



Appeal Decision

Site visit made on 2 April 2024

by G Bayliss BA (Hons) MA MA MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 17 April 2024

Appeal Ref: APP/J4423/W/23/3318992

Ranmoor Gardens Street Works, Ranmoor Gardens, Ranmoor, Sheffield S10 3BT

- 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 Cornerstone against the decision of Sheffield City Council.
 - The application Ref is 22/02855/TEL.
 - The development proposed is installation of telecommunications base station consisting of 20m apollo ARV2 monopole accommodating 6no. VF antennas, 1no. VF GPS module, 1no. Lancaster XES cabinet, 1no. VF SFMC meter cabinet and associated ancillary apparatus.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. To more accurately describe the development proposed, I have revised the wording of the description of development in the banner heading above to reflect that stated in the appellant's appeal form.
3. A revised version of the National Planning Policy Framework (the Framework) has been published since the Council issued its decision. In this instance, the relevant changes only relate to paragraph numbering and do not fundamentally affect the substance of the matters under appeal.
4. 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.
5. 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 had regard to the policies of the Sheffield Unitary Development Plan (1998) (SUDP) and the National Planning Policy Framework (the Framework) only in so far as they are a material consideration relevant to the proposal's siting and appearance.
6. The appeal site lies within the Ranmoor Conservation Area (CA). There is a duty imposed by section 72(1) of the Planning (Listed Buildings and

Conservation Areas) Act 1990 (the Act) requiring decision makers, in the exercise of planning functions, to have special regard to the desirability of preserving or enhancing the character or appearance of a Conservation Area. There is substantive overlap with the terms of this duty and the 'siting and appearance' of telecommunications apparatus. The Framework sets out how heritage assets are an irreplaceable resource, that they should be conserved in a manner appropriate to their significance and great weight should be given to the asset's conservation.

7. The submitted evidence confirms that the appeal site is located in the vicinity of several listed buildings. As this is an application for prior approval and not an application for planning permission, section 66(1) of the Act, in relation to listed buildings, does not apply.

Main Issue

8. The main issue is:

- The effect of the siting and appearance of the proposed installation on the character and appearance of the area, with particular reference to the Ranmoor Conservation 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

9. The appeal site forms part of the back edge of the pavement on Fulwood Road, adjoining a grass verge near to a boundary wall serving Notre Dame High School. It is located close to a road junction with Riverdale Road and the adjoining bus-stop and drop-off point for the school increases the width of the pavement and creates a feeling of openness in this immediate area. Alongside the school, the area is predominantly residential in character with many traditional dwellings and boundary walls of stone and numerous mature trees.
10. In the vicinity of the appeal site, Fulwood Road is linear in character, with pavements to either side affording relatively long sight-lines along an attractive leafy, green corridor with intermittent views of walls and buildings. Despite the presence of trees nearby, the immediate area to either side and the rear of the appeal site is relatively open with little tree coverage. Also, although there is a mix of building forms nearby, the buildings and structures to the rear of the appeal site generally lie at much lower level due to the sloping nature of the ground. There are therefore no buildings of any significant height at the rear to provide a backdrop to the proposed monopole in this direction. Also, the rising ground levels at the junction of Fulwood Road and Ranmoor Park Road afford views over the rooftops of those buildings out to the landscape beyond. Despite the immediate area containing streetlights, some highway signs and nearby bus shelters, the immediate streetscape has a generally uncluttered appearance.
11. The site is located within Ranmoor Conservation Area (CA), the significance of which is largely derived from the range of built development within it, the relationship of the buildings to each other and the spaces around them which form part of a high quality Victorian residential suburb. The appeal site lies close to a central focus within the CA marked by a cluster of historic buildings at the junction of Ranmoor Park Road and Ranmoor Road near to a parade of

shops and close to St John's Church, a Grade II* listed building. Nearby, there are many large and medium sized houses set in spacious grounds, including Oakbrook, a large Grade II listed, 19th century villa now part of Notre Dame High School. There is a general consistency to the high quality of the buildings, materials and streetscape within the CA and the hilly topography offers many attractive views in and out of it. As the appeal site lies near to the historic centre of the CA, development within this area has the potential to affect its character and appearance.

