



Appeal Decision

Site visit made on 2 November 2020

by M Cryan BA(Hons) DipTP MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 November 2020

Appeal Ref: APP/J4423/W/20/3252317

**Telecommunications mast to the front of the Telephone Exchange,
Greenhill Parkway, Sheffield S8 7QY**

- 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 & H3G UK Ltd) against the decision of Sheffield City Council.
 - The application Ref 19/02281/FULTEL, dated 11 June 2019, was refused by notice dated 4 December 2019.
 - The development proposed is the replacement of an existing 11.70m monopole with a 20.0m high monopole supporting 12 no antenna apertures, together with the installation of ground-based equipment cabinets and ancillary development thereto.
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Decision

1. The appeal is allowed and planning permission is granted for the replacement of an existing 11.70m monopole with a 20.0m high monopole supporting 12 no antenna apertures, together with the installation of ground-based equipment cabinets and ancillary development thereto at the Telecommunications mast to the front of the Telephone Exchange, Greenhill Parkway, Sheffield S8 7QY in accordance with the terms of the application, 19/02281/FULTEL, dated 11 June 2019, subject to the following 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:
 - 002 Site Location Plan (Issue B)
 - 100 Existing Site Plan (Issue B)
 - 150 Existing Site Elevation (Issue B)
 - 215 Proposed Max Configuration Site Plan (Issue B)
 - 265 Proposed Max Configuration Elevation (Issue B)

Procedural Matter

2. The site address in the original planning application form was given as 'Existing Mast, South of St James Andrew Close, Sheffield, S8 7QY'. The insertion of 'St' into the address was clearly a typographical error, as it was apparent from other information before me and confirmed on my site visit that the street name is 'James Andrew Close'. In any event, in the interests of accuracy, I

have used the site address given on the Council's decision notice and the appeal form in the banner heading and formal decision above, as the site is situated on and accessible from Greenhill Parkway rather than James Andrew Close.

Main Issues

3. The main issues are the effect of the proposed development on the character and appearance of the area, including the nearby Greenhill Conservation Area and, in the event of any harm to the significance of designated heritage assets being found, whether or not this would be outweighed by the proposal's public benefits.

Reasons

Effect on character and appearance and Conservation Area

4. The appeal site is a parcel of land which contains a telecommunications mast around 11.7m in height and five associated equipment cabinets. It is on the northern side of Greenhill Parkway, a reasonably busy single carriageway road with broad grass verges. A pedestrian footway passes immediately to the south of the existing mast and cabinets, well back from the edge of the carriageway. The surrounding area is predominantly residential, although it includes some commercial and other non-residential uses including the nearby telephone exchange building on James Andrew Close. This has a palisade fence and several mature trees on its southern boundary to Greenhill Parkway immediately to the north of the appeal site. The proposal is to remove the existing mast and four of the equipment cabinets, and to install a new mast and a further eight equipment cabinets.
5. While the present installation is in a reasonably discreet location on the north side of the footway immediately adjacent to the telephone exchange boundary fence, the replacement mast and cabinets would be positioned on the southern edge of the footway on the broad grass verge. The number of equipment cabinets would be increased from five to 10, and the submitted drawings suggest that at around 2m in height those now proposed would generally be taller than those currently in place. There would therefore be a greater volume of equipment on the site, in a more open and exposed position. The existing mast is similar in height to the trees on the boundary of the telephone exchange and another group of trees on the verge of Greenhill Parkway east of the site, and is therefore screened by or seen against trees from many local viewpoints. The proposed mast would be around 20m high, and so would be taller than the trees and buildings nearby. All of these factors mean that the proposed development would be a larger and more prominent feature than the current installation.
6. The site lies close to, although outside the boundary of, the Greenhill Conservation Area (the Conservation Area) which is a short distance away to the north. From the information before me and my observations at the time of my site visit, I consider that the significance of the Conservation Area derives from features including the quality of the village centre and its many well-preserved 18th and 19th century buildings in local stone. Greenhill Methodist Church and the White Swan pub are focal buildings within the Conservation Area. The Council has also identified significant views including along Greenhill

Main Road towards the White Swan and its nearby historic buildings, as well as out of the Conservation Area to the west.

