



Appeal Decision

Site visit made on 14 April 2025

by Darren Hendley BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 May 2025

Appeal Ref: APP/J4423/W/25/3360695

Land at Yew Lane, Sheffield S5 9AQ

- 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 Sheffield City Council.
 - The application Ref is 24/01941/TEL.
 - The development proposed is a 17.5m high street furniture style mast (RAL7035 Grey) incorporating 6No. antennas (RAL7035 Grey) 2No. cabinets (1No. 1900x800x1650mm; 1No. 655x255x1250mm) (RAL6009 Green) All ancillary development.
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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 Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for a 17.5m high street furniture style mast (RAL7035 Grey) incorporating 6No. antennas (RAL7035 Grey) 2No. cabinets (1No. 1900x800x1650mm; 1No. 655x255x1250mm) (RAL6009 Green). All ancillary development at land at Yew Lane, Sheffield, S5 9AQ in accordance with the application ref: 24/01941/TEL and the details submitted with it including plan nos Site Location Maps Drawing Number 100 Rev A, Proposed Site Plan Drawing Number 201 Rev B and Proposed Site Elevation Drawing Number 301 Rev B.

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 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 provisions of Schedule 2, Part 16, Class A of the GPDO do not require regard to be had to the development plan. I have had regard to the policies of the Sheffield Unitary Development Plan (1998), the Sheffield Development Framework Core Strategy (2009) and the National Planning Policy Framework only as far as they are material considerations relevant to matters of siting and appearance.
4. The appellant's appeal submission includes a number of supporting documents that were not before the Council at the time of its decision. These concern network coverage, underground services and viewpoint photomontages. The appellant has also indicated that more information has been provided on the

consideration of alternative sites. Such documents and information do not though represent a substantial difference or fundamental change to the application. Procedurally, the Council and Interested Parties have also had the opportunity to comment through the consultation that forms part of the appeal timetable. Hence, they have been considered in my decision.

5. The details set out in the header and decision paragraph above are taken from the application form as I have not been made aware there was agreement by the appellant to make any changes to them, save for the postcode.

Background and Main Issues

6. The appellant applied to the Council as to whether prior approval was required for the siting and appearance of the proposed installation. The Council considered that prior approval was required and refused the application on the grounds that the proposed monopole would be harmful to the visual amenity of the locality, including to the character of the street scene and the open residential streetscene. The Council do not take issue with the proposed equipment cabinets in this regard. The Council also refused the application as it considered that insufficient or generalised information had been submitted on network coverage and alternative sites.
7. The appellant considers that prior approval should be granted. This is on the basis that the proposed design would strike the best available balance between operational requirements to provide a much needed improvement to the operator's network and connectivity, and environmental considerations. The appellant also considers there was an absence during the consideration of the planning application of a comprehensive and balanced assessment of all relevant planning considerations in an appropriately weighted manner.
8. Social, economic and other public benefits have also been raised, as well as various references to how the rollout of such development is supported by Government. However, the GPDO is clear that the only considerations should be siting and appearance. Those benefits have effectively been recognised by the grant of permission under Article 3(1) of the GPDO. The findings of other appeal decisions for such installations similarly falls outside of what can be considered under the GPDO.
9. Accordingly, the main issues are the effect of the siting and appearance of the proposed installation on (i) the character and appearance of the area; and (ii) if any harm would occur, whether this is outweighed by the need for the installation to be sited as proposed and taking into account any suitable alternatives.

Reasons

Character and Appearance

10. The appeal site comprises part of a grass verge that lies in the vicinity of the junction of Yew Lane with Coppin Square. The verge is banked and there are steps that provide access to a bus shelter on the bank by way of a footway adjacent to the site. There is a telegraph pole to the rear of the bus shelter, which is of a fairly modest height, as are occasional nearby street trees and street lighting units.

11. Most of the area in the vicinity of the site is residential in nature and presents a planned layout of semi-detached or short terraces of housing, or else flats around Coppin Square. There is also a local convenience store close to the site. Yew Lane itself is raised and land levels also rise along this road to the north-east. To the south-west, the levels flatten out. The road verges are wide and so this allows some long ranging views in both these directions. It also demonstrates that there is some degree of sensitivity afforded with the location, despite the lack of protective planning designations.
12. When the height of the proposed mast is considered with its siting alongside Yew Lane, it would be clearly visible. Its height would appear considerably greater than that of the buildings and other infrastructure in its vicinity, especially as it would be sited in a raised position on top of the banked verge. As a consequence, it would be out of scale compared to its immediate surroundings, where it would be overtly prominent.
13. The appearance of the proposed mast with the bulk and detailing of the antennas positioned at the top of the monopole would result in it forming an obtrusive feature. While I note why the antennas cannot be shrouded, this does not address that the functional design would appear out of character. Even though there are existing telecommunications masts on Yew Lane, these are too far from the site for such a form of development to be said to be part of the prevailing character or an expected part of a modern landscape.
14. The buildings, other infrastructure and trees in its vicinity would provide screening to a degree. However, the greater height of the proposed mast would still be apparent. This is ably demonstrated by the majority of the viewpoint photomontages as the mast would appear as a structure that would protrude above much of its surroundings, especially with its raised position. As a result, the existing development would only aid in the proposed mast being assimilated into the area to a limited extent, and similarly with regard to such development and trees softening the likely adverse impact. The long ranging views would also mean that it would not appear fleeting, but rather that it would be likely to draw the eye for a distance.
15. In taking the above considerations together, the proposed mast would detract from the setting and character of the largely open residential street scene of Yew Lane, and so it would be harmful to the visual amenities of the locality. Hence, I conclude that the siting and appearance of the proposed installation would have an unacceptable effect on the character and appearance of the area.

