



Appeal Decision

Site visit made on 29 April 2025

by **R Bartlett PGDip URP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23 May 2025

Appeal Ref: APP/N4720/W/24/3357929

Pavement on East Moor Lane and Sir George Martin Drive, Adel, Leeds, LS16 8LA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) 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 Leeds City Council.
 - The application Ref is 24/02913/DTM.
 - The development proposed is a Streetworks telecommunications installation. The proposal is the installation of a 20m M-Range V2 pole with 6nos antennas, 1no 300mm transmission dish, 3nos equipment cabinets, 1no meter cabinet and ancillary development.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. 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 LPA 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.

Planning Policy

3. As this is not an application for planning permission there is no requirement to determine the proposal in accordance with the development plan or other guidance. Nevertheless, I have had regard to Policy P10 of the Leeds Core Strategy (Review 2019), as a material consideration, in so far as it relates to issues of siting and appearance. This policy seeks to ensure development respects the character and quality of streets and spaces that make up the public realm. The National Planning Policy Framework (the Framework) is also a material consideration, and this includes a section on supporting high quality communications.

Main Issue

4. The main issue is the effect of the siting and appearance of the proposed installation on the character and appearance of the 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

Siting and appearance

5. The Framework states that the number of masts and sites for telecommunication installations should be kept to a minimum and that the use of existing masts, buildings and other structures should be encouraged. Where new sites are required, equipment should be sympathetically designed and camouflaged where appropriate.
6. The Code of Practice for Wireless Network Development in England (2022) supports the government's objective of delivering high quality wireless infrastructure, whilst balancing these needs with environmental considerations. It encourages operators to mitigate visual impacts by considering simple measures, such as siting masts and cabinets within or adjacent to a group of trees and using colours that match their backdrop.
7. The appeal site comprises part of an open grassed island, currently occupied by two slimline street lighting columns, which are approximately 6.2 and 10.3 metres high, three low level concrete bollards, three young trees and wildflower planting. The island is bound on all sides by public highways. There is a bus stop directly opposite the site on Sir George Martin Drive and a bank of recycling containers on the opposite side of East Moor Lane, which are set behind the footway against the backdrop of the large woodland area to the south and east. A new residential housing estate and care home are under construction further along East Moor Lane and beyond the woodland area. There is also a smaller wooded area to the north of the site, which I am informed has planning permission for a pharmacy, albeit there were no obvious signs of this having been implemented on site. Reference is also made to approved highway works in the area, including new signage and lampposts within the grass island area. However, I have not been provided with any further details of these works.
8. The soft landscaped island forms an attractive open green space within an area of tree lined streets and makes a positive contribution to the suburban character and appearance of the area. It is in a highly prominent position on the main road, at the entrance to a new development and adjacent to the bus terminus. The existing low-level bollards and slim lighting columns on the island do not overly clutter it or harmfully detract from its surroundings. Other structures in the area such as the bus stop shelter, recycling containers, bins and equipment cabinets are located towards the back edge of or behind footways, against landscaped backdrops.
9. The 20 metre high steel slimline monopole would be wider and higher than other vertical street structures in the area. The steel equipment cabinets would be almost 2 metres high, spanning a combined length of approximately 4.5 metres, with paving slabs alongside. I acknowledge that the pole mounted equipment needs to be higher than surrounding buildings and trees for technical reasons, that the design of the pole and cabinets would be simple and functional and that the pole and cabinets would all be green. However, the proposed siting of the installation would result in additional clutter, which due to its exposed location, within an open green island would not blend into a backdrop of greenery, or benefit from any form of camouflage or screening.
10. The backdrop of trees referred to by the appellant are on the opposite side of the road to the open grassed island. As such the proposed pole and cabinets would

not blend in with these. The single cabinet on the opposite side of Sir George Martin Drive is smaller than those proposed and is set back behind the footpath, tight against the substantial boundary hedge that it blends into. Whilst I note that no residential properties directly face the site, other visual receptors are equally important considerations.

11. Due to the exposed position of the site the entire mast and cabinets would be visible from adjacent roads, footways and community facilities when approaching in either direction along Sir George Martin Drive or when approaching along East Moor Lane, which is much lower. The development would draw the eye and would be a negative and incongruous focal point in the otherwise verdant street scene. I therefore conclude that the siting and appearance of the proposal would result in unacceptable harm to the character and appearance of the area.

