



Appeal Decision

Site visit made on 9 October 2025

by N Bromley BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 October 2025

Appeal Ref: 6000449

Shirehall Staff Car Park, London Road, Shrewsbury SY2 6NP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 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 MBNL against the decision of Shropshire Council.
 - The application Ref is 25/01571/TEL.
 - The development is proposed ground-based installation comprising proposed H3G/EE Valmont 25m high phase 7.2 streetworks pole on root foundation, proposed EE/H3G 2No. dishes to be fixed to streetworks pole, EE/H3G 3No. shared panel antennas, H3G 3No. panel antennas, EE 3No. panel antennas, EE/H3G GPS Node, EE Wiltshire and EE unilateral cabinet, H3G Bowler and H3G unilateral cabinet, EE/H3G Mk5B Link AC cabinet, EE/H3G wrap-around cabinet and 11No. bollards surrounding the telecommunications installation. The installation of ancillary equipment for the purposes of telecommunications development.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the 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

3. The provisions of Schedule 2, Part 16, Class A of the GPDO do not require regard to be had to the development plan. On that basis I have considered Policies CS6 and CS17 of the Shropshire Local Development Framework: Adopted Core Strategy, 2011 and Policies MD2 and MD13 of the Shropshire Council Site Allocations and Management of Development Plan, December 2015 and the National Planning Policy Framework (the Framework), only in so far as they are material considerations relevant to matters of siting and appearance.

Main Issues

4. The appeal site comprises a public car park located in the Shrewsbury Conservation Area (the CA). I am therefore vigilant of my duty under s72 of the

Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA.

5. Accordingly, it follows that the main issues are:

- the effect of the siting and appearance of the proposed installation, having particular regard to whether it would preserve or enhance the character or appearance of the CA; and
- in the event that harm is identified whether this would be outweighed by other considerations including the need to locate the installation on the appeal site having regard to the potential availability of alternative sites.

Reasons

Siting and appearance

6. The car park is accessed off London Road and falls within the Sutton Road Area of the CA, near to the town centre. The significance and special interest of this part of the CA is largely derived from the large, individually designed, nineteenth century residential buildings of an eclectic architectural quality. The buildings largely front roads, set behind garden hedges and attractive boundary walls. There is also an abundance of mature trees on the road frontages and within rear gardens which add to the significance and special interest of the CA and contribute to its verdant character.
7. The car park is largely screened from London Road by mature trees and a frontage hedgerow. As such, although it has an expanse of hardstanding, with some lighting columns, signage and other associated paraphernalia, the car park is not prominent within the CA. The trees and hedgerows also ensure that the car park contributes to and preserves the verdant character of the CA.
8. The rear of the car park marks the edge of the CA, with residential properties beyond. Many of the houses adjacent to the rear boundary also have an attractive appearance, set within spacious plots, acting as a buffer for the CA, further contributing to the wider verdant character of the surrounding area.
9. With a height of 25 metres, the proposed installation would be a tall structure. Indeed, the proposal would be substantially taller than the existing lighting columns within the car park and those along the roads nearby. It would also be of a greater height than many of the two and three storey buildings adjacent to the car park. Particularly those beyond the rear boundary. As such, despite the proposed mast being set significantly back from London Road, it would have a towering appearance, which would be apparent from various vantage points along the road. For similar reasons, the proposed mast would also be highly visible from other roads nearby, mainly beyond the rear boundary due to its height in comparison to the scale of adjacent buildings.
10. Furthermore, the exposed antenna would have a functional appearance, and the bulk of the proposed monopole, compared to lighting columns nearby, would give further emphasis to its height above neighbouring structures. Therefore, while telecommunications structures are common features in an urban environment, the proposal would not be viewed within the context of the busy roads and commercial

buildings nearby. Instead, it would be set within a backland location, which has a verdant character, with no comparable structures nearby.

11. Even though some views of the proposed mast would be broken up by the presence of mature trees, from other vantage points a large section of the pole and antenna would appear exposed and highly conspicuous. The utilitarian appearance of the proposal would be exacerbated by its grey colour and there would be few instances where the proposal would benefit from the backdrop of trees. Collectively, these factors would result in the proposal being a stark and alien structure which would be harmful to views from within the CA. As well as from views into it from surrounding streets.
12. I am not persuaded that the future removal of the existing apparatus on the rooftop of the Shirehall Council building would result in a marked improvement to views from within the CA or wider surrounding area. On the basis that the existing equipment is not overly prominent on top of the existing building, which has a robust appearance.
13. For the reasons given above, I conclude that the siting and appearance of the proposed installation would be overly dominant and incongruous within the area. Accordingly, it would fail to preserve or enhance the character or appearance of the CA.
14. Given that the proposal would affect a small part of the CA, and that it would occupy a backland location, the effects of the development would be fairly localised, and it would therefore amount to less than substantial harm to the CA. Nonetheless, because of the height of the proposal and the functional appearance of the antenna, I consider that it would be somewhere towards the lower to middle end of that category.

