



Appeal Decision

Site visit made on 1 August 2022

by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th August 2022

Appeal Ref: APP/J0540/W/21/3281508

Goodwin Walk, Werrington, Peterborough PE4 5AZ

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- 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 Peterborough City Council.
 - The application Ref 21/00868/PRIOR, dated 30 May 2021, was refused by notice dated 2 August 2021.
 - The development proposed is described as '20.0m 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 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 referred to in the Council's decision notice 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 is the effect of the siting and appearance of the proposed installation upon the character and appearance of the area and highway safety.

Reasons

5. The appeal site is located on Goodwin Walk close to the junction with Davids Lane which is a well-trafficked route. Davids Lane is predominantly flanked by wide grassed verges and mature vegetation for the vast majority of its significant length. Regularly spaced streetlamps also line one side of this route. Goodwin Walk is a side road taken off Davids Lane. At the junction of these two roads, a wide green sits to the eastern side of Goodwin Walk. The public

footway to the western side of Goodwin Walk is separated from the road by a tree-lined grass verge. A dense woodland belt extending westwards sits to the other side of the public footway.

6. The street furniture close to the appeal site includes traffic lights on Davids Lane and Goodwins Walk. There is also a small utility cabinet strategically positioned behind street signage as well as a streetlamp on the western side of Goodwins Walk. The streetlamp on Goodwins Walk is lower in height than those along Davids Lane and sits well below the height of the mature trees along this road. Overall, the street furniture on Goodwins Walk is well ordered and modest in number and scale. As a result, there is an overriding spaciousness and soft landscaped character to the roadside in this area.
7. The monopole and its associated cabinets would extend further along Goodwin Walk than the existing vertical structures to the western side of this road. At 20 metres (m) in height, the monopole would be much taller than other vertical infrastructure in the area, dwarfing the street furniture on Goodwin Walk. The antenna at the top of the tower would have a bulbous appearance and would sit above the tallest adjacent treetops. This reduces the ability to utilise a consistent colour scheme to camouflage the monopole against its backdrop. In combination with the existing street furniture the monopole and associated infrastructure would have a cluttered appearance which would significantly detract from the prevailing spacious and verdant character of Goodwin Walk and the wider street scene. This impact would be most evident to passers-by close to the junction as well in more distant views from the north along Hodgson Avenue.
8. With regards to the proximity of the development to mature trees, I saw on site that the position of the proposed monopole is not within the canopy of the nearest tree. However, I noted that the proposed cabinets would sit under the canopy of an existing tree as indicated on the proposed site plan. Therefore, there is the potential that works to install this associated equipment could impact on tree roots in the vicinity. Without any detailed evidence to demonstrate otherwise, I cannot be certain that the proposals would not impact on the health of nearby trees and this has the potential to add to the harm to the character and appearance of the area already identified.
9. Although the monopole and associated infrastructure would be sited close to the carriageway on Goodwin Walk, they would occupy a position within the grass verge and would be set back from the intersection of Goodwin Walk and Davids Lane. Therefore, I am satisfied that any risk of collision with the proposed installation would be minimal. The proposal would retain acceptable sightlines for drivers and would not impede the footway. With regards to maintenance, I consider it likely that associated vehicles could be parked further along Goodwins Lane away from the junction and this would be unlikely to be a regular occurrence. Consequently, I am satisfied that there would be no unacceptable impacts on highway safety resulting from the proposal.
10. Paragraph 114 of the National Planning Policy Framework (the Framework) states amongst other things that 'advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being'. The site specific supplementary information provided indicates that there is a requirement to upgrade the network to enhance 5G coverage levels and network capacity within the Werrington area. The improvements to the

telecommunications network would have the potential to result in significant associated economic and social benefits for the area.

11. I accept that there may be an extremely small, constrained search area for this cell. I have also seen the evidence provided to suggest that there are no options to share existing sites and why alternative locations for the proposal were discounted. However, during the application process the appellant suggested that they would be able to reduce the height of the monopole to 15.0m. The Council went on to determine the application on the basis of the 20m monopole before me. However, the offer to reduce the height of the monopole casts considerable doubt over whether the proposal is the only option available to meet the cell coverage requirements and associated public benefits. Therefore, I am not persuaded that the harm identified under the main issue would be justified.
12. I conclude that the proposal would have a significantly harmful effect on the character and appearance of the area and in that regard its siting and appearance would be unacceptable.
13. From a siting and appearance perspective, the proposals would also conflict with the design, context, character and tree preservation requirements of Policies LP16 (Design and the Public Realm) and LP29 (Trees and Woodland) of the Peterborough Local Plan (2019).

Conclusion

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

M Russell

INSPECTOR