Alternative sites

12. The new mast is required to support the provision of the latest upgraded 4G and new 5G technologies in the area. I acknowledge that for technical reasons, the search area for sites to accommodate this provision is relatively small. The appellant states that there are no existing telecommunications sites within the search area that could be shared and that there are no suitable high rooftop buildings or other existing structures upon which the equipment could be housed. The Council has not provided any evidence of its own to the contrary. I did not see any other telecoms sites nearby and noted that buildings in this area are predominantly single or two-storey dwellings.
13. A total of 9 alternative sites have been referred to and ruled out for a variety of reasons, which include highway safety, conflict with or potential damage to trees, proximity to a school and residential properties, access to the site and necessary utility services, visual effects and landowner agreement. Whilst these are all valid reasons, there is little evidence before me to back them up, and the visual effects of each site are subjective.
14. The plan indicating the approximate locations of the alternative sites considered is very small scale, which makes it difficult to identify the precise locations. There is insufficient information to fully assess the effects of siting the same installation in an unknown position on the alternative sites, which is not in any event for me to do as part of this appeal and would need to be subject to further detailed plans and public consultation.
15. However, from the limited information provided, it appears that a similar installation on sites D1, D3, D5, D6 and D8 would be likely to be similarly prominent and harmful when compared to the appeal site. As it appears that site D2 would be within the new residential development site, which I do not have details of, I have no reason to doubt that if this site is in the ownership of the housing developer, they would be unlikely to agree to the sale or lease of land to accommodate the proposal given that the developer has objected to the appeal proposal. Furthermore, it is now suggested that this site would fall outside of the required search area and should be ruled out.
16. Site D4 and Site D9, which it appears would be well screened by trees, allegedly do not have suitable access and may be more difficult to connect to services. There is little explanation or evidence of the alleged difficulties to demonstrate why

these sites could not be feasible options, although the appellant now also alleges that agreement cannot be made with the landowner of D9.

17. Whilst site D7 would be closer to and more visible from a small number of dwellings, which may be a cause of concern, it appears that the ground is lower than that of the dwellings opposite, which are separated by the road and some tree planting. The wide verge in this location has a wooded backdrop that would enable equipment, to be sited away from the edge of the road, towards the edge of the woods where the pole would blend in with the trees and be less exposed than on the open island. Cabinets could be screened by potential new hedge planting or sited against the landscaped backdrop. It has not been demonstrated that the equipment could not be installed close to trees without causing damage to them or their roots, or that interference would be caused to the equipment, which when mounted on a 20 metre pole would be above the tree canopy.
18. There is also no consideration of the wide grass verges behind the pavements opposite the appeal site, which currently contain advertisements for the adjacent housing development and recycling containers. Whilst I am advised planning permission has been granted for a pharmacy to the north of the site, I have no details of this or evidence of consideration being given to locating the proposal on or adjacent to the approved pharmacy site, which may provide some screening. Alternative sites suggested by local residents have also not been considered.
19. Accordingly, I am not satisfied based upon the limited evidence before me that the appeal site is the least harmful site available within the required area for the siting of the proposal, and it has not been demonstrated that the installation could not be located much closer to an established tree line in the area, where it would be less exposed in views along the adjacent roads and footpaths. Whilst there is no requirement for developers to select the best feasible siting where no harm exists, where harm does exist, as is the case here, other options are an important consideration.

Other Matters

20. I acknowledge the social and economic benefits of the proposal. However, these benefits have already been recognised in the granting of permission under Article 3(1) of the GDPO and are not relevant to my consideration of siting and appearance. As I have concluded the siting and appearance would result in harm, the only other matter to consider is the likelihood of alternative sites being available within the required search area that would result in less harm.
21. I have had regard to the appeal decisions drawn to my attention by the appellant, but these relate to different installations in different locations and as such they do not alter my view on the siting and appearance of the proposal before me. This is particularly the case as two of the schemes relate to masts that were much lower in height, one relates to a replacement mast and in the other case the absence of any other suitable alternative sites had been satisfactorily demonstrated.

Conclusion

22. For the reasons given above, I conclude that the appeal should be dismissed.

R Bartlett INSPECTOR