



Appeal Decision

Site visit made on 28 February 2023

by F Wilkinson BSc (Hons), MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 March 2023

Appeal Ref: APP/J4423/W/22/3305779

Gleadless Road North BT Pole, Gleadless Road, Daresbury Road Junction, Lowfield, Sheffield S2 3AE

- 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 MBNL against the decision of Sheffield City Council.
 - The application Ref 22/02629/TEL, dated 7 July 2022, was refused by notice dated 17 August 2022.
 - The development proposed is upgrade to the existing 11.79m High Type LH30 Lamp Post. Proposed 20.00m Phase 7 Monopole complete with wraparound cabinet to be installed on root foundation 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 1998 adopted Sheffield Unitary Development Plan (the UDP), the 2009 adopted Sheffield Development Framework Core Strategy (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

Character and Appearance

4. The proposal has been described by the appellant as an upgrade to the existing telecommunications site which is located to the rear of the pavement on a bend in Gleadless Road at its junction with Daresbury Road. The junction contains street lighting columns on both sides of these roads and several sets of traffic lights as well as quite densely planted trees immediately to the rear of the installation that are higher than the monopole.
5. However, the proposed 20 metre monopole and associated cabinets would be located further west on part of a small informal area of open space which is separated from Gleadless Road by a pavement and grassed verge. There are vertical structures along Gleadless Road in the vicinity of the appeal site in the form of streetlights of regular height and spacing on one side of the road, wooden utility poles of a similar height and a bus stop and road sign. Nearby dwellings include the two storey properties principally orientated to face the open space. Across Gleadless Road from the site is an area containing a number of quite densely planted trees.
6. The proposed monopole would be clearly visible within the immediate vicinity and within the context of the streetscape when approaching along Gleadless Road and the nearby Newfield Green Road. Although the existing built form would provide some screening to the lower parts of the monopole from more distant vantage points including along Daresbury Road, it would still appear conspicuously tall.
7. The monopole would appear as an obviously engineered feature of a significantly greater scale and bulk than the existing vertical structures in the area. The large size and utilitarian appearance of the monopole would appear out of scale and dominant within its context and would not sit comfortably within the streetscape. The height of the monopole would be further emphasised by the topographic incline when approaching along Gleadless Road from the west and by the fact that it would be mainly viewed against the backdrop of domestically scaled dwellings when travelling in both directions along this road. The site's location adjacent to the open space, which has a pleasant and open character and appearance, would exacerbate the visual dominance of the monopole.
8. The trees on the opposite side of Gleadless Road would offer some screening and natural backdrop to the monopole and ancillary equipment cabinets when viewed from the dwellings located around the open space. However, even when they are in full leaf, the monopole would still appear noticeably tall.
9. Notwithstanding that the ancillary equipment cabinets may be within the size limits to be classified as permitted development without prior approval, they are shown on the plans and would not be required if it were not for the proposed monopole. The cabinets and monopole would create a degree of clutter that would contrast with the well-spaced street furniture visible in the context of the street corridor and the open character of the informal open space.

10. The appearance of the proposal would not be mitigated by specifying the colour of the equipment, which would not alter the fundamental issue of its scale, height and siting.
11. Accordingly, I conclude that the proposal would be an incongruous feature that would significantly harm the character and appearance of the area. Therefore, 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 (c), (e), (diii) and (h) 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 in paragraph 130 (a, b and c).

Alternative Sites

12. Paragraph 117 of the Framework states that applications for electronic communications development should be supported by the necessary evidence to justify the proposed development. In this regard, it makes a distinction for a new mast, requiring evidence that the possibility of erecting antennas on an existing building, mast or other structure has been explored.
13. The appellant states that as the proposal is for an upgrade to an existing site, no other standalone new facilities have been investigated, the current siting was agreed by the Council as the most appropriate location when the original installation was approved, and the principle of the siting is already established. However, for the reasons already referred to, the appeal site is not at the existing site and has a different locational context, so should be treated as a new site and justified accordingly.
14. I recognise that the 5G cell search area will be constrained, and that the location has been selected to be close to those who would benefit from the technology. However, I have no technical evidence of network coverage or what the cell search area may be.
15. The appellant's Site Specific Supplementary Information only details the benefits of the existing telecommunications site. Given that these site characteristics do help to reduce the prominence of the albeit shorter existing monopole and cabinets, there is no detail provided in evidence as to why this location cannot be used for the appeal proposal.
16. The Site Specific Supplementary Information and appellant's appeal statement refer to a sequential approach having been utilised. While appreciating that the surrounding area is quite densely populated, and that this may limit possible locations, as previously stated, no detail is provided of what alternative options may have been considered.
17. Consequently, on the basis of the evidence before me, I conclude that it has not been adequately demonstrated that there are no suitable alternative sites for the proposal which would give rise to less harm to the character and appearance of the area.

Other Considerations

18. The Framework is clear that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. The proposal would facilitate 5G coverage and I have had regard to the benefits of this technology. The proposal would be shared by two operators, it would also be available to the Emergency Services Network and the existing monopole and associated cabinets would be removed, thereby minimising the number of installations required. Furthermore, I have taken into account that the height of the monopole is stated to be the minimum height which can be deployed to enable the improved 5G service and that efforts have been made to locate the proposal so that it would not be directly in front of residential properties or within a designated site. These factors all weigh in the scheme's favour.
19. It has been highlighted that there were no objections from statutory consultees or landscape experts. However, the absence of objection does not in itself render the proposal acceptable. I note that the Council did not offer alternative sites during the pre application stage. However, in determining this appeal I have only had regard to the planning merits of the proposal that is before me.

Balance and Conclusion

20. I have found that, owing to its siting and appearance, the proposal would cause significant harm to the character and appearance of the area.
21. I recognise the importance of providing additional telecommunications coverage and that the Government's support for telecommunications infrastructure needs to be carefully balanced against the visual impact of the proposal. In undertaking such a balance, as I have not been provided with satisfactory evidence of the limitation of or lack of alternative sites, the need for the installation to be sited as proposed would not outweigh the harm arising from its siting and appearance.
22. For the above reasons, I conclude that the appeal should be dismissed.

F Wilkinson

INSPECTOR