



Appeal Decision

Site visit made on 3 August 2021

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 August 2021

Appeal Ref: APP/J4423/W/21/3273059

Land at Junction of Greengate Lane and School Road, High Green, Sheffield S35 3JF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Articles 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 Hutchinson (UK) Ltd against the decision of Sheffield City Council.
 - The application Ref 21/00491/TEL, dated 22 January 2021, was refused by notice dated 26 March 2021.
 - The development proposed is erection of a 15m high Phase 8 monopole with the provision of associated cabinets and ancillary works.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have used the site address supplied by the Council on their Decision Notice on the banner above, as it describes the site location more accurately than the application form.
3. The provisions of Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO), 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 GPDO and the provisions of Schedule 2, Part 16, Class A of the GPDO 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

5. In light of the above, the main issue in this case is the effect of the development on the character and appearance of the area.

Reasons

6. The appeal proposal is located on a grassed area adjacent to a school, close to a junction between two roads and is set amongst a number of established landscape features. The area is predominately residential in nature but located opposite a large public park.
7. The appellants state that the proposed mast would facilitate Fifth Generation (5G) connectivity. The proposal would be visible above the existing treeline when seen in its context. The scale of the mast is strident, industrial in nature and has the external appearance of a structure more often seen in commercial or industrial areas and would be harmful to the local context of residential development, the school and the public park. The mast would appear dominant in the locality and be harmful to the character and appearance of the area.
8. The mast would be relatively slender in design, and the top portion of the overall height is made up of antennas. However, I find that the mast and associated cabinets would create an unwelcome addition of street clutter, and harm the character and appearance of the area by adding such an industrial style of development into the wider residential area.
9. Paragraph 114 of the Framework states that such telecommunications development is essential, and the expansion of electronic networks should be supported, including the next generation of mobile phone technology. Based on the guidance in the Framework, there would be public benefits from the proposal.
10. Paragraph 117 of the Framework states that evidence must be supplied to demonstrate that alternatives have been taken into consideration. Additions to an existing mast or base station are excluded. As the proposal is a new siting, alternative siting's must be assessed. Information has been supplied as evidence to show that this has been carried out, but I am not convinced that has been carried out to an acceptable level.
11. On the evidence before me, the development would comply with the guidelines published by the International Commission on Non-Ionizing Radiation Protection (ICNIRP). As such, the Framework advises that health safeguards are not something which a decision-maker should determine. No substantive evidence is before me to indicate that the ICNIRP guidelines would not be complied with or that a departure from national policy would be justified. I also note that the Council did not object to the development for these reasons.
12. The Framework recognises that planning decisions should support the expansion of electronic communications networks and the appellant has provided evidence to justify the proposed development. However, I have found the siting and appearance of the development would result in harm to the character and appearance of the area, which is not outweighed by these other considerations.

Planning Balance and Conclusion

13. I have taken into account the economic and social benefits of the proposal, and the supporting documentation provided that demonstrate the merits of an effective communications network. Nonetheless, I do not find these benefits outweigh the harm that would be generated by the siting of the mast and associated works in such a location.

14. For the reasons set out, I conclude the appeal should be dismissed.

Paul Cooper

INSPECTOR