



Appeal Decision

Site visit made on 4 August 2025

by **Lewis Condé BSc, MSc, MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 14 August 2025

Appeal Ref: APP/M4320/W/25/3367198

Musker Street, Crosby, Sefton, L23 0UB

- 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 Telecommunications against the decision of Sefton Metropolitan Borough Council.
 - The application Ref is DC/2024/01950.
 - The development proposed is the erection of 1no. 20m monopole with 6no. antennas, 2no. 0.3m dishes, 2no. cabinets and 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 the erection of 1no. 20m monopole with 6no. antennas, 2no. 0.3m dishes, 2no. cabinets and ancillary development, at Musker Street, Crosby, Sefton, L23 0UB in accordance with the application DC/2024/01950 and the details submitted with it.

Preliminary Matters

2. The description of development and site address in the banner heading above have been taken from the Council's decision notice, as opposed to the original application form, as this more accurately reflects the location and extent of the proposed works.
3. The provisions of the General Permitted Development Order (the GPDO) require the assessment of the proposed development solely on the basis of its siting and appearance, taking into account any representations received. I have had regard to the policies of the development plan and the National Planning Policy Framework (the Framework) only insofar as they are material considerations which are relevant to matters of siting and appearance.

Main Issue

4. The main issue is the effect of the siting and appearance of the proposal on the character and appearance of the area.

Reasons

5. The proposed development would be located within a gravelled verge strip to the side of a pedestrian footway and adjacent to tall security fencing. Musker Street is a no through road that has a mixed character, including two rather distinct

sections. On initial entry to the street from the main road, it has a highly residential character. However, this gives way to a more industrial character further along the street, where several large commercial/light industrial uses are present.

6. The appeal site is located within the area that is heavily characterised by commercial and industrial uses, albeit the wider surrounding area remains primarily residential. This includes the presence of nearby dwellings, on neighbouring streets, that back onto Musker Street close to the appeal site.
7. The proposal would have a functional appearance, typical of telecommunications equipment that is generally found in urban and suburban areas. It would be seen in connection with nearby residential properties, but this would not be an unusual arrangement for development of this nature.
8. Indeed, there is already a tall telecommunications monopole nearby on the opposite side of the road that is prominently in view alongside dwellings. That existing structure is of a smaller overall height and more streamlined appearance than the appeal proposal. Nevertheless, from the evidence before me, the current proposed infrastructure, is the smallest and least intrusive available whilst still providing suitable upgrades to 4G and 5G coverage in the area.
9. On my site visit, I also observed what appeared to be a further telecommunications column of likely recent construction located on the same side of the road, close to the appeal site. However, I do not have precise details of its planning context, including whether the works required or secured planning permission/prior approval. As such, the presence of this other monopole has not been determinative to my decision.
10. Still, the surrounding area contains other numerous vertical features, including streetlights and telegraph poles, palisade fencing and stacked storage containers. Given this urban context, and despite its greater height and prominence, the proposal would not appear as a stark or jarring structure, nor an incongruous addition to the area. Particularly, given the existing presence of similar telecommunications equipment on the opposite side of the road. Instead, I find the proposal would suitably align with its surrounding context.
11. In so far as they are relevant, the proposal would adhere to the aims of policies EQ2 and HC3 of 'A Local Plan for Sefton' (adopted 2017). Amongst other matters, the policies seek for development proposals to relate positively to the character and form of its surroundings, including avoiding harm to the character of residential areas.

Other Matters

12. The proposed development would be sited in fairly close proximity to residential properties. Most notably, those directly opposite the appeal site, whereby the proposal would be visible from the rear of dwellings and their garden spaces. However, views would be partially filtered by a combination of tall boundary fencing and mature trees/vegetation along the rear gardens of many of the neighbouring properties. Additionally, as the area already contains vertical elements including a telecommunications monopole, the proposal would not be an alien feature within the streetscene. These factors, together with the distance that the proposal is set from residential properties, would ensure the appeal scheme

would not result in a harmfully overbearing or visually intrusive form of development to neighbouring residents.

13. The appellant has demonstrated the requirement for the additional infrastructure and there is no robust evidence before me to counter this. In relation to public health, the appellant has provided a declaration of conformity to confirm that the proposal has been designed to comply with the public exposure 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.
14. No suitable information has been provided to substantiate the claim that the proposal would lead to greater risks of flooding or harm the health of existing trees. Indeed, the proposal would have a very limited footprint and would be located within an already highly built-up area.
15. From my observations, the position of the proposed apparatus would not cause a hinderance to pedestrian movements, nor would it adversely affect sight lines for vehicles accessing or utilising the public highway. I am therefore satisfied that it would not cause harm to highway safety.
16. Planning is concerned with land use in the public interest, as such, the protection of purely private interests including the value of neighbouring properties is not a material consideration that justifies refusal of the appeal scheme. Furthermore, no robust evidence has been provided to demonstrate that nearby residents have been, or will be, unable to secure a mortgage on their properties as a result of the proposed development.
17. The appellant has provided evidence that alternative sites have been explored including the possibility of erecting antennas on an existing building, mast or other structure. The extensiveness of the appellant's consideration of alternative, potentially more suitable, sites for the proposal has been questioned by both the Council and third parties. Nonetheless, for the reasons outlined above I find that the appeal site is a suitable location for the proposed development.

Conditions

18. Approval under Article 3(1) and Schedule 2, Part 16, Class A is subject to conditions set out in Paragraphs A.2(2), A.3(9), and A.3(11). There is no authority in this type of case to apply any conditions beyond those specified under the GPDO.

Conclusion

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

Lewis Condé

INSPECTOR