12. The proposed monopole would be 20m in height, stated to be the minimum height to bring the benefits of 5G in the area and have several associated cabinets at its base. I accept that there are operational requirements and technical constraints that dictate the height and form of the monopole and that the design solution aims to suit the site context. Nevertheless, the proposed drawings show that the monopole would be significantly taller than existing streetlights, signs and the immediately surrounding buildings. In this regard it would be of disparate scale, especially given the absence of tall buildings on the skyline to its rear or significant trees nearby which might assist in filtering those views. It would interrupt the regular rhythm of spacing between the existing streetlights and the column would be greater in thickness than those streetlights and be a noticeably different shape promoting a degree of visual intrigue.
13. The monopole would also be noticeable in more distant views along Fulwood Road where it would be seen alongside the mainly modest scale of traditional buildings and boundary walls. It would be a highly noticeable visual presence against the skyline, rising well above the rooftops and tree canopy making it a large, isolated, and incongruous feature in this largely homogenous, high quality historic streetscape close to a key vehicular junction and near to the historic centre of the CA. At times when the nearby trees are not in leaf, the prominence of the overall structure in this otherwise open setting would only increase.
14. The appeal proposal would be a striking, modern and intrusive intervention. It would not blend into the streetscape and would relate poorly to the historic environment, harmful to the visual amenities of the area, and cause harm to the significance of the CA. The proposed grey colour treatment would assist with mitigating some of its visual effect, as it would be predominantly viewed against the sky, but it would not adequately disguise the height or bulk of the installation.
15. The proposed installation would not obstruct pedestrians using the pavement and I recognise that it is designed to fit alongside street furniture, including streetlights, and the cabinets are typical of the control boxes nearby. However, the proposed monopole would be viewed in a relatively open position and be conspicuously out of scale with the immediately surrounding context and have an unacceptable visual relationship with the historic structures lying within the CA.
16. I find the harm in the context of the significance of the CA, in the language of the Framework, to be less than substantial in this instance. This commands considerable importance and weight and is not to be treated as a less than substantial objection to the proposal. I am also mindful that great weight should be given to the asset's conservation. The Framework advises that this

harm should be weighed against the public benefits of the proposal which I will discuss later in my decision.

17. The proposal arises from the need for the operator to vacate an existing facility within the spire at St John's Church. The appellant therefore asserts that an alternative site needs to be utilised to continue to provide the existing coverage and to address their 5G coverage hole in this area. Six rooftop sites have been explored within the cell area and a further two were outside the cell area, but all have been discounted. In summary, the reasons given include the pitched roofs which would prove difficult for installation works and for future maintenance, a building under renovation and inappropriate roofing materials. The appellant has therefore concluded that there are no viable alternative sites in the area such as rooftop or shared/upgrade installations.
18. Little detail has been provided to explain why there is insufficient room to upgrade the existing site or adequate detail of the site selection process, including why these were the only possible locations in the search area. Furthermore, there is little detail to explain where the alternative sites would be on each building and the constraints posed by each. Even if all such locations were considered and discounted on the grounds of unreasonable constraints, substantive evidence in this regard should have been provided. Also, the appellant has stated that all viable ground-based site options have been investigated and discounted but has not provided any adequate evidence of this appraisal of sites, especially those which may be in less sensitive locations or outside the CA.
19. Whilst operators have not got to consider every possible site, the Framework states that the number of communications masts and sites for such installations should be kept to a minimum consistent with the needs of consumers, the efficient operation of the network and providing reasonable capacity for future expansion. It encourages the use of existing masts, buildings and other structures. Based on the details before me and what I have seen on site, I am not convinced that the assessment of the existing and alternative sites is sufficiently robust. Sufficient justification has not been provided to support the discounting of these sites or in identifying possible alternative sites which may be less visually harmful. Therefore, it has not been adequately demonstrated to me that there are not any less harmful sites within this immediate area.
20. I have had regard to the support in the Framework for high quality communications and infrastructure, including the expansion of next generation mobile technology such as 5G. In that regard, I acknowledge that the operator must replace the existing provision whilst also improving network coverage in the area. The operator also describes the benefits of facilitating increased robust, reliable and efficient digital communications for the area, both in terms of working and socialising. I also recognise that 5G technology has more complex radio requirements than existing technology and that consequently the cell area is relatively constrained. I have also noted the desire to site the equipment away from dwellings as far as is possible. All these economic and social benefits would flow to the wider public and attract significant weight in favour of the appeal proposal.
21. The appellant suggests that as the existing shared site is already an accepted part of the street scene and therefore the appeal proposal should be considered

