
Appeal Decision

Site visit made on 26 October 2021

by J P Longmuir BA(Hons) DipUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd December 2021

Appeal Ref: APP/X0360/W/21/3274527

Land at Knoll Farm, Gipsy Lane, Duxmere, Wokingham RG40 2BW

- 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 against the decision of Wokingham Borough Council.
 - The application Ref 203607, dated 22 December 2020, was refused by notice dated 12 March 2021.
 - The development proposed is the installation of a 27.5m high telecommunications Swann 30H lattice mast with 3no. antennas, 2no. 0.6m dishes, 2no. ground-based equipment cabinets, and ancillary development thereto. Installed within an 8.0m x 6.0m compound with a 2.1m palisade fence.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposal on the adjacent protected trees and;
 - the effect of the proposal on the character and appearance of the area

Reasons

The effect of the proposal on the adjacent trees

3. The appeal site is adjacent to trees that are part of woodland alongside two footpaths, which are well worn indicating frequent use and connect to a wider network of rights of way. The trees follow the footpaths and provide an attractive feature which contrasts with the open rough scrubland, which is the predominate landscape character.
4. The woodland is included in a Tree Preservation Order¹ made in 2012, denoted as W1, which is described in the Order as 'trees of whatever species within the Area'. The Order also covers individual oak and ash specimens to the south of the site and another more extensive area of woodland.
5. The reason for refusal refers to the lack of an arboricultural assessment. This would have been expected to assess the extent of the root protection area for the adjacent trees. Whilst the submitted plans show the mast would be located

¹ 1435-2012

outside the tree canopy, it cannot be assumed that this is the extent of the root protection area. Moreover, there may well be variations from the species of the trees, drainage, soil conditions, microclimate, aspect and slope. The trees are close to the appeal site wherein, without any submitted evidence to the contrary, I would expect that there is a likelihood of significant tree roots.

6. The mast would have a concrete base, 4.8 x 4.8m, for which ground works would be logically required. The tree roots would be typically expected to be towards the surface and the extent of these ground works would therefore be likely to lead to the severage of roots. The works would also lead to the disturbance of roots by the changing of soil conditions, potentially leading to further impact.
7. The trees nearest the mast are designated for their value as a group of woodland. The damage to the roots would be likely to lead to the loss of limbs and/or loss of trees, resulting in a reduction in the canopy spread. The disturbance to soil conditions would also impair growth. Consequently, the expanse of the collective woodland canopy would be likely to be reduced, spoiling its contribution to the landscape.
8. A surrounding fence is also proposed which would involve less ground works, but would be closer to the trees, particularly those to the north. Some root disturbance would be likely, impairing the growth of the trees.
9. The submitted details do not show that there would be any replacement planting to mitigate the potential loss of tree cover.
10. I therefore find that on the basis of the submitted evidence, the proposal would be likely to harm the adjacent trees and the woodland's contribution to the character and appearance of the area. The 'PPG Tree Preservation Orders and trees in conservation areas' states: Orders should be used to protect selected trees and woodlands if their removal would have a significant negative impact on the local environment and its enjoyment by the public. Paragraph 174 of the National Planning Policy Framework (the Framework) highlights the benefit of trees. Similarly, paragraph 131 of the Framework states that trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change.
11. I therefore conclude that based on the submitted evidence the proposal would result in significant harm to the protected trees. Policies CP1 and CP3 of the Wokingham Borough Core Strategy seek to maintain or enhance the high quality of the environment and that development is appropriate in scale and height. Policy CC03 of the Wokingham Borough Adopted Managing Development Delivery Local Plan (LP) promotes the protection and retention of trees. The proposal would be in conflict with the above policies.

The effect of the proposal on the character and appearance of the area

12. The appeal site lies just outside the southern edge of Wokingham, adjacent to the railway line with a pedestrian bridge and electricity substation. It is on the edge of a field close to an area of woodland which joins an area of rough grassland, crossed by several well used footpaths. There are two rows of overhead pylons, one being particularly tall.

