



Appeal Decision

Site visit made on 22 January 2024

by L Wilson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 February 2024

Appeal Ref: APP/F4410/W/23/3326884

Barnsley Road Street Works, Barnsley Road, Doncaster, DN5 8QF

- 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 Gallivan of CK Hutchison Networks (UK) Ltd against the decision of Doncaster Metropolitan Borough Council.
 - The application Ref 23/00711/TEL, dated 12 April 2023, was refused by notice dated 15 May 2023.
 - The development is proposed 5G telecoms installation: H3G 15m street pole and additional equipment cabinets.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the appeal was submitted, a revised version of the National Planning Policy Framework (the Framework) has been published. In relation to this appeal the relevant parts of the Framework are similar. Consequently, I have not gone back to the parties for comments. Whilst I have had regard to the Framework in reaching my decision, no party would be prejudiced or caused any injustice by me taking this approach.
3. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (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.
4. 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 be had to the development plan. I have had regard to the policies of the development plan¹ and the Framework only in so far as they are a material consideration relevant to matters of siting and appearance.

Main Issues

5. The main issues are the effect of the siting and appearance of the proposed installation on the character and appearance of the area, and, if any harm

¹ Including Policies 21, 26, 27 and 46 of the Doncaster Local Plan 2015-2035 (2021)

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

Reasons

Character and appearance

6. The appeal site comprises a grass verge situated between Westerdale Road and Barnsley Road. It forms part of an area of protected open space and green infrastructure. The surrounding area is characterised primarily by two-storey, semi-detached and detached dwellings as well as Barnsley Road which is a main transport corridor. The site is not located within a conservation area or covered by a Tree Preservation Order.
7. The grass verge on this part of Barnsley Road is wide with tree planting. It provides visual relief and a green buffer between the principal road and the dwellings which face towards the road. There are a group of trees adjacent to the site as well as lampposts, telegraph poles and bus shelters nearby. Within a short distance from the site is an existing mast located at the junction of Rosedale Road and Barnsley Road, sited within the protected open space area.
8. In making my decision I am mindful that the mast is the lowest required for the improved 5G service need identified in the area. The proposed monopole would be coloured grey and would be taller than the nearby trees. The trees would provide very limited screening when viewed from Barnsley Road as the proposed installation would be located towards the front of the trees. There could also be conflict long term between the proposed location and trees, for example they could result in interference to signals as the nearby younger trees mature.
9. The proposed installation would be highly visible when viewed from Barnsley Road and would be more dominant than the existing street furniture (including trees and lampposts) due to its siting, height, and bulk. The installation would be a prominent addition which would detract from the protected open space area and be an incongruous feature. The cumulative impact of the nearby existing mast would exacerbate the impact of the proposed installation and would degrade the quality of the open space area. For these reasons given above, due to its siting and appearance, the proposed installation would harm the character and appearance of the area.

Suitable alternatives

10. Paragraph 121 of the Framework sets out that applications, such as that proposed, should be supported by the necessary evidence to justify the proposed development. For a new mast or base station, this includes evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure.
11. The proposed location was identified following a desktop analysis and physical search of the intended target/search area. The site specific supplementary information and planning justification statement details other sites that have been investigated and discounted.
12. The appellant asserts that no mast/site sharing opportunities or existing buildings/structures were identified. However, given the close proximity of the existing mast (located at the junction of Rosedale Road and Barnsley Road),

and the requirement of exploring existing masts, the information provided does not robustly explain why the existing mast would be unsuitable.

13. Consequently, based on the evidence presented, I am not satisfied that a thorough review of possible options has been conducted within the search area. The appellant has not adequately explored whether there may be less harmful alternative sites such as the existing mast. As such, the harm I have identified above is not outweighed by the need for the installation to be sited as proposed.

Other Matters

14. The appellant has highlighted a range of other matters including benefits of the proposal, an overview of telecommunications, pre-consultation, provided an ICNIRP certificate, as well as a letter from the Department for Digital, Culture, Media and Sport. These matters do not justify the harm identified above.

Conclusion

15. I have found that, due to its siting and appearance, the proposed installation would have a harmful effect upon the character and appearance of the area. The harm I have identified is not outweighed by the need for the installation to be sited as proposed or the other matters highlighted. For the reasons given above, I conclude that the appeal does not succeed.

L Wilson

INSPECTOR