
Appeal Decision

Site visit made on 26 January 2021

by R Sabu BA(Hons) MA BArch PgDip ARB RIBA

an Inspector appointed by the Secretary of State

Decision date: 17th February 2021

Appeal Ref: APP/Q0505/W/20/3259843

Verge at Fulbourn Road, Cambridge CB1 9JE

- 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 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (Order).
 - The appeal is made by Cornerstone against the decision of Cambridge City Council.
 - The application Ref 20/02324/TELDET, dated 8 May 2020, was refused by notice dated 15 July 2020.
 - The development proposed is installation of a 20m telecommunications streetworks pole, one equipment cabinet, one meter-cabinet and associated ancillary development.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. While I note the appellant's name in the appeal form, I have used the name from the application form in the interests of certainty.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area with particular reference to its siting and appearance.

Reasons

4. The site is in a prominent position on the corner of a busy junction. While there are a number of street signs nearby, these are a modest height and given the adjacent trees, the area has a pleasant modest green character and appearance that contributes positively to the surroundings and the residential area nearby.
5. The proposal would introduce a 20m high telecommunication monopole in an area of existing vegetation on a corner of the junction. Given the limited height of the existing street signs in the area and the height of the nearby two storey buildings, the monopole would project a significant distance above the prevailing roof line. I acknowledge that the proposed monopole would be slimmer than if it was to accommodate equipment for a number of operators. I also note that the site is separated from the carriageway by a pedestrian walkway and another section of grass verge. However, given its height, the appearance of the proposed monopole would appear discordant against the

nearby trees and modest scale of nearby development and would be visible from a significant distance.

6. The mature trees to the south of the appeal site would partially screen the proposed development, particularly when viewed from within the Green Belt and nature reserve to the south. However, given its height and siting at the junction, the proposal would be visible from a great distance along the adjacent highways, projecting above the prevailing building line thus appearing discordant against the modest green character and appearance of the area. The existing monopole to the east of the site is significantly shorter than the proposed monopole and would therefore not mitigate the harm identified.
7. I note the visuals provided by the Appellant and the 'Zone of Theoretical Visibility' and that the site is not within a designated area. However, for the foregoing reasons, the siting and appearance of the proposed monopole and cabinets would appear discordant against the modest, green backdrop, and add to the proliferation of street furniture in the vicinity, thereby harming the character and appearance of the area.
8. While the colour of the monopole and cabinets could be secured by a suitably worded condition, given the siting and height of the proposal, it would not override the harm identified above.
9. Consequently, the proposed development would harm the character and appearance of the area with particular reference to its siting and appearance. Therefore, it would conflict with Policies 55 and 56 of the Cambridge Local Plan October 2018 (LP) which requires that development responds positively to its context and seeks high quality and attractive development among other things.
10. It would also conflict with LP Policy 60 which seeks, among other things, proposals that fit within the existing landscape and townscape. Furthermore, the scheme would conflict with LP Policy 65 which seeks, among other things, telecommunications cabinets and other items that do not have an adverse impact on the character and setting of the area and its visual amenity. Moreover, the proposal would conflict with LP Policy 84 which seeks telecommunications development where it is demonstrated that visual impact is minimised through design and location. It would also conflict with the National Planning Policy Framework (Framework) in this respect.
11. The Order states that the interpretation of 'building' excludes Classes A, B and C of Part 16 among others. Accordingly, LP Policy 57 which relates to designing new buildings, is not relevant in this case.

Planning Balance

12. The proposal would provide facilities for a single telecommunications provider as part of the company's programme to upgrade the existing mobile/digital telecommunications equipment to accommodate fifth generation wireless (5G) services. I note the reasons for the proposal being for a single network provider and the evidence which sets out the general economic and social benefits of this technology and its importance in national terms. However, the contribution that the equipment subject of this appeal would provide in national terms would be limited. In addition, I note the technical design constraints for the monopole, that there will be no change to the existing cell configuration and that its height would be the minimum to meet technical requirements.

13. While I note the evidence relating to 5G coverage in the area, little substantial evidence is before me to demonstrate that the proposed siting of the monopole would mitigate any such shortfall.
14. The Framework encourages the use of existing masts, buildings and other structures for new electronic communications capability and where new sites are required, equipment should be sympathetically designed and camouflaged where appropriate.
15. I acknowledge that the installations are designed to be fully compliant with the public exposure guidelines established by the International Commission on Non-Ionizing Radiation Protection.
16. I acknowledge the evidence regarding alternative sites. Nevertheless, in this case I cannot rule out the possibility that an alternative site might yet be found to address the Council's concerns. Furthermore, I do not consider that the above points or the operational and locational needs of the operators or national strategy to provide 5G services outweigh the significant harm I have identified from the siting and appearance of the pole in this particular location.

Other Matters

17. I also note the evidence regarding pre-application discussions. In addition, I acknowledge Sections 6 and 10 of the Framework. However, given the harm to the character and appearance of the area identified above, these points have not altered my overall decision.
18. I note the comments of the Inspectors for the cases at Woking and Claygate. However, limited further details are before me to enable a direct comparison to be made with this appeal. In any event, each case must be determined on its individual merits.

Conclusion

19. For the reasons given above, the appeal is dismissed.

R Sabu

INSPECTOR