

---

## Appeal Decision

Site visit made on 16 February 2021

**by L Page BSc (Hons) MSc MRTPI**

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

**Decision date: 25<sup>th</sup> February 2021**

---

**Appeal Ref: APP/D4635/W/20/3263239**

**Land at Tettenhall Road, Wolverhampton WV6 0LB**

- 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 Telefónica UK Limited and Cornerstone against the decision of Wolverhampton City Council.
  - The application Ref 20/00349/TEL, dated 1 April 2020, was refused by notice dated 28 August 2020.
  - The development proposed is 20m high column supporting 6no. antennas, 2no. 300mm microwave dishes and the installation of 1no. equipment cabinet.
- 

### Decision

1. The appeal is allowed, and prior approval is granted under Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), for a proposed 20m high column supporting 6no. antennas, 2no. 300mm microwave dishes and the installation of 1no. equipment cabinet, on land at Tettenhall Road, Wolverhampton WV6 0LB in accordance with the application Ref 20/00349/TEL, dated 1 April 2020, and the details submitted with it.

### Procedural Matters

2. The dates between the application being submitted and a decision being issued have been clarified by both parties, confirming that the Council issued its decision within the prescribed timescales. The appeal has been dealt with accordingly.
3. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), under Article 3(1) and Schedule 2, Part 16, Class A, Paragraph A.3(3) require the local planning authority to assess the proposed development solely on the basis of its siting and appearance, taking into account any representations received. My determination of this appeal has been made on the same basis.
4. The principle of development is established by the relevant provisions of the order and there is not a requirement to consider the development plan or green belt and nature reserve policies in this context.

## **Main Issue**

5. The main issue is the effect of the siting and appearance of the proposal on the character and appearance of the area, including on the setting of Tettenhall Road Conservation Area, Staffordshire, Worcestershire, and Shropshire Union Canal Conservation Area, Grade II Listed Buildings of Bredon House and Tettenhall Old Bridge.

## **Reasons**

6. The site is located along Tettenhall Road which is characterised by significant levels of mature tree growth and other vertical utilitarian features, such as lamp posts and other signage along the highway. The level of tree growth is such that the canopies extend into the highway and over the footways. Consequently, tree growth and canopy spread are such that, when looking down the highway at a distance, many of the vertical features are obscured from view, and in some instances are only fully visible when in close proximity. An appreciably sized terrace with properties that are two storeys in height is directly opposite the site, providing a focal point and drawing the eye within this part of the street scene.
7. The site is located between Tettenhall Road Conservation Area and Staffordshire, Worcestershire, and Shropshire Union Canal Conservation Area. Furthermore, the Grade II Listed Buildings of Bredon House and Tettenhall Old Bridge are in the locality. However, the role of heavy tree cover, vegetation, and other intervening structures, including the aforementioned terrace, effectively divorce the site from these heritage assets. Consequently, the interface with their settings would be limited.
8. The proposal would introduce a 20m high column supporting 6no. antennas, 2no. 300mm microwave dishes and the installation of 1no. equipment cabinet. The submitted photomontage demonstrates that perceptually the structure would be a similar height and colour to adjacent lamp posts. Furthermore, the antennas and other apparatus attached to the column would be packaged in a compact arrangement to the extent that the width of the structure remains relatively in keeping with the general form of adjacent lamp posts. Lastly, the cabinet would appear similar in scale to other kiosks and low impact street furniture that are common place along highways.
9. Given that the proposal would assimilate with other street furniture along the highway any impacts derived from its siting and appearance would be limited. Furthermore, bystanders would be drawn to the greater scale and focal point of the terrace directly opposite, which would further divert views away from the proposal and lessen its impact even further. In addition, the significant tree cover and canopy spread along the road and in the vicinity of the site would further obscure views of the proposal.
10. Overall, the siting and appearance of the proposal would assimilate into the existing environment as a fitting element of street furniture similar to existing lamp posts and other street furniture along the highway. It would therefore preserve the character and appearance of the area, and the settings of the designated heritage assets in the locality.

## **Conclusion**

11. For the reasons given, the appeal is allowed, and prior approval is granted under Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and subject to the relevant conditions therein.

*Liam Page*

INSPECTOR