



Appeal Decision

Site visit made on 10 June 2024

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 July 2024

Appeal Ref: APP/J4423/W/24/3341919

Hatfield House Lane, Sheffield, South Yorkshire S5 6HX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under 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 23/03050/TEL, dated 19 September 2023, was refused by notice dated 16 November 2023.
 - The development is proposed base station installation. It is proposed to install a 17.5m high Apollo ARV2 streetpole on T9 root foundation, together with 1No. GPS module, 3No. Antennas, 3No. future Antennas, 1No. cabinet c/w 1No. sidepod, 1No. meter cabinet and associated ancillary works
-

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 (Framework) only in so far as they are a material consideration relevant to matters of siting and appearance.

Main Issues

4. The main issues in this appeal are:-
 - The effect of the development on the character and appearance of the area; and
 - The effect of the development on nearby Listed Buildings

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 with some

small-scale retail and commercial premises, close to public open space, the area includes a good degree of vertical landscaping in the form of trees. There are also streetlights and some signage in the locality.

6. 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. 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 set out in 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 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 as set out in the Framework.

Effect on Listed Buildings

13. Amongst other matters raised by the Council, there are objections in relation to the effect on the Listed Buildings on Hatfield House Croft.
14. The Framework attaches great weight to the conservation of heritage assets, and I have a statutory duty to have regard to the preservation of those assets,

under Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

15. However, given the location of the respective buildings and the proposed mast, I find with the oblique angled nature of that relationship, that, despite my findings on the harm to the general character and appearance of the area, the specific harm to the Listed Buildings would be neutral and not cause harm, less than substantial or otherwise and therefore I do not need to assess the nature of that harm and any mitigating factors.
16. Whilst I may not find harm in this aspect of the proposal, this does not factor against the harms that I have identified to the character and appearance of the area.

Planning Balance and Conclusion

17. I have taken into account the economic and social benefits of the proposal, and the supporting documentation provided that demonstrate the merits of an effective communications network. Nonetheless, I do not find these benefits outweigh the harm that would be generated by the siting of the mast and associated works in such a location.
18. For the reasons set out, I conclude the appeal should be dismissed.

Paul Cooper

INSPECTOR