13. To the other (north side) of the railway line, on the edge of the town, is a large recreation ground. This is on rising land which allows outward views over some of the adjacent houses towards the open countryside and the appeal site.
14. The site is within the western part of the Thames Valley National Character Area, which is described as mainly low lying, a diverse landscape including urban and suburban settlements, infrastructure, fragmented agricultural land, commons and woodland. The site is within the Wokingham Borough Landscape Character Assessment Holme Green Pastoral Sandy Lowland area. This notes the gently undulating form, the tributaries of Emm Brook, scrubby vegetation including woodland and agricultural pasture. This reflects the character of the area south of the railway line.
15. The appeal site lies within an area designated in the South Wokingham Strategic Development Location SPD as a transition area between existing development at Knoll Farm and greenspace to the west.
16. The cabinets would be positioned to one side of the mast and both would be surrounded by an 8 x 6m fence with a 2.1m height. The elevations show the mast would be a 27.5 m high triangular structure and tapering towards the top. The attached antenna would be at the top but even accumulatively they would be small.
17. An LVIA has been submitted which shows the mast would be visible from various public viewpoints, which I saw on my site visit.
18. One of the close viewpoints is from the railway bridge, where the adjacent trees would filter some of the view but not completely and particularly so in winter. However, the mast would be experienced in conjunction with the railway lines and electricity substation and consequently would not appear obtrusive from this aspect.
19. The mast would be visible from viewpoints on footpaths to the south. The adjacent trees would provide some screening, but not wholly, so that the top of the mast would be evident and more so during winter. Some of these views are short range where the mast would be readily perceptible as an incongruous unnatural structure and out of scale. It would detract from the woodland which provides an attractive feature amongst the otherwise open common with wide vistas. However, the mast would be experienced with the overhead pylons which attract considerable attention due to their height, attached wires and extent of canopy structure. This would reduce the impact of the mast, so that I consider it would moderately detract from the views from the surrounding footpaths.
20. The mast would be seen from several points in the recreation ground. This is an attractive rectangular grassed open space lined by a variety of houses. The upper part of the mast would be visible above the roofs but would be partially masked and filtered by tall trees. The structure would be slender and would form a very small component of the view. Additionally, from several viewpoints, at the south eastern and south western corners of the recreation ground, the supporting towers of the pylons are visible. Accordingly, I find that the proposal would minimally detract from the character of the recreation ground, its fronting buildings and the outward views.

21. The cabinets, concrete plinth and fencing would be incidental and smaller scale. Consequently, they would not appear obtrusive to the surroundings.
22. I note the extract in the case officer's report of the proposed new road, which is suggested would result in some clearance of vegetation in that vicinity. The Council suggest that this would increase visibility of the appeal site, however that road is not built yet and the impacts may not yet be fully quantified, so it is not intrinsic to my decision.
23. I note the Council have provided decisions of other masts dismissed on appeal. However, the particular impacts will vary according to the detailed nature of the site and surroundings. I cannot ascertain whether these locations are wholly comparable to this site, its surroundings and the landscape.
24. I therefore conclude that the proposal would cause moderate harm to the character and appearance of the area. Policies CC03 and TB21 of the LP seek to promote green infrastructure and protection of the landscape, especially its features. The proposal would be in conflict with these policies.

Other matters

25. The case officers delegated report describes the site as 200m away from the Murdoch Road Conservation Area. The proposal would be sufficiently distanced to avoid visual impact and the pylons also dominate the skyline. I am also aware that the Langborough Road Conservation Area adjoins the Murdoch Road designation, which is slightly further away still, so would not impact. There are several listed buildings in the area, including the Grade 1 seventeenth century listed hospital (almshouses) and its outbuildings as well as the Grade II listed South Drive. However, these are distinct from the site and I have not been made aware of any historic connection with the appeal site. I note the Council officers in their delegated report had no objection on heritage grounds and I concur.
26. The appellant summarises their assessment of the feasibility of alternative sites. Whilst these are noted, the Council have raised the potential for installation of telecommunications on the electric pylons (subject to that notification regime). The 'Little Hill Pylon, near Maidenhead' site is quoted as such an example. Given these pylons are existing structures, the potential is worthy of consideration, but no response has been provided in any final comments. Consequently, the potential for the above alternative site, perhaps lesser impacting, has not been disproved.

Planning balance

27. The documentation from the appellant shows that there is a poor connection in reception of signals along this part of the railway between Bracknell and Wokingham stations. The train passengers would benefit from good digital connections: this would help those working on the train as well as those communicating socially. Paragraph 114 of the Framework states that advanced high quality and reliable communications infrastructure is essential for economic growth and social well-being.
28. However, without evidence to the contrary the proposal would be expected to harm the extent of the adjacent woodland canopy and its contribution to the character and appearance of the area. The trees are protected and therefore this warrants significant weight. There would also be an adverse impact on the

landscape from the presence of the mast. Given the number of viewpoints and the perceptibly well used nature of the footpath network, this would be a moderate impact. The Development Plan and Framework support the retention of protected trees and the protection of the character of the area and the proposal would be in conflict. Paragraph 115 of the Framework emphasises the need for telecommunications equipment to be sympathetic to the character of the area.

29. I therefore find that the proposal would be in conflict with the Development Plan and the impacts of the proposal would outweigh the benefits.

Conclusion

30. I therefore conclude that the appeal should be dismissed.

John Longmuir

INSPECTOR