



Appeal Decision

Site visit made on 22 June 2023

by C Shearing BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01st August 2023

Appeal Ref: APP/Q3630/W/22/3309299

Middle Hill, St Jude's Road, Englefield Green TW20 0LH

- 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 Hutchinson Networks (UK) Ltd against the decision of Runnymede Borough Council.
 - The application Ref RU.22/1098, dated 7 July 2022, was refused by notice dated 23 August 2022.
 - The development proposed is described as '5G telecoms installation: H3G 15m street pole and additional equipment cabinets'.
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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 (the GPDO), under Article 3(1) and Schedule 2, Part 16, Class A, Paragraph A.3(4) require the local planning authority, and therefore the Secretary of State, to assess the proposed development solely on the basis of its siting and appearance, taking into account any representations received. My determination of the appeal has been made on the same basis.
3. The principle of the development is established by the GPDO and the provisions of Schedule 2, Part 16, Class A of the GPDO do not require regard to be had to the development plan. I have had regard to the policies of the development plan and the National Planning Policy Framework (the Framework) only in so far as they are a material consideration relevant to matters of siting and appearance.
4. The evidence refers to the draft Englefield Green Conservation Area Appraisal Management Plan and emerging Englefield Green Village Neighbourhood Plan. I note these are not relied on in the Council's case and nonetheless, they remain in draft form and it is not clear what form those documents will take post-adoption. Accordingly, I have ascribed them little weight.

Main Issues

5. The main parties do not dispute that the appeal scheme meets the requirements of Schedule 2, Class A, Part 16 of the GPDO such that it would

constitute permitted development, subject to the condition that prior approval must be sought in relation to its siting and appearance.

6. The main issues are (a) the effect of the siting and appearance of the proposal on the character and appearance of the area including the Englefield Green Conservation Area and nearby designated heritage assets, and (b) if any harm would occur, whether this is outweighed by the need for the installation to be sited as proposed, taking into account any suitable alternatives.

Reasons

7. The proposal would sit centrally within the Englefield Green Conservation Area (EGCA). My decision therefore has regard to Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area.
8. The EGCA encompasses the various open spaces of the Green, woodland to the north as well as areas of predominantly historic development around its perimeter. The flat open grassland of the Green to the west of the appeal site is therefore an integral feature of the EGCA and its open and verdant character contribute strongly to its significance. The appeal site lies at the edge of the wider open space among a triangular piece of grassland which adjoins the relatively busy junction of Middle Hill and St Jude's Road.
9. The proposal would be close to a number of listed buildings. Most notably these include Bulkeley Cottage immediately to the south (grade II listed) as well as The Old House, Coach House including listed gates, piers and walls (both Grade II listed) as well as Englefield Green House (Grade II*), which together line the north eastern side of the junction. These properties face towards the Green and, based on my findings, the ability to view these assets, even if in glimpses across the Green, contributes positively to the appreciation of their significance. As such the open space of the Green also forms part of the setting of these assets, which would be affected by the proposal.
10. Various street furniture exists near the appeal site, including a modest sized wooden bus shelter, bus stop, bollards and road signage associated with the nearby junction. Other features with a vertical emphasis in the surrounding area include street lights of varied heights, however these have slim profiles and are simple in their design, some with historic reference. By contrast, the proposed mast would be much taller, have a substantially thicker profile, and a complex and cluttered appearance due to the equipment that it would accommodate at its upper levels. As a consequence, it would appear as a visually intrusive feature, heavily at odds with the established character of the area. This would particularly be the case in long views enjoyed from around the Green, especially from the south and west where it would not benefit from any significant screening from trees.
11. The canopies of the nearby trees would provide some screening in certain views. However, given their distance from the mast this would be minimal and any screening would be limited to those months of full leaf cover. As such they would not substantially reduce the visual harm arising from the mast.
12. The proposed cabinets would also be substantial in their size and similarly utilitarian in their appearance, particularly with the proposed grey finish. Their

height, bulk and positioning would result in them appearing prominent in localised views around the junction and they would appear heavily at odds with the character of the area.

