



Appeal Decision

Site visit made on 12 April 2022

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 May 2022

Appeal Ref: APP/M2840/W/21/3286678

Stanwick Parish Fields, Raunds Road, Northamptonshire NN9 6TE

- 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 (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by CK Hutchinson Networks (UK) Ltd against the decision of North Northamptonshire Council.
 - The application Ref NE/21/01249/PNT, dated 6 August 2021, was refused by notice dated 29 September 2021.
 - The development proposed is 15.0m Phase 8 monopole C/W wrapround cabinet at base and associated ancillary works.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The provisions of Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO), 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. 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 be had to the development plan. I have had regard to the policies of the development plan and the National Planning Policy Framework (the Framework) only in so far as they are a material consideration relevant to matters of siting and appearance.

Main Issue

4. In light of the above, the main issue in this case is the effect of the development on the character and appearance of the area.

Reasons

5. The appeal proposal would be located on the grass verge at the junction of Raunds Road and Wetenhall Road. The surrounding area is residential in nature with large amounts of verdant tree landscaping in the vicinity that assist in framing the entrance to the Wetenhall Road (Mellows Grange) estate.

6. The appellants state that the proposed mast would facilitate Fifth Generation (5G) connectivity. The proposal would be visible above the existing treeline when seen in its context. The scale of the mast is strident, industrial in nature and has the external appearance of a structure more often seen in commercial or industrial areas and the mast would appear dominant in the locality and be harmful to the character and appearance of the area.
7. The mast would be relatively slender in design, and a portion of the overall height is made up of antennas. Nevertheless, I find that the mast and associated cabinets would introduce "street clutter" into the area and harm the character and appearance of the area by adding such an industrial style of development into the wider residential and landscaped area.
8. Whilst there are streetlights in the vicinity of the appeal site, there is not a strong vertical emphasis of street furniture. I acknowledge the design attempts that have sought to minimise the impact of the pole, however the differences in height and thickness of the pole, in comparison with the surrounding landscaping, together with the additional clutter, would be very apparent. The proposed mast would be a discordant feature unlike anything around it which would be detrimental to the character and appearance of the area.
9. Paragraph 114 of the Framework states that such telecommunications development is essential, and the expansion of electronic networks should be supported, including the next generation of mobile phone technology.
10. Paragraph 117 of the Framework states that evidence must be supplied to demonstrate that alternatives have been taken into consideration. Additions to an existing mast or base station are excluded. As the proposal is a new siting, alternative sitings must be assessed. Considerable information has been supplied as evidence to show that this has been carried out and I am content that this has been carried out to an acceptable level.
11. On the evidence before me, the development would comply with the guidelines published by the International Commission on Non-Ionizing Radiation Protection (ICNIRP). As such, the Framework advises that health safeguards are not something which a decision-maker should determine. No substantive evidence is before me to indicate that the ICNIRP guidelines would not be complied with or that a departure from national policy would be justified. I also note that the Council did not object to the development for these reasons.
12. The Framework recognises that planning decisions should support the expansion of electronic communications networks and the appellant has provided the necessary evidence to justify the proposed development. Even when taking the above into consideration, I have found the siting and appearance of the development would result in harm to the character and appearance of the area, which is not outweighed by these other considerations.

Planning Balance and Conclusion

13. I have considered the economic and social benefits of the proposal, and the supporting documentation provided that demonstrate the merits of an effective communications network. Nonetheless, I do not find these benefits outweigh the harm that would be generated by the siting of the mast and associated works in such a prominent location.
14. For the reasons set out, I conclude the appeal should be dismissed.

Paul Cooper

INSPECTOR