



Appeal Decision

Site visit made on 15 December 2021

by Rachael Pipkin BA (Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th January 2022

Appeal Ref: APP/R0335/W/21/3275787

Calfridus Way Playing Field, The Wayz, Calfridus Way, Bracknell RG12 9ET

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3(1) and 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 EE Ltd against the decision of Bracknell Forest Borough Council.
 - The application Ref 20/01061/RTD, dated 18 December 2020, was refused by notice dated 26 February 2021.
 - The development proposed is the installation of 1 No. 25m high Swann type A column, with 3 No. antennas, 2 No. 0.6m dishes, 2 No. ground-based equipment cabinets, and ancillary development thereto. Installed on a 8.0m x 6.0m compound within 2.1m high palisade fence.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (GPDO 2015), under Article 3(1) and Schedule 2, Part 16, Class A, Paragraph A.3(4) require the local planning authority to assess the proposed development solely on the basis of its siting and appearance, taking into account any representations received. My determination of this appeal has been made on the same basis.
3. The principle of development is established by the GPDO 2015 and the provisions of Schedule 2, Part 16, Class A of the GPDO 2015 do not require regard be had to the development plan. I have had regard to the policies of the development plan which includes the Bracknell Town Neighbourhood Plan 2021 (BTNP) and the National Planning Policy Framework (Framework) only in so far as they are a material consideration relevant to matters of siting and appearance.
4. The Council's decision notice refers to Policy EV3 of the BTNP. The BTNP was made on 27 October 2021 following the Council's decision. Policy EV3 has been replaced by an amended Policy EV2 in the made plan. I have therefore had regard to this policy in my decision.

Main Issues

5. The main issues are the effect of the siting and appearance of the proposed development on:
 - the character and appearance of the area;

- the role and function of a local green space; and
- if there is any harm caused, whether this is outweighed by the need to site the proposal in the location proposed, having regard to the availability of alternative sites.

Reasons

Character and appearance

6. The appeal site is a small plot of land within an area of publicly accessible open land forming the Calfridus Way playing field. The playing field is partially enclosed on its boundaries by trees and largely given over to grass with some modest areas of hardstanding forming designated play areas. It has a verdant character and provides an open area within an otherwise built up area.
7. The proposed development is for a base station and a 25 metre high telecommunications mast enclosed by a 2.1 metre high palisade fence. It, would be positioned in the south-east corner of the playing fields close to the southern boundary of the playing fields which is formed by the main railway line to London Waterloo positioned at the top of a vegetated embankment. A small area of woodland lies to the east of the site.
8. The proposed mast and associated equipment would be visible in views from the north and west, the woodland and railway embankment largely blocking views from other directions. From within the playing fields, the high fencing enclosing the equipment and the tall mast would be visually prominent. Set against a wooded backdrop and the vegetated railway embankment within an area of grassland, these would appear as stark, industrial and alien features.
9. The use of a light grey colour would give the proposed development a muted appearance. In some circumstances, it would reduce its visual impact, such as when viewed against a grey sky or the trees when they have lost their verdant appearance during winter months. However, it would not disguise the proposal from views either from within the playing fields or through the gaps in boundary trees. The use of an alternative colour such as a fir green as suggested by the appellant could reduce its visual impact, particularly during the summer but less so in winter months. Therefore, it would not overcome the harsh appearance of the proposal within the natural setting of the playing field.
10. In order to provide the antennas with a clear line of sight, the proposed mast would be a little taller than the surrounding trees, the headframe of which would be visible from the surrounding area. However, since it would be viewed in the context of the variable heights of the trees, in long distance views of the site it would not be unduly prominent.
11. Residential development along the west side of Ralphps Ride and along Calfridus Way face towards the playing fields. The boundary trees restrict views into the playing fields from these properties. These trees, many of which are of a similar height to the proposed mast, would provide some screening of the proposed development from the closest residential properties. Furthermore, due to the distance between these properties and the proposed base station, the harm in terms of visual intrusion for these occupants would be limited.
12. The playing field is, however, well used by members of the public as well as Bracknell Rugby Club. Whilst the proposal has been sited so that it is located

on the edge of the playing field away from residential properties, it would be close to one of the rugby pitches within the playing fields where it would appear prominent to players and spectators alike.

13. The proposed development would give rise to some localised harm, predominantly restricted to views from within the playing fields. However, this is a well-used and publicly accessible area and the harm arising from the proposal would be experienced by many. For these reasons, I conclude that the proposed development would significantly harm the character and appearance of the area.

