



Appeal Decision

Site visit made on 13 June 2022

by M Chalk BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th July 2022

Appeal Ref: APP/X0415/W/21/3288144

Burgess Wood Road, Holtspur, Beaconsfield, HP9 1EG, 493106, 190704

- 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 Buckinghamshire Council.
 - The application Ref PL/21/3487/RM, dated 28 August 2021, was refused by notice dated 19 October 2021.
 - The development proposed is 15.0m Phase 8 Monopole C/W wraparound Cabinet at base and associated ancillary works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The principle of the appeal proposal is established in the Town and Country Planning (General Permitted Development) (England) Order 2015 (the GPDO). This requires applications for prior approval for telecommunications development under Schedule 2, Part 16, Class A to be determined having regard to the siting and appearance of the development.
3. The GPDO does not require that regard be had to the development plan in determining telecommunications prior approval applications. Accordingly, I have had regard to the policies identified by the Council only insofar as they are relevant to matters of siting and appearance.

Main Issues

4. The main issue is the effect of the proposed development on the character and appearance of the area and, if harm would result from the proposed development, whether that harm would be outweighed by the need for it.

Reasons

5. The appeal site is a grass verge in a prominent location near the junctions of several streets. The surrounding area is residential, with extensive hedgerows and trees of varying heights both in the streets and on private land, with detached houses set back within spacious plots. There are few items of street furniture near the appeal site, with the closest streetlights mainly being of limited height. These elements contribute to an overall spacious character that is sensitive to significant change.

6. Within this context the proposed mast would be a dominant and intrusive feature of the street scene. It would be highly visible in its surroundings and along the adjacent roads. It would appear incongruous both because of its height, which would be significantly taller than any other item of street furniture or nearby tree, and its foreign appearance in a setting with few man-made vertical elements. Due to its height and incongruous appearance, it would draw the attention of passers-by.
7. The National Planning Policy Framework (the Framework) recognises that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. The appeal proposal would support the rollout of 5G coverage in the area, and no other suitable site has been identified in the appellants' search that would provide adequate coverage. While the installation would be prominent in the street scene, the site would not be directly overlooked by the main windows of any nearby house. The mast would be no higher than the minimum required to provide coverage in this area.
8. Notwithstanding this, the appeal site is in a visually sensitive location. The Framework states that on new sites equipment should be sympathetically designed and camouflaged where appropriate. Given the sensitivity of the site, the erection of a mast of the size and appearance proposed, together with the associated equipment cabinets, would cause unacceptable harm to the character and the appearance of the area. That harm would not be outweighed by the need for the proposed development in this instance.

Conclusion

9. For the reasons set out above, the appeal fails.

M Chalk

INSPECTOR