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## Appeal Decision

Site visit made on 22 April 2025

**by R Morgan BSc (Hons) MCD MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 9<sup>th</sup> May 2025**

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### **Appeal Ref: APP/V4305/W/25/3359123**

### **Streetworks on Cartbridge Lane, Halewood Green, Halewood, Knowsley L26 6LS**

- 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 against the decision of Knowsley Metropolitan Borough Council.
  - The application Ref is 24/00284/TEL.
  - The development proposed is the installation of a 17.5m high streetworks column supporting 6 no. antennas, 2 no. 0.3m dishes and ancillary equipment; the installation of 2 no. equipment cabinets and development ancillary thereto.
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### **Decision**

1. The appeal is dismissed.

### **Preliminary Matters**

2. The proposed telecommunications mast and associated equipment is permitted development under the terms of Part 16 of Schedule 2 of the General Permitted Development Order (GPDO). The principle of the development, including the need for the facility, is therefore accepted by the legislation, and is not a matter for consideration in this appeal.
3. Part 16 of the GPDO requires that the proposal is assessed solely on the basis of its siting and appearance. It is not necessary to take account of policies in the development plan, but they may be relevant to matters of siting and appearance. In this case, Policies CS2 and CS19 of the Knowsley Core Strategy 2016 require that new development respects and enhances the character and distinctiveness of places, and integrates effectively with existing development. Saved Policy H5 of the Unitary Development Plan 2006 (UDP) requires that new development in the Primarily Residential Areas would not adversely affect the character or street scene of the area. These policies are relevant to consideration of siting and appearance, so I have taken them into account. UDP Policy ENV8 is concerned specifically with telecommunications developments, so is relevant too.
4. The National Planning Policy Framework (the Framework) includes sections on supporting high quality communications and achieving well designed places. The Framework is a material consideration in this appeal.

## Main Issues

5. The main issues are:

- the effect of the siting and appearance of the proposed telecommunications development on the character and appearance of the area, and
- if harm would occur, whether this is outweighed by the need for the installation to be sited as proposed, taking into account any suitable alternative sites.

## Reasons

### *Character and appearance*

6. Cartbridge Lane runs along the edge of the urban area, forming a boundary between suburban housing to the south, and agricultural land to the north. The houses are well set back from Cartbridge Lane, which is characterised by wide, grassed verges dotted with trees and shrubs. Open views of the fields and woodland beyond provide an attractive rural setting to the adjacent residential area.
7. The proposed 17.5m telecommunications column and associated cabinets would be sited on a grassed verge at the junction of Cartbridge Lane and Hever Drive. The site contains a road sign, streetlight and telegraph pole, but apart from those features, which are located to the side, the large verge is free of built structures. Its position immediately adjacent to agricultural land, with no boundary hedge, allows largely uninterrupted views to the countryside beyond. The undeveloped, green character of the appeal site contributes positively to the character of the area,
8. From surrounding vantage points the proposed column would be seen in the context of existing vertical structures, but it would be much taller than the nearby telegraph pole and streetlights, which are around 8 or 9m high. It would also be considerably wider, particularly at the top of the structure, where the antennas would be mounted.
9. The appellant has indicated that the height and scale of the proposed development is the minimum required to meet technical requirements, and the mast has been designed to minimise its visual impact. Despite this, the height and functional appearance of the monopole would appear out of place here, and the associated cabinets would further contribute to the urbanisation of this otherwise open, undeveloped space.
10. Cartbridge Lane is predominately straight, but juts around the triangular shaped appeal site. As a result, the installation would appear directly ahead when travelling towards the site along Cartbridge Lane, from either direction. Whilst there are trees and shrubs nearby, they would provide little screening. The proposed equipment would appear as a highly prominent feature from Cartbridge Lane, and would detract from people's appreciation of the rural setting of the area.
11. When approaching the site along Hever Drive, intervening buildings and vegetation would provide more of a visual screen. However, owing to its height, the mast would still be obvious, particularly from the pavement on the southern side of the road. The equipment would also be seen from the footpath which crosses the field from Cartbridge Lane, to the north-east of the site. Although it

would be some distance away, and would be viewed in the context of built development behind, it would nonetheless be seen as an alien feature which would cause harm to the character and appearance of the area.

