



Appeal Decision

Site visit made on 26 April 2022

by K Stephens BSc (Hons) MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th May 2022

Appeal Ref: APP/Q4245/W/21/3287784

Great Stone Road, Trafford M32 8QS

- 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 CK Hutchinson Networks (UK) Ltd against the decision of Trafford Metropolitan Borough Council.
 - The application Ref 105758/TEL/21, dated 29 May 2021, was refused by notice dated 27 October 2021.
 - The development proposed 15.0m Phase 8 Monopole C/W wraparound Cabinet at base and associated ancillary works.
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Decision

1. The appeal is allowed and approval is granted under the provisions of Article 3(1) and Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for a 15.0m Phase 8 monopole C/W wraparound cabinet at base and associated ancillary works at Great Stone Road, Trafford M32 8QS, in accordance with the terms of the application Ref 105758/TEL/21, dated 29 May 2021, and the plans submitted with it including 002 Site Location Plan, 210 Proposed Site Plan, and 260 Proposed Elevation.

Preliminary Matters

2. The provisions of Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the 'GPDO') require the local planning authority and therefore the Secretary of State 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 this basis.
3. 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 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.
4. I understand an application for an 18 metre high monopole was refused¹ at the site, although I do not have full details. This probably explains the typographical errors in the Council's Delegated Report and Appeal Statement

¹ LPA ref: 104841/TEL/21 refused 28 July 2021

referring at times to an 18m high monopole. However, it is clear from the decision notice, the submitted plans and the parties' evidence as a whole that the proposed monopole would be 15 metres in height.

5. In its Appeal Statement the Council lists two Supplementary Planning Documents (SPD) as relevant policy documents. These are SPD3: Parking Standards & Design, and SPD4: A guide for designing house extension and alterations. As neither are mentioned in the refusal reasons and the proposal is not for parking or a house extension/alteration, I consider neither is directly relevant to the main issues.

Main Issues

6. The main issues are:

- The effect of the siting and appearance of the proposal on the character and appearance of the area,
- The effect of the siting and appearance of the proposal on the setting of the Longford Conservation Area, and
- The effect of the siting and appearance of the proposal on the living conditions of neighbouring residents with regards to outlook.

Reasons

Character and appearance

7. The appeal site forms part of the pavement on the inner side of an oval roundabout where four residential roads converge in a one-way configuration. Apart from a short row of shops and a public house around the outer north east quadrant of the roundabout, houses are sited around the rest of the outside of the roundabout. The area is predominantly residential with mainly two-storey, semi-detached properties. The centre of the roundabout is landscaped with grass and mature trees and is bisected by a narrow road with parking either side.
8. The proposal would involve the erection of a 15m high monopole with wrap-around cabinet at its base along the back edge of the pavement, together with three other cabinets of varying widths and heights. The proposed installation would improve digital wireless, mobile coverage within the Trafford area to facilitate 5G coverage and improved connectivity.
9. Paragraph 114 of the Framework recognises the importance of advanced, high quality and reliable communications infrastructure to economic growth and social wellbeing. It goes on to state that planning decisions should support the expansion of networks, including next generation mobile technology such as 5G.
10. There are approximately 10m high streetlights in the vicinity around the roundabout, including a short distance away on the other side of the car park road through the roundabout, as well as along Kings Road when approaching the site from the west. There are also mature trees in the centre of the roundabout approximately 10-13m tall. Hence there is some vertical emphasis to the street scene.

11. The monopole would be thicker and taller than the neighbouring street lights, and the top part of the mast would be a taller than some of the trees. However, the irregular array of trees and trunks of varying height in the centre of the roundabout, even when the leaves drop, would provide a substantial backdrop to the monopole. Furthermore, the configuration of the landscaped roundabout, including its one-way traffic system, would mean the monopole would not be particularly visible from all directions. Whilst the monopole would be taller than surrounding residential properties, they are on the other side of the road such that the monopole is not read immediately adjacent to them. There are also bollards to the side and opposite the appeal site, various road signs and splitter islands in the road in the vicinity of the site that would mitigate the prominence of the proposal. The Council finds the cabinets would be of an appropriate scale, form and siting. From what I saw on my visit I have no reason to disagree.
12. Taking these various factors into account the monopole would not be unduly dominant in the street scene. Consequently, the siting and appearance of the proposal would not harm the character and appearance of the area. In so far as they are material, the proposal would not be contrary to Policy L7 of the Trafford Local Plan Core Strategy (the 'Core Strategy'), or the Framework which requires equipment to be sympathetically designed and camouflaged where appropriate.

