



Appeal Decision

Site visit made on 20 April 2023

by Hannah Ellison BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th May 2023

Appeal Ref: APP/Q4245/W/22/3311197

Moorside Road adjacent to Hayeswater Road, Urmston M41 5RB

- 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 3G UK Limited (trading as Three) against the decision of Trafford Metropolitan Borough Council.
 - The application Ref 108005/TEL/22, dated 4 May 2022, was refused by notice dated 5 July 2022.
 - The development proposed is the installation of a 20m monopole with antennas and 2no. 600mm dishes and seven ground-based cabinets.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended (the GPDO) under Article 3(1) and Schedule 2, Part 16, Class A, Paragraph A.3(4) require the local planning authority to assess the proposed development solely on the basis of its siting and appearance, taking into account any representations received. My determination of this appeal has been made on the same basis.
3. The principle of development is established by the GPDO and 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 Policy L7 of the Trafford Local Plan: Core Strategy (January 2012) (the CS) and the National Planning Policy Framework (the Framework) only in so far as they are material considerations relevant to matters of siting and appearance.

Main Issue

4. 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 alternatives.

Reasons

5. The appeal site is located within a leafy, suburban area predominantly characterised by two storey dwellings. The tallest features are limited to mature trees and street lighting columns. The appeal site is situated immediately adjacent to a sports ground, views across which can be obtained

from the footway due to the low boundary wall and railings and lack of tree coverage along this immediate stretch. Thus, the immediate locality has a strong leafy and spacious feel.

6. The proposed monopole would be of a very substantial height and width, taking also into consideration the overall number of dishes and antenna sited on the upper section of the installation. It would fail to resemble the more slimline, street lighting columns as it would be considerably and noticeably larger than them. Further, the proposal would introduce a significant number of cabinets which would be spread out across a long stretch. They would be of a considerable collective size and coverage.
7. Even in their proposed siting at the back of the footway, collectively, all elements of the proposal would add substantial clutter to this part of the street scene. It would be an incongruously utilitarian, overly dominant and visually intrusive addition which would detract from the leafy setting and the open backdrop.
8. I appreciate that the proposal may not be visible, whether in full or part, from some viewpoints. Further, the proposed type of installation may be becoming a familiar feature in built-up areas. However, it remains that in this instance, when up close, passing by and from adjacent land, the proposal would fail to assimilate well in this particular locality due to its visual dominance, the lack of screening and the open character of the area.
9. Accordingly, a balance must be struck, and consideration should be given to the need for the installation to be sited as proposed, taking into account any suitable alternatives. Chapter 10 of the Framework is supportive of the provision of high quality communications, noting that advanced, high quality and reliable communications infrastructure is essential for economic growth and social wellbeing.
10. Paragraph 117 of the Framework expects that an application for a new mast is supported with evidence that the possibility of erecting antennas on an existing building, mast or other structure has been explored.
11. This proposal seeks to replace an existing installation located at a nearby building, following plans to redevelop that site. Therefore, to maintain existing coverage and connectivity in the locality, along with providing upgraded 5G signal, a split cell solution rather than a single replacement installation which replicates the existing service to the area is required. This approach has been taken as the existing installation provides digital coverage for a large area thus the search area for a single replacement would be extremely restricted. I note that the other base station proposal at the nearby hospital, which would provide coverage for part of the affected area, has recently been refused prior approval.
12. Nevertheless, a list of alternative sites which have been considered and subsequently discarded for this proposal has been provided. I note that some of the sites considered appear to fall outside of the search area, thus it seems to me that these areas may nevertheless provide realistic alternatives. It appears that there are areas within the identified search area and just beyond it which are less residential or more built up and thus less conspicuous than the area around the appeal site. Of particular note are the various examples of sites in non-residential use in the locality, the nearby neighbourhood parades

of shops, the large commercial area and the area close to the hospital. In addition to this, the reasons for discounting many of the considered alternatives are weak.

13. I am not therefore satisfied that the search and assessment of alternative sites was sufficiently robust or that an exhaustive search for a site that is less harmful than the appeal site has been carried out.
14. Taking all the above into consideration, the siting and appearance of the proposal would cause harm to the character and appearance of the area. As it has not been satisfactorily demonstrated that there is a need for the development to be sited in the proposed location or that more suitable sites are not available, the weight I can afford to the economic and social benefits of the proposal is limited. As such, the harm I have identified is not outweighed by the need for the installation to be sited as proposed.
15. Insofar as they are a material consideration, the proposal would be contrary to Policy L7 of the CS and the Framework in terms of their collective objectives of achieving well designed places.

Other Matter

16. Whilst I have had regard to the other appeal decisions referred to by the appellant, it is clear that each has been determined on their own merit, taking into consideration the particular context of the proposal and its surroundings, which appear to be different in each example. As such, direct comparisons cannot be made between them and this proposal, thus I afford them very limited weight in my consideration of this appeal.

Conclusion

17. For the reasons given above, I conclude that the appeal should be dismissed.

H Ellison
INSPECTOR