



Appeal Decision

Site visit made on 25 October 2022

by C Rafferty LLB (Hons), Solicitor

an Inspector appointed by the Secretary of State

Decision date: 9th November 2022

Appeal Ref: APP/C4235/W/22/3302383

Chester Road, Woodford Garden Village, Stockport SK7 1QS

- 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 and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by CK Hutchison Networks (UK) Ltd against the decision of Stockport Metropolitan Borough Council.
 - The application Ref DC/085065, dated 14 April 2022, was refused by notice dated 8 June 2022.
 - The development proposed is Proposed telecommunications installation: Proposed 15.0m Phase 8 Monopole C/W wrapround Cabinet at base and associated ancillary works
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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 provisions of Schedule 2, Part 16, Class A of the GPDO 2015 do not require regard be had to the development plan. I have had regard to the policies of the development plan only in so far as they are a material consideration relevant to matters of siting and appearance.

Main Issues

4. The main issues are the effect of the siting and appearance of the proposed installation on the character and appearance of the area and, if any harm would occur, whether this is outweighed by the need for the installation to be sited as proposed taking into account any suitable alternatives.

Reasons

Character and appearance

5. The site is a grass verge on the footpath of Chester Road, in an area of commercial and residential uses. It is directly in front of a garden centre, with car park, lighting and signage, and is set among tall trees. Dwellings line the opposite side of the road, largely screened by tall boundary landscaping which, along with the trees, lend a verdant feel to the area. A generously spaced arrangement of streetlights lines the road, along with sporadic street furniture, but the verge remains largely free from development, providing a sense of open space in the vicinity.
6. The proposed monopole would reflect the slim, vertical rhythm of the nearby lampposts and garden centre lighting. However, it would be notably greater in height than nearby structures, towering above surrounding street furniture, lighting, signage and buildings, with additional bulk due to the antennas. While this height and bulk is necessary due to technical and operational requirements, including facilitating multiple sharers, it would nonetheless result in the proposal being a prominent addition to the streetscene, out of scale with surrounding development.
7. While the proposed cabinets could be installed as permitted development the appeal before me relates to the scheme in its entirety and I am not persuaded of a greater than theoretical possibility of the cabinets being installed independent of the rest of the proposal. Combined with the monopole they would create an undue element of clutter that would interrupt the spaced out arrangement of street furniture and lend a busy appearance to this section of the highway, detracting from the largely open nature of the site. When combined with the contemporary design, this would result in the proposal overall appearing intrusive within the verdant surrounds.
8. Surrounding landscaping would provide a level of screening. Long ranging views of the proposal would be limited and, from certain directions, it would be experienced against the backdrop of tall trees. However, I am mindful that this screening may not be present year round. In any event, in the immediate vicinity of the site the proposal would be readily visible to passing pedestrians and vehicle users throughout the year, prominently located close to the exit of the garden centre. From these immediate viewpoints it would remain a visually jarring feature, exposed against the low level fencing and car park beyond, appearing as a dominant addition.
9. The appellant has suggested that the colour scheme of the proposal could be specified via details required by a planning condition. However, the GPDO does not provide any authority for imposing additional conditions beyond those within Class A of Part 16. On this basis, it would not be reasonable to impose conditions relating to this matter which, in any event, would do little to address the harm identified above.
10. For the reasons given, I therefore consider that the siting and appearance of the proposal would cause significant harm to the character and appearance of the area.

Suitable Alternatives

11. Paragraph 114 of the Framework states that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Furthermore, the Framework is clear that planning decisions should support the expansion of electronic communications networks. The area does not have a 5G service, which would be addressed by the proposal. It would enhance communication facilities to meet current and future demand. Accordingly, the economic and social benefits of the proposal are acknowledged and attract significant weight.

12. With regards to suitable alternatives the appellant has set out the sequential approach. It has identified the search area, which is constrained, and has outlined that there is no scope to site the proposal outside of this area and still provide 5G coverage. Alternative locations for the siting of the proposal within the search area are assessed and discounted with reasonable justification.
13. However, interested party representations, which the appellant has had the chance to consider, have suggested alternative sites, referring to nearby agricultural land, a local community centre and golf club, undeveloped former aerospace land and buildings, and the Avro aerospace museum building. These have not been directly addressed by the appellant. I understand these representations are not a technical assessment of alternative sites and I am mindful of the appellant's consideration of multiple other locations in the search area, including in Woodford Garden Village. Nevertheless, I have no precise evidence that these suggested locations have been assessed and discounted by the appellant with reasonable justification such that, on the information before, the possibility of a suitable alternative site remains.
14. As such, even acknowledging the significant weight attached to the benefits of the proposal, I have insufficient information to conclude an absence of suitable alternative sites. Accordingly, on the information before me, the need for the installation to be sited as proposed, taking into account any suitable alternatives, does not outweigh the identified significant harm that would occur to the character and appearance of the area due to the siting and appearance of the proposal.

Conclusion

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

C Rafferty

INSPECTOR