



Appeal Decision

Site visit made on 31 January 2023

by R Morgan BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 February 2023

Appeal Ref: APP/J4423/W/22/3291468

Crosspool & District Sports Trust, Coldwell Lane, Sheffield, S10 5TJ

- 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 MBNL against the decision of Sheffield City Council.
 - The application Ref 21/04964/TEL, dated 18 November 2021, was refused by notice dated 17 January 2022.
 - The development proposed is 20.0m high EE/H3G phase 7 streetworks pole on root foundation and associated ancillary works.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The principle of the development has been accepted through Part 16 of the General Permitted Development Order (GPDO). The GPDO requires that the proposed development be assessed solely on the basis of siting and appearance, taking into account any representations received. I have assessed the appeal proposal on that basis.

Planning Policy

3. The GPDO does not require regard to be had to the development plan, but policies may be material considerations where relevant to matters of siting and appearance. Policy BE14 of the Sheffield Unitary Development Plan 1998 (UDP) is concerned with telecommunications equipment, and Policy CS74 of the Core Strategy 2009 is concerned with design principles. Both are relevant to considerations of siting and appearance. The Council has also referred to UDP Policy BE5, which is concerned with good design. However, as this policy relates specifically to buildings, it does not directly apply.
4. The Council has advised that the appeal site is identified within the UDP as an Open Space Area. As UDP Policy LR5 is concerned with development that impacts on the character of Open Space Areas, it is of relevance to the appeal proposal.
5. The National Planning Policy Framework (the Framework) includes sections on supporting high quality communications and achieving well designed places. The Framework is also a material consideration.

Main Issue

6. The main issue is 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 alternative sites.

Reasons

Character and appearance

7. The proposed installation would provide improved digital and wireless coverage, including 5G, for the Hallam area of Sheffield. It would be operated on behalf of EE/3UK and the Emergency Services Network, and would fill a gap in coverage following removal of telecommunications equipment at The Plough.
8. The proposed 20m monopole and associated equipment would be sited within the recreation facility which is owned and managed by Crosspool & District Sports Trust (CDYST). The site comprises of a car park and large sports hall at the top of the site, off Coldwell Lane, below which are grass playing fields and tennis courts. A footpath leading from the corner of Barnfield Drive provides open access to the sports field, children's play area and community orchard.
9. The CDYST site is largely green and open, and is framed by houses on Sandygate Grange Drive, Barnfield Drive/Road and Moorbank Drive. Trees and small wooded areas around the edges site contribute to a semi-natural character, particularly on the eastern part of the site. The site provides an attractive green space in this suburban area, and I note comments from local residents and CDYST that the recreation facilities are well used, and that the site is popular with dog walkers and families, who use the field for games, picnics and socialising.
10. The proposed equipment would be positioned some distance from Coldwell Lane. It would be visible from that road, and from other streets surrounding the site, but would be partially screened by intervening buildings and trees, so would not appear overly prominent from the surrounding roads.
11. However, the proposed equipment would be sited in a central and open part of the appeal site. There are no floodlights or other tall structures on the site, and the adjacent row of shrubs are not particularly high and would provide minimal screening. From within the CDYST site, the proposed installation would be viewed as an isolated and alien structure, in a highly prominent location.
12. The installation would also be clearly seen from houses which back onto the site, particularly those on Moorbank Drive which look out across the tennis courts. From the houses around the site, the equipment would be far enough away to avoid being overbearing, and boundary trees would provide some screening. Nonetheless, the proposed installation would erode the existing green and open aspect which the site currently provides.
13. The proposed equipment would be sited close to the pedestrian entrance to the site off Barnfield Drive, so that when walking along the footpath, the equipment would be directly ahead. Instead of the existing green aspect to the field, anyone entering the site from this footpath would be greeted by the substantial form of the mast and cabinets. The proposed equipment would

dominate this entrance into the field, which provides access to the play area and wooded area.

14. The Chair Trustee of CDYST has highlighted the charity's efforts to create a very safe and pleasant environment for people to enjoy, but this would be undermined by the proposed installation. The large scale and utilitarian appearance of the proposed installation would significantly detract from the semi-natural character of this recreation space, and the enjoyment which local residents derive from it.
15. Although not determinative, the proposal would be contrary to the objective of protecting Open Space Areas from development which would harm their character, set out in UDP Policy LR5. Similarly, it would be inconsistent with the aims of Core Strategy Policy CS74, which requires development to respect and enhance the distinctive features of neighbourhoods, including open spaces.
16. For the reasons set out above, I conclude that the proposed siting and appearance of the proposed equipment would result in harm to the character and appearance of the area.
17. In addition, I note concerns raised by CDYST and other local residents that the proposed equipment could interfere with maintenance of the football pitches. As it is related to siting, this is a valid consideration in this appeal. The pitches are moved each year to allow even growth of grass, but it is clear from the drawings provided, and from my observations on site, that there is limited space to do this. The proposed siting of the monopole and cabinets very close to the pitches would limit the available space further. As such, the proposed siting could impede upon the existing use of the space as a community recreation facility. This concern adds to the harm to the character and appearance of the area which I have identified.

Alternative sites

18. In light of the above, it is necessary to consider whether other, less harmful, options may be available.
19. Paragraph 117 of the Framework requires that information is provided to justify the proposed telecommunications development. In relation to a new mast, this includes evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure.
20. I appreciate that, in this primarily residential area, opportunities for roof top installations are limited. However, the equipment was previously located on a building, and there are other non-residential buildings in the area. The appellant has not explained why other rooftop options, which might include the large CDYST sports hall, would be unsuitable.
21. The appellant's supporting information indicates that the designated area of search is within a constrained geographical area, which is predominately residential in character. Twenty-three alternative options have been identified in the vicinity, most of which are roadside locations. Reasons for discounting the alternatives vary, the most common including proximity to residential development.
22. I appreciate the desire to site the equipment as far from houses as possible, but the proposed position in the centre of the CDYST site would cause

significant harm to the character and appearance of this well used open space, and the siting so close to the football pitches has implications for site maintenance. Given this, it is unclear whether any other, more peripheral areas of the CDYST site, which might be less prominent and further from the playing pitches, have been considered.

23. I note that this appeal follows a previous unsuccessful application and failed appeal, and that there have been various discussions between the appellant and the Council, aimed at finding a suitable site. I do not underestimate the challenges in finding a suitable site in this residential area, and appreciate that the hilly topography of the area may be a complicating factor in this case. However, the extent of the search area is not entirely clear from the information provided. This makes it difficult to ascertain whether there may be any other options, either within or just outside the search area, that would be less harmful than the proposed siting.
24. I have found that the proposed siting would cause significant harm to the area, but from the information provided, I am unconvinced that there are no other, less harmful options which might be available.

Other Matters

25. As part of the application the appellant has provided a certificate to confirm that the equipment would not exceed the guidelines for public exposure set by the International Commission on Non-Ionizing Radiation Protection. As such, the proposal meets the requirements of Framework paragraph 117 in relation to public health.
26. Framework paragraph 114 highlights the importance of advanced high quality and reliable communications infrastructure, and the appellant has identified various social and economic benefits of the proposal. I agree that these matters are important, but the provisions of the GPDO mean that, in assessing this appeal proposal, I am only able to consider matters of siting and appearance.

Conclusion

27. I have found that the proposed siting and appearance would cause significant harm to the character and appearance of the area. As it has not been satisfactorily demonstrated that there are no other, less harmful options available, the appeal should be dismissed.

R Morgan

INSPECTOR