

Appeal Decision

Site visit made on 16 August 2016

by Chris Forrett BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19 September 2016

Appeal Ref: APP/Q0505/W/16/3150752

Land opposite St Edmunds College Entrance, Mount Pleasant, Cambridge, Cambridgeshire CB3 0BN

- 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 EE Ltd and Hutchinson 3G UK Ltd against the decision of Cambridge City Council.
 - The application Ref 15/2329/FUL, dated 14 December 2015, was refused by notice dated 10 February 2016.
 - The development is described on the application forms as the Installation of a 12.5m pole supporting shrouded antennas, plus 2no. equipment cabinets and development ancillary thereto including meter cabinet.
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Decision

1. The appeal is allowed and planning permission is granted for the Installation of a 12.5m pole supporting shrouded antennas, plus 3no. equipment cabinets, 1no. AC meter cabinet and development ancillary thereto at land opposite St Edmunds College Entrance, Mount Pleasant, Cambridge, Cambridgeshire CB 3 0BN] in accordance with the terms of the application, Ref 15/2329/FUL, dated 14 December 2015, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted relates to the following approved plans: Block and Location CAM084-01; Site Plan CAM084-03; and Site Elevation Plan Cam084-05.
 - 3) Within 6 months of the installation being no longer required for electronic communication purposes the land shall be restored to its condition before the development took place, or to any other condition as may be first agreed in writing by the local planning authority.

Procedural matter

2. The plans submitted with the application show a total of 4 proposed cabinets (3 equipment cabinets and an AC meter cabinet). The sizes of all of these cabinets are detailed on the application form. I have therefore determined the appeal on that basis.
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Main Issue

3. The main issue is the effect of the proposed development on the character of the Central Conservation Area (CCA).

Reasons

4. The appeal site is located on the north east side of Mount Pleasant where there is a grass verge. The land is relatively flat where the development is proposed but rises sharply towards the north east. There is an existing telecommunications installation close by which would be removed as it would be redundant as a result of the proposed development.
5. As the site is located within the CCA, Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to have special regard to the desirability of preserving the character or appearance of the Conservation Area.
6. The proposal would result in a larger (replica telegraph pole) telecommunications mast, both in terms of its diameter and height, than the existing installation. The area where it would be sited is relatively open and together with the proposed cabinets, to my mind, would appear much more prominent than the existing structures, particularly when approaching the site from the south-east. Whilst the type of mast proposed, and the colouring of the cabinets, assists in mitigating the impacts of the development it would nevertheless result in a development that would not preserve or enhance the character or appearance of the CCA.
7. I also share the concerns of the Council regarding the views towards the Tower at St Edmunds College as the increased prominence and height of the mast would act as a visual distraction when looking along Mount Pleasant.
8. I have also had regard to the suggestion of a planning condition to secure additional landscaping to help screen the development. However there is limited land within the application site, nor is it clear whether the Cambridgeshire County Council (as land owner) would allow any further landscaping either within the application site or elsewhere in the immediate vicinity of the site.
9. Whilst I consider that the development would result in some harm to the character of the CCA, the extent of the harm is less than substantial given the nature of the development and the existing installation.
10. Paragraph 134 of the National Planning Policy Framework (the Framework) states that where a development would 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.
11. From the evidence before me there is a need for additional radio frequency coverage as a result of the loss of the existing installation Mount Pleasant House. The Council also accept that other sites were considered and have not identified any alternative sites which would be sequentially preferable to the appeal site.
12. In weighing up the public benefits of the proposal, I have had regard to the aims of the Framework in supporting high quality communications

infrastructure which is essential for sustainable economic growth. The clear need for additional coverage provides a substantial public benefit. The lack of suitable alternative sites also weighs in the developments favour.

13. To my mind, the substantial public benefits of maintaining and enhancing telecommunications coverage outweighs the less than substantial harm to the character of the CCA as a heritage asset.
14. For the above reasons, whilst I have found that the development would give rise to some harm to the character of the Central Conservation Area conflicting with Policies 3/4, 3/7 and 4/11 of the Cambridge Local Plan 2006 (LP), it would provide substantial public benefit which would outweigh the harm identified. The proposal would therefore accord with the overall aims of the Framework and Policy 8/14 of the LP.

Other matters

15. I have also had regard to the effect of the development on the setting of the Storeys Almshouses which are grade II listed buildings. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to have special regard to the desirability of preserving the setting of this building. In this case, I agree with the Council that the development would not have an adverse impact on the setting of these buildings. Therefore, I find that the proposal would accord with the conservation aims of the Framework and Policy 4/10 of the LP.

Conditions

16. The Council have not provided me with a list of suggested conditions. Other than the standard time limit condition, it is necessary to ensure that the development is carried out in accordance with the approved plans for the reason of certainty. In the interests of the character of the CCA a condition requiring the removal of the installation when it is no longer required for electronic communications purposes is also necessary.

Conclusion

17. Taking all matters into consideration, for the reasons given above I conclude that the appeal should be allowed.

Chris Forrett

INSPECTOR