



## Appeal Decision

Site visit made on 2 May 2023

**by Paul Martinson BA (Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 05 May 2023**

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**Appeal Ref: APP/G4240/W/23/3314599**

**Sunnyside Road Street Works, Sunnyside Road, Droylsden M43 7QP**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by CK Hutchison Networks (UK) Ltd against the decision of Tameside Metropolitan Borough Council.
  - The application Ref 22/01050/NCD, dated 24 October 2022, was refused by notice dated 7 December 2022.
  - The development proposed is described as: 'Proposed 5G telecoms installation: H3G 16m street pole and additional equipment cabinets'.
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### Decision

1. The appeal is dismissed.

### Procedural Matters

2. The relevant provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (GPDO), require an assessment of 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 that basis.

### Planning Policy

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 be had to the development plan. I have nevertheless had regard to the policies of the development plan and the National Planning Policy Framework (the Framework) only in so far as they are a material consideration relevant to matters of siting and appearance.

### Main Issue

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

### Reasons

5. The appeal site is located towards the back edge of the pavement immediately forward of an extensive hardsurfaced area, located close to the junction of Sunnyside Road with Surrey Avenue. This area is bounded by the gardens of 23 and 24 Surrey Avenue and 143 Sunnyside Road. The site is within a relatively open part of the streetscene, situated close to two large open grassed areas located to either side of the road. The area is residential in

- character and predominantly comprises of a mix of two storey semi-detached and terraced dwellings.
6. Vertical street furniture is reasonably common and includes telegraph poles and lighting columns, although these rarely extend above 8 metres in height. A tree is located within an adjacent garden which is up to 10 metres tall and has a vertical presence in the streetscene. A group of similar sized trees are also located on the opposite side of Sunnyside Road.
  7. It is proposed to install a monopole mast and site associated equipment cabinets in a linear arrangement set between the hardsurfaced area and the pavement. This would be a relatively exposed position within the streetscene for such an imposing structure. This would lead to the proposed monopole appearing highly prominent and at odds with the prevailing open character of the vicinity.
  8. The height of the structure would not be comparable in scale with any nearby street furniture and at 16 metres high it would become the tallest such structure in the vicinity by a considerable margin. As such it would appear vastly out of scale with the otherwise low level residential surroundings. It would consequently appear as a discordant addition to the streetscene in views along Leicester Avenue, from the junction with Lancaster Road and for a considerable length of Sunnyside Road. The adjacent tree which is 6 metres lower than the proposed monopole would offer little mitigation in this respect and due to its position would be unlikely to break up any views of the structure.
  9. I have had regard to the support in the Framework for high quality communications and infrastructure. However, I must balance this against the Framework's aim for equipment to be sympathetically designed and camouflaged where appropriate, as well as the Framework's encouragement of development to achieve well-designed places for the long term.
  10. I accept that the scheme would enhance 5G coverage here. That said, other than the appellant's assertion to that effect, there is no substantive evidence before me of existing coverage, or lack thereof, in this particular location. That limits the weight that I can accord to the mast being proposed in this particular location as opposed to others. Nonetheless, I accept that the appellant has undertaken an assessment of potential alternatives. However, none of these include the Council's suggested alternative of Somerset Road and the appellant has not responded to this suggestion as part of the appeal. I visited this area and saw that buildings here were of more comparable heights to that of the proposed mast.
  11. Furthermore, the majority of the appellant's alternatives appear to have been discounted for the relatively vague reason of 'unsuitable pavements'. It is not clear if in each case this is related to the width of the pavement, nonetheless, I saw relatively wide pavements in the vicinity of Somerset Road.
  12. Therefore, whilst I acknowledge the benefits of the scheme in general terms, it has not been robustly demonstrated that the circumstances in this particular instance justify allowing the scheme. I am also not convinced that less harmful alternatives have been fully explored and it is my overall view that the need for the installation does not in this case, outweigh the harm.

13. I therefore conclude that the siting and appearance of the proposed monopole mast would be significantly harmful to the character and appearance of the area, and that the harm identified would not be outweighed by the need for that installation. The proposal would be contrary to Policy U2 of the Tameside Unitary Development Plan (2004) (the UDP) which seeks to ensure telecommunications equipment is sited and designed to minimise its visual intrusion and environmental impact. There would also be conflict with UDP Policy C1 which, in summary and amongst other things, seeks to ensure new development is appropriate in relation to the existing townscape and the character and appearance of the area.
14. There would also be conflict with paragraph 115 of the Framework which requires new telecommunications sites to be sympathetically designed and camouflaged, where appropriate.

**Conclusion**

15. For the reasons given above I conclude that the appeal should be dismissed.

*Paul Martinson*

INSPECTOR