



Appeal Decision

Site visit made on 2 June 2025

by R Bartlett PGDip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 June 2025

Appeal Ref: APP/W4705/W/25/3359809

Toller Lane, Bradford, BD8 9AB

- 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 City of Bradford Metropolitan District Council.
- The application Ref is 24/02628/PNT.
- The development proposed is a base station telecommunications installation. Proposed installation of a 22.50m monopole on proposed concrete base together with 12No. antennas, 2No. 300mm dishes, 2No. 600mm dishes, 7No. cabinets and associated ancillary works.

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 base station telecommunications installation comprising a 22.50m monopole on a concrete base together with 12No. antennas, 2No. 300mm dishes, 2No. 600mm dishes, 7No. cabinets and associated ancillary works, at Toller Lane, Bradford, BD8 9AB, in accordance with the application Ref 24/02628/PNT and the details submitted with it, including drawing numbers 100 Rev A, 201 Rev B and 301 Rev D, and subject to the following condition:
 - 1) The colour of the palisade fencing and access gate enclosing the compound shall be black or dark green.

Procedural Matters

2. The post code BD8 9JW, which is stated on the application form, does not cover the area of land on which the installation would be sited. I have therefore amended this to BD8 9AB, for site identification purposes.
3. 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 (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

4. 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 Policies DS1 and DS3 of the Core Strategy

Development Plan Document (July 2017), as a material consideration, in so far as they relate to issues of siting and appearance. The National Planning Policy Framework (the Framework) is also a material consideration, and this includes a section on supporting high quality communications.

Main Issue

5. 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

6. 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.
7. 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. At paragraph 46 it states that where compounds are required, these should be designed so that they are as much as possible in keeping with the character of the area, and that the most appropriate materials and colourings are used, for example, for perimeter walls and fencing. It states that in rural areas this could include planting new trees or hedgerows to integrate the site into the landscape. I see no reason why this could not also be applied in urban areas to soften the appearance of such compounds.
8. The appeal site comprises part of an area of previously developed land in a busy built-up mixed-use area. It fronts onto Toller Lane, close to its junction with Fairbank Road, where there is an existing telecoms mast and 3 cabinets, together with other vertical street structures of varying sizes and colours. There is a small triangular area of soft landscaping and tree planting directly to the east of the site and trees are also planted along the opposite side of Toller Lane and along its grassed central reservation. There are mosques and dwellings on the opposite side of Fairbank Road and Toller Lane and there are further dwellings on Tollgate Court to the south and southeast of the site. Fairbank Road slopes downhill quite steeply from Toller Lane with its buildings and structures stepping down in height accordingly.
9. Although the site is currently vacant except for some informal use as a car parking area, it appears that it was previously occupied by buildings. Given its location, I see no reason why it would not be redeveloped in the future. An undercover parking area adjoins the site, which comprises a steel framed structure with a flat concrete roof. Due to the topography of the area the flat roof of the carpark is more or less level with the ground level of the site. The roof level of the adjacent houses on Tollgate Court is approximately 3m above the ground level of the site.

