



Appeal Decision

Site visit made on 31 January 2023

by F Wilkinson BSc (Hons), MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 February 2023

Appeal Ref: APP/J4423/W/22/3303929

Gleadless Common SWS, Gleadless Common, Sheffield, S12 2UR

- 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 Hutchison CK Network UK Ltd against the decision of Sheffield City Council.
 - The application Ref 22/01703/TEL, dated 29 April 2022, was refused by notice dated 23 June 2022.
 - The development proposed is a telecommunications installation: proposed 'slim line' phase 8 monopole c/w wraparound cabinet at base, 3no. additional ancillary equipment cabinets and associated ancillary works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The principle of development is established by Article 3(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO). The provisions of the GPDO require the local planning authority to assess the proposal solely based on its siting and appearance, taking account of any representations received. I have determined the appeal on the same basis. 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 nevertheless had regard to the policies of the Sheffield Unitary Development Plan, adopted 1998 (the UDP), the Sheffield Development Framework Core Strategy, adopted 2009 (the CS) 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.

Main Issues

3. The main issues are:
 - the effect of the siting and appearance of the proposal on the character and appearance of the area; and
 - if there is any harm, whether this would be outweighed by the need for the installation to be sited as proposed, having regard to the potential availability of alternative sites.

Reasons

4. The appeal site comprises an area of pavement on Gleadless Common near to its junction with Glade Lea. The area is mainly residential in character, with properties in the immediate vicinity being predominantly single storey in height although two storey dwellings are visible further along Gleadless Common and on Gleadless Avenue. Vertical structures in the form of streetlights of regular height and spacing are apparent in the street scene, together with a number of slightly taller wooden telegraph poles.
5. The proposed monopole, at 15 metres, is stated to be the minimum height which can be deployed to enable the improved 5G service. The height would be significantly greater than the existing vertical structures in the area and would appear as an obviously engineered feature of a greater bulk and shape. The proposal would be clearly visible and prominent within the context of the streetscape when approaching along Gleadless Common and Glade Lea, which are mainly fronted by domestically scaled dwellings. The large size and utilitarian appearance of the proposal would appear out of scale and dominant within its immediate setting and would not sit comfortably within the streetscape.
6. The church building to the rear of the site and the tree within the open space between the church and the pavement would offer some backdrop to the lower parts of the monopole. However, it would still appear conspicuously tall.
7. While I note the appellant's contention that the cabinets would be permitted development, they relate to the whole installation before me and therefore should also be considered in the context of the character and appearance of the surrounding area. The clutter that would be caused by the cabinets, although this would only be visible when relatively close to the site, reinforces my concerns regarding the detrimental impact that the proposal would have on the character and appearance of the surrounding area.
8. I appreciate that efforts have been made to locate the proposal so that it would not be directly in front of residential properties, and it is not within a designated site. However, the height and positioning of the proposal would stand out as an incongruous feature. Its appearance would not be mitigated by painting the equipment grey, which would not alter the fundamental issue of its scale, height and siting. I therefore conclude that the proposal would cause significant harm to the character and appearance of the area.
9. Consequently, insofar as they are a material consideration, the proposal would be contrary to the aims of Policies BE14 and H14(l) of the UDP and Policy CS74 of the CS. These policies require new development, including telecommunications, to be sited to minimise visual impact, to be on a scale consistent with the residential character of the defined Housing Areas, and to take advantage of and enhance distinctive features including townscape and landscape character, amongst other matters. There would also be conflict with paragraph 115 of the Framework which requires telecommunications development to be sympathetically designed and camouflaged where appropriate, as well as the design objectives set out in paragraph 130 (criteria a, b and c).
10. Paragraph 115 of the Framework states that the number of communications masts and the sites for such installations should be kept to a minimum

consistent with the needs of consumers, the efficient operation of the network and providing reasonable capacity for future expansion. The appellant has investigated alternative sites as required by paragraph 117 of the Framework. Four locations in addition to the appeal site were considered, all of which were discounted. Three sites were discounted due to proximity to residential housing and visibility issues and one site due to the narrow width of the pavement and proximity to residential housing.

11. I appreciate that the search area is constrained and that its residential character further restricts potential sites. However, limited information has been provided as to why the alternative sites were discounted or why these were the only possible locations within the search area. Based on the submitted evidence, therefore, I am not persuaded that sufficient justification has been provided to support the discounting of these sites or that less harmful alternatives have been properly explored.
12. I therefore conclude that the harm to the character and appearance of the area would not be outweighed by the need for the installation to be sited as proposed, having regard to the potential availability of alternative sites.
13. The need for a new site is to supply new 5G coverage. The proposal would benefit users and would contribute to the delivery of advanced, high quality and reliable communications infrastructure, which is recognised as being essential for economic growth and well-being in paragraph 114 of the Framework. Furthermore, paragraph 114 goes on to state that decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G). I also appreciate that in its communication dated 27 August 2020¹, the government encourages councils to support the expansion of high quality digital connectivity. These benefits have positive weight in the overall planning balance.

Balance and Conclusion

14. I recognise the need to provide additional telecommunications coverage within the locality and that the Government's support for telecommunications infrastructure needs to be carefully balanced against the visual impact of the proposal. In this case, in undertaking such a balance, the benefits of the proposal would not outweigh the harm that would be caused to the character and appearance of the area.
15. For the above reasons, I conclude that the siting and appearance of the proposal would be unacceptable. The appeal should therefore be dismissed.

F Wilkinson

INSPECTOR

¹ Appendix 5 of appellant's appeal statement - Communication from the Department for Digital, Culture, Media and Sport and the Ministry of Housing, Communities and Local Government 27 August 2020