
Appeal Decision

Site visit made on 29 March 2022

by Martin Chandler BSc, MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 April 2022

Appeal Ref: APP/J0350/W/21/3281075

Junction of Halkingcroft with Middlegreen Road, Weham Court, Slough, Berkshire SL3 7BW

- 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 appeal is made by CK Hutchison Networks (UK) Ltd against the decision of Slough Borough Council.
 - The application Ref X/00103/002, dated 19 May 2021, was refused by notice dated 13 July 2021.
 - The development is proposed 5G telecoms installation: 15m high 'slim line' Phase 8 H3G street pole c/w wrap around cabinet and 3no. cabinets with ancillary works– to be coloured green.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the siting and appearance of the proposed development on the surrounding area, and whether any harm caused would be outweighed by the need to site the installation in the proposed location, having regard to the potential availability of alternative sites, and the requirements of national policy.

Reasons

3. The appeal site forms part of an open and spacious 'T'-junction. Either side of the junction are generous grass verges that provide a pleasing verdant quality to the established suburban surroundings. The grass verge in which the proposal would be sited hosts a diagonal footpath as well as a number of mature and substantial trees, all of which contribute to the pleasant and open environment. Street furniture close to the appeal site is currently limited to inconspicuous and low-level cabinets, as well as bins, road name signs and relatively small lampposts. Accordingly, the street furniture plays an entirely subservient role to the open and verdant nature of the broader surroundings.
4. The proposal would introduce a number of cabinets that would be of a more substantial appearance to the existing furniture. They would address the footpath, albeit with a marginal setback, and would create a substantial bank of structures that would span much of the footpath with very little space between. In addition, based on the evidence before me, the height of the proposed street pole would be taller than the substantial trees on the grass verge.

5. Due to the height of the street pole and the extent of the cabinets, the totality of the installation would result in a significantly dominant and imposing addition to the site. The size, height and layout of the installation would entirely overwhelm the pleasing surroundings in a manner that would be distinctly at odds with the verdant environment. The proposal would fail to integrate with the existing street furniture and instead, would be of a scale that would be fundamentally incongruous to the surroundings.
6. I note the appellant's view that the proposal seeks to strike a balance between operational requirements, network improvements, and environmental harm. However, although it is a revised proposal from that previously refused, for the reasons identified above, significant reservations remain regarding the proposed siting and appearance. I also note that other sites have been discounted. Nevertheless, based on the evidence before me, the site selection process does not appear to be particularly exhaustive, and the reasons given for discounted alternative sites are supplemented with very little detailed justification. Accordingly, in my view, the evidence before me fails to present a particularly compelling argument for the appeal site being the preferred location.
7. Paragraph 114 of the National Planning Policy Framework confirms that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being, and that planning policies and decisions should support the expansion of electronic communication networks, including next generation mobile technology. The proposal would provide new 5G network coverage and therefore the Framework lends support to the appeal.
8. However, for the reasons identified above, the harm that would be caused to the character and appearance of the area would be of fundamental concern, and although not located within a conservation area, in my judgement, the level of harm would substantially outweigh these other considerations. Consequently, I conclude that the harm caused by reason of siting and appearance would substantially outweigh the need to site the installation in the proposed location, having regard to the potential availability of alternative sites, and the requirements of national policy.

Conclusion

9. The appeal should be dismissed.

Martin Chandler

INSPECTOR