



Appeal Decision

Site visit made on 24 July 2025

by **R Gravett BA(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 8 August 2025

Appeal Ref: APP/J4423/W/25/3364350

Stumperlowe Lane, Fulwood, Sheffield S10 3QJ

- 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 EE (UK) Ltd and Hutchison 3G UK Ltd against the decision of Sheffield City Council.
 - The application Ref is 25/00331/TEL.
 - The development proposed is described as "NTQ proposed telecommunications installation Proposed 15m High Phase 7 MK2 Streetworks Pole on Root Foundation. 2No, GPS Nodes, 9No. Apertures, 2No. 300mmØ Dishes, 6No. Cabinets and associated ancillary works."
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Because this is an application for prior approval the provisions of the 2015 Order 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. This appeal will be determined on the same basis.

Planning Policy

3. There is no requirement to have regard to the development plan as there would be for any development requiring planning permission.
4. Nevertheless, saved policies BE14 and H14 of the Sheffield Unitary Development Plan (1998) (UDP) and Policy CS74 of the Sheffield Development Framework Core Strategy (2009) are material considerations as they relate to issues of siting and appearance. Saved Policy BE14 of the UDP requires telecommunications development to minimise its visual impact, subject to technical and operational considerations, share masts or be sited on existing structures.
5. Similarly, the National Planning Policy Framework (the Framework) is also a material consideration, and this includes sections on supporting high quality communications and achieving well designed places.

Main Issues

6. The main issues are the effect of the siting and appearance of the proposed installation on the character and appearance of the area, with particular reference to the setting of the Fulwood Conservation Area (the CA), and whether any harm

caused is outweighed by the need for the installation to be sited as proposed, taking into account any suitable alternatives.

Reasons

Character and appearance

7. The appeal site consists of a relatively wide section of grass verge which separates the pavement from Stumperlowe Lane, close to its corner with Fulwood Road. The surrounding area has a predominantly suburban residential character, with a leafy and verdant appearance with roadside grass verges a feature, many with mature trees.
8. Existing vertical street furniture in the area includes tall, slimline lighting columns, telegraph poles and road signage. There is an existing green equipment cabinet within the same grass verge and a second cabinet on the opposite side of Stumperlowe Road, broadly opposite the appeal site. There is also an existing 17.5m telecommunications mast and associated equipment cabinets located very close-by, at the back edge of the pavement on the corner of Fulwood Road and Old Fulwood Road.
9. The appeal site is on the opposite side of Fulwood Road to the northern boundary of the Fulwood Conservation Area (the CA), which is centred on the historic core of Fulwood around Christ Church and extends broadly south-west encompassing areas of open space and woodland alongside Porter Brook. The 'Fulwood Conservation Area Appraisal' (2008) identifies that the significance of the CA is derived in part from its hillside location on Sheffield's urban/rural fringe with good examples of modest late 19th/early 20th century middle-class houses, and the prevalent use of local stone for buildings, boundary walls and gate piers.
10. The setting of a heritage asset is the surroundings in which it is experienced. From my observations, the appeal site is within the setting of the CA, and it makes a positive contribution to its significance. It forms part of views, particularly from the north-east, toward the stone wall which forms the northern boundary of the CA, with glimpses of buildings beyond behind substantial garden trees. This stone wall is replicated on the opposite side of Fulwood Road and returns the corner of Stumperlowe Lane adjacent to the appeal site.
11. It is proposed to install a 15m high monopole mast with 9 apertures, 2 dishes and six cabinets of various sizes, which would be sited in a line either side of the mast, parallel to the road and over a reasonable distance. The mast has been reduced in height by 5m from a similar proposal submitted to the Council in 2018¹ and would be lower than the mast on the opposite side of Fulwood Road, although appreciably bulkier. Nevertheless, the proposed mast would be much taller than most nearby street furniture and taller than the closest house, despite being sited at a noticeably lower ground level.
12. From uphill on Stumperlowe Lane, and as the road bends to Slayleigh Lane, existing trees along the grass verge and garden trees, would provide a degree of screening and softening of the appearance of the mast, especially in the months when the trees would be fully in leaf.

