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## Appeal Decision

Site visit made on 22 December 2020

**by D Hartley BA (Hons) MTP MBA MRTPI**

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

**Decision date: 23<sup>rd</sup> December 2020**

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**Appeal Ref: APP/D4635/W/20/3259262**

**Bone Mill Lane, Wolverhampton, West Midlands WV1 1PP**

- 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 against the decision of Wolverhampton City Council.
  - The application Ref 19/01354/FUL, dated 21 November 2019, was refused by notice dated 6 July 2020.
  - The development proposed is the installation of a 20 metre monopole supporting 12 No antennas apertures, equipment cabinets and ancillary equipment and the removal of the existing 14.7 metre monopole supporting 3 No antennas, redundant equipment cabinets and development ancillary 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.

### Reasons

3. It is proposed to erect a 20 metre high telecommunications pole with cabinets in the grassed central reservation of Stafford Street which is a busy and main thoroughfare leading into the City. As part of the proposal, an existing 14.7 metre telecommunications monopole and cabinets on the corner of Bone Mill Lane and Cross Street North would be removed. The latter site is not seen in the context of the aforementioned grass verge. The proposal is to support 5G rollout.
4. This part of Stafford Street includes a regularity of trees in the central reservation and in addition there are trees alongside the pavement edge screening in particular the residential flats behind. Whilst the part of the central reservation where the monopole and cabinets would be erected does not include trees, it is nevertheless grassed (apart from one small highway sign) and hence it continues the otherwise green and undeveloped theme down the centre of the roads.
5. There are highway signs, lamp posts and other street apparatus including traffic lights and a bus shelter on Stafford Street, but these structures do not dominate the urban landscape setting. The columns which are positioned on the pavement edges are relatively slim line and there is an overall uniformity of height to them ensuring that they do not stand out or compete with the

- landscaped central reservation. Overall, the area has the appearance of being well planned and where the green and essentially undeveloped central reservation, and mature trees alongside the pavement, add positively and distinctively to the character and appearance of the area.
6. Taking into account the width and height of the proposed monopole within the central reservation, coupled with its position and assemblage of associated cabinets, I find that this development would look materially out of place in the street-scene. It would unacceptably detract from the green and essentially undeveloped central reservation and, overall, it would appear as a dominant, cluttered and intrusive addition to this urban landscape causing very significant harm to the character and appearance of the area.
  7. I do not agree with the appellant that the proposed development would be seen from all views against the taller structures such as the identified flats and the chimney. Indeed, the development would be seen within the context of the wider central reservation and would be surrounded by wide roads. For those passing the area in a car, or on foot, the appeal development would be seen in stark contrast to the appearance of the rest of the central reservation. Indeed, for those travelling in a car, or on foot, up and down Stafford Street, the impression would be one of an unacceptably imposing telecommunications mast when viewed against the skyline and against the otherwise less dominant street apparatus in peripheral view.
  8. I do accept that the removal of the existing monopole and cabinets in Bone Mill Lane would, to some limited extent, improve the character and appearance of that area. Indeed, I was able to see that there was other street apparatus in Bone Mill Lane and so the removal of the existing monopole and cabinets would have the effect of consolidating the amount of street clutter in this area. Nonetheless, the bottom end of Bone Mill Lane (i.e. beyond the bridge) is not as busy as Stafford Street. Furthermore, the monopole is positioned tight up against an existing building and owing to its height it more reasonably reflects the height of the surrounding lamp posts.
  9. The proposal would have some positive social and economic benefits in terms of 5G rollout and it would meet telecommunication technical requirements. It is of note that paragraph 112 of the National Planning Policy Framework (the Framework) states that '*advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being*'.
  10. On balance, I conclude that the modest visual benefits arising from the removal of the existing telecommunications apparatus, coupled with the social and economic benefits arising from the appeal proposal, would not be of sufficient magnitude to outweigh the very significant harm that would be caused to the character and appearance of the area as a result of the erection of the proposed 20 metre high monopole and associated cabinets.
  11. Therefore, when the proposal is considered as a whole it would not accord with the design requirements of saved policies D6, D7, D9 and EP20 of the Wolverhampton Unitary Development Plan 2006; policy ENV 3 of the Black Country Core Strategy 2011 and Chapter 12 of the Framework.
  12. In reaching the above conclusion, I have taken into account the appellant's references to other appeal decisions for similar development in other areas. I have, however, determined this appeal on its individual planning merits taking

into account the character and appearance of the immediate area. The appeal decisions do not therefore alter my conclusion on this main issue.

**Conclusion**

13. For the reasons outlined above, and taking into account all other matters raised, I conclude that the appeal should be dismissed.

*D Hartley*

INSPECTOR