



Appeal Decision

Site visit made on 26 January 2021

by R Hitchcock BSc(Hons) DipCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 February 2021

Appeal Ref: APP/J4423/W/20/3261740

SW Psalter Lane, Psalter Lane, Brincliffe, Sheffield S11 8UR

- 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 Sheffield City Council.
 - The application Ref 20/02204/FULTEL, dated 29 June 2020, was refused by notice dated 26 August 2020.
 - The development proposed is a 5G upgrade to existing equipment.
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Decision

1. The appeal is allowed and planning permission is granted for the removal of a 9.7m monopole and associated cabinets and erection of 20m monopole with 7no associated equipment cabinets and associated works at the site of a telecommunications mast north west of 285, Psalter Lane, Sheffield, S11 8UU in accordance with application 20/02204/FULTEL, dated 29 June 2020, and 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:
962946_SHF004_55101_S0352_M001 A: 002 SITE LOCATION DRAWING; 003 ACCESS PLAN; 215 MAXIMUM CONFIGURATION SITE PLAN; and, 265 MAXIMUM CONFIGURATION ELEVATION.
 - 3) No above ground development shall take place until details of the finished colour/s of the 20m monopole and associated equipment cabinets hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Preliminary Matters

2. The address and description of development appearing in the banner heading above are taken from the application form. Although this identifies the general location and the nature of the proposed development, these are more accurately stated as the 'Removal of 9.7m monopole and associated cabinets and erection of 20m monopole with 7no associated equipment cabinets and associated works' at 'Telecommunications Mast North West Of 285, Psalter Lane, Sheffield, S11 8UU' on the Council's decision notice. These are subsequently used by the appellant on the appeal form and by the Council to notify parties of the appeal. Consequently, I am satisfied that no party will be prejudiced by my use of them. I have proceeded on this basis.

Main Issues

3. The main issues are the effect of the proposal on:

- The setting of the Nether Edge Conservation Area (CA)
- The character and appearance of the locality
- If any harm is caused, whether it is outweighed by other considerations.

Reasons

Setting of the Conservation Area

4. Paragraph 194 of the National Planning Policy Framework (the Framework) requires assessment of development proposals within the setting of designated heritage assets. Although the site lies on a main route leading into and through the northern part of the CA, it is estimated to lie at about 110m from the boundary of the CA by the appellant; this is not contested by the Council. The location beyond a long sweeping bend extending from the CA, when taken with the local topography, intervening trees and a recent area of redevelopment, ensures that inclusive views of both the mast and CA would be extremely limited. For the same reasons, views out of the CA would be similarly restricted.
5. In longer views, which are limited to those from the south and west, appreciation of the significance of the CA or its setting would be difficult to interpret. Accordingly, the effect on the designated heritage asset would be a neutral factor in the circumstances of the case.
6. For the above reasons, I find the proposal would have a neutral effect on the setting of the CA and be consistent with the requirements of Policy BE16 of the Sheffield Unitary Development Plan [1998] (UDP) as it seeks to protect the setting and quality of views into and out of Conservation Areas and CS74 of the Sheffield Development Framework Core Strategy [2009] (CS) as it seeks that development respects the distinctive heritage of the city.

Character and appearance

7. The site lies above a steep escarpment between mixed development of predominantly terraced homes and commercial properties on lower land to the west and areas of mixed density housing to the east. The roadside location is within a grassed verge on an inclined road bordered by stone walls with greenery and some mixed tree cover beyond. Nearby development on Psalter Lane is limited to a single residential property lying on higher ground to the south-east and an apartment development beyond.
8. The proposed height and large diameter of the mast would be a significant structure in the context of the surrounding streetscape where streetlighting is of modest height and slender design. The mast and proposed number of consecutive cabinets regimented along the roadside would unavoidably draw the eye and dominate the views of passing pedestrians and other road users. The scale and utilitarian design of the monopole and headset would appear incongruous in its setting and contrast sharply with that of existing development in the vicinity.