12. Although close to several properties on Farnborough Grove and Hever Drive, the orientation of the nearest houses means that they would not have a direct view of the proposed installation. It would not cause harm to the amenity of nearby residents, nor would it adversely affect heritage assets. Given the geometry of the road layout and the proposed siting, set back on the verge, I am also satisfied that it would not significantly impede visibility for drivers or other road users either.
13. Nonetheless, the proposed installation would appear as a large and prominent piece of infrastructure, out of character with its rural setting, with a height and appearance that would be out of scale with the surrounding built form, street furniture and vegetation. Owing to its siting and appearance, it would harmfully detract from the character and appearance of the area.

#### *Alternative sites*

14. The proposed telecommunications development would provide new 5G and enhanced 2G and 4G coverage for an area of existing housing in this part of Halewood. The equipment would be operated on behalf of several mobile companies, who between them serve a large number of customers. Importantly, it would also provide improved network capacity to meet increasing demand, particularly for 4G coverage.
15. The need for the installation has been accepted by virtue of the legislation and is not at issue. However, given the visual harm it would cause, it is necessary to consider whether other options for siting the equipment, which might have a lesser visual impact, may be available.
16. The equipment must be located somewhere, with the area of search focussed on a fairly small geographic area, centred around the junction of Church Road, Cartbridge Lane and Okell Drive. It must also fit into the existing network of masts. There is an existing monopole some 150m away, at the junction of Church Road and Okell Drive, which the appellant shares with Vodafone. That mast is smaller and of a simpler design, but the appellant has explained that a much larger structure would be required to provide 5G coverage for both operators, which would not be feasible or appropriate here. I have no reason to doubt this conclusion, or the appellant's assertion that there are no suitable existing telecommunication sites close to the search area. Similarly, I accept that in this predominately residential area, it is unlikely that there are suitable buildings upon which the equipment could be sited.
17. The information provided with the appeal submission includes details of various other options which have been considered, and I note that there have been two earlier applications which sought to meet the identified need in this case. A number of sites have been assessed, including several outside of the search area, all of which have been discounted for various reasons including the effect on heritage assets and harm to residential amenity. Others would have no benefits compared with the appeal scheme.
18. The appellant has carried out a reasonable assessment of potential alternatives within the existing built up area, and the reasons for discounting most seem valid.

However, the appellant's reasons for rejecting the site referred to as D11, to the north of Church Road and Cartbridge Lane, are unconvincing.

19. Whilst recognising the importance of protecting the countryside. I agree with the Council that site D11 would be less prominent than the appeal site, as it is further away from houses, with greater potential for screening from nearby trees and vegetation. A new access would be required, but D11 is centrally located within the area of search, and compared with the appeal site, does not appear to be further from the built up area identified for network improvement.
20. Further consideration could be given to site D11, or to other locations to the north of Cartbridge Road or Church Road. A number of other suggestions have been put forward by local residents in their consultation responses. Whilst some of these may be outside of the area of search, the appellant has not fully explained why they would all be unsuitable.
21. Having regard to these considerations, I am not persuaded that there are no available alternatives which would be less harmful than the proposed siting. I acknowledge that there is no requirement in legislation or policy to identify the least worst option, but given the extent of the harm in this case, a further investigation of alternatives is required.
22. The appellant has referred to other appeal cases which have been allowed, taking into account the lack of suitable alternatives<sup>1</sup>. In the Sheffield appeal, the Inspectors found that the effect of the proposed equipment on the character and appearance of the area would be acceptable, but that is not the case here. The lack of suitable alternatives in the Dagenham appeal did justify the moderate harm to the character and appearance of the surrounding area. However, that was in a very different area, with no alternative sites having been suggested by the Council. I have determined the appeal having regard to the specific circumstances of the case, and the outcome of the other appeals referred to do not change my view.

### **Other Matters**

23. Framework paragraph 119 highlights the importance of advanced high quality and reliable communications infrastructure, and the appellant has identified various social and economic benefits of the proposal. I agree that these matters are important, but the provisions of the GPDO mean that, in assessing this appeal proposal, I am only able to consider matters of siting and appearance.
24. The appellant has provided a certificate to confirm that the equipment would not exceed the guidelines for public exposure set by the International Commission on Non-Ionizing Radiation Protection. The proposal therefore meets the requirements of Framework paragraph 122 in relation to public health. This represents a lack of harm, but does not outweigh the concerns in relation to character and appearance.

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<sup>1</sup> Appeal refs APP/J4423/W/17/3188962 and APP/Z5060/W/21/3279350

## **Conclusion**

25. For the reasons set out above, I have found that the siting and appearance of the proposed telecommunications equipment would cause harm to the character and appearance of the area. As it has not been satisfactorily demonstrated that there are no other, less harmful options available, the appeal is dismissed.

*R Morgan*

INSPECTOR