



Appeal Decision

Site visit made on 7 October 2025

by M Clowes BA (Hons) MCD PG CERT (Arch Con) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th October 2025

Appeal Ref: APP/U2750/W/25/3371194

Land At Pannal Ash Junior Football Club, 1 Almsford Close, Harrogate HG2 8EF

- 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 Limited against the decision of North Yorkshire Council.
 - The application Ref is 25/01905/PNT56.
 - The development proposed is a 30m high lattice tower with a total of 6No. antenna, 2No. 600mm diameter dishes, 2no. equipment cabinets and associated supporting apparatus including a 2.1m palisade fence with 3m double gates.
-

Decision

1. The appeal is dismissed.

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 account of any representations received. My determination of the appeal has been made on the same basis.
3. The principle of development is established by the GPDO and the provisions of Schedule 2, Part 16, Class A of the GPDO, do not require regard to be had to the development plan. Nevertheless, I have had regard to the policies of the development plan, as well as the National Planning Policy Framework (the Framework), in so far as they are a material consideration relevant to matters of siting and appearance.

Main Issues

4. The main issues in this appeal are;
 - i) the effect of the siting and appearance of the proposed installation on the character and appearance of the area, including the setting of the Harrogate Conservation Area (HCA) and the Crimple Valley Special Landscape Area (SLA) and,
 - ii) if any harm would occur, whether that harm would be outweighed by the need for the installation to be sited as proposed, taking into account suitable alternatives.

Reasons

Character and Appearance

5. The appeal site lies outside of the HCA which derives its significance from its historical development as a spa town, a high density of quality Victorian architecture forming a cohesive townscape incorporating lush, verdant public open spaces. The appeal site appears to form part of the suburban expansion of Harrogate including a range of property styles, ages and forms amongst public open spaces which in combination appears to make no more than a neutral contribution to the setting of the HCA. The Council has not directed me to any particular viewpoints and due to the flat topography, intervening buildings and streets and distance between the HCA and the appeal site, I am not convinced that despite its 30m height, the mast would have an impact on views from the HCA. I am therefore not satisfied on the evidence presented, that the proposal would be harmful to the setting of the HCA.
6. The Council has also suggested that the proposed development would impact on the Crimple Valley Special Landscape Area. Although I acknowledge that the SLA is located to the south of the appeal site, the Council has not identified the special qualities of the SLA that the proposal is considered to harm, nor has it drawn my attention to any particular viewpoints to consider. I am not satisfied that I can conclusively determine that even if visible from the SLA, the proposal would be detrimental to it. For these reasons, my assessment is contained to the immediate context of the appeal site.
7. The appeal site forms a small parcel of ancillary land within a community sports facility that comprises several outdoor grass pitches and associated pavilion building. The surrounding area is characterised by low-density suburban housing to the south-west whilst an industrial estate exists to the north-east on the opposite side of the railway line. As a grassed area within a wider swathe of grass pitches enclosed by mature planting to the external boundaries, the appeal site contributes positively to the verdant and spacious character of the area.
8. The proposed mast would replace decommissioned rooftop telecoms infrastructure at Harrogate College. The appellant contends that the design of the proposed mast is the lowest impact available and that the height is the minimum necessary.
9. The proposed mast would be sited mid-way between sports pitches close to the south-western boundary of the appeal site. Whether or not such structures could reasonably be considered as common within outdoor sports fields, the mast would not be transparent. It would comprise a dominant and bulky lattice framed structure significantly taller than any other building or structure nearby. The proposed antenna and dishes at the top of the tower would draw the eye and exacerbate the height and incongruous utilitarian appearance of the structure within an otherwise open and green setting. Thus, the grey colour of the mast would not mitigate the visual impact of the structure.
10. Whilst trees along the south-western boundary would provide a backdrop, this would be limited to the lower half of the proposed mast. The trees range in height from 15-22m such that a large proportion of the upper section of the mast would be exposed and without visual reference to any surrounding features. Lighting columns along the footpath to the side of the sports facility are of a minimal height

and a slender, discreet form such that they are not comparative to the lattice mast proposed. Furthermore, the nearby 2-storey dwellings, single storey pavilion and adjacent school are of a modest height such that the surroundings would not provide suitable visual mitigation for the large vertical structure.

