



Appeal Decision

Site visit made on 3 November 2023

by J D Clark BA (Hons) DpTRP MCD DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 December 2023

Appeal Ref: APP/U4230/W/23/3322772

Hospital Road Street Works, Salford, M27 4EW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval 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 Mr Cameron Wilson of CK Hutchison Networks (UK) Limited against the decision of the Council of the City of Salford.
 - The application Ref 22/80667/TEL56, dated 10 October 2022, was refused by notice dated 5 December 2022. The development proposed is 5G 19m telecoms installation: H3G street pole and additional equipment cabinets.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (GDPO 2015), 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. There is no requirement to have regard to the development plan as there would be for any development requiring planning permission. Nevertheless, Policies DG1, D1 and D2 of the Local Plan¹ are material considerations as they relate to issues of siting and appearance. In particular, DG1 sets out the Council's aim to improve digital infrastructure and includes criteria for the assessment of telecommunications development. Similarly, the National Planning Policy Framework (the Framework) is also a material consideration and this includes a section on supporting high quality communications. Policies D1 and D2 relate to high quality design in the context of local character and distinctiveness, amongst other things.
4. The decision notice refers to the Salford UDP and the Emerging Local Plan. However, the Local Plan referred to above has replaced all the saved UDP policies and was adopted by the full Council on 18 January 2023.

Main Issue

5. 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

¹ Salford City Council – Salford Local Plan: Development Management Policies and Designations – For Adoption by the Council on 18 January 2023.

would occur, whether this is outweighed by the need for the installation to be sited as proposed taking into account any suitable alternatives.

Reasons

6. The proposed telecommunications pole and equipment would be located at the southern end of Hospital Road, close to its junction with Manchester Road. The area is mainly residential in character comprising two and three storey properties. On the corner of Hospital Road and Manchester Road there is a three-storey apartment building and there is a similar building in terms of its scale on the opposite corner of Hospital Road and Manchester Road.
7. Hospital Road rises in levels from Manchester Road and, on its western side, includes a wide grassed verge interspersed with trees and with footpaths either side. The proposed development would be sited within the grass verge which, due to the open appearance of the road, would mean the pole and equipment cabins would be highly visible.
8. There are lampposts close to the junction of Hospital Road and Manchester Road, and there is a modest sized tree in the grass verge together with two young trees. The nearest building, the apartment block is three-stories high. Nevertheless, the proposed pole would be considerably higher than any of these features. It would also appear much chunkier in appearance than the lampposts and due to the wide grass verge and the rise in land levels it would appear very prominent in the street-scene. The appearance of the cabins in the grass verge would also detract from the pleasant openness of the road and would also be at odds with the soft landscaping created by the trees and grass. Consequently, the installation would be highly prominent and visually intrusive in this location.
9. The proposal is required to extend the 5G mast infrastructure and the appellant explains that the cell search areas for 5G are constrained with a typical cell radius of approximately 50 metres. A list of alternative sites are included in the submission together with a plan identifying potential alternative sites in an area to the west of the appeal site. These have been discounted for reasons relating to insufficient or unsuitable pavements, narrow verges, restrictions due to driveways, trees and visibility splays.
10. However, these alternative sites are all discounted for technical reasons relating to the practicalities of their installation and I am not convinced that a less visually intrusive location could not be found within the wider urban area that would meet the appellant's requirements. Moreover, I note that on the one hand the appellant states that existing mast sites in the area are not capable of supporting additional equipment but on the other states that existing telecommunications sites, structures and buildings, which could potentially accommodate the necessary equipment have not been identified.
11. Consequently, the proposed installation would have a harmful effect on the character and appearance of the area due to its siting and appearance and I am not convinced that less harmful alternatives capable of fulfilling the appellant's requirements could not be found.

Other Matters

12. I appreciate the appellant's objectives to follow Government commitment to improving high speed 5G mobile connectivity and the benefits this has to the

local community. I also note the increased demand that has arisen from more home working following the Covid pandemic and the requirement for improved telecommunications in residential areas. However, these matters have not been taken into account in considering the matters of siting and appearance.

Conclusion

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

J D Clark

INSPECTOR