10. The proposed galvanised mast would be approximately 1.2m wide at base level and the head gear would be over 3m wide, for roughly the top 4m of the mast. At 22.5m high, the mast would tower above the adjacent trees and street structures, including the existing telecommunications mast adjacent to the site, which is not being replaced by the current proposal. It would also tower over the adjacent houses on Tollgate Court, which are built on significantly lower ground. The mast would be approximately 20m away from the nearest dwelling. Drawings have not been provided showing the height of the cabinets or the height of the concrete base that the mast and cabinets would be sited on top of. However, the Site Specific Supplementary Information confirms that the green cabinets, white racks and grey flatpack frames would range from 1015mm to 1770mm in height above the concrete base.
11. A compound measuring approximately 6m x 7m would be created to enclose the equipment using 2m high palisade fencing. This fencing would not reflect the appearance of the adjoining stone wall and black wrought iron railings with tree planting and soft landscaping behind, or other boundary walls along the Toller Lane street frontage. Where other palisade fencing does exist in the area, such as around the Children and Family Centre, it is green and is set behind stone walls and landscaping to soften its appearance.
12. I am advised that the proposal would replace a smaller mast mounted on a nearby building and would provide a shareable structure for two operators, avoiding the proliferation of masts, but there are no proposals to remove the existing mast and its associated 3 cabinets that are currently sited approximately 40m away from the proposal. I also noted a further mast and cabinets a short distance away on Duckworth Lane. Consequently, there are cumulative effects to consider, and the proposal would add to the proliferation of telecoms structures within a very small area.
13. Although the installation would be set back from the road and footpath avoiding any obstruction of these and would be seen against a backdrop of trees in some views, as these are not evergreen trees the screening they provide would be limited. The mast would be visible from nearby houses, particularly from upper floor windows. However, I acknowledge that those houses that would be closest to the mast, would be at oblique angles to it rather than directly facing it, and that views from lower floors and ground level to the front of these houses would be limited to the upper part of the mast, due to the differing land levels. The equipment cabinets would be green, like the backdrop of trees, and a condition could be imposed to ensure the compound fencing is also green to blend in with the landscaped backdrop and cabinets or black to match adjacent railings. Whilst some landscaping and tree planting around the outside of the compound would have further improved the appearance of the installation at street level, I acknowledge that in this case the land surrounding the site is, except for the existing landscaping to the east, concrete and that the appellant would require the consent of the private landowner to undertake landscaping works outside of the compound area. Having regard to this and the nature of the prior approval application, I am not convinced a landscaping condition could be imposed to mitigate any of my concerns.
14. I therefore conclude that the siting and appearance of the installation, due to its industrial scale and appearance in a predominantly residential and community use location, would not assimilate well into its surroundings and would add to the

proliferation of telecoms equipment in the area, which would be harmful to its character and appearance. Consequently, the proposal would be contrary to Policies DS1 and DS3 of the Core Strategy, which seek to secure high quality developments that respect local context, and paragraph 120 of the Framework, which advises that electronic communications equipment on new sites should be sympathetically designed and camouflaged where appropriate.

Alternative sites

15. The Site Specific Supplementary Information submitted with the application identifies the cell search area and eleven alternative sites that were considered, including rooftop sites. Logical reasons have been provided as to why each of the other sites considered were ruled out. This information has not been challenged by the Council or by any third parties and no alternative more suitable sites have been suggested by any party.
16. Whilst the plan showing the location of the alternative sites considered is very small scale and difficult to read, it is clear that the other sites are in either tightly constrained residential areas, on footpaths or near schools where they would be obstructive, or on open roundabouts and rooftops where they would be more visually obtrusive. Based upon the evidence before me, I am satisfied that there are no other mast site sharing opportunities, suitable buildings or other structures within the required cell area that would be capable of or more appropriate for accommodating the proposed installation.
17. The lack of alternative options to deliver improved coverage and capacity within the required area is a consideration which weighs strongly in favour of the development.

Conditions

18. Development permitted under the GPDO, is subject to the standard conditions, set out within it, which include a time limit for implementation, a requirement that development is carried out in accordance with the submitted details, and a requirement that the equipment is removed when it is no longer required for electronic communications purposes. It is also reasonable and necessary in this case to condition that the compound fencing is to be coloured either black to match adjacent boundary railings or dark green to match the equipment cabinets and adjacent trees, which would reduce its industrial appearance in this non-industrial location.

Conclusion

19. The siting and appearance of the mast would result in moderate harm to the character and appearance of the area. However, in the absence of a more suitable alternative site within the required area, the harm resulting from this would be outweighed by the social and economic benefits provided by the improved telecommunications coverage and capacity. I therefore conclude that the appeal should be allowed, and prior approval is granted.

R Bartlett

INSPECTOR