



Appeal Decision

Site Visit made on 20 April 2021

by Paul Thompson DipTRP MAUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 MAY 2021

Appeal Ref: APP/J4423/W/20/3261561

Danewood Avenue / Castlebeck Avenue, Manor Estate, Sheffield, S2 1DS

- 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 MBNL against the decision of Sheffield City Council.
 - The application Ref 20/02180/TEL, dated 27 June 2020, was refused by notice dated 20 August 2020.
 - The development proposed is telecommunications upgrade. Proposed 20.0m AGL Phase 8 monopole c/w wrapround cabinet at base and associated ancillary works.
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Decision

1. The appeal is dismissed.

Procedural Matters

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.
3. The principle of development is established by the GPDO 2015, the provisions of Schedule 2, Part 16, Class A of which do not require regard 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 proposal upon the character and appearance of the local area.

Reasons

5. The appeal site concerns part of a grass verge to the west side of Castlebeck Avenue, to the south of its junction with Danewood Avenue. There are existing telecommunications monopoles and associated equipment cabinets immediately to the north and to the east on the opposite side of the street. There is also an electricity substation to the northeast and a bus shelter to the south, as well as various streetlamps to either side of the street.

6. The existing monopoles are situated within a dip in Castlebeck Avenue, which cuts between two dense areas of vegetation. These create a sylvan character and partial backdrop to the monopoles.
7. There is no getting away from the fact that the proposed monopole is a significant departure from the much simpler and smaller shrouded masts found to either side of the street, principally due to their technical requirements. Moreover, it would be much taller than these monopoles and unshrouded, with a more pronounced base and various antennae clearly evident in the headframe. Were the existing monopole removed, the proposed would still be significantly taller than the trees to either side of the street and visible from some distance, particularly from the north and south. However, together with the dip in the road, the trees would help to ensure that it would be more comfortably assimilated within its surroundings.
8. There is some dispute between the Appellant and Council over the need for an assessment of alternative sites to justify why the current location is preferable. The appellant has suggested that the site would meet their technical and operational requirements and the existing monopole and infrastructure will be removed once the proposal has been erected and is operational. Even if I were to accept this approach to site selection, the appellant's *Site Specific Supplementary Information* refers to a second pole being added and the application drawings show the existing monopole to be retained alongside the proposal. This calls into question the site selection process undertaken, particularly reliance on the site selection of the existing monopole.
9. The GPDO 2015 does not provide any specific authority for imposing additional conditions beyond the deemed conditions for development by electronic communications code operators and there is no other mechanism available to me to secure the removal of the existing monopole. In any event, I am mindful that it is likely that any conditions on the grant of approval for the existing monopole, specifically its removal, would only bite if it is no longer required for telecommunications purposes. There is not sufficiently compelling evidence before me to suggest that this would be the case.
10. There is therefore a greater than theoretical possibility that the two poles would be seen in close proximity, alongside one another. Despite the presence of exiting features, together the monopoles would appear as overly prominent, intrusive, and discordant features that would be visually harmful to their immediate surroundings, to the detriment of its character and appearance.
11. I have been referred to documents emphasising the importance of mobile coverage and connectivity, including those produced by the appellant and Mobile UK. These align with the main thrust of the Framework, which suggests that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being.
12. In the local context of the Manor Estate in Sheffield, businesses and residents utilise the networks for mobile connectivity and coverage, including for working from home. The proposal would maintain 2G, 3G and 4G network coverage and introduce 5G coverage for the operators in this location, including for emergency services, and would be future proofed to enable other technologies to be deployed, depending upon the demand required. This would therefore maintain competition between different operators, as encouraged by the Framework.

13. The aforementioned matters would therefore amount to public benefits in social and economic terms to the residents, businesses and visitors to the area which would be balanced by the harm that would be caused to the character and appearance of the area. This is a fine balance, but I conclude that the siting and design of the proposal would have an unacceptably harmful effect on the character and appearance of the local area. Hence, the proposal would be contrary to the design aims of Policies BE14 and H14 of the Sheffield Unitary Development Plan (Adopted March 1998) and paragraphs 113 and 115 of the Framework.

Conclusion

14. For the reasons given above, I conclude that the appeal should not succeed.

Paul Thompson

INSPECTOR