



Appeal Decision

Site visit made on 2 February 2022

by L J O'Brien BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 March 2022

Appeal Ref: APP/E0345/W/21/3277469

BATH ROAD DNS, Highway land on Bath Road, Southcote, Reading, RG30 3QE

- 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 MBNL (EE (UK) LTD & H3G (UK) LTD) against the decision of Reading Borough Council.
 - The application Ref 191499, dated 6 September 2019, was refused by notice dated 23 March 2021.
 - The development proposed is Installation of a new 20m high Street Works Pole along with additional equipment cabinets and ancillary development.
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Decision

1. The appeal is dismissed.

Preliminary Matter and Main Issue

2. The Council initially included a reason for refusal which stated that "*the proposed development has failed to demonstrate that it would be in full compliance with the requirements of the radio frequency (RF) public exposure guidelines of ICNIRP (International Commission on Non-Ionizing Radiation Protection) and as such the health implications of the development, with respect to its specific siting, have not been demonstrated*". However, during the course of the appeal the required certification was submitted and accepted by the Council.
3. Consequently, the main issue is the effect of the proposal on the character and appearance of the area, including the effect on Prospect Park and on nearby highway trees.

Reasons

4. Bath Road is a wide, busy road which was fairly regularly trafficked at the time of my site visit. However, the road is lined by large mature trees and, in the broad location of the appeal site, is bordered by a large area of park land on one side and by a wide strip of green space on the other. Lampposts, the existing monopole and other paraphernalia which line the road are largely subsumed into, and screened by, surrounding greenery. Other boundary treatments are generally discreet and of a low level. Consequently, the area has a verdant and uncluttered character and appearance. The appeal site is situated on highway land along this road.

5. The proposal is for a 20m pole with additional equipment cabinets and associated ancillary development in order to improve digital wireless, mobile coverage within the area with new equipment to facilitate 5G coverage.
6. The proposed mast would be significantly taller than the existing monopole on the site and would also have an apparently larger and more eye-catching design. The proposal would sit significantly above the mature tree line and, due to its size and appearance, would appear as a visually jarring feature within its context adding visual clutter which would detract from the verdant, clean, character of the area. The proposal would be prominent in views towards, and views from within, the park and would appear as an alien feature within this setting.
7. The trees in the area have substantial amenity value and make an overtly positive contribution to the character and appearance of the area. Indeed, the Council state that the tree line to the south of Prospect Park has been identified within the Reading Borough Council Tree Strategy as an area with high treescape value. I note that the appellant states that the trees would not be removed or harmed as part of the proposal and that works would be carried out in accordance with British Standards. However, in the absence of specific, formal arboricultural evidence relating to the current proposal, I have been provided with little substantive information to demonstrate the ways in which the future health of the trees would be secured. I am not persuaded that these visually important trees would not be harmed by the proposal itself or by future pressure to reduce or fell the trees in order to protect the desired performance of the equipment.
8. I recognise that this location was chosen on the basis of a number of factors with the aim of limiting any potential impacts of the scheme. Indeed, the National Planning Policy Framework (the Framework) states, at paragraph 117, that supporting evidence for a new mast or base station should include 'evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure'. However, limited information with regards to other potential sites has been provided and, in my view, the evidence before me is not sufficient to satisfy me that the appellant has expressly considered or discounted potential alternatives.
9. I acknowledge that the proposal would deliver economic and social benefits including the ability to advance 5G technological innovations, in accordance with paragraph 114 of the Framework. However, on the basis of the evidence before me, I do not consider that this would be sufficient to outweigh the very significant harm that would be caused to the character and appearance of the area in this instance.
10. Therefore, for the reasons set out above, I consider that the proposal would cause harm to the character and appearance of the area and have an adverse effect on Prospect Park and on nearby highway trees. Furthermore, I consider that the search for and assessment of alternative sites is not sufficiently robust and I cannot be certain that there are no other sites available where the harm would be less severe.
11. Consequently, the proposal would conflict with Policies CC7, EN14 and OU3 of the Reading Borough Local Plan, adopted November 2019 (LP). Amongst other things, Policy CC7 seeks development to be of a high design quality that maintains and enhances the character and appearance of the area. Policy EN14

states that individual trees and groups of trees will be protected from damage or removal where they are of importance. Policy OU3 relates specifically to telecommunications development and sets out that proposals will be permitted provided that they do not have an adverse impact on the visual amenity of the surrounding area, are sited and designed so as to minimise visual impact and alternative sites and site-sharing options have been fully investigated and it has been demonstrated that no preferable alternative sites are potentially available.

Conclusion

12. For the reasons given above I conclude that the appeal should fail.

L J O'Brien

INSPECTOR

