

# SHEFFIELD CITY COUNCIL PLANNING APPLICATION OFFICER REPORT

**APPLICATION:** 22/03717/TEL

**PROPOSAL:** Erection of 20m streetpole with associated cabinets and ancillary works (Application to determine if approval required for siting and appearance)

**Address** Land At Junction With Machon Bank Road And  
Moncrieffe Road  
Sheffield  
S7 1PE

## SITE DESCRIPTION/ PROPOSAL

The development site lies within the 4-way junction where Sheldon Road, Nether Edge Road, Moncrieffe Road and Machon Bank Road meet. The development site lies within the pavement and the proposed street pole, and 3 equipment cabinets will be aligned in a row and sited 750mm approx. from the edge of the pavement and 3.7m approx. from the tactile paving within the junction.

Adjacent to the development site is the three storey Nether Edge Market building which is building of historic note within the Conservation Area. To the northwest of the development site are the large detached traditional stone Victorian properties that are sited at a higher level than the development site. To the southwest of the development is a community area that consists of ornate street barriers, street lighting and seating sited around the commemorative tree. Within this area there are temporary planters.

The development site lies within the Nether Edge Conservation area and has an ambient character that provides a positive contribution to the wider Nether Edge Conservation Area. The proposal is for a 20m street pole, and 3 cabinets sited centrally within the pavement. The cabinets have the following approximate dimensions, 450mm by 840mm, 1230mm by 1290mm and 490mm by 1000m. Following the erection of the street pole and equipment cabinets approximately 2m of pavement will be retained.

## RECENT RELEVANT PLANNING SITE HISTORY

98/02110/FUL: 1 FREE-STANDING POUCH BOX - (IDENTIFICATION NO.2, SITE LOCATION MACHON BANK ROAD, 7). APPLICATION GRANTED DECISION ISSUED 01.05.1998.

#### LETTERS OF REPRESENTATION RECEIVED

16 Letters of objection including representation made by ward Councillor Maroof Raouf and 1 letter of support.

The following representations have been received.

- Poor internet coverage within the area and this has negative social and economic impacts on the residents of Nether Edge.
- The street pole and equipment cabinets will significantly reduce the accessible areas of the pavement to support the safe egress of pedestrians along the pavement and the junction.
- The junction has been improved with new planters that will need to be moved and threaten future improvement in the centre of Nether Edge.
- The proposed plans provided are inadequate and inaccurate and do not include views of the site from neighbouring roads sited off the junction that the development site lies within.
- The site selection process has only included pavement locations and not existing buildings or proposed to upgrade existing structures.
- The need for the development has not been robustly established and when balanced against the harm caused to the conservation area the proposal should not be supported.
- The street pole will be at least twice as taller the streetlights and the existing street, the street pole and cabinets will be visually intrusive and not be in keeping with the character of the conservation area.
- The pole is wider than the existing street lighting and is a bulky object
- The proposed 20m street pole would be inappropriate development within the conservation area where an article 4 is in place which restricts certain development.
- Obscure views at a pedestrian crossing over a busy road and cause road and pedestrian safety concerns.

- The street pole will be surrounded by trees that in winter months will be bare and this will make the street pole more visible within the street scene.
- The address/description of the development site is incorrect as the development site is on the pavement and not on the land.
- The cabinets will attract vandalism and graffiti.
- Detrimentally effect the future health and vitality of a commemorative tree planted nearby, the tree may need to be felled due to its close proximity to the proposed street pole.
- The street pole and cabinets would reduce the space with an area used for people's enjoyment.
- Detrimental impact on the views of the street scene from adjacent residential properties.
- Alternative sites outside of the conservation area and the residential street scene should be considered, the street pole could be camouflaged and sited within a less prominent location.
- No public consultation has been undertaken of the wider community and the planning site notice was not attached to traffic light post which would have been more easily seen by the wider community.

## PLANNING ASSESSMENT

### Planning Policies

Telecommunications installations are not specifically mentioned within the main policies relating to development within Housing Areas and therefore must be determined on their own merits and in line with UDP policy BE14.

Policy BE14 'Telecommunications' of Sheffield's adopted Unitary Development Plan states that; 'Telecommunications development should be sited and designed so as to minimise its visual impact, subject to technical and operational considerations and new equipment should share masts or be sited on existing structures where this is technically and economically possible.'

The National Planning Policy Framework promotes sustainable development and breaks this notion down into three roles: economic, social and environmental. The framework fully supports high quality communications infrastructure and outlines that this is essential for sustainable economic growth.

Paragraph 114 of the National Planning Policy Framework states that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections. Policies should set out how high-quality digital infrastructure, providing access to services from a range of providers, is expected to be delivered and upgraded over time; and should prioritise full fibre connections to existing and new developments.