¹ LPA Ref. 18/02186/TEL

13. Further, in longer views from either direction along Fulwood Road, the lower part of the installation and equipment cabinets would be hidden by the stone wall which returns the corner of Fulwood Road and Stumperlowe Lane on both sides, as well as intervening mature trees. However, because of its height the upper part of the installation, and particularly the apertures, would nevertheless be visually dominant in these views.
14. In contrast to the slimline lighting columns in the area, the circumference of the unshrouded apertures and dishes on the upper 6.5m section would give the mast a bulky appearance. Consequently, from a closer vantage point travelling uphill on Fulwood Road from the north-east, where the stone wall and tree coverage would provide less effective screening, the installation would appear an unduly dominant and incongruous addition to the streetscene. It would be seen alongside the existing mast on the opposite side of Fulwood Road and, together, they would emphasise the stark contrast to the leafy, verdant appearance of the area.
15. The proposed equipment cabinets would be of a standard design and would be appropriately sized to house the necessary telecommunications equipment. However, in combination with the existing, they would cause a localised proliferation of cabinets which would add noticeably to the massing and visibility of the installation and would exacerbate its conspicuous presence. The number and linear arrangement of the cabinets would also partially screen a length of the wall on the south-west side of Stumperlowe Lane which forms part of those views along Fulwood Road which contribute positively to the setting of the CA.
16. The acute bend in Old Fulwood Road and large trees within gardens means that the proposed installation would not be visible for much of its length. However, it would be prominent in views from the CA on the corner of Old Fulwood Road and Fulwood Road. From here, the mast would be seen alongside the existing mast. Together they would dominate this view, including the skyline. This would unduly detract from the experience of this part of the CA, including the transition out of the CA towards and through its immediate setting.
17. The 'Site-Specific Supplementary Information' and plans provided with the application did not specify the colour of the installation, but it is shown on the visualisations as a grey colour. Although the appellant asserts the mast may be coloured to help it assimilate with its surroundings, the Order does not provide any specific authority for imposing additional conditions. In any event, I am not satisfied that the visual impact arising from the mast and equipment cabinets could be sufficiently mitigated by using a particular colour or finish.
18. Therefore, for the reasons set out above, due to its siting and appearance, the proposed installation would cause harm to the surrounding area, to the setting of the CA, and its significance. Given the size of the CA, the harm that would occur to its significance would be at the lower end of 'less than substantial' within the meaning of the Framework.
19. The Framework ascribes that great weight should be given to the conservation of a designated heritage asset, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 215 of the Framework requires that where a development proposal will lead to less than substantial harm to the significance of designated heritage assets, this harm should be weighed against the public benefits of the proposal. I address

the question of balancing this harm against any public benefits arising from the scheme in my conclusion below.

Public benefits, alternatives and other considerations

20. The Framework advises that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Paragraph 119 states that planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology, such as 5G.
21. The proposed development would provide network coverage for both EE and H3G and I note that other telecommunications providers rely on the masts of these operators for their service, including the Emergency Services Network. The appeal site is not an established telecommunications site; it would be a new installation, although the appellant's evidence is clear that it would replace an existing rooftop installation at Fulwood House following a 'Notice to Quit.' Whilst a replacement installation, the proposal would also reduce network congestion and address increasing demand for mobile connectivity in terms of coverage and data capacity. In addition, it would support the roll out of 5G technology in accordance with the aspirations of the Framework.
22. I attach significant weight to these public benefits arising from the continuation of local service provision and the expansion of next generation mobile technology.
23. The Framework encourages the use of existing masts, buildings and structures for new electronic communications capability. Paragraph 122 of the Framework sets out that applications, such as that proposed, should be supported by the necessary evidence to justify the proposed development. For a new mast or base station, this includes evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure.
24. The height and width of the installation would be the minimum required to allow multiple 'sharers' and to clear surrounding clutter (buildings) to ensure suitable coverage within the cell and connection between cells. I am therefore satisfied that the appellant has demonstrated that there is an identified need for the development to be located somewhere in the search area.
25. The designated search area is identified by the appellant as 'Fulwood, West Sheffield,' which is said to mainly consist of residential properties with a church and sports club. However, from the information before me, the overall extent of the intended target or search area is unclear. Nor has the location of the existing rooftop installation been identified within the search area.
26. The appellant's submission includes two maps of 'discounted options;' the sites shown on these differ, but the map included in Section 5 is accompanied by a corresponding schedule. This outlines five alternative sites nearby, a relatively limited number. The reasons given for discounting these sites are very brief, but include local tree clutter, visibility splays and a lack of communication from the relevant landowner.
27. The site at Fulwood Social Club appears to have been double counted, with two alternative sites identified with the same national grid map reference. The schedule refers to the site being discounted on acquisition grounds, but also that the site was

