



Appeal Decision

Site Visit made on 10 May 2021

by E Brownless BA (Hons) Solicitor (non-practising)

an Inspector appointed by the Secretary of State

Decision date: Friday, 25 June 2021

Appeal Ref: APP/Q0505/W/20/3262813

CAM Causeway, Chesterton, Cambridge, CB4 1RP

- 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 (as amended).
 - The appeal is made by HUTCHISON 3G UK LTD against the decision of Cambridge City Council.
 - The application Ref: 20/02255/TELDET, dated 29 April 2020, was refused by notice dated 16 July 2020. The development proposed is a proposed 15m Phase 8 Monopole C/W wrapround Cabinet at base and associated ancillary works.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I have amended the description of development from that given on the original application. The original application concerned a 20 metre monopole. However, during the course of the application the height of the monopole was reduced to 15 metres. I have therefore amended the description accordingly and determined the application on this basis.

Preliminary Matters and Main Issue

3. The appeal concerns a proposed telecommunications development which was refused prior approval by the Council under the terms of Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GDPO). Within certain limits the GDPO grants permission for the development of telecommunications equipment subject to a prior approval process.
4. The GDPO makes it clear that the relevant issues to consider when assessing applications for this type are the siting and appearance of the proposed development. Consequently, I consider the main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

5. The proposed installation would be sited within the grass verge at the edge of Cam Causeway. The immediate area is predominantly residential in character and is broadly characterised by two storey dwellings. The appeal site adjoins a large grassed area of public open space containing mature trees along its edges. Notwithstanding the presence of a children's play area and other recreation equipment, it is an open and largely undeveloped parcel of land that

- makes an important contribution to providing a break within the existing built form.
6. Despite the presence of a low metal railing fence, the verge along this side of Cam Causeway is devoid of street furniture. The presence of streetlights and telegraph poles is noted on the opposite side of the highway, however, these are at some distance from the open area and given the general absence of street furniture, the proposal would be viewed as an isolated form of development set on its own.
 7. The proposed mast would rise to some 15 metres and it would exceed the tree canopy by approximately 2 metres, taking the measurements shown on the provided plans, which have not been disputed by the Council. However, not all trees have grown to the same extent and some are considerably shorter in height, particularly those towards the edge of the highway and some that are adjacent to the appeal site. As a result, the proposed mast would exceed by some significant extent the existing trees and nearby built form. It would have a top-heavy appearance that would naturally draw the eye towards it. Consequently, it would appear as a bulky, intrusive and incongruous addition against the skyline.
 8. A wrap around cabinet at the base of the pole together with three additional cabinets ranging in size would be set within the verge in close proximity to the footway. By reason of their size, these cabinets are capable of being classified as permitted development. Nevertheless, notwithstanding some partial screening that would be provided by the existing hedge and vegetation, the cabinets would nevertheless remain partially visible. Given that there is a general absence of street furniture along this edge of Cam Causeway, the proposed installation would result in a proliferation of vertical features where presently there is none and thus add visual clutter to the detriment of the open and undeveloped character of the open space.
 9. The proposed external finish in grey would serve to bring attention to the proposal and would do little to help to assimilate the proposal with its surrounding environment. Even if a more suitably camouflaged finish were to be used, it would have little effect on blending the appeal scheme with its surroundings. As a result, it would stand out as an unduly prominent feature. Sited away from buildings and other tall streetscape features, the mast would be seen as a strident and incongruous addition. During the winter months when foliage is less dense, the appeal scheme would become more visually prominent. Taking account of the appellant's Zone of Theoretical Visibility maps and based on my own observations, the visual harm would be overwhelming in public views from the open space and on approach along Cam Causeway, as well as in the outlook of neighbouring residential occupiers. Overall, the siting of the proposed installation would harm the character and appearance of the area.
 10. Notwithstanding the above, the National Planning Policy Framework (the Framework) places emphasis upon the importance of communication infrastructure to economic growth and local communities, as well as changing travel patterns to reduce our carbon footprint. The proposed installation would provide new and improved connectivity to the 5G network in Chesterton. I accept that it would improve telecommunications infrastructure and provide coverage where there is a need to cover an identified gap. This accords with

the government's aims to achieve a 5G network and is a clear benefit of the scheme to which I afford moderate weight.

11. Notwithstanding this, I find that the proposed installation would cause substantial visual harm to the character and appearance of the surrounding area at this location. I consider that the benefits of 5G coverage are in this case, outweighed by the substantial visual harm to the character and appearance of the surrounding area.
12. Accordingly, for the reasons given above, the siting of the proposed installation would harm the character and appearance of the area. It would conflict with Policies 55, 56, 57, 60, 65, 67 and 84 of the Cambridge Local Plan (2018). Among other things, these policies require a high quality design that seeks to ensure that telecommunications development should be designed and located so as to minimise its visual impact on the character of, or loss of open space.

Other Matters

13. The Framework recognises that the number of electronic communications masts, and the sites for such installations should be kept to a minimum consistent with the needs of consumers, the efficient operation of the network and providing reasonable capacity for future expansion. The use of existing masts, buildings and other structures for new electronic communication capability should be encouraged. The Framework requires evidence that the possibility of erecting antennas on an existing building, mast or other structure has been explored.
14. I have had regard to the appellant's Site Specific Supplementary Information (SSSI) however, I note this considered the proposed installation of a 20 metre mast. Whilst the height of the proposed installation was reduced to 15 metres during the application process, there is no revised SSSI. Nevertheless, even if I were minded to accept the evidence of the SSSI, there are no alternative sites put forward within the designated search area. Whilst I am mindful that there are technical constraints which limit the size of the cell area, and notwithstanding the appellant's suggestion that the appeal site is the 'only viable solution and is in the most appropriate location', I have not been provided with any substantive evidence that adverse impacts would take place at alternative locations.
15. Furthermore, I note that the appeal site falls outside of the cell area and there is no clear evidence before me that demonstrates that other sites within a similar distance outside of the cell area are unsuitable. Overall, the submitted evidence fails to properly demonstrate the unsuitability of alternative sites within the locality. On the limited evidence before me, I am not satisfied that other potential sites have been properly explored, nor that those sites would cause greater harm than the appeal proposal.

Conclusion

16. For the reasons given above, I conclude that the appeal should be dismissed.

E Brownless

INSPECTOR