



Appeal Decision

Site visit made on 18 April 2023

by J Bowyer BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21st April 2023

Appeal Ref: APP/Q3820/W/22/3298827

Land at Broadfield Drive, Broadfield, Crawley RH11 9DD

- 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 Hutchison 3G (UK) Ltd against the decision of Crawley Borough Council.
 - The application Ref CR/2021/0896/TEL, dated 6 December 2021, was refused by notice dated 7 February 2022.
 - The development proposed is the installation of a new 17m monopole tower, associated radio-equipment housing and ancillary development hitherto.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal relates to an application made pursuant to the provisions of Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). For development to be permitted by Class A, it must satisfy limitations set out at paragraph A.1, and conditions at paragraph A.2. These conditions include a requirement in certain cases to apply for a determination as to whether prior approval will be required as to the siting and appearance of the development.
3. In determining such an application, the provisions of Class A require the Local Planning Authority to assess the proposed development taking into account any representations received. I have determined the appeal on the same basis. The provisions of Class A do not require regard to be had to the development plan. I have had regard to the policies of the development plan and related guidance referred to by the parties, as well as to 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 Issues

4. The main issues are:
 - i) the effect of the siting and appearance of the development on the character and appearance of the area; and
 - ii) if any harm would occur, whether this would be outweighed by the need for the development to be sited on the appeal site having regard to any suitable alternatives.

Reasons

Character and Appearance

5. The appeal site is located very close to the roundabout junction of Broadfield Drive with Horsham Road, and comprises part of a wide verge between Broadfield Drive, Fennel Crescent, and two footways that connect these streets.
6. The proposal includes a 17m high monopole together with associated cabinets. The monopole would be substantially taller than the existing street lights, signs and other street furniture that I observed nearby, and taller too than the closest buildings on Fennel Crescent and on Lismore Crescent to the opposite side of Broadfield Drive. It would also be of notably greater diameter than nearby street light columns, particularly at the highest part of the structure where the antennas would increase its bulk.
7. There is a belt of mature trees lining the back of the adjacent section of verge along Broadfield Drive and the footway to the south east of the appeal site, and denser tree cover along much of the adjacent section of the verge running alongside Horsham Road. As a result, there would be some screening of the development on the approaches along Horsham Road from the south west and along Broadfield Drive from the south east.
8. However, screening would not be complete, and the monopole would be visible projecting some way above the top of the tree canopy when travelling along Broadfield Drive towards the site. Moreover, the section of verge including the appeal site is maintained as grass, providing for a clear break in tree cover and open views from Broadfield Drive across to Fennel Crescent. From points including on the approach towards the site along Horsham Road from the north east, from the Broadfield roundabout, on turning into Broadfield Drive from the roundabout, and from Fennel Crescent; trees would offer little, if any, screening of the development and nor would they provide a backdrop to it. Instead, there would be clear views of the development set some way into the open verge away from the closest trees.
9. I acknowledge that telecommunications apparatus is not unusual in urban areas, but I consider given its position that the monopole would be appreciated as an isolated and incongruous feature in the street scene. The height and bulk of the monopole would dominate its surroundings, and I find irrespective of its colour that it would be a highly prominent and visually intrusive feature in this location. The proposed cabinets may not in themselves require prior approval, but they would nevertheless further add to the presence of development within the currently open section of the verge, and would exacerbate the visual impact of the proposal.
10. For these reasons, I conclude that the siting and appearance of the development would cause significant harm to the character and appearance of the area. In so far as they are a material consideration relevant to matters of siting and appearance, I have had regard to Policies CH2 and CH3 of the Crawley Borough Local Plan 2015. These policies include requirements broadly for attractive and uncluttered public spaces and routes, the protection and enhancement of features, including green spaces, which make a positive contribution to the area, and development that relates sympathetically to its surroundings. I have also had regard to guidance within the Urban Design Supplementary Planning Document 2016 ('the SPD') that masts, antennae and

associated ground equipment should not be positioned to dominate, or distract from the streetscape, character and appearance of an area or place. The proposal would be contrary to these requirements, as well as the Framework which similarly seeks development that is sympathetic to local character.

Alternative Sites

11. The Framework advises that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being, and that the expansion of electronic communications networks including next generation mobile technology should be supported. I also note that the Government has written to local authorities to encourage support for the expansion of telecommunications.
12. The development is proposed to provide improved capacity and 5G services in the area around the appeal site. Nevertheless, the Framework advises that the number of masts should be kept to a minimum, and that where new sites are required, equipment should be sympathetically designed and camouflaged where appropriate. The SPD similarly outlines that all alternatives to masts should be considered, and that development should be designed and sited to minimise visual impact and the effect on the character of the surrounding area.
13. The appellant advises that a sequential approach to site selection was adopted, involving a desktop survey and physical inspection of the area. They state that no mast/site sharing opportunities or existing buildings/structures were identified, and detail 6 alternative sites for new equipment that were considered and discounted.
14. However, the information before me indicates that prior to determining the application, the Council suggested to the appellant an additional potential alternative location within the verge on Broadfield Drive to the south west. This alternative location would be adjacent to trees alongside Broadfield Drive which it seems to me would offer greater screening and backdrop to the development in comparison to the open verge around the appeal site, and I agree with the Council that this would be likely to help to reduce the visual impact of the proposal. The appellant has not disputed this, nor provided any substantive evidence to show that this location would be unsuitable or to explain why it should be discounted as a possible alternative to the proposal. Furthermore, the Council's evidence includes a copy of an email from the representative acting for the appellant at the time of the application which queried whether a reduced height of 15m would soften the visual impact and prominence of the development sufficiently that it might be acceptable. It is therefore unclear whether the scale of the proposal is the minimum necessary to deliver the required coverage.
15. Accordingly, I am unable to determine that there would be no preferable alternative to the appeal proposal to deliver the required coverage and associated social and economic benefits.

Conclusion

16. The proposal would cause significant harm to the character and appearance of the area. While I acknowledge the support for communications infrastructure, including 5G networks, and the associated benefits, I am not satisfied that the evidence before me demonstrates there are no less harmful viable alternatives

to the appeal scheme. This weighs against the proposal, and I find in this context that the siting and appearance of the development would be unacceptable.

17. I therefore conclude that the appeal should be dismissed.

J Bowyer

INSPECTOR