



Appeal Decision

Site visit made on 14 December 2020

by A Caines BSc(Hons) MSc TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 December 2020

Appeal Ref: APP/W4705/W/20/3260972

Bingley Road, Shipley BD18 3LW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by MBNL against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 20/02240/PNT, dated 30 May 2020, was refused by notice dated 31 July 2020.
 - The development proposed is described as "Proposed telecommunications upgrade. Proposed 20.0m AGL Phase 7 monopole c/w wrapround cabinet at base and associated ancillary works."
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. The principle of development is established by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). I have had regard to the policies of the development plan only in so far as they are a material consideration relevant to matters of siting and appearance.

Main Issue

3. The main issue is the effect of the siting and appearance of the development, including the effect on the setting of nearby designated heritage assets.

Reasons

4. The appeal site lies within the buffer zone of Saltaire World Heritage Site (WHS). The WHS is a heritage asset of the highest importance. From the evidence before me, the WHS is an exceptionally complete and well-preserved model industrial village of the mid-19th century, which allows the philanthropic and paternalistic approach to industrial management of its founder, Sir Titus Salt, to be easily understood. The WHS also includes much of the Saltaire Conservation Area (SCA), and most of the assembly of terraced housing and institutional and industrial buildings within it are listed for their architectural quality, as well as their historic and social value.
5. The Saltaire World Heritage Site Management Plan 2014 (WHSMP) states that the immediate surroundings of the WHS contribute significantly to its visual setting, its ambience and character. The buffer zone is the area surrounding the WHS intended to protect important views and other areas or attributes that

- are functionally important to the WHS. These include the approaches and gateways to the WHS, which are important to how people experience the WHS and its setting.
6. Bingley Road, on which the appeal site is located, is part of the original Keighley and Bradford Turnpike Road, which the WHSMP identifies as an Important Approach to the WHS. At approximately 170m from the WHS (and SCA) boundary and within Zone K of its immediate setting, the appeal site is therefore within an area which is important to the visual setting of the WHS and other heritage assets within it.
 7. The appeal site's immediate surroundings are predominantly residential in character, comprising traditional stone properties of mostly two-storey height, which complement the character of the WHS. Street lighting columns are spaced regularly along the road, but are of similar height to the surrounding buildings. The exception in this otherwise uniform context is the existing 15m high mast, which is a highly conspicuous element in the streetscene due to its greater height. It is clearly visible against the skyline in the view along Bingley Road from within the WHS.
 8. The proposed replacement mast would be even taller and wider than the existing mast. The drawings indicate that at 20m in height, the replacement mast would be roughly double the height of the surrounding street lighting columns and buildings. The nearby Willow tree is located behind the pavement and is lower in height, such that it would offer little screening, particularly during the winter. Moreover, as demonstrated by the existing mast, the proposed mast would be clearly visible from within the WHS along Bingley Road. Painting the mast a different colour would not make any meaningful difference due to how markedly out of scale it would be with the surrounding townscape. Consequently, the proposed mast would be an unduly dominant and visually intrusive feature within the streetscene when viewed from both within and on an important approach to the WHS.
 9. Furthermore, the ZTV indicates potential for visibility throughout the WHS, even if just from upper floor level. This includes from Saltaire Mills and Victoria Hall, both of which are grade II* listed. Thus, in the absence of being provided with any detailed visual analysis to demonstrate otherwise, I take a precautionary approach and find that the development could likely also be visible from further within the WHS, with potential to harmfully diminish the experience of the authenticity of the WHS and other heritage assets within it.
 10. I therefore conclude that the siting and appearance of the development would have a significant adverse visual effect, and as such, would not preserve the setting of the nearby designated heritage assets, including the WHS, the SCA and the listed buildings therein. This is contrary to Policies DS1, DS3 and EN3 of the Bradford Core Strategy Development Plan Document 2017, insofar as they require development proposals to be appropriate to their context and to conserve, and where appropriate, enhance the historic value and significance of Bradford's heritage assets, particularly the Saltaire WHS.
 11. In reasoning the above conclusion, I consider that the harm to the designated heritage assets would be less than substantial in the terms of paragraph 196 of the National Planning Policy Framework (the Framework). It is therefore necessary that I weigh this harm against the public benefits.

Other Considerations

12. Paragraph 112 of the Framework states that the provision of high quality communications infrastructure is essential for economic growth and social well-being. It also outlines that the expansion of electronic communications networks, including next generation mobile technology, should be supported.
13. The proposal would bring the benefits of 5G coverage to local consumers including residents, visitors and businesses in the area, and I note the representations of support in this regard. Additionally, 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. These factors and public benefits all weigh significantly in the proposal's favour.
14. The appellant considers that the site is the sequentially optimum solution given the presence of the existing mast, so no other sites were investigated. However, the proposed mast is not in the same position as the existing mast. There is also a significant difference in the scale and appearance of the equipment proposed. Thus, it would be appropriate to treat the proposal as a new site.
15. Paragraph 113 of the Framework states that where new sites are required, such as for new 5G networks, equipment should be sympathetically designed and camouflaged where appropriate, but for the reasons above, I have found that the proposal would not be sympathetic to its context. Furthermore, Framework paragraph 115 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. In the absence of such information, I cannot conclude that there are no suitable alternative sites, or sites where the impact would be less harmful than here. Moreover, as there is no authority in this type of case to condition removal of the existing mast, there is potential for the proposal to result in two masts.
16. I am mindful that heritage assets are an irreplaceable resource and should be conserved so that they can be enjoyed for their contribution to the quality of life of existing and future generations. Paragraph 193 of the Framework requires great weight to be given to the conservation of a heritage asset, and the more important the asset, the greater the weight should be. This is irrespective of whether any potential harm amounts to substantial, total loss, or less than substantial harm. In addition, Framework paragraph 194 states that any harm to, or loss of, the significance of a designated heritage asset, including from development within its setting, should require clear and convincing justification. Therefore, although the Government aims to facilitate the growth of new telecommunication systems, it also places great emphasis on protecting areas and buildings of historic importance.

Planning Balance and Conclusion

17. Having regard to all of the above, the weight that I attach to the considerations in favour of the proposal would not be sufficient in this case to outweigh the considerable harm that would be caused to the designated heritage assets as a result of the siting and appearance of the development.

18. The proposal would therefore, for the reasons set out above, be contrary to the relevant identified policies of the development plan, and the Framework. I therefore conclude that the appeal should be dismissed.

A Caines

INSPECTOR