



Appeal Decision

Site visit made on 16 April 2024

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th May 2024

Appeal Ref: APP/J4423/W/23/3325085

Junction of Worcester Road and Rochester Road, Sheffield S10 4JQ

- 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 (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Cornerstone Ltd against the decision of Sheffield City Council.
 - The application Ref 22/04192/TEL, dated 18 November 2022, was refused by notice dated 12 January 2023.
 - The development proposed is the installation of a telecommunications base station comprising a 17.5m high slimline column (height including associated antennas) associated GPS module to be fixed to the top, 2no equipment cabinets, 1no meter cabinet and ancillary works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The provisions of the Order 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 Order, and the provisions therein do not require regard be had to the development plan. I have had regard to the policies of the development plan, any related guidance 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

4. I consider the main issues in this appeal to be:-
 - The effect of the proposed development on the character and appearance of the area.
 - The effect of the proposed development on highway & pedestrian safety

Reasons

Character and appearance

5. The proposed development would be located in close proximity to the public footpath and the highway, in a predominately residential area but close to a

parade of shops. The proposed site is also close to public open space, which includes a good degree of vertical landscaping in the form of trees. There are also streetlights and some signage in the locality.

6. Paragraph 118 of the Framework states that such telecommunications development is essential, and the expansion of electronic networks should be supported, including the next generation of mobile phone technology. Based on the guidance in the Framework, there would be public benefits from the proposal.
7. Paragraph 121 of the Framework states that evidence must be supplied to demonstrate that alternatives have been taken into consideration. I am satisfied, based on the evidence before me, that a sufficiently robust investigation as to possible alternatives has taken place.
8. In this case, the appellant's evidence demonstrates that there is a need for a new mast in the area, in order to cater for the forecast rapid increase in demand for mobile services in the future. In accordance with the advice at paragraph 122 of the Framework, the Council does not question the need for improved coverage.
9. The appellants state that the proposed mast would facilitate Fifth Generation (5G) connectivity. The proposal would be easily visible and tower above the existing surroundings when seen in its context. Although it could be argued that the mast is a slim, unfussy design, it would be considerably taller than any of the nearby street furniture and trees, whilst the utilitarian appearance would not fit well into this pleasant environment.
10. The scale of the mast is strident, industrial in nature and has the external appearance of a structure more often seen in industrial areas and would be harmful to the local context of residential development and public open space. The mast would appear dominant in the locality and be harmful to the character and appearance of the area, magnified by its proximity to the public footpath.
11. From closer viewpoints, the entire structure would be visible. It would be an unattractive and dominating feature. The scale and design of the installation would be incongruous in this setting. Consequently, regardless of the colour finish that could be used on the equipment, I conclude that the siting and appearance of the proposal would significantly harm the street scene and the character and appearance of the area.
12. The Framework recognises that planning decisions should support the expansion of electronic communications networks and the appellant has provided evidence to justify the proposed development. However, I have found the siting and appearance of the development would result in harm to the character and appearance of the area, which is not outweighed by these other considerations. I find the proposal to be in conflict with the design and setting aspirations set out in paragraph 135 of the Framework.

Highway & Pedestrian safety

13. In terms of pedestrian safety, the width would be sufficient for most pedestrian movements, allowing people to pass in opposite directions. An issue could arise for a double buggy or wheelchair with passing movements, but in my view, it is more likely that one party would wait for the other to pass rather than stepping

into the road in this location. Furthermore, the frequency of such incidents occurring is likely to be low. Thus, whilst there may be potential for some inconvenience to pedestrians, it would be unlikely to result in problems of pedestrian safety.

14. As a result, I find that the harm to pedestrian safety from the installation is not sufficient to warrant a negative finding on this matter. However, this does not change my findings on the other harms generated by the proposal.
15. As such, I find no conflict with Sheffield Unitary Development Plan Saved Policies BE10, T8 and S10 with respect to this issue, nor do I find conflict with the aspirations of the Framework on this matter.

Other Matters

16. The appellant has drawn my attention to other appeal decisions where Inspectors have concluded that the benefits of development would outweigh the harm caused to character and appearance. It is apparent that the masts proposed in that specific context differ to that proposed here. Furthermore, from what is before me, I cannot conclude with any certainty the effect on local character in each case is comparable to that here. In any balancing exercise, the outcome will necessarily depend on the particulars of any case. As such, these examples have not had a significant bearing on my decision.

Conclusion

17. The government is committed to supporting the deployment of next-generation mobile infrastructure. This is generally reflected in the Framework, which contains a clear expression that advanced, high quality communications infrastructure is essential for sustainable economic growth. In this regard, there is encouragement to local planning authorities to support the expansion of electronic communications networks, including telecommunications.
18. The proposed mast would expand 5G coverage and provide service in a current network gap. In this regard, whilst I recognise the general social and economic benefits, those benefits have effectively been recognised by the grant of permitted development rights in the GPDO. Hence, they do not carry additional weight when considering matters of siting and appearance as part of the prior approval process.
19. I have found that the siting and appearance of the proposed installation would have a harmful effect on the character and appearance of the area, to which I apportion significant weight. Moreover, it has not been demonstrated that this harm is outweighed by the need for the installation to be sited as proposed, taking into account any suitable alternatives.
20. Therefore, for the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Paul Cooper

INSPECTOR