



Appeal Decision

Site visit made on 8 October 2025

by Elaine Moulton BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th October 2025

Appeal Ref: APP/Z4310/W/25/3364629

Area of pavement near the junction of Harlech Street and Carisbrooke Road, Liverpool L4 3SS

- 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 Liverpool City Council.
 - The application Ref is 24PT/2584.
 - The development proposed is the installation of a 20m high mast supporting 6no. antennas, 2no. 0.3m dishes and ancillary equipment. The installation of 2no. equipment cabinets and development ancillary 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 Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the installation of a 20m high mast supporting 6no. antennas, 2no. 0.3m dishes and ancillary equipment. The installation of 2no. equipment cabinets and development ancillary thereto at the area of pavement near the junction of Harlech Street and Carisbrooke Road, Liverpool L43SS in accordance with the terms of application Ref 24PT/2584 and the details submitted with it including plan nos 100A (Site Location Maps), 201A (Proposed Site Plan), and 301A (Proposed Site Elevation).

Procedural Matters

2. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (GPDO 2015), 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 principle of development is established by the GPDO 2015 and the provisions of Schedule 2, Part 16, Class A do not require consideration of the development plan. Nevertheless, the policies of the Liverpool Local Plan (LP), adopted January 2022, that were referenced in the Council's decision notice, are material considerations insofar as they relate to issues of siting and appearance. Similarly, the National Planning Policy Framework (the Framework) is also a material consideration, and this includes a section on supporting high quality communications.

4. I have taken the address of the appeal site from the Council's decision notice, rather than the application form, as it is a more accurate description of the location.

Main Issues

5. The main issues are:
- the effect of the siting and appearance of the proposed installation on the character and appearance of the area, the living conditions of nearby residents with particular regard to outlook, and highway safety; 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 appeal site is located towards the outer side of a wide footpath on Harlech Street close to its junction with Carisbrooke Road. Whilst the site directly adjoins a bingo hall and its car park it is in an otherwise densely developed residential area.
7. The nearby area incorporates street furniture including streetlights, road signs and a telegraph pole, with the adjoining bingo hall car park containing a tall totem sign and lighting columns. The streetlights are regularly spaced along Harlech Street and Carisbrooke Road creating a regular rhythm within the street scene.
8. The proposed equipment cabinets would be of modest size and extent. As such, they would not result in an undue proliferation of street furniture or a visually cluttered street scene.
9. However, whilst the proposed street pole would be introduced where vertical structures are familiar in the street scene, it would be significantly greater in height and thickness than the existing street furniture and would interfere with the established regular pattern. Furthermore, the upper section would protrude above the surrounding buildings and would be seen against the sky in most views. As a result, the proposed street pole would appear as a visually intrusive feature that would result in some harm to the character and appearance of the area.
10. The apparatus would be clearly noticeable to the occupiers of dwellings on Harlech Street, Carisbrooke Road, Roxburgh Street, Delamere Street and other residential properties nearby. Nonetheless, either due to the intervening features, the degree of separation or to the views being at an oblique angle, the proposed installation would not be so oppressive that it would harm the outlook of nearby occupants to the extent where living conditions would be materially harmed.
11. The proposed installation would occupy part of the existing footway and would be partially enclosed by concrete bollards. Nevertheless, given the generous width of the footpath surrounding the appeal site and the relatively small area that would be taken up by the proposed installation, there would remain sufficient space for all users of the footway, including those with prams, wheelchairs and mobility scooters, to safely pass. I therefore find that whilst the proposed installation, including the bollards, would result in an obstruction within the footpath, it would not adversely affect highway safety.

12. Accordingly, whilst the siting and appearance of the proposed installation would not have an unacceptable impact on the outlook and living conditions of nearby residents, or highway safety, it would, for the reasons given above, result in harm to the character and appearance of the area. Insofar as they are relevant to siting and appearance, it would be contrary to the parts of LP policies STP4, H7, UD1 and UD2 which require the use of existing infrastructure, the avoidance of harm to the character of the area and that consideration is given to local distinctiveness.
13. Given my findings on the effect of the siting and appearance of the proposed installation on highway safety, it would not conflict with LP policies TP1, TP3 and TP6 of LP Policy STP4.

Alternative sites

14. Paragraph 122 of the Framework advises that applications for electronic communications development should be supported by the necessary evidence to justify the proposals. For a new mast or base station, this should include evidence that the applicant has explored the possibility of erecting antennas on existing buildings, masts or other structures.
15. The appellant has indicated that the proposed installation would improve mobile communication services in the area through the provision of new 5G, and enhanced 4G, services. The appellant states that the existing rooftop site, close to the appeal site, could not be upgraded to provide such enhanced services and new 5G coverage, and, therefore, there is a need for a new base station. This has not been contested by the Council and there is no substantive evidence before me to suggest that this is incorrect.
16. The appellant has provided adequate and persuasive evidence of its network coverage requirements, and its site selection process, listing several alternative sites that have been discounted. The Council considers that the site search undertaken to be relatively comprehensive. Furthermore, it accepts the reasons given for discounting all identified alternative sites, including the site it put forward during the application process, namely the roof of 5-7 County Road, and there is nothing before me that would lead me to a different conclusion.
17. Accordingly, there is no dispute between the parties that all possible realistic alternative sites have been assessed and properly rejected and based on the evidence before me, I agree. I therefore find that the appellant has demonstrated that the appeal site is the least harmful location available. This weighs strongly in favour of the proposed installation.
18. I have found that the siting and appearance of the proposed installation would have an adverse effect on the character and appearance of the area. Nonetheless, such harm is outweighed by the identified need for the development to be located as proposed and the lack of suitable alternative sites.

Other Matters

19. 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 has been provided to indicate that the ICNIRP guidelines would not be complied with or that a departure from national policy would be justified.

20. My attention has been drawn to the Grade II listed terraced dwellings on Barlow Lane. Based on my observations, the significance of these listed buildings includes their period architecture and associated appearance, and their setting comprises the surrounding terraced streetscape, which includes the appeal site.
21. The appeal site is closely related to the bingo hall which, due to its large footprint and extensive car park, does not reflect the terraced streetscape. In addition, due to the separation distance and the intervening buildings, the proposed installation would not be visible from, and would not be seen in views of, the listed buildings. Accordingly, I find that the proposed installation would not harm the way that the listed buildings are experienced and would, thereby, preserve their setting.
22. Reference has been made to various social and economic benefits of the proposed installation, but these have not been taken into account in considering the matters of siting and appearance.

Conditions

23. Any planning permission granted for the proposed installation under Article 3(1) and Schedule 2, Part 16, Class A is subject to conditions set out in paragraphs A.3(9), A.3(11) and A.2(2), which specify that the development must, except to the extent that the local planning authority otherwise agree in writing, be carried out in accordance with the details submitted with the application, must begin no 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 communication purposes and the land restored to its condition before the development took place.

Conclusion

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

Elaine Moulton

INSPECTOR