
Appeal Decision

Site visit made on 16 March 2020

by Diane Cragg DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 April 2020

Appeal Ref: APP/B4215/W/19/3243620

MBNL Telecommunications Mast, Grass Verge along Tweedle Hill Road, Blackley, Manchester M9 8LP

- 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 & H3G (UK) Ltd against the decision of Manchester City Council.
 - The application Ref 123903/FO/2019, dated 6 June 2019, was refused by notice dated 24 July 2019.
 - The development proposed is the 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 development on the character and appearance of the area including the adjacent Crab Lane Conservation Area, a designated heritage asset.

Reasons

3. The appeal site is an area within the footpath adjacent to a grass verge and Blackley Cricket Ground fronting Tweedle Hill Road. The site is immediately adjacent to the Crab Lane Conservation Area (CA). The CA encompasses the cricket ground and the residential area centred around Crab Lane as well as open space to the south and St. Andrew's Church to the west. I saw at my site visit that there is a well-used public footpath which borders the cricket ground and connects Crab Lane to Tweedle Hill Road. The open space and the cricket ground contrast with the dense development along Crab Lane providing a sense of the CA's agricultural history. Consequently, these open areas are part of the significance of the CA.
4. Tweedle Hill Road is a through route connecting Chapel Lane to Victoria Avenue. It has footpaths and streetlighting along it to either side. The area is predominantly residential in character. Housing within the vicinity of the appeal site is generally of two storeys and set back from the road frontage. Front boundaries are defined by hedges, walls and fencing. The grass verge, trees and hedges are attractive elements of the street scene and provide an agreeable back drop to the CA.

5. The existing telecommunications mast sits acceptably within the street scene. Although slightly higher than the streetlights and wider, in longer distance views on the approach to the site from either direction along Tweedle Hill Road its siting and appearance is not significantly more apparent. From within the CA there are a number of viewpoints, including from the cricket ground and from properties bordering the cricket ground, where the existing mast is seen in isolation. The existing mast is acceptable from these views only because of its moderate height and width.
6. The proposed monopole mast with open headframe would be sited slightly further south and would be wider and approximately 8 metres higher than the mast it would replace. The land level of the proposed site is marginally lower than the existing location. Approaching the site from the south along Tweedle Hill Road, because of the slight bend in the road, existing tree cover and the rise in land levels, the proposed mast would sit acceptably within the street scene. However, approaching the site from the north, where the land levels are slightly higher, and from within the CA, the additional width and height of the structure would result in the mast being significantly more apparent.
7. Irrespective of the fact that the existing smaller mast is part of the street scene, the additional height and width of the proposed structure would result in a prominent development which would be out of scale with the streetlights and trees within the street. For this reason, the mast would appear dominant and incongruous in the street scene.
8. Further, the height and size of the mast would be particularly apparent from the cricket ground, public footpath and from adjacent residential properties within the CA. The structure would dominate views from these vantage points and would detract from the open and undeveloped appearance of the cricket ground. Consequently, the location of the mast would diminish the significance of the CA. Whilst I consider that the harm to the significance of the CA would, in the terms of the National Planning Policy Framework (the Framework), be 'less than substantial', the Framework nevertheless requires I give this matter great weight.
9. I note the concerns about the number and location of additional cabinets. I consider that these cabinets, given their height and siting and proximity to the fence adjacent to the cricket ground, would be visually acceptable within the street scene.
10. However, overall, I conclude that the development would harm the character and appearance of the area including the adjacent CA, a designated heritage asset. In this regard it would conflict with saved Policy DC17.1 of the 1995 Unitary Development Plan for the City of Manchester, Policy DM1 and Policy SP1 of Manchester's Local Development Framework Core Strategy Development Plan Document, adopted 11 July 2012. 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, form and impact on the character and appearance of the area which surrounds it. It would also conflict with the Framework in so far as it relates to achieving well-designed places and conserving and enhancing the historic environment.

Other Considerations

11. The Framework advises that high-quality communications infrastructure is essential for sustainable economic growth, and that the expansion of electronic communications networks, including next generation mobile technology, should be supported. However, the Framework also advises that the use of existing masts, buildings and other structures for new electronic communications capability should be encouraged. Where new sites are required, equipment should be sympathetically designed.
12. The proposal for the mast is a result of considerable demand for data within this area and the need to facilitate 5G services and improved 4G coverage. I recognise the economic and social importance of advanced, high quality and reliable telecommunications and the strategic role of infrastructure in supporting growth.
13. The proposal would facilitate up to 5G coverage and it would be shared by 2 operators and would be used by the Emergency Services Network. I appreciate that the equipment is necessary to achieve the required standard of network coverage in the area and I have no reason to question the appellant's evidence that the monopole's dimensions are the minimum necessary. I accept that there is an existing mast close to the appeal site. I also accept that the appellant has carried out a site search and found no alternative site for the mast. However, the search for alternative sites, which is limited to within 100 metres of the appeal site, has not been such that it leads to a robust conclusion that there are no alternatives or that this is a least worst option, given its siting close to a conservation area.
14. In support of the appeal my attention has been drawn to a number of appeal decisions. As none of these appeal sites appear to be close to a Conservation Area these decisions are not directly comparable.

Planning Balance and Conclusion

15. There are significant public benefits associated with the proposed development in terms of the enhancement of the telecommunications network, its contribution to economic growth and the operational, and to some extent, the locational needs of the operators. However, I do not consider, in this case, that these public benefits outweigh the less than substantial harm that I have identified to the significance of the CA to which I must attach great weight. I must also balance the public benefits 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.
16. Overall, for these reasons, the appeal is dismissed.

Diane Cragg

INSPECTOR