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## Appeal Decision

Site visit made on 20 May 2020

**by Graham Wraight BA(Hons) MSc MRTPI**

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

**Decision date: 2 June 2020**

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**Appeal Ref: APP/C4235/W/20/3246055**

**MBNL Telecoms Mast, Junction of Adswood Road and Barnfield Road West, Adswood, Stockport SK3 8PW**

- 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 Stockport Metropolitan Borough Council.
  - The application Ref DC/074560, dated 16 August 2019, was refused by notice dated 20 November 2019.
  - The development proposed is the installation of a replacement 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 Issues

2. The main issues are the effect of the proposed development upon (i) the character and appearance of the area and (ii) the safety of pedestrians and drivers using Adswood Road and Barnfield Road West.

### Reasons

#### *Character and appearance*

3. The appeal site occupies a prominent position close to the junction of Adswood Road and Barnfield Road West. The surrounding area is characterised by a mixture of uses, including residential properties, shops and community facilities, with buildings generally being two storey in height. The existing telecommunications installation is set to the back of the pavement, which is of substantial depth at this point due to its corner location. There is another monopole installation on the opposite side of Adswood Road, together with a proliferation of street furniture, including lighting columns and telegraph poles, along with mature trees. These factors give the area a distinctly mixed, urban character and appearance.
4. The proposed monopole would be substantially higher than that of the existing installation and would have a bulkier form, in particular at its top section. It would require a greater number of associated cabinets than the existing installation adjacent to the appeal site. The proposal would also greatly exceed the height of the prevailing built form in the surrounding area and of existing street furniture. Due to both its height and bulk, the proposed monopole would form a visually dominant feature within the street scene. Furthermore, the

positioning of the proposed monopole and numerous cabinets on the back edge of the kerb would draw attention to the installation and emphasise its visual dominance, placing it in a visually awkward and prominent position within the street scene, in particular in views taken along and towards Barnfield Road West. These factors, in combination, would mean that the proposal would cause significant harm to the character and appearance of the area.

5. The appellant has suggested that the proposed monopole could be finished in a colour other than the grey that is shown on the submission, and that this could be secured by way of a planning condition. This would not however overcome the harm that I have identified.
6. I therefore conclude that the proposal would cause significant harm to the character and appearance of the area by reason of its height, bulk and positioning. Accordingly, the proposal would fail to accord with Policies SIE-1 and SIE-5 of the Stockport Core Strategy DPD 2011 (CS) where they seek to safeguard character and appearance. The proposal would also not be in accordance with the National Planning Policy Framework (The Framework), where it refers to achieving well-designed places.

#### *Pedestrian and driver safety*

7. The proposed monopole and cabinets would be located in close proximity to the crossing point on Barnfield Road West which takes the form of a tactile crossing. There is no formalised pedestrian crossing aid at this location and therefore pedestrians crossing the road must be aware of, and alert to, traffic turning from both directions along Adswood Road into Barnfield Road West, as well as the traffic that is moving along Barnfield Road West towards the junction with Adswood Road.
8. The proposed monopole and cabinets would, due to their height and positioning, impair visibility down Barnfield Road West from the tactile crossing point on the same side of the road as which the appeal proposal would be sited. This would reduce the ability of pedestrians to assess the location of traffic moving along this road towards the junction and the speed at which it was travelling. As pedestrians need to simultaneously assess traffic turning from both directions on Adswood Road whilst preparing to cross, the reduction in visibility down Barnfield Road West would cause significant harm to pedestrian safety.
9. Although the proposed development would be sited immediately adjacent to the carriageway, due to its proximity to the junction of Adswood Road and Barnfield Road West, vehicles would not be likely to pass it at high speed and the road is relatively straight at this point. Therefore, the risk of collision is limited. The proposal would not prevent vehicles turning left into Barnfield Road West from Adswood Road in a safe manner and any restriction in visibility across the wide corner pavement would not cause harm to driver safety. Therefore, in these respects, there would be no harm to the safety of drivers using Adswood Road and Barnfield Road West.
10. For the reasons I have identified, I conclude that the proposed development would cause significant harm to the safety of pedestrians crossing Barnfield Road West due to a reduction in visibility. The proposal would therefore fail to accord with Policies SIE-5 and T3 of the CS where they refer to highway safety.

The harm to highway safety that would arise would also mean that the proposal would fail to accord with paragraph 109 of The Framework.

### **Other Matters**

11. The appellant has drawn attention to the support for the delivery of high quality networks that is afforded by The Framework and other government documents, and to the significant social and economic benefits that would arise. They further advise that the proposal would promote mast sharing resulting in fewer installations elsewhere, it would utilise a site close to an existing mast and that the height of the mast is the lowest that is possible in order for the necessary network coverage to be provided. My attention is also drawn to three appeal decisions for telecommunication installations.
12. The support for the telecommunications network that is set out by The Framework, the benefits it provides and the technical parameters which restrict the form that telecommunications installations can take offer substantial weight in favour of the appeal proposal. However, they do not in themselves outweigh the significant harm to character and appearance and to pedestrian safety that I have identified in this instance. There may be some benefit from mast sharing as a result of the proposed development, however this too alone does not justify a harmful development. I have had regard to the appeal decisions provided, but they relate to different installations in other local authority areas and are not directly relevant to the appeal proposal before me, which I am required to consider primarily upon its own individual merits. Therefore, these also do not outweigh the harm that I have found.
13. The appellant considers that there are no alternative sites that the proposed installation could be located on and they point out that the availability of potential other sites was not referred to in the Council's reasons for refusal. Were there to be no other alternative sites available, this too is a matter which would offer support for the proposed development and it would need to be weighed in the planning balance against the harm that I have identified as arising to the character and appearance of the area and to pedestrian safety, and the resultant conflict with the development plan.
14. However, in this regard, although the appellant has referred to a new assessment of alternative sites having being undertaken, I have not been provided with convincing evidence to demonstrate whether or not there are alternative sites available in the wider locality on which the proposed development could be located and on which it would have a lesser impact. Given the significant differences in the form and impact of the existing and proposed installations it is both reasonable and necessary for a more comprehensive assessment of alternative locations to have been provided. Without such an assessment, it is not possible to make an informed judgement on the matter.
15. Notwithstanding this however, even if there was more conclusive evidence before me to rule out alternative sites in the wider locality, based upon the information I do have and my own observations, I am unpersuaded that the proposed installation could not be sited somewhere close by to the appeal site where it would provide the required level of coverage but not cause the same degree of harm that I have found. As a whole therefore, based on the information before me, I am unable to reach a conclusion on the availability or otherwise of alternative sites. Accordingly, this consideration cannot carry

sufficient weight in this instance to outweigh the conflict with the development plan, which would arise due to the harm to the character and appearance of the area and pedestrian safety caused by positioning the proposed development specifically on the appeal site.

16. The appellant states that the installation of the new telecommunications equipment will help to maintain continuous Emergency Services Network coverage within the local area, but no evidence has been provided to demonstrate that this coverage would be jeopardised should this appeal be unsuccessful. The appellant has referred to permitted development rights regarding telecommunications installations however, by virtue of the fact that a planning application has been submitted to the Council, it would appear implicit that they do not represent a viable fallback position taken against the proposed appeal development as a whole. These considerations do not therefore outweigh the harm that the proposed development would cause.

### **Conclusion**

17. For the reasons given above, I conclude that the appeal should be dismissed.

*Graham Wright*

INSPECTOR