11. The proposed mast and equipment compound would be highly visible to users of the sports pitches and pavilion. It would also be noticeable from within the grounds of Oatlands school, the adjacent footpath and the public right of way to the south, particularly when the largely deciduous trees would not be in leaf. The height and bulky utilitarian frame of the proposed mast would loom over and be visually intrusive to the occupants of the dwellings immediately to the rear of the appeal site, notwithstanding the depth of their rear gardens.
12. I have found that the proposal would not harm the setting of the HCA and it has not been demonstrated that the proposal would have a harmful effect on the setting of the SLA. However, I consider that the proposed siting and appearance of the lattice mast has not been sympathetically designed or camouflaged given the prevailing context. Significant harm would thus be exerted on the character and appearance of the area.
13. Insofar as they are a material consideration, the proposal would conflict with policies T15, HP3 and HP4 of the Harrogate District Local Plan (2020). Together these policies seek to ensure telecommunications equipment does not have a significant adverse impact on the character or appearance of the surrounding area and avoids harm to sensitive areas. Conflict would also arise with paragraph 120 of the Framework which seeks to keep the environmental impact of new telecommunications development to a minimum through sympathetic design.

Alternative Sites

14. The Framework provides support for high quality communications and infrastructure. The proposal would replace operator coverage in this area to maintain existing 3G and 4G services alongside new 5G coverage for the area, as well as provision for the emergency services network. I have had regard to the range of reports supplied including but not limited to, 'Collaborating for Digital Connectivity,' 'UK Wireless Infrastructure Strategy' and '5G Technical Considerations.' I acknowledge the need to support the expansion of electronic communication networks including next generation mobile technology that is likely to have positive economic benefits including facilitating growth.
15. It is understood that 41 alternative sites have been explored but discounted for a variety of reasons. Whilst on the face of it this appears to be an extensive search of alternative sites, the information as to the extent of their unsuitability is very limited, particularly in relation to the suggested rooftop sites and the extent of the coverage that could be achieved from them. Indeed, I have not been supplied with a map to demonstrate how the proposed mast would address the need for replacement coverage in the area, nor how other installations considered would not provide comparable coverage. It is not clear whether the dismissed rooftop installations were based on structural surveys of the relevant buildings or why any redeveloped sites could not accommodate the proposal. With such limited information, the reasons for discounting the alternative sites cannot be fully scrutinised. Whilst not questioning the overall need, it has not been robustly

demonstrated that the proposed level of coverage could not be achieved in another location which would be less harmful.

16. Moreover, although understanding the need to prevent a proliferation of masts, it is not clear whether a small number of lower street-works style masts within the area could deliver similar coverage benefits whilst better assimilating within the suburban context of the area. On the evidence before me I am not satisfied that a robust review of alternatives has been undertaken. For these reasons the scheme can be considered to provide no more than modest social and economic benefits.
17. The significant harm that would be exerted on the character and appearance of the area would not therefore be outweighed by the need for the installation to be sited as proposed and its associated benefits. Whilst I acknowledge the benefits of the scheme in general terms, it has not been robustly demonstrated that the circumstances in this instance, justify allowing the scheme.

Other Matters

18. Even if I could accept that permitted development rights exist for the provision of new masts up to 30m in height, these rights are subject to a prior approval process. They do not crystallise until that procedure has been completed and granted. It does not therefore provide a fallback position that has a realistic prospect of being implemented.
19. The appellant has referred me to 6 previous appeal decisions that have granted prior approval for the erection of masts ranging between 15m and 25m in height¹. All of the masts are smaller than the proposal and only one was for a lattice mast². The other monopole structures and antennas to supplement a plant room cannot be considered to be comparable structures. Moreover, all of the decisions relate to different local authority areas such that the planning policy context would not be the same. In 2 of the cases including the one for a lattice tower, no harm was identified to the character and appearance of the area³. In the others, the Inspectors found that the benefits outweighed the harm caused. That is not the case here. Consequently, the circumstances of the examples provided do not lead me to a different view in respect of the proposal before me.
20. Any private covenants or agreements regarding the use of the appeal site is a matter for the parties.

Planning Balance and Conclusion

21. For the foregoing reasons, the harm arising from the siting and appearance of the proposed installation on the character and appearance of the area, would not be outweighed by the need for the installation to be sited as proposed. Accordingly, the appeal is dismissed.

M Clowes - INSPECTOR

¹ APP/X5990/W/16/3162918, APP/Q3305/W/18/3206555, APP/L1765/W/18/3197522, APP/K3605/W/19/3243927, APP/B5480/W/20/3251086 and APP/J4423/W/21/3268791.

² APP/B5480/W/20/3251086.

³ APP/B5480/W/20/3251086 and APP/K3605/W/19/3243927.