Longford Conservation Area

13. The site lies outside, but within the vicinity of, Longford Park Conservation Area (the 'CA') a designated heritage asset. The CA comprises the large green public open space of Longford Park, that extends southwards from the roundabout on the corner of Great Stone Road and Kings Road, behind the back gardens of residential properties. The character of the northern part of the park is of wider open space. The area of the park once formed the core of the estate of the now demolished Longford Hall. The significance of the CA derives from its historical association with a successful local businessman John Rylands and his widow who used the Hall to store their valuable literary collections, which have now been transferred to the John Rylands Library in Manchester.
14. The Art Deco style former Firwood Library (now the Beacon Centre for the Church of God of Prophecy) is some distance from the appeal site and sits at the northern apex of the CA, marking the narrow gateway to the northern end of Longford Park. The Beacon Centre building is set back from the road in an enclosed space and there is a bus shelter outside it.
15. From the appeal site only the Beacon Centre building is visible diagonally opposite and on the other side of the road. The green and open space of Longford Park behind and beyond is not visible. As such the appeal site and roundabout do not form a significant part of the setting of the CA.
16. In accordance with the statutory duty set out in Section 72(1) of the Planning (Listed buildings and Conservation Areas) Act 1990, I have paid special attention to the desirability of preserving or enhancing the character or appearance of the CA.

17. From standing inside the park and CA at some of the vistas annotated in the CA Appraisal², the proposed monopole would be set some distance away and at an angle to it. As a result, any views of the monopole that users of Longford Park would get would be partially read as part of a wider suburban vista with the back of the Beacon Centre and the utilitarian Firwood community centre and tree tops on Great Stone Road, together with the backs of houses and gardens on Kings Road. Hence the monopole would not detract from the character and appearance of the CA. Furthermore, the oblique location of the appeal site in relation to the Beacon Centre building, the separation distance and the intervening roads and pavements of the roundabout, would ensure the Beacon Centre and its contribution to the entrance of the CA would be preserved.
18. I conclude that the siting and appearance of the proposal would preserve both the character and appearance of the CA and its setting. Although Core Strategy Policy R1 pre-dates the Framework and it not up-to-date and can only be afforded limited weight, the proposal would not be contrary to its essence, which seeks to ensure development preserves or enhances the CA and its wider setting and that Borough's heritage assets are safeguarded for the future and that change is appropriately managed.

Living conditions

19. The nearest residential property is 341 Kings Road. It is on the opposite side of the road to the appeal site, and side-on to it. There would be limited views of the installation from the dwelling itself due to the limited windows. There would likely be some views of the monopole from within the garden, but there are landscaped trees along the garden boundary with Great Stone Road. With the separation distance and intervening road the monopole would not be unduly overbearing to occupiers.
20. The other nearest dwelling is 340 Kings Road on the other corner. Views of the mast from its front windows would be possible, but would be viewed obliquely as part of the wider streetscape with street lights, bollards, the car park in the centre of the roundabout, road signs and tree backdrop. As such the monopole would not be unduly overbearing to its occupiers. Dwellings to the south east of the appeal site and roundabout would be a substantial distance away and would have limited sight of the monopole and hence would not be adversely affected.
21. I conclude the siting and appearance of the proposal would not cause significant harm to the living conditions of occupiers of neighbouring properties with regards to outlook. The proposal would not conflict with Core Strategy Policy L7, which seeks, amongst other things, to ensure new development does not prejudice the amenity of occupiers of adjacent properties including by visual intrusion.

Other Matters

22. As I have concluded that the proposal's siting and appearance would not cause harm to the character and appearance of the area, would preserve the character and appearance of the CA and its setting, and would not harm the living conditions of occupiers of neighbouring properties, there is no requirement for me to go on and consider other sites that have been assessed.

² Longford Conservation Area Appraisal - October 2016: Supplementary Planning Document SPD5.19

23. To meet health safeguards, the appellant has provided a certificate to confirm that the proposal has been designed to comply with the guidelines published by the International Commission on Non-Ionizing Radiation Protection (ICNIRP). The Framework states that local planning authorities should not set health safeguards different from the ICNIRP guidelines. No sufficiently authoritative evidence has been provided to indicate the ICNIRP guidelines would not be complied with or that a departure from national policy would be justified.

Conditions

24. 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). These specify that the development must, except to the extent that the local planning authority otherwise agree in writing, be carried out in accordance with the details submitted with the application; that the development must begin not later than the expiration of 5 years beginning with the date on which the local planning authority received the application; and the development 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, respectively. The Council's suggested condition 1 to be in accordance with the submitted plans duplicates the provisions of the GPDO so I have not imposed it.
25. The GPDO does not provide any specific authority for imposing additional conditions beyond those listed above. Therefore, I shall not impose the Council's suggested condition 2 that the cabinets be coloured green.

Conclusion

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

K Stephens
INSPECTOR