



Appeal Decision

Site visit made on 6 December 2022

by Elaine Moulton BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 December 2022

Appeal Ref: APP/U4230/W/22/3304426

Harcourt Industrial Estate, Harcourt Street, Worsley, Manchester, Greater Manchester M28 3GN

- 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 & Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by MBNL against the decision of Salford City Council.
 - The application Ref 22/79986/TEL56, dated 18 May 2022, was refused by notice dated 20 July 2022.
 - The development proposed is described as 'Proposed NTQ telecommunications installation: Proposed 25m High Valmont Climable Monopole 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 the siting and appearance of a 25m High Valmont Climable Monopole and associated ancillary works at Harcourt Industrial Estate, Harcourt Street, Worsley, Manchester, Greater Manchester M28 2GN, in accordance with the application ref: 22/79986/TEL56, dated 18 May 2022, and the plans submitted with it including 1658548_BLN154_97994_M002 Issue B (003 Access Plan), 1658548_BLN154_97994_M002 Issue B (003 Access Plan), 1658548_BLN154_97994_M002 Issue B (200 Proposed Shared Site Plan), and 1658548_BLN154_97994_M002 Issue B (250 Proposed Shared Elevation A).

Preliminary Matters

2. 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 GPDO), planning permission is granted for the installation, alteration or replacement of any electronic communications apparatus subject to limitations and conditions.
3. The provisions of the GPDO require the local authority to assess proposed development solely based on its siting and appearance, taking account of 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 do not require consideration of the development plan. I have had regard to the policies of the development plan, emerging local plan, related guidance, and the National Planning Policy Framework (the

Framework) only in so far as they are factors relevant to matters of siting and appearance.

5. It has been suggested that the proposed cabinets do not require prior approval. Nevertheless, they are shown on the submitted plans and included in the description of development. Therefore, I have considered them as part of the appeal scheme.
6. I have amended the description of development used in my decision from that set out in the banner heading above, which has been taken from the planning application form. The amended description leaves out 'proposed NTQ telecommunications installation' as it is unnecessary to describe the development.

Main Issue

7. The main issue is the effect of the siting and appearance of the proposal 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

8. The appeal site is an undeveloped parcel of land that is densely covered with trees and undergrowth at the junction of Harcourt Street and Enfield Street. It is in an urban location on the edge of an industrial estate comprising single storey buildings, site cabins and plant. Two storey residential development is sited to one side and to the rear. Along Worsley Road North there are residential and commercial buildings which are predominantly two storey in height, but include three and four storey buildings. Vertical structures including lighting columns and electricity pylons are seen within, and from, the adjoining streets and the wider area.
9. The full extent of the monopole would be visible from Harcourt Street and Enfield Street. Given the significant height of the proposed monopole, the upper section of it would protrude above the trees and surrounding buildings. It would be visible against the sky, and seen in views along Worsley Road North and from several of its side roads. However, from all views the proposed monopole would be seen amongst the existing trees. The proposal is taller and bulkier than many urban telecommunications installations. Nonetheless, despite being positioned on a corner with only one lighting column of a significantly lower height in close proximity, the monopole would not stand out as an isolated or unduly exposed structure or appear alien or unexpected in the urban context as described above.
10. There is a variety of boundary treatments to the industrial units along Harcourt Street, within the adjoining industrial estate. Thus, the proposed tall mesh panel fence and razor wire coil enclosing the proposed cabinets and monopole would not appear incongruous and would avoid material harm to the character and appearance of the area.
11. For the above reasons, I conclude that the siting and appearance of the proposal would not harm the character or appearance of the area. Insofar as it is a material consideration, the proposal would comply with draft Policies DG1

and D2 of the emerging Publication Salford Local Plan, and Policies DES1 and DEV1 of the City of Salford Unitary Development Plan 2004-2016 which amongst other things, seeks to minimise impact on the character and appearance of the surrounding area. It would also accord with the guidance set out in Policy TEL3 of the Telecommunications Supplementary Planning Document (2013) and the Framework.

12. As I have found that the siting and appearance of the proposal to be acceptable, it is not necessary for me to consider the alternative sites that have been assessed by the appellant.

Conditions

13. Any planning permission granted for the development under Article 3(1) and Schedule 2, Part 16, Class A is subject to conditions set out in Paragraphs A.3(9), A.3(11) and A.2(2), which 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, 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.

Conclusion

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

Elaine Moulton

INSPECTOR