



Appeal Decision

Site visit made on 16 January 2023

by L Wilson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 February 2023

Appeal Ref: APP/C4235/W/22/3306793

Telecommunications Site 56072/SPT019 Augmented Agents, Manchester Road, Heaton Norris, Stockport SK4 1TN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by EE Limited against the decision of Stockport Metropolitan Borough Council.
 - The application Ref DC/083914, dated 7 January 2022, was refused by notice dated 15 March 2022.
 - The development proposed is extension of existing GRP chimney shroud by 1.5m with internal works comprising the removal and replacement of 3no antennas, internal upgrade of existing equipment room and other associated ancillary works thereto.
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Decision

1. The appeal is allowed and planning permission is granted for the extension of existing GRP chimney shroud by 1.5m with internal works comprising the removal and replacement of 3no antennas, internal upgrade of existing equipment room and other associated ancillary works thereto at Telecommunications Site 56072/SPT019 Augmented Agents, Manchester Road, Heaton Norris, Stockport SK4 1TN in accordance with the terms of the application Ref DC/083914, dated 7 January 2022, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
920091_SPT019_56072_SK0171_M003 Issue C (002 site location plan, 150 proposed site plan, 250 proposed site elevation A, 251 proposed site elevation B, 252 proposed site elevation C, 253 proposed site elevation D).
 - 3) No development shall commence until details / samples of the materials to be used in the construction of the external surfaces of the GRP chimney shroud hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details / samples.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the surrounding area and the non-designated heritage asset (Bourne St Works, former Bethesda Chapel).

Reasons

3. The appeal site consists of an existing commercial building located on the corner of Manchester Road and Bourne Street. There are a mix of uses within the locality (including residential properties, commercial and industrial units). The size and scale of buildings vary. Adjacent to the appeal site is an Asda supermarket and residential properties.
4. The building is a former Primitive Methodist Chapel of late nineteenth-century date, named Bethesda Chapel and is a non-designated heritage asset. It is a red brick building with a symmetrical front, central pedimented entrance and semi-octagonal bays to either side. To the side are round-arched windows. A number of the windows are boarded up. The Council acknowledge that a number of late twentieth century external alterations are evident. Nonetheless, the architectural character of the original building is discernible. Overall, the building makes a positive contribution to the surrounding area.
5. The Council has provided a historic image which shows a ridge mounted vent that is more discreet than the proposed development. The proposal would result in a feature that is not characteristic of the original building. Having said that, the locally listed building currently has a GRP chimney shroud located on the roof. The telecommunication equipment forms part of the existing building's overall appearance. The GRP chimney was erected prior to the date when the building was added to the local list. Therefore, heritage impact was not a consideration in the determination of the application relating to the existing equipment. Nonetheless, the building was still considered a non-designated heritage asset with the presence of the existing equipment.
6. The apparatus is sited towards the rear of the building, away from the principal elevation and Manchester Road, and in the same location as the existing apparatus. The proposed increased in height and width of the GRP chimney would increase the prominence of the uncharacteristic feature. For these reasons, the proposal would be detrimental to the architectural and historic interest of the locally listed building, and would cause less than substantial harm to the significance of the non-designated heritage asset.
7. The resulting installation would be taller than most of the surrounding buildings, street furniture and trees. Therefore, the GRP chimney shroud would be visible from numerous public vantage points due to its height. The appellant has provided photomontages. These help to demonstrate that the increase in height and bulk would not be seen as significant when taking into account the broader streetscape and scale of the host building.
8. Similar to the existing apparatus, it has been designed to resemble a chimney which helps to screen the equipment. A planning condition could be attached to ensure that the colour of the GRP chimney shroud is appropriate. Therefore, the siting (towards the rear of the building) and external appearance of the apparatus has been designed to minimise its visual impact. For these reasons and having regard to the existing apparatus and mixed character of the area, the scheme would not have an unacceptable effect on the character and appearance of the surrounding area and would not be an incongruous addition to the locality.

