



Appeal Decision

Site visit made on 21 February 2022

by Andrew Smith BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th March 2022

Appeal Ref: APP/W2845/W/21/3284876

Cold Ashby Road, Elkington NN6 6HG

- 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 GPDO).
 - The appeal is made by CK Hutchinson Networks (UK) Ltd against the decision of West Northamptonshire Council.
 - The application Ref WNPDP/2021/0014, dated 10 July 2021, was refused by notice dated 2 September 2021.
 - The telecommunications installation proposed is a 20.0m Phase 8 Monopole C/W wraparound Cabinet at base and associated ancillary works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The principle of development is established by the GPDO. Even so, Schedule 2, Part 16, Class A, Subsection A.3 requires, amongst other provisions, a developer to apply for a determination as to whether prior approval will be required as to the siting and appearance of the development. I shall have regard to the policies of the development plan and the National Planning Policy Framework (July 2021) (the Framework) only in so far as they are material considerations relevant to matters of siting and appearance.

Main Issue

3. Whether or not the siting and appearance of the proposed development is acceptable, having particular regard to its visual impact and the scheme's benefits.

Reasons

4. The site is located within the Hemplow Hills, Cottesbrooke and Brington Special Landscape Area (the SLA), which encompasses a series of rolling hills and valleys as well as areas of woodland often situated on rising ground. Consistent with these broad characteristics, the site's surroundings are comprised of, for the most part, an undulating patchwork of agricultural fields often bounded by established hedgerows.
5. The A14 (a major trunk road) is crossed by Cold Ashby Road near to the site. However, the closest stretch of this route runs a cutting and is not served by regularly positioned streetlighting columns. Thus, in the context of the site that is under consideration, the A14 has a discreet presence. Indeed, whilst

some barricading/fencing associated to the Cold Ashby Road crossing have a close visual relationship to the site, these constitute unobtrusive low-level installations.

6. The proposed monopole, whilst of relatively slimline design (being intended to serve a single operator), would appear as an imposing and urbanising addition when experienced from a range of publicly accessible vantage points close by. This is most particularly due to its proposed height. Indeed, the established hedgerow and trees that would be situated in immediate proximity to the monopole, would offer limited screening at low-level whilst any backdrop of vegetation experienceable would provide ineffectual mitigation. In the absence of any remotely similar installations nearby, the monopole would appear as a conspicuous and unsympathetic addition to the SLA.
7. Thus, whilst the intended base-level and ancillary works would avoid causing any significant harm, the proposed monopole, however coloured, would contrast harshly with the verdant and rural qualities of its open countryside setting. The scheme would thus cause harm by virtue of its visual impact.
8. As set out in the Framework, advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being and planning decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections. The scheme would be in line with Government aspirations in this context and would support high quality communications and digital connectivity by offering 5G services.
9. I have no reason to doubt that the scheme would deliver tangible improvements to communication networks in the area. Indeed, the Framework indicates that the need for electronic communication systems should not be questioned when determining development schemes. I also accept that the position of the newly proposed equipment would need to complement the existing network so as to promote continuous network cover. As a result, the search area that was identified for the purposes of site selection was necessarily constrained in size.
10. However, whilst alternative sites were considered and discounted as part of the appellant's site selection process, detailed supporting information to fully corroborate that an exhaustive search of all possible sites was undertaken and that potential alternatives were discounted on reasonable grounds is not before me.
11. Moreover, the search area identified by the appellant is centred upon a stretch of the A14 that is serviceable by accessible laybys to both of its sides. To my mind, when noting the reduced visual sensitivities that would almost certainly apply to a monopole erected within this transport corridor, it is reasonable to require clear and comprehensive supporting evidence. Indeed, whilst reasons (for discounting site options) such as insufficient space, the presence of underground services and an obstructing tree canopy have been stated, these have not been substantiated through supporting documentation. For example, maps/plans clearly illustrating the positions or implications of the constraints identified have not been submitted.

12. Notwithstanding the above considerations related to the potential availability of alternative sites, the public benefit of improved digital communications networks still attracts considerable weight. Nevertheless, I have identified that the proposal would cause harm in a visual impact sense. The scheme's benefits would not outweigh this significant harm.
13. For the above reasons, the siting and appearance of the proposed development would not be acceptable having particular regard to its visual impact and the scheme's benefits. The proposal conflicts with Policies RA6, ENV1, ENV2 and ENV10 of the Settlements and Countryside Local Plan (Part 2) (February 2020) and with the Framework in so far as these policies set out that the intrinsic character, beauty and tranquillity of the open countryside of the District will be recognised, and that the special qualities of the District's Special Landscape Areas will be protected.

Conclusion

14. For the above reasons, the appeal is dismissed.

Andrew Smith

INSPECTOR