Planning Inspectorate

Appeal Decision

Site visit made on 22 April 2025

by G Bayliss BA (Hons) MA MA MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 29 April 2025

Appeal Ref: APP/B4215/W/24/3356856
Land at Topps Tiles Car Park, Cheetham Hill Road, Cheetham Hill, Manchester M4 4FS

- 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 Manchester City Council.
- The application Ref is 139849/TEL/2024.
- The development proposed is the installation of a 20.0m high Orion Street Pole (Grey), installation of 6no. antennas and 3no. RRUs, installation of 1no. transmission dish, installation of York and Shire ground-based cabinets (Green), ancillary development required thereto.

Decision

1. The appeal is allowed and 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 siting and appearance of a 20.0m high Orion Street Pole (Grey), installation of 6no. antennas and 3no. RRUs, installation of 1no. transmission dish, installation of York and Shire ground-based cabinets (Green), ancillary development required thereto at land at Topps Tiles Car Park, Cheetham Hill Road, Cheetham Hill, Manchester M4 4FS in accordance with the terms of the application Ref 139849/TEL/2024, dated 16 April 2024, and the plans submitted with it including Site Location Map Ref.100A, Proposed Site Plan Ref.201A and Proposed Site Elevation Ref.301A.

Procedural Matters

2. I have used the address given in the appellant's appeal form in the banner heading above and my decision as this more correctly identifies the site location.

3. 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 into account any representations received. My determination of this appeal has been made on the same basis.

Planning Policy

4. The provisions of Schedule 2, Part 16, Class A of the GPDO do not require regard be had to the development plan. I have 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

5. The main issue is the effect of the siting and appearance of the proposed installation on the character and appearance of the area and, if any harm would occur, whether this would be outweighed by the need for the installation to be sited as proposed considering any suitable alternatives.

Reasons

6. The appeal site is an area of soft landscaping on the edge of the car park at Topps Tiles which lies close to the junction of Elsworth Street and Carnarvon Street near to the busy arterial route of Cheetham Hill Road. The retail unit is a red brick building with a flat roof which lies to the rear of the plot with the car park to the front and the proposed development would be in the planted area on the left-hand side, furthest away from Cheetham Hill Road.

7. In its wider context, the appeal site lies just to the north of the ring road and the Manchester AO Arena and is on the fringe of the central part of the city. The appeal site lies to the west of Cheetham Hill Road and is mainly characterised by warehouses and commercial uses of varied character and appearance with mainly utilitarian buildings of one or two storeys with typically low-pitched roofs. On the opposite side of Cheetham Hill Road to the east, tall apartment blocks are a dominant element of the area which visually connect with other larger buildings within the city centre. Near to the appeal site I noted a range of vertical structures including regularly spaced highway lighting columns, road signage, a petrol station totem pole, fencing and other street furniture.

8. The appellant advises that a suitable telecommunications site must be found to replace an existing site nearby which has structural and technical limitations. It is further explained that there are limited siting options within the cell search area and operators are struggling to cope with demand. Therefore, the appellant seeks to replicate the existing service provision but also to provide new 5G coverage and capacity.

9. Whilst the proposed monopole would be taller than the majority of structures and buildings in the immediate area, telecommunications installations are typically a feature of many built-up urban areas. It would be visible within the general area but that does not necessarily mean that it would be particularly noticeable or visually harmful. The monopole would be a taller and thicker structure than the existing streetlighting columns, but it would not be especially bulky. The relatively slim and compact apparatus towards its top would not noticeably protrude from the main column. Therefore, it would not have a distracting, cluttered appearance or be overbearing. I also consider that it would not be particularly prominent in views from Cheetham Hill Road where the eye is naturally drawn along the visual corridor of the road and the focus of activity. Given its distance from Cheetham Hill Road and its location away from an active frontage, I see little reason why it would detract from this street scene, be off-putting to residents and visitors or why it would hinder future development close to Cheetham Hill Road. I also see no compelling reason why the relatively slim monopole would negatively affect the outlook of residents in the tall apartment blocks to the east, especially given the

distance away and the expansive range of buildings and features which would be seen collectively from this viewpoint.

10. Furthermore, from many locations, the proposal would be viewed in conjunction with the much taller buildings to the east of Cheetham Hill Road, or with taller buildings towards the city centre. Therefore, whilst it may be noticeably taller than immediately surrounding buildings, in its wider context, it would not be an incongruous feature, look out of place or unnecessarily draw the eye.

11. The Council is concerned that the proposal would prejudice its future regeneration aspirations in the area, including its vision to achieve an employment-led mixed-use vibrant neighbourhood contributing to the revitalisation of the City Centre North Commercial Quarter. Here, the Council intends to develop a strong character and sense of place in the City Fringe through architecture and public realm. The appeal site is also located just to the north of the Great Dulcie Street Framework Area where there are long term plans for redevelopment. Although full details of the forthcoming changes to the area have not been provided, the submitted evidence suggests that some elements of these regeneration strategies are starting to be achieved. However, given the siting and appearance of the proposal, I see little reason why it would be an inappropriate feature in this area, even near to a proposed landmark building. Nor do I understand why it would conflict with the aspirations of those plans or prejudice that future development. Furthermore, many of the proposed buildings to the south are indicated to be of considerable height and scale. Therefore, in the long term, the visual impact of the proposal would be considerably diminished.

12. Also, from what I have read, the regeneration strategies for the area suggest that there will be a requirement for technologically advanced workplaces and improving utilities. This is in line with Government planning guidance which includes the advancement of infrastructure and the use of smarter technologies. Therefore, the regeneration strategies appear to require this infrastructure and there is a need for the telecommunications equipment to replace and enhance existing provision in this area, including the provision of 5G.

13. Consultation responses mention highway safety for those exiting Elsworth Street onto Carnarvon Street and that the proposal may prejudice future redevelopment of the Tops Tiles site. I have considered these matters and note that the Council do not appear to have raised any objections. They do not lead me to a different conclusion on the main issue nor do they amount to harm which would justify withholding consent. As I have found that the siting and appearance of the proposal would be acceptable, it is not necessary to consider the detailed merits of any potential alternative site or the possibility of erecting antennas on an existing building, mast, or other structure.

14. Therefore, taking all matters into account, I conclude that the siting and appearance of the proposed telecommunications installation would have no harmful effect on the character or appearance of the area. It would not significantly harm the visual amenity of neighbouring occupiers or undermine the regeneration aspirations for this part of the city centre. Insofar as they are a material consideration, the proposal would comply with policies DM1 and SP1 of the Manchester Core Strategy (2012), saved policy DC17, E3.3 and CC4 of the Unitary Development Plan for the City of Manchester (1995) and the Strangeways Local Plan (2009) which seek high

standards of design and minimise impact on visual amenity. It would also comply with the Framework which seeks to achieve well-designed places.

Conditions

15. The Order does not provide any specific authority for imposing additional conditions beyond the deemed conditions for development by electronic communications code operators contained within it. These specify that the development must be carried out in accordance with the details submitted with the application, begin within 5 years of the date of the approval and be removed as soon as reasonably practicable after it is no longer required for electronic communications purposes and the land restored to its condition before the development took place.

Conclusion

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



INSPECTOR