



Appeal Decision

Site visit made on 28 July 2020

by A Caines BSc(Hons) MSc TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 July 2020

Appeal Ref: APP/J4423/W/20/3249685

Junctions of Knowle Lane and Ecclesall Road South, Millhouses Lane and Woodholm Road, Sheffield S11 9SH

- 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 MBNL EE UK Ltd and H3G Ltd against the decision of Sheffield City Council.
 - The application Ref 19/04101/FULTEL, dated 12 November 2019, was refused by notice dated 27 January 2020.
 - The development proposed is described as removal of 14.5m monopole and equipment cabinets and erection of 20.0m high monopole supporting 12 no antenna apertures, and associated equipment cabinets (To be sited to the front of Ecclesall Medical Centre, Millhouses Lane).
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have used the site address and development description from the Council's decision notice as they more accurately and comprehensively describe the site and proposed development.
3. The appeal was made by MBNL EE UK Ltd and H3G Ltd, but the applicant details on the application form are "C/O Agent". Nonetheless, it is clear from the full application details that the application was made on behalf of MBNL EE UK Ltd and H3G Ltd, so the appeal proceeds on this basis.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the area.

Reasons

5. The proposal has been put forward as an upgrade of the existing telecommunications site, which currently comprises a 14.5m high mast and associated cabinets located close to a main junction along Ecclesall Road South. The junction contains multitudinous street lighting columns, traffic lights and road signs, as well as mature trees that are higher than the mast.
6. However, the 20m high replacement mast and associated cabinets would be located within the grassed highway verge on the eastern side of Millhouses Lane, close to the junction with Woodholm Road. The separate junction of Millhouses Lane and Woodholm Road is slightly offset from the main junction

with Ecclesall Road. In this pleasant predominantly residential setting, vertical features and street furniture are much less prevalent in the streetscape. The street lighting columns are spaced wide apart and there are also notably fewer trees on the eastern side of Millhouses Lane and down Woodholm Road, leading to more open views of the skyline.

7. In this context, the proposed 20m high mast would be very prominent. Moreover, at around twice the height of the street lighting columns, the mast would tower markedly above any other street furniture, as well as over the roofs of the adjacent buildings and nearby trees. As a result, the mast would be highly visible over a wide area, including for some distance along Millhouses Lane (merging into Silverdale Road), above the houses from Woodholm Road, and starkly against the open skyline when viewed from the north and west at the Knowle Lane and Ecclesall Road South junction. The visual impact would be accentuated by the open headframe and much greater width of the mast relative to the street lighting. Colouring the mast black instead of grey would make it even more prominent against the skyline. Accordingly, due to the scale of the mast and in its context in relation to the townscape in this location, there would be a significant adverse visual effect, which would be harmful to the character and appearance of the area.
8. There would also be a number of ground equipment cabinets associated with the mast. These would be sited within the verge, adjacent to the footway. Whilst they would not obstruct the footway, they would be very conspicuous elements spread over some distance relative to the mast itself. Regardless of their colour, the number, size and coverage of the cabinets in such a prominent position would add further to the unacceptable visual impact of the development as a whole.
9. I note that the appellant considers that the equipment cabinets would normally be permitted development. Nonetheless, it would be reasonable to assume that the cabinets would not be installed in this location without the mast. In any event, the proposal before me relates to the whole installation and thus it is appropriate to consider the cumulative impact of all aspects of the proposed development.
10. I conclude that the development would cause significant harm to the character and appearance of the area. This is contrary to saved Policy BE14 of the Sheffield Unitary Development Plan 1998 (UDP), which requires telecommunications development to be sited and designed to minimise its visual impact. It is also contrary to Policy CS74 of the Sheffield Development Framework Core Strategy 2009 (CS), which among other things, seeks high quality development that enhances the townscape of the city's neighbourhoods.

Other Considerations

11. The National Planning Policy Framework (the Framework) is clear that the provision of high quality communications infrastructure is essential for economic growth and social well-being. The proposal would facilitate up to 5G coverage and I have had regard to the benefits of this technology. The mast would be shared by 2 operators, thereby minimising the number of installations required. It would also be available to the Emergency Services Network and I have taken into account that the scale of the mast and equipment are the minimum possible. These factors all weigh in the scheme's favour.

12. The Framework also requires that applications must be supported with necessary evidence to justify the proposed development. Paragraph 115 of the Framework makes the distinction between an addition to an existing mast and a new mast. For new masts, evidence that the possibility of erecting antennas on an existing building, mast or other structure has been considered should support the application. For the reasons already alluded to, the appeal site is neither at, nor well-related to the existing site, so should be treated as a new site and properly justified.
13. The appellant states that the sequential site selection process was limited to an area of just 100m from the existing site for coverage reasons. However, I have no technical evidence of network coverage to justify such a small search area. Furthermore, the correspondence with the Council indicates that potential sites within the narrow search area were discounted for reasons such as insufficient space and underground services, but there is no substantive evidence to support these vague statements, particularly in respect of why the existing mast site was discounted. It is also not appropriate to simply discount sites on the basis that they are not in the public highway. For these reasons, I do not consider that it has been adequately demonstrated that there are no preferable locations for the proposal which would give rise to less harm in respect of the effects on the character and appearance of the area.
14. The appellant has drawn my attention to several appeal decisions where Inspectors have concluded that the benefits of the development outweighed the harm that would be caused to the character and appearance of the area. However, it is apparent that these examples are in different areas and of different size and type, so they are not directly comparable to the scheme before me. Moreover, just as each of those cases turned on their own merits having regard to the circumstances presented and an overall balancing exercise specific to those schemes, I must consider the scheme before me on its own merits, which is the approach I have taken. As such, whilst I have had regard to these decisions, they have not had a significant bearing on my decision.
15. The possible effect of the proposal upon health has been raised in representations. However, the appellant has provided the requisite 'ICNIRP Declaration' and I am dismissing the appeal for other reasons, so there is no need for me to pursue such matters any further.

Planning Balance and Conclusion

16. For the reasons set out above, the development would cause significant harm to the character and appearance of the area. In this regard, it would be contrary to the relevant identified policies of the development plan, and the Framework. As I have not been provided with satisfactory evidence of the limitation of or lack of other available sites, the weight that I attach to the considerations in favour of the proposal would not be sufficient in this case to lead me to determine the scheme other than in accordance with the development plan. I therefore conclude that the appeal should be dismissed.

A Caines

INSPECTOR