9. Paragraph 203 of the National Planning Policy Framework (the Framework) states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. The Council has also referred to paragraphs 199, 200 and 202 of the Framework which relate to designated heritage assets.
10. The appellant has highlighted public benefits of the scheme, including that it would provide 5G coverage in the area and benefit the emergency services network. The installation would help to strengthen existing coverage and increase capacity. The Stockport Unitary Development Plan Radio Telecommunication Development Supplementary Guidance (2003) (SPG) acknowledges that telecommunication networks have become an ever-increasing, essential and beneficial element of both the local community and the national economy. Paragraph 114 of the Framework also states that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. In my view, the public benefits would outweigh the harm to the non-designated heritage asset.
11. The Council consider that alternative sites would be less harmful, have not been adequately considered, and would provide an opportunity to restore the original roof form. They have also expressed concern that masts and antennas may need to get bigger and bulkier in the future, and it would be in all parties interests to find a more suitable site at this stage.
12. Paragraph 117 c) of the Framework states that for a new mast or base station, evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure should be provided. The proposal seeks to upgrade an existing base station therefore a thorough search was not undertaken in terms of exploring alternative sites.
13. Masts require sufficient height clearance and an unobstructed view towards the target area. The appellant highlights that a new ground-based installation would need to be approximately 20 metres in height and would also include accompanying equipment cabinets (which at the appeal site are located internally).
14. Given that the proposal seeks to upgrade an existing base station, sufficient evidence has been provided to demonstrate that the proposal complies with paragraph 117 c) of the Framework, in relation to considering alternative sites. Furthermore, adequate consideration has been given to the impact of the installation upon the special character and appearance of the locally listed building. Any future proposals would need to be assessed on its individual merits and I do not consider this to be a robust reason to withhold planning permission.
15. For these reasons, having regard to the proposal's height, width, appearance and siting, the proposed development would have an acceptable effect on the character and appearance of the surrounding area. The less than substantial harm caused to the non-designated heritage asset would be outweighed by the benefits of the proposed development.

16. Accordingly, the proposal would comply with Policies SIE-1, SIE-3 and SIE-5 of the Stockport Metropolitan Borough Council Local Development Framework: Core Strategy DPD (2011). These state, amongst other matters, that proposals for telecommunications development which would improve existing operational facilities or a new development which would improve present service provision will be permitted provided that, having due regard to operational efficiency, the siting and external appearance of apparatus have been designed to minimise the visual impact of the apparatus. Furthermore, harm to the significance of a heritage asset, through alteration, destruction or development within its setting, will require clear and convincing justification.
17. It would also comply with the SPG which seeks to minimise the visual impact of telecommunication equipment on the environment, including from sensitive locations. In addition, it would comply with chapters 10, 12 and 16 of the Framework which collectively seek to support high quality communications, achieve well-designed places, and conserve and enhance the historic environment.

Other Matters

18. In addition to matters relating to the main issue, I have considered the other matters raised in the objection comments. These relate to safety, health effects (residential properties and a school nearby) and nearby 5G monopole. The Council did not refuse the planning application on these grounds.
19. 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). In these circumstances, the Framework advises that health safeguards are not something which a decision-maker should determine. No sufficiently authoritative evidence has been provided to indicate that the ICNIRP guidelines would not be complied with or that a departure from national policy would be justified. There is no credible evidence before me that would lead me to an alternative conclusion to the Council on the other matters raised, or that could justify the dismissal of the appeal on these grounds.

Conditions

20. It is necessary to attach a condition specifying the approved plans as this provides certainty. A condition relating to materials is also necessary to ensure they are appropriate to the external appearance of the locally listed building and in the interest of visual amenity of the area. The Council and appellant were given the opportunity to comment on these planning conditions I have attached.

Conclusion

21. For the reasons given above, having considered the development plan as a whole, and all other material considerations, the appeal is allowed subject to the attached conditions.

L Wilson

INSPECTOR