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## Appeal Decision

Site visit made on 20 May 2025

**by A Caines BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 27 May 2025**

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**Appeal Ref: APP/N4720/W/25/3362138**

**Cranmer Bank, Moor Allerton, Leeds LS17 5HX**

- 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 GPDO).
  - The appeal is made by Cornerstone Telecommunications Infrastructure Limited against the decision of Leeds City Council.
  - The application Ref is 24/04570/DTM.
  - The development proposed is a 17.5m pole supporting 6no. antennas, 1no. 0.3m dish, 4no. equipment cabinets, and ancillary development thereto.
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### Decision

1. The appeal is allowed and prior approval is granted under the provisions of Article 3(1) and Schedule 2, Part 16, Class A of the GPDO for a 17.5m pole supporting 6no. antennas, 1no. 0.3m dish, 4no. equipment cabinets, and ancillary development thereto, at Cranmer Bank, Moor Allerton, Leeds LS17 5HX in accordance with the terms of the application ref 24/04570/DTM and the details submitted with it.

### Preliminary Matters

2. The provisions under Article 3(1) and Schedule 2, Part 16, Class A of the GPDO requires 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, having regard to the policies of the development plan and the National Planning Policy Framework (the Framework) only in so far as they are a material consideration relevant to the matters of siting and appearance.

### Main Issue

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

### Reasons

4. The proposed telecommunications apparatus would be sited on a grass verge on the northern side of Cranmer Bank. Beyond the adjacent boundary fencing and treeline to the north are the playing fields of Alwoodley Primary School and its large two storey buildings. On the south side of the road is a dense belt of mature trees with a public recreation ground extending east to Cranmer Rise. The nearest residential properties lie approximately 50 metres to the west and do not face the

appeal site. As a result, the environs have a pleasant verdant and somewhat open character, but are not covered by any historic or sensitive landscape designations.

5. Given its siting close to the road, the monopole mast would be clearly visible on the approaches along Cranmer Bank, and to various extents from and across the surrounding playing/recreation fields and school. Nonetheless, visibility does not necessarily equate to harm. In this instance, the mast would be seen in the context of the line of existing street lighting columns and framed by a backdrop of mature trees on both sides of the road. It would not be so much taller than these features as to dominate the street scene, and there is no reason to doubt that its height and width is the minimum possible for this form of 5G installation at the site. The proposed colour treatment would further assist in reducing the visual prominence of the equipment in this setting. In terms of the accompanying equipment cabinets, such structures are not unusual on urban roadsides, and given their limited size, spread, and siting neatly along the verge, would not appear visually cluttered or obtrusive.
6. I therefore find that the siting and appearance of the proposed installation would not harm the character or appearance of the area. Whilst not determinative, in this respect the proposal complies with the telecommunications infrastructure and general design requirements of Policy P10 of the Leeds Local Plan Core Strategy (Selective Review 2019), Policies GP5 and BD6 of the Leeds Unitary Development Plan (Review 2006), and the Framework.

### **Other Matters**

7. The proposal has received a significant amount of local opposition. Some have questioned the need for the installation in this location. However, the Framework is clear that the need for an electronic communications system should not be questioned, and that the provision of high quality communications infrastructure, including 5G technology, is essential for economic growth and social well-being. Furthermore, the appellant's evidence indicates that there is a need for improved coverage in this area and that the sequential approach to site selection set out in the Framework has been properly followed. Given my findings above, it is not necessary to undertake any detailed assessment of the merits of the alternative sites that were discounted.
8. Concerns have also been raised about potential effects on health and quality of life, including potential for interference with personal medical equipment and the appropriateness of having the equipment located near to a school and playing fields. The appellant has provided a certificate to confirm that the proposal has been designed to comply with the guidelines published by the International Commission on Non-Ionizing Radiation Protection (ICNIRP). In these circumstances, the Framework advises that health safeguards are not something which a decision-maker should determine. No sufficiently authoritative evidence has been provided to indicate that the ICNIRP guidelines would not be complied with or that a departure from national policy would be justified.
9. There is no substantive evidence before me that the proposal would adversely affect wildlife in the area.

## **Conditions**

10. Any approval for development under Article 3(1) and Schedule 2, Part 16, Class A is subject to the conditions set out in Paragraphs A.3(9), A.3(11) and A.2(2), which specify that the development must be carried out in accordance with the details submitted with the application, must begin not later than the expiration of 5 years beginning with the date on which the local planning authority received the application, and must be removed as soon as reasonably practicable after it is no longer required for electronic communications purposes and the land restored to its condition before the development took place. There is no authority to impose further conditions.

## **Conclusion**

11. For the reasons given, I conclude that the appeal should be allowed and prior approval should be granted.

*A Caines*

INSPECTOR