Need for the Proposed Installation in this Location and Alternative Sites

16. The need for the proposed installation in this location concerns the provision of 4G and 5G network capacity in the area. The operator currently utilises a shared facility in the area which cannot be upgraded for 5G. The coverage plots provided ably demonstrate how the proposed installation would provide more complete coverage for both 4G and 5G services. The information provided on network coverage improvements is thus not generalised. It establishes that it would provide more complete coverage for this area.
17. Details of numerous alternative sites have been provided. A number of these lie in the residential areas on either side of Yew Lane and which do not have wide verges to accommodate the proposed installation, but would likely rely on

pavement locations in some instances. They would also be in closer proximity to the front elevations of residential properties than the appeal site. There are also numerous driveway accesses, and so there is the potential to interfere with visibility and highway safety. Some of these sites would also be peripheral, based on the coverage plots provided.

18. The Council agree that mast sharing options and locating the installation on existing buildings in the area would be too intrusive. Sites on Yew Lane itself would likely have similar adverse effects to the proposal. The Council had previously refused an application from the appellant on a different part of Yew Lane, which again suggests that such a location would not be preferable. Locating the proposed installation closer to Coppin Square would not make a significant difference because the same character and appearance issue would arise and it would result in similar distances to other residential properties. Placing the proposed installation underground would not be a reasonable alternative as this would not provide for coverage of the area, which is dependent on an above ground structure.
19. The remaining alternative sites concern agricultural fields or an adjoining road verge found to the north-east towards Ecclesfield. Some of these sites would be on steeply declining land levels and thus it is understandable why they would not have operational merit. Where these sites would avoid the topography constraints, it is said they would be too close to existing telecommunication installations and so have the potential to create technical interference. There is no substantive evidence to the contrary. They would also result in not dissimilar effects on the outlook of the residential properties that are found opposite those alternative sites, compared to the appeal site and the properties closest to it. While in character and appearance terms there are existing installations already in their vicinity, it would also have the potential to result in a visual clutter of such installations in a fairly small area.
20. Robust information has therefore been provided as regards discounted site options. It is not generalised to the extent that it prevents site selection from being properly considered. While the Council is concerned that sites that were discounted due to being 'very residential, insufficient visibility splays and unsuitable pavements', this is justified for the reasons that I have set out, in particular for the residential areas on either side of Yew Lane where a number of the alternative sites are found. Sufficient justification has also been provided for discounting the sites in or close to the fields.
21. As such, I conclude there is a need for the proposed installation in this location and the information provided does enable alternative sites to be fully considered. Furthermore, there would not be an alternative site that would best address the identified need to improve coverage, including for 5G.

Other Matters

22. Interested Parties have raised concerns over the effect on their living conditions, in particular their outlook. The nearest residential property is separated from the site by the grass bank and then a side road. This would be no great distance, albeit the proposed installation would be viewed at an angle from the windows on the front elevation of this property. There would be a more direct orientation from the front elevations of the residential properties on the opposite side of Yew Lane,

though the intervening distance would be more significant. While I would accept that some harm would arise to the outlook from these properties as there would be views of what is a functional form of development, it would be to a moderate level.

23. Concerns have also been raised about potential effects on health. However, 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, 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 in this regard would be justified.
24. Over and above that some level of harm would arise to outlook, I am not persuaded that an unacceptable effect would result to the quality of life, even if this can be deemed to fall within what can be considered for a prior approval application. The effect on property values is not a planning matter, and so is not for my consideration.

Balancing Exercise

25. The siting and appearance of the proposed installation would result in an unacceptable effect with regard to the character and appearance of the area. There would also be a moderate adverse effect on the living conditions of nearby residential properties by way of outlook. On the other hand, it has been ably demonstrated there is a need for the proposed installation in this area to improve coverage. There is also not the likelihood that a more suitable site is reasonably available. The information provided on the need and lack of reasonable alternative sites is both sufficient and compelling.
26. The need for the proposed installation in this location and taking into account any suitable alternatives therefore outweighs the harm that would arise. The proposal thus succeeds against the prior approval matters of siting and appearance, as are set out by paragraph A.3 (4). As a result, it would satisfy the requirements of Class A of Schedule 2, Part 16 of the GPDO and so is development permitted by it.

Conditions

27. The Order does not provide any specific authority for imposing additional conditions beyond the deemed conditions for development by electronic communications code operators contained within it. These specify that the development must be carried out in accordance with the details submitted with the application, begin within 5 years of the date of the approval and 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.
28. While I note the Council has sought a black finish by condition, the proposed monopole is to be grey and the equipment cabins green. This is set out in the description of development. In such a location, there would not be a discernible improvement if the finish was black and so I have not sought agreement to such an amendment to the details of the proposed installation.

Conclusion

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

Darren Hendley

INSPECTOR