Alternative sites

15. The Framework supports the provision of high-quality and reliable communications. Paragraph 122 of the Framework states, amongst other things, that the application for a new mast or base station should be supported with evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast, or other structure.
16. The appellant highlights that the existing installation on the rooftop of the nearby Shirehall Council building needs to be relocated. As such, the proposal would replace the existing apparatus and ensure that 2G, 4G and 5G network services can be provided to the local area.
17. The location of the existing apparatus on top of a four-storey building results in a taller monopole being required in order to ensure optimum coverage in the area, and there is no reason to doubt that the height of the installation is as short as it can be.
18. The appellant has undertaken a search for alternative sites within the constrained cell search area. A total of eight alternative sites were discounted for a number of planning and operational reasons. For example, sites were discounted for reasons including, insensitive location - including proximity to housing and schools, highway safety concerns, health and safety from flood risk, construction and future maintenance concerns, the topography of the land being too low, and an inability to

provide viable coverage due to building clutter. However, while I acknowledge that the cell search area poses a number of constraints, including the presence of the CA, there are locations within the highlighted search area that do not appear to have been explored. In particular, I would have expected more site locations to be considered for ground-based equipment along the busier roads in the locality which have a more commercial character, with a greater amount of street furniture, including taller lighting columns.

19. On the evidence before me therefore, I find that the site selection process has not been carried out with sufficient rigour or robustness to enable me to ascertain that there are no realistic opportunities to erect an installation in a different location where its siting and appearance would be less harmful.

Heritage balance/ Other considerations

20. Paragraphs 212 and 213 of the Framework state that great weight should be given to the conservation of heritage assets, and that any harm to, or loss of, their significance should require clear and convincing justification. Paragraph 215 advises that, where a proposal would lead to less than substantial harm, the harm should be weighed against the public benefits of the development.
21. The Framework advises that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. It further provides that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Paragraph 119 states that planning decisions should support the expansion of electronic communications networks, including next-generation mobile technology and full-fibre broadband connections.
22. The proposal would replace existing telecommunications apparatus. As such, it is necessary in order to maintain and enhance network capacity, and to provide faster, more reliable connectivity in an urban area. I also acknowledge that the height of the proposed monopole would provide the optimal coverage to the area and that placing the apparatus any lower would result in the signal propagation being restricted. Reducing the height of the proposed structure may also compromise its effectiveness and likely necessitate additional sites or equipment to compensate for any coverage gaps. I also accept that there would be no impact on traffic or pedestrians.
23. The appeal scheme would offer extensive social and economic benefits to individuals, businesses, and public services. I am also mindful that the Government's goal is to ensure all populated areas have standalone 5G coverage by 2030. I am told that this could add up to £37 billion to the economy. Digital inclusion can help people into employment, become more financially secure and improve their well-being. Better connectivity is essential to fulfilling the potential of new technologies. Increased network connectivity makes places safer and public services more efficient. Within this context the scheme would be in line with Government aspirations and would support high quality communications and digital connectivity by maintaining and offering 2G, 4G and 5G services.
24. I have considered the other appeal decisions¹ put forward by the appellant which demonstrate the significant weight that should be given to the public benefits of

¹ Appeal references: APP/U5360/W/21/3280131 and APP/U2750/W/24/3342345

telecommunications infrastructure and that they can be sited appropriately in a Conservation Area or other sensitive areas.

25. Overall, the public benefits of the scheme attract significant weight in the balance. However, although the appellant has considered alternative sites, given the limitations of this assessment, which I have identified above, this does not provide clear and convincing justification for the harm which I have highlighted. Furthermore, the public benefits of the proposed development do not outweigh the respective harm to the CA, to which I assign considerable importance and weight.

Conclusion

26. For the reasons given above, and taking all other matters raised into account, I conclude that the appeal should be dismissed.

N Bromley

INSPECTOR