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## Appeal Decision

Site visit made on 17 January 2020

**by R Cooper BSc (Hons) MCD MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 30<sup>th</sup> March 2020**

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**Appeal Ref: APP/Q4245/W/19/3239156**

**Bennett Bros, 25 Cornbrook Road, Manchester M15 4WD**

- 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 Trafford Borough Council.
  - The application Ref 98132/FUL/19, dated 21 June 2019, was refused by notice dated 21 August 2019.
  - The development proposed is the upgrade to an existing telecoms site, proposed 20m FLI slimline lattice tower on new 5.6 x 5.6 x 1.2m deep RC base and associated works.
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### Decision

1. The appeal is allowed and planning permission is granted for the upgrade to an existing telecoms site, proposed 20m FLI slimline lattice tower on new 5.6 x 5.6 x 1.2m deep RC base and associated works at Bennett Bros, 25 Cornbrook Road, Manchester M15 4WD in accordance with the terms of the application, Ref 98132/FUL/19, dated 21 June 2019, subject to the conditions contained in the attached schedule.

### Main Issues

2. The main issues are the effect of the proposal on the character and appearance of the area; on the future development of the wider area; and whether any harm caused is outweighed by the need to site the installation in the location proposed.

### Reasons

#### *Character and Appearance*

3. The appeal site is an existing established telecommunications installation located within a scrap metal yard. The site is positioned on a relatively flat area of land separated from the wider area by the Metrolink Line to the southeast (adjacent to Cornbrook station) and the Bridgewater Canal to the northwest, further north is the River Irwell. Development directly adjacent to the installation consists of industrial buildings, and open storage of scrap metal, the site accommodates an existing mast and associated infrastructure.
4. The proposal incorporates the replacement of the existing 15m lattice mast with a new 20m lattice mast and associated equipment to facilitate 5G coverage. Whilst the proposal would be 5m taller, and bulkier in appearance, due to its proximity to the existing industrial buildings and scrap yard, and given the sites separation from the wider area, visually it would not appear

significantly more obtrusive than the existing mast. The additional prominence of the structure would be appropriate given the context of the site, having a limited effect on the character and appearance of the area.

5. Whilst the mast is likely to be viewed from vantage points to the north, the river and canal provide substantial separation. Furthermore, the raised Metrolink line screens the site from Bridgewater Way (A56) to the south and east. During my site visit I noted the ongoing construction of high rise buildings, from which future occupants are also likely to be able to view the site from elevated positions. However, the site would appear relatively distant, separate, and would not appear incongruous in this regard.
6. The replacement mast would not appear an unduly obtrusive and would not harm the character and appearance of the area. The proposal accords with Policy L7 of the Trafford Local Plan: Core Strategy 2012 (the Local Plan) which seeks to ensure that new development respects the character and quality of an area and is appropriate in its context.

#### *Future Development*

7. From the evidence provided I understand that the appeal site is located within an area known as Pomona Island, and is identified as a Strategic Location in the Delivery Strategy for achieving Trafford's Core Strategy Vision and Objectives, in Policy SL1 of the Local Plan. I understand that this part of the former Manchester Docks represents a major opportunity to expand and diversify the offer of the Regional Centre.
8. I have been provided a copy of the relevant Local Plan Policy SL1, which outlines the strategic proposal for the area, consisting of a mixed-use commercial and residential district to complement the offers of the city centre and Salford Quays. Among other things, this could deliver 800 residential units and 10 hectares of employment activity.
9. Whilst the Council's policy outlines the amount of employment land and dwellings that could be delivered in this area, I have not been provided any evidence such as an adopted masterplan, or extant planning permissions which demonstrate how the proposal would potentially affect future development.
10. Consequently, there is insufficient evidence before me to demonstrate that the replacement mast would detract from future development of the wider area. Furthermore, below I have concluded that the proposal would support the efficient operation of the network and provide capacity for future expansion. It is therefore reasonable to expect that the proposed upgrade would support the strategic proposals for the area. Consequently, the proposed development is consistent with Policy SL1 of the Local Plan which seeks to support the redevelopment of the area.

#### *Need for Location of the Site*

11. Paragraph 112 of the Framework states that planning policies and decisions should support the expansion of electronic communication networks, including next generation mobile technology (such as 5G). Furthermore, paragraph 113 states that the number of radio and electronic communications masts, and the sites for such installations, should be kept to a minimum consistent with the needs of consumers, the efficient operation of the network and providing reasonable capacity for future expansion. Use of existing masts, buildings and

other structures for new electronic communications capability (including wireless) should be encouraged.

12. The appeal scheme is located at the site of an existing telecommunications mast, and the appeal has been advanced jointly by venture EE Ltd and Hutchinson 3G UK, who would share the apparatus. They have submitted information in support of their scheme, which sets out the aim to support and enhance mobile technology in the area.
13. As this is an existing site the appellants have not advanced any alternatives. However, I am satisfied that this approach is consistent with paragraphs 112 and 113 of the Framework which seek to keep installations to a minimum, by using existing sites and sharing apparatus, whilst providing better mobile coverage.
14. Given my findings above with regards to character and appearance, and future development of the area, I am satisfied that the limited effect of the more prominent replacement mast is outweighed by the need for efficient operation of the mobile networks and to provide reasonable capacity for future expansion of 5G.

### **Conditions**

15. I have considered the conditions suggested by the Council having regard to the six tests set out in the Framework. For the avoidance of doubt, it is appropriate that there is a condition requiring that the development is carried out in accordance with the approved plans.
16. The Council have suggested a condition for the submission and approval of a hard and soft landscaping scheme. However, given the size of the appeal site and having regard to the details already contained on submitted plans, such a condition is considered to be unnecessary.

### **Conclusion**

17. For the reasons given above, the appeal is allowed.

*R Cooper*

INSPECTOR

### **SCHEDULE OF CONDITIONS**

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Prefix '919616\_TFD009\_5609\_M0300\_M002'; Suffix: 002B; 003B; 004B; 005B; 007B; 100B; 150B; 215B; and 265B.