9. In intermediate views, the presence of trees either side of the road, including a row of tall columnar canopied species on the western side, would provide some degree of screening, particularly on approach from the south. This effect could be maximised by suitable colour treatment of the apparatus. Views from the east would be limited due to the land topography and trees. From the north, intervening development would prevent long views.
10. From the area below the escarpment, intermediate views would be somewhat limited from the nearby streets due to the predominant orientation of the long terraces of buildings. Although a large part of the upper mast would be visible over the treeline in longer views, the perception of scale would be diminished on account of the separation distance, the broader landscape scale of those views and moderation by a backdrop of trees and higher rising land to the southeast. The substantial absence of comparative buildings or structures close to the mast would also reduce the sense of scale in those views. Outward views from Psalter Lane over the town and horizon to the west would not be significantly affected by the presence of the apparatus within the roadside verge.
11. Paragraph 113 of the Framework encourages the use of existing masts, buildings and other structures and Paragraph 115 states that applications for new masts should be supported by evidence that the applicant has explored those possibilities. The appellant advises that whilst the search evidence provided relates to the initial study undertaken in justification of the existing monopole, it considers that the proposed location is the only viable solution and is identified in order to distance the proposal from sensitive receptors. The appellant also highlights that the proposal would be the replacement of an existing facility which has previously been authorised for telecommunication development.
12. As a proposal for a new mast, I find the appellant's evidence of survey effort somewhat lacking. However, at the time of my site inspection it was apparent that, given the topography of the area, the proximity of the CA, high density of nearby residential areas and few opportunities for the camouflaging of equipment - as advocated in the Framework, the search area is subject to significant constraints. As such, the use of an existing telecoms site is not without merit and I consider that the siting is one which seeks to minimise the visual impacts of the development. Nevertheless, there would be a minor conflict with the requirements of the Framework in regard to evidence of the consideration of other siting opportunities.
13. Taking the above together, the design and scale of the development would contrast with that of the local character of development. Over longer distance views, the effect of that contrast and part assimilation by the surrounding trees and topography would be limited. However, in the immediate locality the effect would be considerable such that it would conflict with Policy BE14 of the UDP and Policy CS74 of the CS as they seek, amongst other things, design that responds to the character and scale of its setting. Additionally, there would be minor conflict with the requirements of the Framework in respect of evidence of consideration of other siting opportunities.

Other considerations

14. Paragraph 112 of the Framework sets out the objectives for communications infrastructure. It states that: 'Advanced, high quality and reliable

communications infrastructure is essential for economic growth and social well-being. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections.'

15. The proposal would provide social and economic benefits through the improvement of bandwidth, system capacities and the delivery of next generation coverage. This could enable significant improvements for private and business users, and facilitate innovation, efficiency and user security. It could contribute to the expansion of home working in a predominantly residential area and thereby assist in the reduction of travel requirements. It could also accommodate use by emergency services. Furthermore, the mast would facilitate use by more than one operator to avoid a proliferation of masts dedicated to individual providers. These are matters that weigh in favour of the development.

Planning Balance

16. For the reasons set out above, I have found that the mast would cause some harm the character and appearance of the immediate locality. I also find the evidence of the survey effort in regard to other potential sites in the search area to be limited and in conflict with the Framework.
17. However, acknowledging that the constrained location makes good use of the local topography, opportunities for natural screening and distances the development from the majority of sensitive receptors such that effects are substantially limited to the immediate vicinity of the site, I find the overall degree of harm would be limited. When weighed against the public benefits that would arise from the proposed improvement to telecommunications infrastructure and associated social and economic benefits, I conclude that the harm arising from the impact on the local character and appearance and the minor conflict with the requirements of the Framework would be outweighed in the particular circumstances of the case.

Conditions

18. I have considered the suggested conditions from the Council and had regard to Paragraph 55 of the Framework and the National Planning Practice Guidance in terms of the use of planning conditions. In addition to the standard condition limiting the lifespan of the planning permission, I have imposed a condition specifying the relevant drawings as this provides certainty.
19. To limit the visual impact of the proposal and maximise assimilation into its setting, a condition requiring suitable colour finishing of the mast and associated apparatus is reasonable and necessary.

Conclusion

22. For the above reasons, the appeal should be allowed.

R Hitchcock

INSPECTOR