



Appeal Decision

Site visit made on 21 December 2022

by Lewis Condé BSc (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 January 2023

Appeal Ref: APP/E0345/W/22/3295590

Pepper Lane, Reading, RG2 7DH

- 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 Reading Borough Council.
 - The application Ref 211542, dated 11 September 2021, was refused by notice on 11 November 2021.
 - The development proposed is described as 'Proposed 18.0m 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 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. 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 that regard be given to the development plan. I have had regard to the policies of the Reading Borough Local Plan (adopted 2019) and the National Planning Policy Framework 2021 (the Framework) but 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 siting and appearance of the proposal on
 - a) the character and appearance of the area, including protected trees;
 - b) designated heritage assets; and
 - c) if any harm is identified, whether this would be outweighed by the need for the installation in the proposed location, having regard to the potential availability of alternative sites.

Reasons

Character and Appearance

5. The appeal site is part of a grass verge that runs alongside Pepper Lane. It is visually prominent in its position, between a pavement and alongside a busy vehicular carriageway. Pepper Lane is a long, predominantly straight, dual carriage way. It provides vehicle and pedestrian access to several adjoining land uses, including the University of Reading's Whiteknights Campus. Despite this, the streetscene retains a verdant character due to the presence of grass verges to the side of the highway, as well as significant levels of mature vegetation, including numerous trees which I understand are subject to tree preservation orders (TPO).
6. The proposed development would comprise a monopole to which antennas would be attached (measuring a total of 18m in height), along with associated ground level equipment cabinets. The proposal would be of a functional appearance, typical of telecommunications equipment that is generally found in urban/suburban areas.
7. Buildings nearby to the site are primarily low rise, predominantly between one and three storeys. Although some vertical elements such as tall trees and streetlights are near the appeal site, the proposal would extend significantly above these features. Due to its height and the bulky nature of the antenna headframe, the proposal would result in a dominant feature within the streetscene and would be at odds with its surroundings.
8. The installation of the proposed development also has the potential to cause harm to the health of nearby protected trees through possible works within root protection areas. The onus is on the appellant to satisfactorily demonstrate the impacts of the proposals. In this instance, there is no robust evidence before me (e.g. arboricultural impact assessment) to show that the health of nearby trees would be maintained. Consequently, the character and appearance of the area could be further eroded through harm to existing trees including their possible loss.
9. In light of the above, and despite the lack of any statutory area designation, the siting and appearance of the proposal would result in significant harm to the character and appearance of the area. Insofar as they are a material consideration, the proposal would also be contrary to policies CC7 and EN4 of the Reading Borough Local Plan (adopted 2019) (Local Plan). Together these policies, amongst other matters, seek to promote development of a high quality of design that takes account of its surrounding context, including the protection of trees. Likewise, as far as it is material, the proposal would conflict with Local Plan Policy OU3, which amongst other things, requires proposals for telecommunications development to not have an adverse impact on the visual amenity of the surrounding area.

Heritage Asset

10. The Grade II Listed Blandford Lodge is located approximately 65m from the appeal site. The appellant has not provided any detailed analysis of the impact of the proposal on this heritage asset. From my own observations, it appears that the building's significance lies in its age and architectural quality, as a

likely grand dwellinghouse of 17th Century origins with features including the use of grey brick and stone dressing.

11. It seems that the original use of Blandford Lodge has now changed from a dwelling, as it forms part of the University of Reading's campus. Additionally, various forms of modern development have taken place around the heritage asset, such that its original setting appears to have already been subject to significant change.
12. The proposed development is separated from the heritage asset via intervening road carriageways, as well as mature trees. Nevertheless, the proposal by virtue of its overall scale, appearance and proximity would still maintain a significant degree of intervisibility with the listed building. I consider the rather stark and dominant nature of the proposed development would therefore still result in harm to the setting of the listed building. The level of harm is considered to be less than substantial.
13. In applying the balancing act of Framework paragraph 202, this harm should be weighed against the public benefits of the proposal. The potential social and economic benefits that would be provided by the improved coverage and capacity that the proposal would provide are recognised. I also acknowledge the support that is provided by Paragraph 114 of the Framework to advanced, high quality and reliable communications infrastructure, including 5G networks. However, I do not find these benefits would outweigh the harm to heritage assets that would arise in connection to the siting and appearance of the proposal. Accordingly, the proposed development would fail to preserve or enhance the character or appearance of the heritage asset.
14. Insofar as it is a material consideration, the proposal would also be contrary to Policies EN1, EN6 and OU3 of the Local Plan, which together seek for development proposals to be informed by existing historic development and to protect the significance of heritage assets, including their settings.

Availability of Alternative Sites

15. Paragraph 117 of the Framework further identifies that applications for electronic communication development (including applications for prior approval under the GPDO) should be supported by the necessary evidence to justify the proposed development.
16. I appreciate there may be numerous technical and locational requirements that limit the availability of sites for the proposed installation. However, persuasive evidence to support the precise location chosen is lacking in this instance.
17. Notably, alternative nearby sites have been deemed unviable for reasons including that the land is privately owned. However, no specific details of the appellant's discussions with the relevant landowners have been provided. As such, I am unable to determine whether these alternative sites are not viable or merely less convenient for the appellant.
18. Similarly, several alternative sites have also been discounted by the appellant due to perceived harm to highway visibility splays. No robust technical information has been submitted that verifies the proposal would cause harm to highway safety, if sited in these alternative locations.

19. Accordingly, based on the evidence before me, it has not been proven that less harmful alternative sites are not available.

Other Matters

20. The scale of the proposed monopole is indicated by the appellant as being the minimum necessary to meet its technical requirements. It nevertheless remains that it is of a size, appearance and siting that would result in harm to the character and appearance of the area and the identified heritage asset.
21. The appellant has indicated a willingness to accept a condition in relation to the finish colour of the development, so it may more appropriately harmonise with its surroundings. Whilst this may lessen the overall impact, it is not considered that the concerns regarding the monopole's height, design or effects on heritage assets would be overcome by a specific finishing colour. In any case, the GPDO does not provide any specific authority for imposing additional conditions other than standard conditions set out in Class A.
22. There is a dispute between the main parties regarding the obtaining of pre-application advice. However, I do not find this to impact on the merits of the appeal scheme.

Conclusion

23. The siting and appearance of the proposed development would result in harm to the character and appearance of the area and to a designated heritage asset. In line with the Framework, the harm to a designated heritage asset is a matter to which I attach great weight, while the public benefits of the proposal do not outweigh this harm. Furthermore, there is insufficient evidence to demonstrate that there are no suitable alternative sites for the proposed development.
24. For the reasons given above, I conclude that the appeal should be dismissed.

Lewis Condé

INSPECTOR