



Appeal Decision

Site visit made on 4 February 2025

by David Reed BSc DipTP DMS MRTPI

an Inspector appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 25th March 2025

Appeal Ref: APP/W2465/W/24/3352894

17 Glebe Street, Highfields, Leicester LE2 0JR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Cornerstone against the decision of Leicester City Council.
 - The application Ref 20240155, dated 5 February 2024, was refused by notice dated 19 April 2024.
 - The development proposed is the replacement of 6 no. existing antennas with 12 no. new antennas, the installation of 4 no. microwave dishes & RRUs, the installation of internal equipment cabinets, along with ancillary works.
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Decision

1. The appeal is allowed and planning permission is granted for the replacement of 6 no. existing antennas with 12 no. new antennas, the installation of 4 no. microwave dishes & RRUs, the installation of internal equipment cabinets, along with ancillary works at 17 Glebe Street, Highfields, Leicester LE2 0JR, in accordance with the terms of the application, Ref 20240155, dated 5 February 2024, subject to the attached schedule of conditions.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the South Highfields Conservation Area (CA).

Reasons

3. The proposal is to replace the existing antennas on the north, west and south corners of the six-storey section of No 17 Glebe Street with a taller and more complex array of antennas in the same position. The building comprises a modern block of flats in a densely developed area off London Road to the southeast of the city centre. The area is designated as part of the extensive South Highfields CA, primarily an area of Victorian terraced housing, but the London Road/Conduit Street/Glebe Street/Prebend Street block, within which the appeal site lies, has lost much of its character with some large-scale modern redevelopment.
4. The appellant is building an enhanced 5G telecommunications network on behalf of Vodaphone Ltd and Virgin Media O2 and requires upgraded and improved network coverage in the London Road area. As the area is intensively developed with numerous multi-storey buildings, a rooftop site is

inevitably required to ensure the necessary mobile signal can reach the network cell concerned. A new ground-based mast, wherever located, would have significantly greater visual impact in the street scene.

5. The existing antennae on the rooftop of No 17 are about 2.3 m tall and clearly visible from the ground along much of Prebend Street, from part of Brookhouse Street and Lincoln Street, between frontage buildings on Glebe Street and in glimpses between buildings along London Road. The antennae are also clearly seen from much of the Prebend Gardens open space, although trees here provide some screening when in leaf. The replacement antennae, about 4.25 m tall and more bulky, would be considerably more prominent in these views and, being taller, would be seen from a somewhat wider area. The installation inevitably breaks the skyline in these views, but the rooftop forms a small part of a larger complex of modern multi-storey buildings where it does not appear surprising or out of place. The six-storey section of No 17 is a well-established rooftop antennae site that was first consented in 2007. As such the installation has become an accepted if not particularly welcome feature of the area and continuing use of the site, even with a taller and more prominent installation, would not be significantly harmful to the visual amenity of the area.
6. Importantly, the appellant has considered but discounted 21 alternative rooftop sites within the vicinity of No 17 and none of these is preferred by the Council. In addition, there is no suggestion that the height or design of the antennae installation on the rooftop could be improved visually whilst still meeting the technical requirements involved.
7. There is strong policy support for advanced and high-quality communications infrastructure in paragraphs 119 - 123 of the National Planning Policy Framework (NPPF) and its improvement offers strong economic and social benefits. There are numerous technical and locational requirements that limit the availability of suitable sites as in this case.

Conclusion

8. For these reasons there would be no significant harm to the character and appearance of the South Highfields CA and any harm that arises would be outweighed by the public benefits of the proposal thus complying with the test in paragraph 215 of the NPPF. Whilst the proposal would conflict with Policy CS18 of the Leicester Core Strategy 2014 which seeks to protect the historic environment, this conflict would be limited, and in this case other material considerations indicate that permission should be granted.
9. The Council have suggested three conditions should the appeal be allowed, and these have been assessed against the relevant tests. In addition to the standard implementation time limit the approved plans should be defined in the interests of certainty. A third condition is also necessary to ensure the installation is removed when no longer operational in the interests of the visual amenity of the area.
10. Having regard to the above the appeal should be allowed.

David Reed

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall be begun within three years from the date of this decision.
- 2) The development hereby permitted shall be removed as soon as reasonably practicable after it is no longer required for electronic communications purposes.
- 3) The development hereby permitted shall be carried out in accordance with the following approved plans:
Proposed Site Plan 201, Rev A
Proposed Site Elevation 301, Rev A