The Planning Inspectorate

Appeal Decision

Site visit made on 2 March 2021

by Graham Wraight BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 March 2021

Appeal Ref: APP/G4240/W/20/3264814
121 Circular Road, Denton, Manchester, M34 6JX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3(1) and 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 HUTCHISON 3G UK LTD against the decision of Tameside Metropolitan Borough Council.
- The application Ref 20/00754/NCD, dated 8 August 2020, was refused by notice dated 6 October 2020.
- The development proposed is a telecommunications installation: Proposed 15m Phase 8 Monopole C/W wraparound Cabinet at base and associated ancillary works.

Decision

1. The appeal is dismissed.

Procedural Matter

2. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (GPDO 2015), under Article 3(1) and Schedule 2, Part 16, Class A, Paragraph A.3(4) 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.

Planning Policy

3. The principle of development is established by the GPDO 2015 and the provisions of Schedule 2, Part 16, Class A of the GPDO 2015 do not require regard to be had to the development plan. I have had regard to the policies of the development plan and the National Planning Policy Framework (The Framework) only in so far as they are a material consideration relevant to matters of siting and appearance.

Main Issue

4. The main issue is the effect of the siting and appearance of the proposed development on the character and appearance of the area.

Reasons

5. The appeal site is in a prominent location on a bend in Circular Road. The surrounding area is predominantly residential in use and is characterised by two storey dwellings interspersed by extensive areas of open space such as

that adjacent to where the proposed installation would be sited. This gives the area a spacious and visually uncluttered character and appearance. There is only a limited amount of existing street furniture present in the vicinity of the appeal site. Trees are a feature of the surrounding area, both to the rear of the site and along Circular Road but those within the public domain are for the most part not of substantial size. Existing lighting columns are of a limited height consistent with their estate road location.

6. The proposed monopole would be substantially higher and bulkier than the existing lighting columns and the existing street furniture. Due to both its height and bulk, it would form a visually dominant feature within the street scene and one which would be out of character within its surroundings. The alignment of the road means that it would be clearly visible and dominant from many vantage points along Circular Road. Furthermore, it would sit in an isolated and exposed location because of its positioning adjacent to an area of open space. Existing trees along Circular Road are of a size and frequency that would not provide any substantial screening of the proposal. Those trees along the rear gardens of adjacent dwellings would provide a backdrop from some vantage points but would not substantially reduce the visual impact. The cabinets proposed would also be prominently located close to the road, but they would have a much lesser impact due to their number and overall size.

7. The installation could be colour finished and whilst this would help to reduce its visual impact, it would not overcome the impact that would arise due to its location and height and bulk.

8. For these reasons, I conclude that the proposal would cause significant harm to the character and appearance of the area by reason of both its siting and appearance. Insofar as it relates to siting and appearance, the proposal would fail to accord with Saved Policy U2 of the Tameside Unitary Development Plan 2004. The proposal would also not be in accordance with The Framework, where it refers to achieving well-designed places and in requiring that new masts should be sympathetically designed.

Other Matters

9. Support for the delivery of advanced, high quality and reliable communications networks is afforded by The Framework, by other government documents and by the development plan, and such networks bring significant social and economic benefits. Furthermore, the proposal would support 2G, 3G and 4G coverage from a single installation whilst providing new 5G coverage to a predominantly residential area. The proposal has been reduced in height from a previous refused application and the appellant advises that for technical reasons it cannot be reduced further in height.

10. Details relating to its need to be located in this area, of a sequential approach that has been undertaken and of a number of alternative sites have been provided. It is clear from my visit to the area that some of the alternative sitings may present similar visual sensitivities as the appeal proposal. That said, I am not persuaded that the information before me demonstrates that an exhaustive analysis of all parts of the cell search area has been undertaken and, therefore, I am not certain that a less harmful location could not be found.

11. The appeal site is not within a protected area and the positioning of the proposal would minimise the number of residential receptors that had a view of

the installation, as is suggested by the Zone of Theoretical Visibility drawings that have been submitted. Support has been forthcoming from an interested party and it has not been suggested that the proposal would be harmful to highway safety. The ICNIRP guidelines for public exposure would also be met.

Planning Balance and Conclusion

12. I acknowledge that there would be a number of benefits arising from the proposed development, in particular economic and social benefits and that the proposal has been sited to minimise the impact on residential receptors. However, I am not persuaded by the information before me with respect to alternative sites. In conclusion, the considerations advanced in support of the proposal do not outweigh the significant harm to the character and appearance of the area I have found would be caused by the siting and appearance of the proposed development.

13. For the reasons given above, I conclude that the appeal should be dismissed.

Graham Wraight

INSPECTOR