13. For these reasons, the mast and cabinets would be in stark contrast with the character and appearance of the surrounding area and would appear as unusual and incongruous features. They would have an adverse visual effect and fail to either conserve or enhance the character or appearance of the EGCA and would cause harm to the setting of the listed buildings through causing harm to their open and verdant setting.
14. While such equipment may be typical of an urban environment, I do not consider the appeal site to comprise an urban setting and, in any event, the acceptability of a proposal will depend on its site specific circumstances. I also appreciate that the 15m high mast proposed is stated to be the lowest available option to provide the required network coverage. While this may be less harmful than a taller mast, this would not provide justification for the harm which I have found. I note the Council's suggestion that, if the appeal were otherwise acceptable, the equipment should be painted black. However I am similarly not satisfied that this would overcome the above concerns.
15. I find the extent of the harm caused by the proposal to the significance of the heritage assets would be significant but less than substantial for the purposes of the Framework. In accordance with paragraph 202 of the Framework, such harm should be weighed against the public benefits of the proposal.
16. The proposal would improve the provision of a 5G network in this location, with associated benefits including faster and more reliable 5G connectivity. In turn it would contribute to economic growth in the UK, improve connectivity in society and serve potential new technologies. The public benefits arising from this particular proposal would be moderate, but they would not be sufficient to outweigh the less than substantial harm to the significance of the heritage assets, to which I must give great weight in accordance with paragraph 199 of the Framework.
17. In conclusion, the siting and appearance of the proposed development would harm the character and appearance of the area, the significance of the EGCA and the setting of the nearby listed buildings. Insofar as it is a material consideration, the proposal would be contrary to the aims of policies EE1, EE3, EE4 and EE5 of the Runnymede Local Plan 2020, which require development to achieve high quality design that responds to local context and which conserves or enhances heritage assets.

Alternative Sites

18. While the appellant refers to a search area with a 100m radius to the south west, the appeal site and many of the alternative sites considered lie significantly beyond that area. Despite this, the appellant has provided a map which shows that the appeal site lies within an area of coverage deficiency, which the proposal seeks to infill. While third parties consider 4G and wi-fi coverage to be sufficient, there is nonetheless an identified shortfall in this area for 5G. On the basis of the evidence before me, I am satisfied that the appellant has demonstrated that there is an identified need for the proposed development to be located somewhere in the search area.

19. I have found the proposal to cause harm through its siting and appearance and other options that might be available are therefore an important consideration. In addition, paragraph 117 of the Framework requires that, for a new mast, evidence be provided that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure. The appellant states that no opportunities for the proposal on existing buildings or structures, nor opportunities for site sharing, were identified. Third parties have identified an existing structure which could be used which is set within a more commercial setting, however, this is further south than the area of identified deficiency and close to an existing telecommunications facility. I also note evidence from third parties of smaller scale installations on lampposts, however I do not have evidence to support that these would successfully satisfy the deficiency identified. Therefore, while the appellant's claims lack detail, I have no strong reason to disagree with their claims relating to the use of existing sites.
20. Details of six discounted sites for the proposed development are given and the reasons they were discounted include unsuitable pavements or grass verges, visibility splay issues and being in a residential area. However, these reasons are brief and unsupported by any further evidence to suggest why they would be unviable or more harmful than the appeal scheme, particularly given some of those sites appear to be outside the EGCA. I also observed that the widths and characteristics of the footpaths vary in those locations and there is not evidence to suggest that any concerns relating to visibility splays could not be reasonably addressed through appropriate siting. Alternative sites were also suggested by the Council during the course of the application which were outside the EGCA, including one site which had previously obtained planning permission for this purpose. These also appear to have been discounted without detailed justification. In the absence of clear and persuasive evidence as to why these alternative sites have been discounted, I am unable to establish that the appeal scheme is the most suitable in its siting and appearance.
21. I note that third parties have also made suggestions for alternative sites, including on Priest Hill or Coopers Hill Lane where more natural screening would be available. These would similarly appear to be areas not explored or addressed by the appellant and this adds to my concerns. In summary, I am not satisfied that less harmful alternatives have been properly explored. For these reasons I find the siting and appearance of the proposed development to be unacceptable.

Other Matters

22. While I recognise that there are wider social and economic benefits that would arise from the proposal, the GPDO is clear that the only considerations should be the siting and appearance of the proposal. Therefore these considerations only come into play insofar as the assessment of the impact on the designated heritage assets is concerned.
23. I have had regard to concerns relating to the validity of the application and the notification in writing to the Borough and County Council's as landowners evidenced by the appellant. I have no substantive reason to find this insufficient for the purposes of the application.

Conclusion

24. For the reasons given, the appeal is dismissed.

C Shearing

INSPECTOR