Further to this paragraph 115 of the National Planning Policy Framework states that the number of radio and electronic communications masts, and the sites for such installations, should be kept to a minimum consistent with the needs of consumers, the efficient operation of the network and providing reasonable capacity for future expansion. Use of existing masts, buildings and other structures for new electronic communications capability (including wireless) should be encouraged.

The NPPF goes on to state that “Applications for telecommunications development (including for prior approval under Part 16 of the General Permitted Development Order) should be supported by the necessary evidence to justify the proposed development.

- a) The outcome of consultation with organisations with an interest in the proposed development
- b) Self-certification that the mast will not exceed International Commission guidelines on non-ionising radiation protection
- c) For a new mast or base station, evidence that the application has explored the possibility of erecting antennas on an existing building, mast or other structure.

Paragraph 118 says that local planning authorities should not set health safeguards different from the International Commission guidelines for public exposure.

The guidance then goes on to describe how “Local planning authorities must determine applications on planning grounds. They should not seek to prevent competition between different operators, question the need for the telecommunications system,

or determine health safeguards if the proposal meets International Commission guidelines for public exposure”.

### Visual Amenity

Paragraph 194 of the NPPF advises that when determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

Paragraph 195 of the NPPF advises that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal.

When considering the potential impacts of the proposal paragraph 199 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Further to this paragraph 200 of the NPPF states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I

and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

Paragraph 201 of the NPPF states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.

Further to this paragraph 202 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Paragraph 203 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

The site is located within a Housing Area as defined by the Sheffield Unitary Development Plan (UDP). UDP Policy H14 requires that new development is well designed and appropriate to the site and will not result in residents or visitors suffering from unacceptable living conditions. This policy is consistent with paragraph 130 of the NPPF and therefore weight is afforded.

Core Strategy Policy CS74 and UPD Policy BE5 are also applicable in terms of design and are consistent with paragraph

130 of the NPPF. UDP policy BE14 requires that Telecommunications development should be sited and designed so as to minimise its visual impact. This policy is consistent with the aims of the NPPF (para 115) and therefore full weight is afforded.

UDP Policy BE16, and BE17 are relevant. This policy states that proposals for development within the curtilage of a listed building or affecting its setting, will be expected to preserve the character and appearance of the building and its setting. This policy is consistent with the aims of paragraphs 199 to 202 of the NPPF.

The site is located within the Nether Edge Conservation Area on the border of the Nether Edge Village and Kenwood Character Areas. The Nether Edge Village includes two key landmarks and focal points in the form of the Nether Edge hospital and the shops on Machon Bank. The development site is surrounded by buildings that are identified as non-designated heritage assets. The most prominent of these is the Nether Edge shops and in particular the curved Nether Edge Market building which is an attractive ensemble of buildings which positively contribute to the setting of the junction. The development site is adjacent to the Nether Edge Market building.

The proposed site elevation plan provided within the application submission shows that the 20m street pole will be significantly taller than the surrounding mature trees at approximately 10m high, the 14m high even numbered properties along Machon Bank Road and Moncriffe Road, the 10m high Nether Edge Market Building and the street lighting at 8m/ 6m. The proposed street pole is of a significant scale relative to its context within the Conservation Area and the setting of buildings of note within the conservation area, and as a result will rise above the height of nearby trees, residential properties, small commercial properties, and street lighting and represent a visually intrusive and alien feature within the street scene, the wider Conservation Area.

The proposed design of the street pole is noted by the agent as being the least intrusive solution available. The pole would have a slimline pole design, although due to the wider section at the top of the tower, it would have a bulky appearance that would draw the eye and result in it appearing as a visually prominent and intrusive addition to the Nether Edge Conservation Area. The colouration of the pole does not mitigate this harm. Interested parties have raised

concerns regarding the street pole being at least twice as taller the streetlights and the existing street, the street pole and cabinets will be visually intrusive and not be in keeping with the character of the conservation area.

The pole will also be wider than the existing street lighting and is a bulky object.

The 4-way junction consists of maturing trees and hedgerow that provide some screening of the street pole, although this would be provided within summer months only, and limited screening provided in the winter months. A notion raised by interested parties. Further owing to the rising land levels from Sheldon Road through the 4-way junction to the development site and to the even numbered properties on Machon Bank Road and Moncriffe Road and the adjacent Nether Edge market building, the eye would be further drawn to the 20m high street pole. This would focus views on the development site when looking towards the development site along Machon Bank Road and Sheldon Road, and further exacerbate the detrimental impact of the street pole on the setting and character of the Nether Edge Conservation Area.

Within the site-specific supplementary information pack, it is stated that, 'the equipment cabinets are located at the base of the new pole and (unless the site is located in Article 2 (3) land), such installations are deemed Permitted Development without Prior Approval and therefore do not form part of the proposal from a planning consideration perspective as set out in the undernoted planning analysis'. Within the site-specific supplementary information pack, no assessment has been undertaken of the impact of the cabinets on the setting of the Conservation Area, despite being sited within the Nether Edge Conservation Area.

