

Appeal Decision

Site visit made on 23 January 2017

by H Butcher BSc (Hons) MSc MRTPI

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

Decision date: 2 March 2017

Appeal Ref: APP/U3935/W/16/3159827

Land to the north of Haydons End Lane, Swindon, SN25 1ST

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015.
 - The appeal is made by UK Broadband Ltd against the decision of Swindon Borough Council.
 - The application Ref S/TC/16/1040, dated 7 June 2016, was refused by notice dated 20 July 2016.
 - The development proposed is the installation of a 15 metre high monopole supporting 3 no. antennas and a 0.3 metre transmission dish, the installation of a radio equipment cabinet and electricity meter cabinet, and development works ancillary thereto.
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Decision

1. The appeal is allowed and approval is granted under the provisions of Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 for the installation of a 15 metre high monopole supporting 3 no. antennas and a 0.3 metre transmission dish, the installation of a radio equipment cabinet and electricity meter cabinet, and development works ancillary thereto, at land to the north of Haydons End Lane, Swindon, SN25 1ST, in accordance with the terms of the application, Ref S/TC/16/1040, dated 7 June 2016, and the plans submitted with it.

Main Issues

2. The main issues are the effect of the development on the character and appearance of the surrounding area, and the living conditions of occupiers of neighbouring properties.

Reasons

3. Approval is sought for the installation of a 15 metre high slimline monopole with three shrouded antennas. In addition to this a 0.3 metre transmission dish, radio equipment cabinet, and electricity meter cabinet are also proposed. The appeal site is located adjacent to Haydon End Lane on the edge of an area of open space. Surrounding this area is a relatively dense housing estate.
 4. I understand that this area of open space provides visual relief from the surrounding development and is valued by local residents. However, the monopole and cabinets would be sited on the edge of this in an area largely enclosed by mature shrubs and trees. Therefore the installation would not encroach upon this area to an unacceptable degree, nor would it dominate it. For the most part, only the top of the monopole would be visible from this area
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of open space which, given its slimline and uncluttered appearance, would not appear intrusive. Furthermore, there are street lights in this area and the monopole would have an appearance not dissimilar to these, albeit taller in order to clear surrounding houses and trees. The green colour of the monopole and cabinets would be appropriate given their verdant surroundings. For these reasons I find no harm to the character or appearance of the surrounding area.

5. The nearest neighbouring properties which would have a direct view of the site are some 40m to the west. Although the installation would be a new addition to the views of the open space enjoyed from these properties it would be set sufficient distance away so as to not be harmful to the living conditions of these properties' occupants.
6. I have had regard to Policies IN3 and DE1 of the Swindon Borough Local Plan 2026 (2015) as a material consideration insofar as they relate to siting and appearance and find no conflict in this regard. Nor do I find any conflict with the National Planning Policy Framework which supports advanced, high quality communications infrastructure essential for sustainable economic growth, and, where new sites are required, requires equipment to be sympathetically designed and camouflaged where appropriate.

Other Matters

7. I note concern raised by a neighbour about there being a potential health risk to children if the cabinets became damaged or insecure but there is no reason before me to conclude that this would be likely to occur in this case, and as such it does outweigh my findings above. It has been suggested that the monopole could be located in a shopping precinct 3-400m away. I note the appellant's comments that this would not provide coverage for the target area of the installation, but, in any event, as I have found no harm in respect of siting or appearance it is not necessary for me to consider this matter further.

Conclusion

8. For the reasons given, the appeal should succeed. The development order imposes relevant conditions as standard.

Hayley Butcher

INSPECTOR