7. The proposed installation would be some distance from the two 'focal buildings' within the Conservation Area and would not intrude into the identified significant views, although the mast would be visible from some locations within the Conservation Area. As a very tall structure of functional and modern appearance, it would be at odds with the traditional low-rise character and appearance of the Conservation Area. However, the topography, tree cover and built form of the Conservation Area are such that the mast would most likely be seen in occasional medium distance views, such as from the entrance to James Andrew Close. Overall, I consider that its impact on the Conservation Area would be limited. In the language of the National Planning Policy Framework (the Framework), and as the appellant's statement acknowledges, any harm to the setting of the Conservation Area, and thus its significance as a designated heritage asset, would be less than substantial. Paragraph 196 of the Framework states that any harm to heritage assets that is less than substantial must be weighed against the public benefit of the proposal.

Public benefits

8. Paragraph 112 of the Framework advises that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being, and that planning decisions should support the expansion of electronic communications networks, including next generation mobile technology such as 5G. The proposed installation would serve two national network operators, replacing the existing base station on the appeal site. It would also provide 5G network services to the local area.
9. As a replacement installation, the potential area in which the proposed equipment could be installed to ensure continuity of network coverage and capacity is necessarily limited. The appellant's submitted evidence indicates that the existing mast is not tall enough to provide an adequate 5G service to the surrounding neighbourhoods, and that there are no buildings close to the appeal site which would have been suitable for a rooftop installation. While the Council considers that an improved service could be provided from elsewhere in the vicinity, it did not suggest any alternative sites. I am satisfied therefore that in the circumstances the choice of site is a reasonable one.
10. There are significant benefits to the public at large from being able to access high quality mobile communications, a point which the Council acknowledges. The appellant also describes the potential benefits to the emergency services in ensuring that they can rely on mobile network services in attending emergencies and responding to other incidents. I consider that these would be public benefits which carry significant weight.

Overall balance

11. I have found that the proposed development would be detrimental to the character and appearance of the area. The resultant harm would be localised and limited in scale, and would amount to less than substantial harm to the setting of the Greenhill Conservation Area. As such, the proposal would fail to comply with Policy CS74 of the 2009 Sheffield Core Strategy, and with saved Policy BE16 of the 1998 Sheffield Unitary Development Plan (the UDP). Together these policies seek to ensure that development is well designed,

respects the heritage of the city and preserves or enhances the setting of Conservation Areas. However, saved Policy BE16 is inconsistent with paragraphs 193 to 196 of the Framework as it does not allow the weighing of any public benefits against any less than substantial harm to heritage assets. Accordingly, I attribute this policy and the conflict with it only limited weight.

12. The decision notice issued by the Council indicates that the proposal conflicts with saved Policy BE14 of the UDP. This seeks to ensure that telecommunications equipment is sited and designed so as to minimise its visual impact, subject to technical and operational considerations. The Council also consider that the proposal does not comply with the requirements of Paragraph 113 of the Framework, which seeks to ensure that the number of communications masts 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. In view of my findings set out in paragraph 9 above in respect of the technical and operational considerations of this particular case, I do not find any conflict with that UDP policy or the Framework in this respect. Nevertheless, the proposal would conflict with the development plan as a whole.
13. However, in line with the requirements of paragraphs 193 to 196 of the Framework, I have also found that a significant public benefit would be delivered through the provision of improved mobile communications networks, which would outweigh the limited less than substantial harm to the heritage asset which has been identified. The material considerations therefore indicate that, in this case, the proposal should be determined other than in accordance with the development plan.

Conditions

14. As well as the standard time limit condition, I have imposed a condition specifying the approved plans to provide certainty. No conditions were proposed by the Council, nor do I consider that further conditions are necessary.

Conclusion

15. For the reasons given above I conclude that the appeal should be allowed.

M Cryan

Inspector