progressed and planning refused. However, it is not clear if this forms one of the three failed prior approval applications referred to elsewhere by the appellant, as the locations do not correspond in the evidence.

28. The appellant has asserted that the appeal proposal is the sequentially preferable option and a 'rooftop' site at Christ Church has been discounted on the grounds that the spire was not suitable to house telecommunications equipment. However, because I am unclear about the extent of the overall search area, I cannot be certain about the availability of other buildings within it. This includes the rooftop locations at Newfield Court and Stumperlowe Mansions which are three-storey buildings close to the appeal site, and to which interested parties refer.
29. The proposed installation would be shared by EE and H3G. Nevertheless, although referring to no opportunities for site sharing being available, I have little evidence that the appellant has considered, or discounted, the option of sharing the existing telecommunications mast on the opposite side of Fulwood Road.
30. I appreciate that each base station can only provide service to a limited geographical area, which is reduced further by factors such as topography and high trees or buildings, and consequently the search area may be constrained. However, as the evidence does not clearly or unambiguously indicate the search area, it is unclear whether there are other operationally suitable sites which have not been considered. Moreover, despite the Council raising no issue in respect of alternative sites, I am also not satisfied that the appellant has provided clear and persuasive evidence to justify why the other sites have been discounted.
31. Therefore, I do not find the search and assessment of alternative sites to be sufficiently robust or that the identified need for the mast could only be met at the appeal site.

Other Matters

32. The appellant has drawn my attention to other appeal decisions relating to proposals for telecommunications installations. I acknowledge the need to give due weight to the benefits of the continuation of local service provision and the wider benefits of improved digital communications, including 5G, as set out in the Winchester² and Barnet³ decisions of 2018 and 2021 respectively, to which I have been directed. However, from the information before me, neither of those appeals relates to a site within the setting of a conservation area and the question of how the overall balance should be struck is not necessarily comparable.
33. The appellant asserts that the appeal decision of 2020 in respect of the existing mast on the opposite side of Fulwood Road⁴ sets a precedent for telecommunications development and indicates that the location is acceptable in terms of siting. I do not have the evidence provided to the Inspector in respect of this case. Nonetheless, it is clear from the appeal decision that the Inspector concluded that all other options for the siting of the installation within the search area had been explored, and that there was an absence of alternative options. Therefore, rather than having striking similarities, the circumstances in that case differ from the appeal before me, where I have concluded that the search for, and assessment of, alternative sites is not sufficiently robust.

² APP/L1765/W/18/3197522

³ APP/N5090/W/20/3261084

⁴ APP/J4423/W/20/3252355

34. Concerns have 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, the Framework advises that health safeguards are not something which a decision-maker should determine. No sufficiently authoritative evidence had been provided to indicate that the ICNIRP guidelines would not be complied with or that a departure from national policy would be justified.

Planning Balance and Conclusion

35. The siting and appearance of the proposal would result in harm to the character and appearance of the area, and the setting of the Fulwood Conservation Area, resulting in less than substantial harm to its significance. Balanced against this harm, there would be considerable public benefits in improving connectivity to mobile telecommunications networks, filling the network gap created by the decommissioning of the rooftop installation at Fulwood House, and expanding 5G coverage in the area.
36. However, it has not been clearly demonstrated that there are no other options for siting the installation that would achieve the same benefits with less harm, or no harm, being caused to the designated heritage asset. Consequently, whilst I give significant weight to the public benefits of the proposal, on balance, I find that they would be outweighed by the harm which would be caused to the designated heritage asset, to which I must attribute great weight.
37. Therefore, for the reasons given above, I conclude that the appeal is dismissed.

R Gravett

INSPECTOR