



Appeal Decision

Site visit made on 17 March 2020

by Thomas Hatfield BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th April 2020

Appeal Ref: APP/C4235/W/19/3243445

Streetworks, Hillcrest Road, Stockport, SK2 5QP

- 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 Stockport Metropolitan Borough Council.
 - The application Ref DC/073965, dated 25 June 2019, was refused by notice dated 14 August 2019.
 - The development proposed is described as *"installation of a replacement a 20m monopole, accommodating 12 no. antenna in an open headframe together with the upgrade of the equipment cabinets and ancillary development thereto"*.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

Character and appearance

3. The appeal site consists of part of the footway on the southern side of Hillcrest Road, next to playing fields. The surrounding area is characterised by low rise development consisting mostly of 2 storey dwellings.
4. The proposed mast would be 20 metres in height, which would be significantly taller than nearby streetlights and an existing mobile phone mast to the west (which are 11.0 metres and 11.7 metres respectively). It would also be significantly wider than those installations and would have unshrouded antennae. This would result in a much bulkier and visually intrusive structure that would have a stark, utilitarian design. In addition, it would be in a prominent position that would dominate views along Hillcrest Road, Broadway, and across the adjoining playing fields. Moreover, it would be away from nearby trees and other features that could serve to limit its impact. In this position, it would be a wholly incongruous and dominant feature, that would be out of scale with its surroundings. Whilst the appellant states that an appropriate colour could be secured by condition, I do not consider that this would sufficiently mitigate the impact of the proposal.

5. The number and size of the proposed equipment cabinets would further add to the visual impact of the mast. These would be spread across a significantly wider area than the existing cabinets and would be in a more prominent position. In combination with the proposed mast, they would result in a cluttered appearance in an area that is currently largely open. Whilst it is asserted that the cabinets benefit from permitted development rights, this is disputed by the Council. In any case, this is not a matter for me to determine in the context of an appeal made under section 78 of the Town and Country Planning Act 1990. In this regard, it is open to the appellant to apply to have this matter determined under section 192 of the Act, and such an application would be unaffected by my determination of this appeal.
6. For the above reasons, I conclude that the proposal would significantly harm the character and appearance of the area. It would therefore be contrary to Policies SIE-1 and SIE-5 of the Stockport Core Strategy (2011). These policies seek to ensure, amongst other things, that new development respects its context and does not have an unacceptable effect on the character and appearance of the area.
7. The appellant asserts that Policy SIE-1 is not designed to provide guidance and support for essential infrastructure. However, whilst detailed guidance is provided in Policy SIE-5, Policy SIE-1 seeks to promote "quality places" and applies to most types of development. In my view, it is relevant to the consideration of this appeal.

Other considerations

8. The proposal would retain and enhance 4G services and would provide 5G coverage to this area. It would continue to allow 2 operators to share the same structure and would also be available to the Emergency Services Network. Moreover, I have no reason to question the appellant's assertion that the height and width of the proposed mast are necessary in order for it to 'see' above the existing built environment, and in order to accommodate the equipment for 2 operators.
9. The National Planning Policy Framework ('the Framework') advises that high-quality communications infrastructure is essential for economic growth and social well-being. It further states that planning decisions should support the expansion of electronic communications networks, including next generation mobile technology such as 5G. However, it states that where new sites are required equipment should be sympathetically designed.
10. The appellant states that the proposal needs to be within a short radius of the existing mast to avoid creating a gap in network coverage. Accordingly, this necessitates a limited search area of approximately 100 metres from the existing site. This has not been disputed by the Council, and I see no reason to take a different view. However, the site of the existing mast is within that radius. It is also in a less prominent position that is further away from nearby houses and is partly seen against a backdrop of existing trees. In my view, this would clearly be a less visually harmful location for the proposal.
11. It is asserted that the site of the existing mast would not be suitable as it would require extensive excavation which would pose a prohibitively high risk of a service strike. However, it is not unusual for underground services to be present on development sites, and it is unclear from the information before me

why this is such a challenging constraint in this case. In this regard, little information has been provided to substantiate this point, and I therefore attach only limited weight to it. I further note that the existing mast would need to be removed in any event to prevent 2 large masts and their associated cabinets being sited in close proximity to one another.

12. It is also asserted that the re-use of the existing site would be a major engineering operation, resulting in a substantial down time for the network. However, little supporting information has been provided to support these assertions, and it is unclear what works would be required, or what the length and severity of any network disruption would be. In any case, a short period of network disruption would be outweighed by the long-term visual benefits of siting the mast in a more appropriate location.
13. My attention has been drawn to 3 appeal decisions¹ that relate to telecommunications masts in other areas of the country. However, the full details of those cases, including the approved plans and the surrounding contexts, are not before me. I am therefore unable to assess any direct comparability to the current appeal proposal. In any case, I have come to my own view on this matter based on the information before me and my observations on site.

Planning Balance and Conclusion

14. As set out above, the proposal would significantly harm the character and appearance of the area and would be contrary to the development plan in this regard. Moreover, it has not been demonstrated that it is necessary to site the installation in the location proposed. Whilst the development would improve 5G coverage in this area, and the Framework seeks to support high quality communications, these considerations do not outweigh the harm I have identified and the associated conflict with the Development Plan.
15. For the reasons given above I conclude that the appeal should be dismissed.

Thomas Hatfield

INSPECTOR

¹ APP/K2610/W/17/3176890, APP/G5180/W/19/3231491, and APP/W0734/A/11/2154882