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# Appeal Decision

Site visit made on 27 April 2022

**by Bhupinder Thandi BA (Hons) MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 4 May 2022**

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**Appeal Ref: APP/W0530/W/21/3283154**

**Horningsea Road, Fen Ditton, Cambridge CB5 8SZ**

- 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 21/03223/PRI16A, dated 4 July 2021, was refused by notice dated 2 September 2021.
  - The development proposed is 20.0m Phase 8 Monopole C/W wrapround Cabinet at base and associated ancillary works.
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## Decision

1. The appeal is dismissed.

## Procedural Matters

2. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (GPDO), 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. Accordingly, the principle of development is not a consideration and the question of whether or not the proposal represents inappropriate development in the Green Belt does not arise. My determination of this appeal has been made on the same basis.
3. The principle of development is established by the GPDO and the provisions of Schedule 2, Part 16, Class A of the GPDO do not require regard to be had to the development plan. I have had regard to the policies of the development plan only in so far as they are a material consideration relevant to matters of siting and appearance.

## Main Issues

4. The main issues are:
  - The effect of the proposed development upon the character and appearance of the area including whether it would preserve or enhance the setting of a listed building; and
  - The effect of the proposed development upon the pedestrian environment and Horningsea Greenway.

## Reasons

### *Character and appearance including the impact on heritage assets*

5. The appeal site is a grass verge on the western side of Horningsea Road. The road is wide with generous grass verges and a shared pavement/ cycleway. The surrounding area is largely flat and undeveloped characterised by agricultural fields and open countryside. There are clusters of built form extending along the road, but otherwise development is sporadic. The character of the road and the sporadic nature of the existing built form contribute to the verdant and rural character of the immediate area.
6. I acknowledge that installations must be clear of clutter. However, the proposed development would appear as an unduly tall, stark and incongruous feature within the street scene and out of keeping with its rural context. It would be considerably prominent projecting significantly above vertical elements along the street including trees, street lighting and nearby development which would offer little in the way of screening.
7. Seen in views over long distances, the proposed development would be at odds with the open and rural character of the area. It would be an unduly prominent feature and this visual impact would be compounded by the thickness of the monopole and the antenna at the highest part.
8. St Mary Virgin Parish Church is a Grade II\* Listed Building located between the River Cam and Fen Ditton. The tower is visible from viewpoints along Horningsea Road over the tops of trees. The mast would be seen in the context of the Church in viewpoints along the road. However, given the distance between the two and intervening tree belts and built form it would not be read as a competing feature in views.
9. Despite the above, the proposed mast and associated cabinets would be an unduly urban feature and whilst localised would unacceptably undermine the area's verdant and rural appearance and its contribution to the setting and significance of St Mary Virgin Parish Church.
10. Whilst the colour of the monopole and cabinets could be secured by a suitably worded condition, given the siting and height of the proposal, it would not overcome the harm that I have identified.
11. I conclude that, due to its siting and appearance, the proposed development would have a harmful effect upon the character and appearance of the area and would unacceptably harm the setting of statutory listed St Mary Virgin Parish Church, and insofar as they are a material consideration, would be contrary to the aims of Policies S/2, HQ/1 and NH/14 of the South Cambridgeshire Local Plan (2018) (LP) which, amongst other things, seek to protect the area's built and natural heritage; preserve or enhance the character of the local rural area, respond to its context in the wider landscape; be compatible with its location and sustain and enhance the significance of heritage assets including their setting.

### *Pedestrian environment and Horningsea Greenway*

12. My attention has been drawn to the Horningsea Greenway project which includes the widening of the shared footpath/ cycleway along the road to create a mixed-use sustainable travel route through Cambridgeshire. The proposed

mast and cabinets would be positioned on an area that is to be widened as part of the project.

13. Whilst at the time of the site visit I noted that the works to the Horningsea Greenway are yet to begin the proposed development would inhibit implementation of the project and the promotion of sustainable travel locally. The position of the mast and cabinets would lead to a section of uncharacteristically narrow pavement creating an obstruction. This would adversely affect the movement of pedestrians and cyclists along the road.
14. As such, I find that the proposed development would adversely affect pedestrian movement contrary to LP Policies HQ/1(i) and TI/2 which, amongst other things, seek the protection and improvement of existing cycle and walking routes. It would also be contrary to Paragraphs 110 and 111 of the National Planning Policy Framework (The Framework) which, amongst other things, encourage appropriate opportunities to promote sustainable transport modes and prevent development that would have an unacceptable impact on highway safety.

### **Planning balance**

15. The Framework advises that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. It also outlines that the expansion of electronic communications networks, including next generation mobile technology, should be supported.
16. The mast is required to provide new 5G network coverage in the area. I acknowledge that care has been taken to site the proposed development including pulling it away from nearby properties. I note that cell coverage is constrained and there are a lack of suitable locations and site sharing is not a viable option therefore the proposed site is the only realistic option. I also acknowledge the economic and social benefits associated with such development as set out in Paragraph 114 of the Framework.
17. However, I must balance this against the requirement for equipment to be sympathetically designed and camouflaged where appropriate, as well as the overarching imperative in the Framework for development to achieve well-designed places for the long term and the desirability of sustaining and enhancing the significance of heritage assets.
18. For the reasons set out above I find that the proposal would be harmful to the pedestrian environment, the character and appearance of the area including unacceptably harming the setting of a statutory listed building, and do not consider that harm to be outweighed by the general support in the Framework for high quality communications.

### **Conclusion**

19. For the reasons set out above the appeal does not succeed.

*B Thandi*

INSPECTOR