similarly. However, as the existing facility is within the church spire then it cannot be accepted that the proposed new monopole would have a similar visual impact. It is also suggested that a lattice tower in a green field location would cause greater harm to visual and residential amenity, but I have no adequate details before me to provide evidence of this.

22. I have been referred to two previous appeal decisions where the weight given to such matters as the need for the development in terms of its contribution to the provision of telecommunications infrastructure and the lack of suitable alternative sites outweighed any harm. With reference to the appeal decision at Abbeydale Road South¹, there is no adequate evidence that the site lies within a CA and therefore is not comparable to the case before me. Whilst the appeal site at Fulwood Road and Old Fulwood Road² is in a CA, based on the limited information before me, the monopole in this case is of a lower height and, having visited the site, the character and appearance of the area does not appear comparable. It does not appear to be close to the historic core of the CA, is not of comparable topography and the pole would appear to be closer to nearby trees. In any event, I am required to form my own views based on the site-specific circumstances and each case must be decided upon its own merits.
23. Despite the evidence presented and the public benefits identified, including the Government aims to facilitate the growth of new telecommunication systems, the Government also places great weight on protecting designated heritage assets. Therefore, the great weight I attach to the identified harm to the CA would not be outweighed by the significant weight I ascribe to the public benefits which would accrue from the proposal. This finding, along with my separate assessment of the need for the proposed installation to be sited as proposed, does not outweigh the harm identified to the character and appearance of the area by virtue of the proposal's siting and appearance. Therefore, whilst I acknowledge the benefits of the scheme in general terms, it has not been robustly demonstrated that the circumstances in this instance, justify allowing the scheme. In addition, there is no clear and convincing justification for the harm to the significance of the CA.
24. I conclude that the siting and appearance of the proposed monopole would have a harmful effect on the character and appearance of the area, with particular regard to the Ranmoor CA. Moreover, the harm identified would not be outweighed by the need for that installation to be sited as proposed taking into account any suitable alternatives. The siting and appearance would mean that the proposal, insofar as relevant, would fail to meet the requirements of SUDP Policies BE5, BE14 and BE16, which seek to achieve high standards of design, minimise the visual impact of telecommunications development and to conserve heritage assets. It would also conflict with the Framework which seeks to conserve heritage assets in a manner appropriate to their significance.

Other Matters

25. I have had regard to the setting of nearby listed buildings including St John's Church and Oakbrook Notre Dame Roman Catholic School Sixth Form Block and have noted that the Council considers that the proposal would be unlikely to interrupt any key views of them or to cause harm to their setting. I have been presented with no adequate evidence to indicate that I should take an

¹ APP/J4423/W/21/3285825

² APP/J4423/W/20/3252355

opposing view. Bearing in mind that section 66(1) of the Act, in relation to listed buildings, does not apply, it is not necessary to pursue this matter further.

Conclusion

26. For the reasons given above, I consider that the siting and appearance of the proposal would be unacceptable. I therefore conclude that the appeal should be dismissed.

G Bayliss

INSPECTOR