The cabinets will be centrally sited within the pavement and will represent a permanent solid block of 3 cabinets within a utilitarian appearance set against non-permanent planters and low-rise ornate street barriers and seating centred around a commemorative tree. Thus, the development site at the 4-way junction has a pleasant and ambient character that is sympathetic to the setting and character of the Nether Edge Conservation Area. The inclusion of the 3 cabinets adjacent to the mast would introduce a solid block of 3 cabinets within a utilitarian appearance within the street scene, and further detrimentally impact the visual amenities of the Nether Edge Conservation Area, and the settings of adjacent non-designated heritage assets.

The site-specific supplementary information pack provided advises that a preliminary consultation was undertaken prior to the submission of the prior approval; however, from a review of the relevant planning site history there appears no formal pre-application enquiry was undertaken to allow the Local Planning Authority to assess whether the proposed siting of the street pole and equipment cabinets is an appropriate siting within the Nether Edge Conservation Area, and whether any elements of the design of the street pole and equipment cabinets could negate or mitigate the harm identified to the Nether Edge Conservation Area whilst addressing the need to provide coverage to fill the network coverage gap identified within Figure 4 of the site-specific supplementary information pack.

Further to this within the application submission no heritage impact assessment has been provided that identifies the significance of the heritage assets and the wider Conservation Area, and how the proposal has been designed to mitigate any harm that may rise. Thus, until the significance of the heritage asset and conservation area or an awareness of the conservation and the heritage assets are clearly demonstrated within the application submission any harm that may arise to these assets and the Conservation Area are not justified and the proposal is contrary to paragraphs 194 of the National Planning Policy Framework.

However, with reference to paragraphs 199 to 202 of the NPPF, consideration has to be given to the impact upon the character and setting of the Nether Edge Conservation Area. It is considered that the mast and equipment would lead to less than substantial harm upon the Nether Edge Conservation Area given the impact it would have upon the character and the setting of the Nether Edge Conservation Area.

Although the public benefits of improved telecommunications technology are acknowledged, these benefits are not considered to outweigh the harm that the mast and associated cabinets would have on the positively ambient street character of the Nether Edge Conservation Area. Consequently, the less than substantial harm caused by the siting of the mast and associated cabinets is considered to not outweigh any public benefits that the proposal would bring in terms of improved telecommunications coverage.

It is acknowledged that information has been provided within the site-specific supplementary information regarding evidence of the

consultation process and the exploration of alternative options, as required in paragraph 117 (c), this is in itself not considered to justify the proposal given the significant concerns and harm identified.

When the above considerations are finely balanced, the public benefit of the improved telecommunications technology does not outweigh the harm to the character and setting of the Nether Edge Conservation Area. Additionally, the associated cabinets are considered to add clutter and additional visual harm to the street scene. As such the proposal is contrary to UDP Policies H14, BE5 BE14 and BE19, Core Strategy Policy CS74 and the guidance contained within the National Planning Policy Framework.

#### Site Selection and Need

Paragraph 81 of the Framework advises that significant weight should be placed on the need to support economic growth and productivity.

Paragraph 114 advises that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being, and the expansion of electronic communications networks, including next generation mobile technology, such as 5G, should be supported.

The social and economic benefits of the development and technical requirements of the 5G network therefore carry significant weight and must be carefully balanced against the visual harm identified above.

NPPF paragraph 117 c) requires applicants to evidence that alternative sites have been considered. NPPF paragraph 115 encourages applicants to consider the use of existing masts, buildings and other structures for new electronic communications capability. Policy BE14 encourages, where technically and economically possible, the sharing of masts or for existing structures to be utilised.

Local telecommunications and design policies identified above reflect the requirements of the Framework and in this case therefore continue to carry weight in the decision-making process.

Both the Local Planning Authority and the applicant agree that following the review of Figure 4 '5G Network Coverage Map', within the site-specific supplementary information pack that there

is a 5G network coverage gap within the Broomhall Conservation Area. Thus, both parties agree there is a need within this area to improve 5G network coverage. However, the Local Planning Authority notes that generalised information has been provided with regards to the site selection and need, as part of the justification for the proposal, with sites being discounted as they are 'very residential, in sufficient visibility splays and unsuitable pavements.'

Interested parties have raised concerns that alternative sites that are less prominent sites should be considered or site sharing of existing mast sites.

The site-specific supplementary information pack does not include the use of existing structures and buildings within the site selection process and focus purely on ground-based equipment only. As mentioned previously, the NPPF paragraph 115 encourages applicants to consider the use of existing masts, buildings and other structures for new electronic communications capability. Policy BE14 encourages, where technically and economically possible, the sharing of masts or for existing structures to be utilised. Thus, the failure to consider and discount existing buildings and structures within the site selection process undertaken by the applicant further illustrates that the process undertaken by the applicant is not robust.

