



---

## Appeal Decision

Site visit made on 30 May 2022

**by Mr C J A Parker BA(Hons) PGCert MA MRTPI MCMI IHBC**

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

**Decision date: 13<sup>th</sup> June 2022**

---

**Appeal Ref: APP/Y0435/W/21/3287750**

**Baskerfield Grove, Newport Road, Woughton-on-the-Green,  
Milton Keynes, MK6 3EZ**

- 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 Hutchinson Networks (UK) Ltd against the decision of Milton Keynes Council.
  - The application Ref 21/02588/PANOTH, dated 15 August 2021, was refused by notice dated 15 October 2021.
  - The development proposed is described as '*Proposed 15.0m Phase 8 monopole c/w wraparound Cabinet at base and associated ancillary works*'.
- 

### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (GPDO 2015), 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. My determination of this appeal has been made on the same basis.
3. There is no requirement to have regard to the development plan as there would be for any development requiring planning permission. Nevertheless, Policy HE1, D1 and D2 of the *Plan:MK 2019 2016-2031* are material considerations insofar as they relate to issues of siting and appearance. Similarly, the *National Planning Policy Framework* (the Framework) is also a material consideration and this includes Section 10 on supporting high quality communications and Section 16 on conserving and enhancing the historic environment.

### Main Issues

4. The main issues are the effect of siting and appearance of the proposed installation on:
  - (i) The setting of nearby designated heritage assets, and;

- (ii) Whether any harm would be outweighed by the need to site the installation in the location proposed, having regard to the potential availability of alternative sites.

## Reasons

### *Heritage assets*

5. The appeal site is small area of mown verge located on the eastern side of Newport Road in the small settlement of Woughton-On-The-Green, opposite a minor road junction serving Baskerfield Grove. The street scene is characterised by a distinctly rural appearance, with street furniture kept to a minimum but including low level street lighting, a post box, low height wooden parish notice board, green coloured bus shelter and bus stop signs located on poles of about 3 metres in height. Each side of the narrow road (Newport Road) near the appeal site is characterised by grass verges, which are bordered by hedges and/or principally deciduous trees.
6. In terms of other built forms, residential dwellings are mainly located on the western side of Newport Road and include a Listed Grade II building of The Old Thatch. To the east of the appeal site is an open parkland that includes the remains of the medieval village which is a Scheduled Ancient Monument (SAM). The site does not lie within a conservation area, but roughly 60 metres or so to the south is Woughton On The Green Conservation Area containing a further area of the scheduled medieval village with the Grade II\* Listed Church of Saint Mary's beyond.
7. The significance of these assets derives from their special architectural or historical importance. For example, the Old Thatch is an example of a thatched cottage dating from the 18<sup>th</sup> Century and the Church of St Mary is a partially restored in the 19<sup>th</sup> Century Church, with elements dating from the 13<sup>th</sup>, 14<sup>th</sup> and 15<sup>th</sup> Centuries. Both of these designated heritage assets provide a visible and tangible link to the rural past of this part of the larger city of Milton Keynes conurbation. Indeed, the rural character of the area, which is achieved in part through the lack of built form on the eastern edge of Newport Road and into the Ouzel Valley Park (the Park), contributes positively to how these heritage assets<sup>1</sup> are experienced. This is especially so in terms of the SAM located within the Park, where visitors can continue to experience the SAM which is the remains of a medieval settlement within a rural context.
8. The proposal, with a monopole of around 15 metres in height with a solid style, would be clearly visible above the surrounding trees. Whilst there are some deciduous trees to the rear (east) of the proposed location, I saw from my site inspection that most of these are shorter than the proposed monopole. Moreover, given their deciduous nature even the tallest tree (shown on drawing MIK17319\_M002 Revision B) would not be in leaf for large parts of the year. In practical terms, the monopole would therefore be visible on the approach to the site from quite some distance away in either direction on Newport Road, on Baskerfield Grove, and from a number of public vantage points within the Park.
9. While in all other respects, the proposed mast would appear as a standard, uncluttered monopole, it would nevertheless exceed the height of the tallest nearby street furniture by a significant margin. The proposed mast would

---

<sup>1</sup> The designated heritage assets including nearby listed buildings, conservation area, and Scheduled Ancient Monument.

stand out as an incongruous and dominant feature within the surrounding streetscape and would harmfully detract from the character and appearance of the area. In doing so, it would also erode the settings of the various designated heritage assets through the introduction of a distinctly urbanising feature into this rural context.

10. The proposed siting and appearance of the proposal would therefore have a harmful effect on the setting of nearby heritage assets and the wider character and appearance of the area. This harm would be no greater than less than substantial as set out in the Framework. Paragraph 202 of the Framework indicates that where this arises, the harm should be weighed against the public benefits of the proposal.
11. In this case, the need for improvements within the mobile telephone network infrastructure, which the proposal would make a positive contribution towards, is not disputed. The economical and social benefits of improved connectivity weigh substantially in favour of the proposal. Nonetheless, heritage assets are a precious resource; this includes the setting and how they are experienced and understood as much as the physical fabric. In this case, I do not find that the public benefits outweigh the less than substantial harm arising to numerous heritage assets including listed buildings, conservation area and SAM.
12. As such it would conflict with Policies HE1, D1 and D2 of the *Plan:MK 2019 2016-2031* which, amongst other aims, seek to support proposals where they sustain and where possible enhance the significance of heritage assets. It would also conflict with the Framework including policies which seek to give great weight to the conservation of designated heritage assets.

#### *Need*

13. The appellant has also provided some information on a search of alternative locations for a mast. However, little information has been provided on the criteria used to select the eight discounted sites within the area of search or why others were not considered. Nor has substantive evidence been provided to support the discounting of a significant number of other sites which may be present nearby as indicated by Paragraph 117, c) of the Framework which may include the possibility of erecting antennas on an existing building, mast or other structures. On the basis of the information available therefore, I am not persuaded that the alternative site search is sufficiently robust to overcome my concerns regarding the effect of the siting and appearance of the proposal.

#### **Conclusion**

14. For the reasons given above, I conclude that the appeal should be dismissed.

*C Parker*

INSPECTOR