that the proposal is required to bring optimum telecommunications / mobile broadband services to the area. The proposal would be shared between 2 operators and available to the Emergency Services Network. I have no reason to disagree with the appellant's statement in relation to need for such coverage in the local area and therefore these are matters that weigh in favour of the appeal.
12. The proposal would replace an existing monopole, though as detailed above it would have a significantly increased visual impact. The Framework encourages the use of existing masts for new electronic equipment though it is clear that proposals should be sympathetically designed and camouflaged where appropriate. For the reasons outlined above the proposal would not achieve these requirements.

13. Furthermore, applications should be supported by the necessary evidence to justify the proposed development and, in the case of new masts this should include evidence that the possibility of erecting antennas on an existing building, mast or other structure have been explored.
14. I acknowledge that to enable local provision, provide connection between cells and adhere to the guidelines published by the International Commission on Non-Ionizing Radiation Protection (ICNIRP) the monopole would need to be a certain height. The appellant states that they have considered other sites, but the appeal site is the only viable solution and is the most appropriate location being an upgrade of an existing site.
15. There is however limited detail in the evidence before me to specify which sites were considered and the reasons why they were discounted. Although there is existing telecommunications infrastructure at this location the proposal is for the installation of a new mast. In addition, there is little information relating to existing network coverage or to demonstrate the lack of connectivity and poor access to digital services in the area that the appellant references.
16. On the basis of the evidence before me I am therefore not convinced that the required coverage could not be provided on an alternative site or in a manner that would have less impact on the character and appearance of the surrounding area than the scheme before me.
17. For the reasons given above I therefore find that the public benefits of the proposal, in relation to facilitating a high-quality communications infrastructure, would not outweigh the significant harm to the character and appearance of the area.

Conclusion

18. For the reasons stated above I therefore conclude that the appeal should be dismissed.

A Denby

INSPECTOR