



Appeal Decision

Site visit made on 4 February 2020

by S Dean MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 March 2020

Appeal Ref: APP/B4215/W/19/3241923

Streetworks, Hollinwood Avenue, New Moston, Manchester M40 0JA

- 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 (UK) Ltd and H3G (UK) Ltd against the decision of Manchester City Council.
 - The application Ref 123873/FO/2019, dated 7 June 2019, was refused by notice dated 7 August 2019.
 - The development proposed is described as “the installation of a replacement a 20m monopole, accommodating 12 no. antenna in an open headframe and x2 transmission link dishes together with the upgrade of the equipment cabinets and ancillary development thereto.”
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are i) the effect of the proposal on the character and appearance of the area, and ii) whether or not the proposal would cause harm to parking provision and pedestrian movement.

Reasons

Character and appearance

3. The appeal site is next to an existing mast and its associated cabinets, on a wide, long, straight road with a relatively wide pavement area and both on- and off-street parking around it. The buildings around the site are a mixture of ground-floor commercial uses with residential above. They are generally two-storey in scale, slightly shorter than the existing mast and the streetlights, all of which are visible in long views along the road.
4. The proposal would retain two of the larger existing cabinets, and the installation of new cabinets required in connection with the proposed mast, which is taller and wider than existing.
5. Whilst there are vertical elements in the street-scene, in the streetlights and the existing mast, the appeal proposal would be significantly taller, bulkier and more prominent than those. Even if I were to accept that its verticality means that it is consistent with, and appropriate to the existing character of the street-scene, I could not ignore the combined effects of its additional height, bulk and associated cabinets. Taken as a whole, the development would be visually intrusive, dominant and give the street and site an unacceptably cluttered appearance.

6. As the buildings around the site have residential uses on their first floors, I consider that the proposal would by virtue of its overall scale, bulk and prominence cause harm to the visual amenity of the residents of those properties.
7. I acknowledge that there is an electricity pylon nearby, which is itself significantly taller than the buildings and other vertical elements in the street-scene. I do not however consider that this mitigates against the harm I have found, or otherwise lends support to the proposal. In my view, the pylon is so markedly different in appearance and character to the appeal proposal and other vertical elements in the street, which the appellant compares the mast to, that it does not and cannot be used as a relevant comparison.
8. The appellant has provided a number of other appeal decisions¹ to support their case that the economic benefit of mobile telecommunication is a material consideration that would outweigh any other harm that might arise. I have read these decisions, and I agree that the economic benefits of mobile telecommunication are material to the decision, and so is the support in the Framework for advanced, high quality, reliable communications infrastructure.
9. However, as the appellant also notes, visual impact is to be considered on a site-specific basis. I do not consider that the appeal decisions cited lend support to the proposal before me. Each of them is in my view so distinct from the current case, in terms of the operational requirement, the development proposed and the context to it, that they are not directly comparable.
10. The proposal would therefore harm the character and appearance, and visual amenity of the area. This would be contrary to saved Policy DC17.1 of the 1995 Unitary Development Plan for the City of Manchester (the UDP), Policy DM1 and Policy SP1 of Manchester's Local Development Framework Core Strategy Development Plan Document, adopted 11 July 2012 (the Core Strategy). These policies seek amongst other things to ensure that telecommunications development is sited to minimise its impact on residential and visual amenity, and that all development should have regard to its siting, layout, scale and form, impact on the character and appearance of the area which surrounds it and have a positive impact on neighbourhoods in which it is located.
11. I note the support in the National Planning Policy Framework (the Framework) for high quality communications, and that advanced, high quality, reliable communication infrastructure is considered essential for economic growth and social well-being. I also note that policies and decisions should support the expansion of the communications network, and that the delivery of 5G infrastructure is specifically referenced. However, I must balance this against the requirement for equipment to be sympathetically designed and camouflaged where appropriate, as well as the overarching imperative in the Framework for development to achieve well-designed places for the long term.
12. For the reasons set out above, I do not consider that the appeal proposal has been sympathetically designed as required by the Framework. I have concluded above that the proposal would be harmful to the character and appearance of the area, and do not consider that harm to be outweighed by the support in the Framework for high quality communications, when weighed against the development plan harm and the wider requirements of the Framework.

¹ References 2154882, 3176890 and 3231491

13. The proposal would also therefore conflict with guidance in the Framework to ensure that development achieves well designed places.

Parking and pedestrian movement

14. As noted above, there are parking spaces to the rear of the site, which appear to serve a number of the ground-floor commercial and retail units. A number of these spaces are behind the existing mast and cabinets. The parking spaces appear to be accessed from a dropped kerb further along the road towards the station.
15. As the proposal is in line with the existing mast and cabinets, I do not therefore consider that the proposal would adversely affect the usability of the parking spaces as the arrangement would essentially replicate that which already exists. For the same reasons, and given the width of the footway, I do not consider that the proposal would affect pedestrian throughput.
16. The proposal would therefore accord with saved Policy DC17.1 of the UDP, Policy DM1 and Policy SP1 of the Core Strategy and the Framework, all of which seek amongst other things, to ensure that development pays proper regard to the impacts of its siting, layout and creates well designed places.

Conclusion

17. Although the proposal would not in my opinion be harmful to parking and pedestrian movement, I consider that the harm it would cause to the character and appearance of the area, and the resulting development plan conflict is significant. I do not consider that there are material considerations of sufficient weight to outweigh that conflict and indicate that a decision be taken other than in accordance with the development plan.
18. As such, for the reasons given above I conclude that the appeal should be dismissed.

S Dean

INSPECTOR