



Appeal Decision

Site Visit made on 12 October 2021

by Paul Martinson BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 November 2021

Appeal Ref: APP/A2525/W/21/3278939

Birch Grove, Spalding, PE11 2PW

- 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 & Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Hutchison UK Ltd against the decision of South Holland District Council.
 - The application Ref H16-0473-21, dated 25 April 2021, was refused by notice dated 17 June 2021.
 - The development proposed is described as: '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.

Preliminary Matters

2. I have taken into account the revised National Planning Policy Framework ('the Framework'), as published on 20 July 2021. Any reference to the Framework below is consequently a reference to this latest revised version. I have not sought the views of the main parties since the substantive elements of the Framework as they are relevant to the main issues remain as per the previous iteration. In addition, I have had regard to the policies of the development plan only insofar as they are a material consideration relevant to matters of siting and appearance.

Main Issue

3. The main issue is the effect of the siting and appearance of the proposal on the character and appearance of the area and, in the event that any harm is identified, whether that harm would be outweighed by the need for the installation.

Reasons

4. The appeal site is part of a wide grass verge located close to a tight bend in the road which includes the junction of Matmore Gate with Birch Grove. The verge separates the road from a high wire fence that demarcates the boundary of the adjacent school playing fields. A group of reasonably tall trees are located on the edge of the playing fields, the crowns of which extend over the appeal site. The group forms part of a larger belt that extends along this side of the playing fields towards the houses on Birch Grove. There are two lighting columns and

street signage within close proximity to the site. Residential properties are located opposite the appeal site, to both sides of Matmore Gate.

5. The proposed monopole mast would be seen alongside the existing lamp posts and would be close to the trees on the neighbouring land, the taller of which are identified on the drawings as around 10 metres in height. The equipment cabinets would be positioned towards the back of the verge adjacent to the wire fence.
6. The height of the structure and its siting at the end of a straight section of road linking Matmore Gate with Thornton Road and adjacent to the junction with Birch Road would mean that it would appear highly prominent to road users and pedestrians. Whilst there is existing street furniture in the vicinity the proposed mast would appear squat and bulky in comparison to the more elegant and slender form of the lighting columns. It would also be substantially taller and thus out of scale with these features. It would consequently represent an incongruous addition to the streetscene that would dominate its surroundings.
7. Furthermore, the significant height of the structure and the high incidence of single storey dwellings further along Birch Road and Thornton Road would mean that the visual effect of the development would be experienced over a wider area. The mast would likely be seen extending above the rooftops of some of these dwellings which would add to its visual intrusion in the area.
8. Views of the cabinets from Matmore Gate would be seen against the backdrop of trees and the fence which would offer screening of these elements in views from the north and east. However, the mast would be appreciably higher than the trees extending well above the height of their canopies. The trees would no doubt offer some screening of the lower parts of the pole, however I am mindful that this would be significantly reduced in winter or if the trees were pruned in the future, which may be necessary to accommodate the proposal.
9. The siting and appearance of the proposal would therefore harm the character and appearance of the area and would be contrary to Policies 2 and 3 of the South East Lincolnshire Local Plan (2019). These policies seek, amongst other things, to ensure that new development is of an appropriate scale, and of a high-quality design that would preserve character and appearance.
10. I note the support in the Framework for high quality communications, and that advanced, high quality, reliable communication infrastructure is considered essential for economic growth and social well-being. I also note that policies and decisions should support the expansion of the communications network, and that the delivery of 5G infrastructure is specifically referenced. However, I must balance this against the requirement for equipment to be sympathetically designed and camouflaged where appropriate, as well as the overarching imperative in the Framework for development to achieve well-designed places for the long term.
11. I therefore conclude that the appeal proposal has not been sympathetically designed as required by the Framework. I have found above that siting and appearance of the development would be harmful to the character and appearance of the area. This harm would not be outweighed by the support in the Framework for high quality communications, when weighed against the development plan harm and the wider requirements of the Framework.

12. I acknowledge that in dismissing the appeal, the appellant may consider applying for permission at an alternative site or one of those that have previously been discounted. However, I am not persuaded from the available evidence that the proposed location is necessarily the least harmful in terms of its visual effects. Furthermore, I cannot be certain that the harm would be equivalent or worse on a site elsewhere.

Other Matters

13. I have had regard to the appellant's suggestion of agreeing a colour finish of the mast in order to help to minimise its appearance and obtrusion, however, this would not overcome the concerns with regard to siting and appearance that I have identified above.

Conclusion

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

Paul Martinson

INSPECTOR