Further to this, within the site-specific supplementary information pack, no information has been provided on the extent of the area that will receive the improved 5G coverage provision and will the siting of the street pole and equipment address the 5G network gap or will more appropriately sited antennas and equipment cabinets achieve greater improved 5G coverage that proposed.

Whilst it is acknowledged that there is a 5G network provision gap within the Nether Edge area and the social and economic benefits of improved 5G coverage, when these are balanced against the significant harm to the character of the street scene, and the setting and visual amenity of the Nether Edge Conservation Area as previously identified, and the less than robust site selection process undertaken; the overall site selection process undertaken in the opinion of the LPA is not considered robust and does not accord with local policy requirements and paragraphs 115 and 117 c) of the NPPF.

Highways

Interested parties have raised concerns regarding that the street pole and equipment cabinets will significantly reduce the accessible areas of the pavement to support the safe egress of pedestrians along the pavement and the junction. Further concerns have been raised that the proposed street pole will obscure views at a pedestrian crossing over a busy road and cause road and pedestrian safety concerns. The Council's Access Officer raises no concerns regarding the siting of the proposed street pole as a 2m pavement will be retained to allow the safe egress of pedestrians within the pavement. The proposed street pole will be sited 750mm approximately from the edge of the pavement and 2m away from the tactile paving within the junction.

The 3 equipment cabinets will be aligned in a row and sited 750mm approx. from the edge of the pavement and 3.7m approx. from the tactile paving within the junction. Whilst the Council's Highway's Officer has not provided any comments in this case it is noted that the junction is a controlled traffic junction that despite the planters, the seating and road barriers benefits from an open sweeping left bend onto Moncrieffe Road. Further to this, the street pole and equipment cabinet are set back from the controlled junction and pedestrian crossing; thus, when the site characteristics are noted the proposed street pole and equipment cabinets will not result in the encroachment of visibility splays at the junction and will not impede highways or pedestrian safety at the junction. No conflict identified.

### Public Health

The Framework states that Local Authorities should not set health safeguard that are different to the international commission guidelines on non-ionising radiation protection (ICNIRP).

The applicant has certified that the proposal has been designed to comply with the guidelines published by ICNIRP. The NPPF confirms that in such circumstances health safeguards are not something which a decision maker should determine and are not considered any further. No conflict identified.

### Other Matters

The following matters have been raised: -

- Only adjoining neighbouring properties notified the wider community not informed of the prior approval application.

The prior approval was advertised through a planning site notice, and the neighbours that share a red-lined boundary with the development site received neighbour notification through the post. The neighbour notification process and the advertisement of the prior approval has been done in accordance with 'The Town and Country Planning (Development Management Procedure) (England) Order 2015', and Sheffield's Statement of Community Involvement.

- The address/description of the development site is incorrect as the development site is on the pavement and not on the land.

The address of the development site has been reviewed and is considered the most accurate description of the development site. The location plan for further avoidance of doubt accurately identifies the development site's location.

- The proposed plans provided are inadequate and inaccurate and do not include views of the site from neighbouring roads sited off the junction that the development site lies within.

The Local Planning Authority has reviewed the proposed plans and considers that the application submission has met the national and local validation criteria's set out within The Town and Country Planning (Development Management Procedure) (England) Order 2015, The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended 2022), and Local Validation Requirements.

The following matters have been raised within letters of representation received and are not of planning material consideration: -

- The cabinets will attract vandalism and graffiti.
  - Detrimentially effect the future health and vitality of a commemorative tree planted nearby, the tree may need to be felled due to its close proximity to the proposed street pole.
  - The junction has been improved with new planters that will need to be moved and threaten future improvement in the centre of Nether Edge.
  - Detrimental impact on the views of the street scene from adjacent residential properties.

- The street pole and cabinets would reduce the space with an area used for people's enjoyment.

## CONCLUSION

In conclusion, a less than robust site selection process has been undertaken that is based on generalisations made and failure to consider existing buildings within the network gap identified that could provide a potential site location for the antenna and equipment. Further to this, the proposed mast and associated equipment owing to the scale, siting and bulk, will form an overly prominent and visually obtrusive feature which will be out of scale and character of the ambient setting of the Nether Edge Conservation Area. The new equipment cabinets would add unwelcome clutter to the ambient and traditional street scene. The proposal would result in unacceptable harm to the character and setting of the Nether Edge Conservation Area, thus the proposal is contrary to Unitary Development Plan policies BE5, BE14, BE15, BE16, BE17 and BE19 and H14, Core Strategy Policy CS74 and paragraphs 115, 130, 201 and 202 of the NPPF.