



Appeal Decision

Site visit made on 23 March 2022

by F Rafiq BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 May 2022

Appeal Ref: APP/J4423/W/21/3282953

Outside no. 27 Ecclesall Road South, Sheffield S11 9PE

- 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 & Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Cornerstone & Vodafone Ltd against the decision of Sheffield City Council.
 - The application Ref 21/00329/TEL, dated 21 January 2021, was refused by notice dated 18 March 2021.
 - The development proposed is the installation of a 17.5 metre high Apollo streetpole with 6 antennas, 1 GPS module, 2 equipment cabinets, and 1 meter.
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Decision

1. The appeal is allowed and prior approval is granted for the installation of a 17.5 metre high Apollo streetpole with 6 antennas, 1 GPS module, 2 equipment cabinets, and 1 meter outside no. 27 Ecclesall Road South, Sheffield, S11 9PE in accordance with the terms of the application, Ref 21/00329/TEL, dated 21 January 2021 and the plans submitted with it: Site Location Maps (Dwg No: 100 Rev A), Site Plan Existing (Dwg No: 200 Rev A), Site Plan Proposed (Dwg No: 201 Rev B), West Elevation Existing (Dwg No: 300 Rev A) and West Elevation Proposed (Dwg No: 301 Rev B).

Preliminary Matters

2. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO) require the proposed development to be assessed solely on the basis of its siting and appearance, taking into account any representations received. My determination of this appeal has been made on this basis.
3. The principle of development is established by the GPDO and the provisions of the Schedule 2, Part 16, Class A of the GPDO do not require applications to be decided in accordance with the development plan, unless material considerations indicate otherwise. I have, though, paid due regard to the policies of the Sheffield Unitary Development Plan (UDP), the Sheffield Development Framework Core Strategy (Core Strategy) and the National Planning Policy Framework (Framework) insofar as they assist in forming the planning judgement required in relation to siting and appearance.

Main Issue

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

Reasons

5. The appeal site comprises of part of a grass verge on Ecclesall Road South, close to the junction with Brincliffe Edge Road. It is positioned adjacent to a bus layby and on a wide section of highway that carries two lanes of vehicular traffic in both directions. The surrounding area is formed predominantly of two storey residential properties that are set at varying levels that reflect the changing topography. This variance in levels, the wide carriageway and the presence of mature trees within the grass verges gives the area a spacious, verdant character.
6. The proposed mast, at 17.5m would be taller than either the nearby residential properties on the eastern side of Ecclesall Road South or street furniture items such as nearby lamp posts. The nearby trees are taller than residential properties and street furniture items, but the proposed mast would still be around 5.5m higher than the tree adjacent to the existing bus stop. Despite this, the mature trees along the grass verge areas have thick trunks and substantial canopies which would provide a good level of screening.
7. It is also significant that the nearby trees to the south of the appeal site are on rising land. This would mean that in views from the north, the prominence of the mast would be reduced as it would be seen with tree canopies in the backdrop. From the south, longer distant views are limited by the curvature in the road and topography changes, with trees in the foreground also providing screening. The rising land levels would not therefore result in the proposed mast appearing incongruous, but rather, like the large church on the opposite side of the road, the change in levels helps assimilate the mast into this low-rise urban landscape. The slender form of the mast and shrouded top section would assist in this regard and ensure that it does not appear visually intrusive in this location.
8. The proposal also includes cabinets, which would add to the number of street furniture items in this part of Ecclesall Road South. Whilst the cabinets form part of the assessment of the appeal proposal, the Council has stated that they do not consider them to be harmful to the street scene. Given that they would be sited in a linear arrangement at a low level, I have no reason to find differently.
9. In conclusion, the siting and appearance of the proposed installation would not have a harmful effect on the character and appearance of the area when regard is paid to its siting and appearance. In reaching a view on this matter, I have paid appropriate regard to UDP Policy BE14, Core Strategy Policy CS74 and the Framework which seek, amongst other matters, for telecommunications development to minimise impact on the visual amenity, character and appearance of the surrounding area.

Other Matters

10. Any representations received have been taken into account. Comments relating to the main issue have been considered as part of the discussion elsewhere in this decision. I note the comments that seek a financial contribution for offsetting the impact of the mast on the area's character. I have not been provided with any policy justification for seeking this contribution. In any event, as I have found the proposal would not unacceptably harm the character or appearance of the area, this contribution is not necessary.

11. There is insufficient justification for considering alternative sites as I have found the proposal to be acceptable in terms of its siting and appearance.

Conditions

12. Any planning permission granted for the development under Article 3(1) and Schedule 2, Part 16, Class A of the GPDO is subject to conditions set out in Paragraphs A.3(9), A.3(11) and A.2(2), which specify that development must be carried out in accordance with the details submitted with the application, must begin not later than the expiration of 5 years beginning with the date on which the local planning authority received the application, and must be removed as soon as reasonably practicable after it is no longer required for electronic communications purposes and the land restored to its condition before the development took place. In light of the above, the additional commencement and plans conditions suggested by the Council are unnecessary.

Conclusion

13. For the reasons given above, I conclude that the appeal should be allowed and prior approval granted.

F Rafiq

INSPECTOR