



Appeal Decision

Site visit made on 6 April 2022

by John Felgate BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 7 April 2022

Appeal Ref: APP/W0530/W/21/3282882

Land at Newmarket Road, Stow cum Quy, Cambridgeshire

- 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 CK Hutchison Networks (UK) Ltd against the decision of South Cambridgeshire District Council.
 - The application Ref 21/02979/PRI16A, dated 19 June 2021, was refused by notice dated 18 August 2021.
 - The development proposed is "20.0m Phase 8 Monopole, c/w wraparound Cabinet at base and associated ancillary works".
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Decision

1. The appeal is allowed and approval is granted, under the provisions of Article 3(1) and Schedule 2, Part 16, Class A, of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), for the siting and appearance of a 20.0m Phase 8 Monopole, with wraparound cabinet at base and associated ancillary works, on land at Newmarket Road, Stow cum Quy, Cambridgeshire, in accordance with the application Ref 21/02979/PRI16A, dated 19 June 2021, and the plans submitted with it.

Reasons

2. The Council's reason for refusal relates to the development's visual impact on the character and appearance of the surrounding area, due to its height, scale, siting and design.
3. The appeal site comprises part of the highway verge adjacent to Newmarket Road, which forms part of the A1303. This section of the road is largely straight and level, and designed to modern A-road standards, with three lanes, central refuges, hatch markings, keep-left bollards, other signage, and 10m-high lighting columns. The speed limit is 60 mph, and at the time of my visit, there was a moderately high volume of traffic, generally travelling at high speeds. Although there is a segregated footway on one side, with a restaurant and some scattered dwellings nearby, I saw little pedestrian or non-motorised activity. The surrounding landscape is generally flat and featureless. Overall therefore, the local environment is dominated by the road and its traffic.
4. The proposed development would comprise a 20m-high supporting mast, with a top-mounted GPS module and three antennae contained in a headframe. The proposed cabinets would comprise a series of small, low-level metal boxes, arranged close together in a compact row, adjacent to the mast. The Council's objections relate only to the mast itself.

5. The proposed mast would be a relatively tall structure. However, the pole itself, and the equipment mounted on it, would be slim and uncluttered. Self-evidently, the proposed design is functional in nature, being primarily governed by the purpose that the mast is intended to serve, and the relevant technical and operational requirements. But nevertheless, the appearance would to my mind be sleek and modern, and in my view, not unattractive. I appreciate that such matters are subjective, and opinions may differ. But in this case, in my view, the design is one to which no reasonable objection could be taken.
6. The development would be seen primarily by drivers and passengers in moving vehicles, either on Newmarket Road itself, or on the two nearest side roads, Little Wilbraham Road and Albert Road. In all such views, the proposed mast would be visible from some distance away, and would be seen in the context of the dominant main road and its existing highway infrastructure, including in particular the lighting columns. From Little Wilbraham Road, the mast would also be seen against a partial backdrop of trees. From Albert Road, only the top would be visible above the trees and occasional buildings. Having regard to the nature of the surrounding area, and its relative lack of sensitivity, it seems to me that the development would not be likely to appear unduly dominant or prominent in this context.
7. For these reasons I consider that the appearance and siting of the proposed development would be acceptable, and would cause no discernible harm to the area's character or appearance. It follows that I find no conflict with any of the relevant policies of the South Cambridgeshire Local Plan (the SCLP), adopted in September 2018. In particular, I am satisfied that the development would preserve the character of the rural area and respond to its context, as required by SCLP Policy HQ/1, and would respect and retain the distinctiveness of the landscape in accordance with Policy NH/2.

Other matters

8. Although the site is within a Green Belt (GB), there is no suggestion that the proposal would constitute inappropriate development in terms of the relevant GB policies. In any event, the permitted development rights conferred by Class A of Part 16 apply equally in GBs as elsewhere. In the circumstances, SCLP Policy S/4 is not applicable. Furthermore, in the light of my findings above, I find no conflict with Policy NH/8, which seeks to protect the GB's rural character and openness.
9. In the National Planning Policy Framework, paragraph 114 emphasises the importance of advanced, high-quality and reliable communications infrastructure, for reasons of economic growth and social well-being, and accordingly, planning authorities are urged to support the expansion of electronic communications networks. In the present case, the appellants' evidence that the development is essential for the roll-out of 5G coverage is unchallenged. These considerations add further weight in favour of the appeal, and reinforce my view that the objections raised in this case are clearly outweighed by the proposed development's benefits.

Conclusion

10. For the reasons set out above, the appearance and siting of the proposed development are acceptable. The appeal is therefore allowed.

J Felgate
INSPECTOR