Role and function of the local green space

14. The playing field is designated as a local green space. It comprises sport pitches and play equipment as well as open space. I observed on my site visit, that the playing field is well used by dog walkers.
15. Due to its position in the corner of the playing field away from the primary area of open land and close to the railway embankment, the siting of the equipment would not directly affect any designated play areas or pitches. The site's very small footprint within the context of the wider playing field, would result in a minimal reduction to the overall size of the area. This has been assessed as less than 0.25 per cent of the playing field in total. It would not therefore result in any material reduction in the capacity of the playing fields. It is noted that Sport England who are a statutory consultee on such matters, reached very similar conclusions. As such, the role and function of the local green space would be maintained.
16. I appreciate that the proposed fenced enclosure would not be far from the rugby pitch. This may give rise to an increased risk of the ball getting kicked into the compound. However, it seems to me that this risk is no greater than the ball getting kicked beyond the playing fields into the adjacent railway embankment. There is limited space between the touchline of the rugby pitch and the hedges next to the railway line. Access to the proposed site would be provided in this area. However, even with such an access provided, it would be used only when the proposed development required any maintenance which the appellant has indicated would be once every 3 to 6 months. This would therefore not materially impact on this space.
17. Policy EV2 of the Bracknell Town Neighbourhood Plan 2021 seeks to protect and maintain local green spaces including Calfridus Way Playing Field and states that new development is ruled out except in very special circumstances.
18. I have considered the proposal against this policy in so far as it relates to matters of siting and appearance. To this end I have taken into account the effect of the proposal against the stated intent of the policy which is to give Bracknell Town's residents the maximum ensuing aesthetic, ecological and recreational benefits.
19. I have already addressed matters in relation to the aesthetic benefits in my assessment of the character and appearance above and shall not consider it further here.
20. I have found no harm to the recreational function of the playing field, therefore the recreational benefits of the local green space would be retained. In

addition, there is no evidence that the proposal would adversely affect the ecology of the green space.

21. For the above reasons, I conclude that the siting and appearance of the proposed development would not harm the role and function of the local green space.

Alternative sites

22. The appellant has set out the equipment is specifically required to provide coverage to the adjacent railway line and its siting and height has been driven by this requirement as well as feedback from the Council at pre-application stage. The siting of the proposed equipment is therefore necessarily close to the railway line and within those areas where there is currently inadequate coverage.
23. The appellant has considered alternative siting and design options to provide the required coverage to the railway. There are no suitable tall buildings or structures within the locality that would meet the target coverage area. The local area has many areas of open land where the proposed development, with its modest footprint, could be accommodated. The appellant has advised that these have been eliminated for various reasons, including proximity to the target coverage area, surrounding height of trees, interference with visibility splays and access constraints. The elimination of these sites has not been disputed by the Council.
24. A list of ten possible alternative sites have been identified. However, these have all been discounted as either unavailable or less desirable in terms of their integration into their environment when compared to the appeal proposal. The information provided in relation to these alternative sites is of a very limited nature, especially as to whether the alternative locations would be as intrusive in the public realm.
25. The Framework states that applications for electronic communications development should be supported by the necessary evidence to justify the proposed development. In this case, such evidence is lacking as regards alternative sites.
26. In coming to this view, I am mindful that since prior approval for the appeal scheme was refused, the Council has granted prior approval¹ for a new 20 metre high mast on the corner of Ralphs Ride and Calfridus Way which is within the search area for the appeal scheme. This was evidently found to be acceptable in terms of its siting and appearance. This suggests to me that the initial site search in relation to the appeal scheme was not sufficiently robust.

Other Matters

27. The Framework recognises that high quality and reliable communications infrastructure is essential for economic growth and social well-being and it therefore supports the expansion of electronic communications networks, including 5G.
28. The scheme would provide enhanced coverage to the railway network as well as to the surrounding area. The scheme would also contribute to the

¹ Council Ref 21/00545/RTD

connectivity on trains, including to WiFi provision. It would also form part of the new 4G Emergency Services Network use for emergency services to communicate. These would be public benefits of the scheme.

29. The Council has however, suggested that the technical justification for development is now superfluous following the implementation of the approved mast on the corner of Ralphs Ride and Calfridus Way. This approved mast would be operated by EE Ltd and the same operator as the appeal scheme. It provides the same public benefits the appeal scheme proposes to deliver, including enhanced coverage along the same section of the railway network.
30. Paragraph 118 of the Framework establishes that local planning authorities should not question the need for an electronic communications system. However, in view of the recent implementation of this alternative mast, I consider the proposed public benefits of the appeal scheme carry limited weight.

Planning Balance and Conclusion

31. The siting and appearance of the proposed development would significantly harm the character and appearance of the area. However, it would not harm the role and function of the local green space. There is insufficient evidence to justify the proposed development in this location, having regard to the location of alternative sites and the requirement to provide coverage to the railway line.
32. In the context of the implementation of a telecommunications mast for the same operator within close proximity to the appeal scheme, the appeal scheme would now provide limited public benefits. Consequently, there are insufficient benefits to outweigh the harms that I have found.
33. For the reasons given above, I conclude that the appeal should be dismissed.

Rachael Pipkin

INSPECTOR