



Appeal Decision

Site visit made on 19 July 2023

by Hannah Guest BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 August 2023

Appeal Ref: APP/N1730/W/23/3314946

Land adjacent to 66 Bartons Drive, Yateley GU46 6DP

- 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 (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by MBNL against the decision of Hart District Council.
 - The application Ref 22/02801/PRIOR, dated 14 November 2022, was refused by notice dated 19 December 2022.
 - The development proposed is installation of EE/H3G Phase 7 Monopole complete with wraparound cabinet to replace existing 8.0m high streetworks pole and associated ancillary works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have used the address set out on the appeal form in the banner heading above, as it more accurately sets out the location of the proposal.
3. The principle of development is established by the Town and Country (General Permitted Development) (England) Order 2015 (as amended) (GPDO) and the provisions of Schedule 2, Part 16, Class A, do not require regard to be had to the development plan. While I have had regard to the policies of the Hart Local Plan (Strategy & Sites) (2032) (Local Plan) and Hart District Council Plan (2006) (District Plan), this is only where they are a material consideration relevant to matters of siting and appearance.

Main Issues

4. The main issue is the effect of the siting and appearance of the proposal upon the character and appearance of the area and, 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

5. Bartons Drive is made up primarily of two-storey detached and semi-detached houses and chalet bungalows. They are set back from the highway with predominantly open frontages or soft boundary treatments in the form of hedges. Front gardens tend to comprise hardstanding for vehicles as well as lawned areas and planting, and the footways include grass verges. Overall, this creates a spacious and verdant character.

6. Due to the arrangement of the houses along Barton Drive and Stoney Close, the proposal would be located between the blank flank elevations of two houses on either side of the highway. These houses also have relatively tall boundary treatments in the form of fences and hedges demarcating their side and rear gardens.
7. Notwithstanding this, the proposed mast would be over 17 metres tall. It would be significantly taller than the existing 8 metre monopole that it would be replacing, the nearby lighting columns that are of a similar height to the monopole, and any other structures in the immediate area, including existing street furniture and communications equipment. Given this, it would be dominant in views along Barton Drive and appear incongruous in the street scene. Also, unlike the existing monopole, despite being located between the blank elevations of the adjacent houses, it would also be visible from the wider public realm, houses in the surrounding area, and their gardens.
8. Although there are trees nearby, none of them would be tall enough or close enough to the proposed mast to provide effective screening or a backdrop. Furthermore, while the blank flank elevations of the adjacent houses would provide a backdrop in some views, the proposed mast would be significantly taller than these houses. Therefore, despite being of a standard design for telecommunications equipment, by virtue of its size, the appearance of the proposed mast would be visually intrusive and would unduly harm the character and appearance of the area.
9. The proposal would upgrade the telecommunications equipment on the existing site, and the parties agree that the existing monopole, when originally installed, was demonstrated to be sited in the most appropriate location. Based on the information before me and my own observations, there is nothing to lead me to a different conclusion. The proposed mast would also serve multiple operators. The proposal would therefore accord with the aim of the National Planning Policy Framework (the Framework) to keep the number of sites for radio and electronic communications masts to a minimum.
10. In conclusion, I accept the need for the installation to be sited as proposed. I also understand the need for the mast to be the proposed height in order to ensure suitable coverage and clear ICNIRP guidelines. Nevertheless, based on the information before me, I do not find that this would outweigh the harm to the character and appearance of the area arising from the appearance of the mast.
11. Policy NBE9 of the Local Plan and saved Policy GEN1 of the District Plan seek to ensure that all development achieves a high-quality design and positively contributes to the overall appearance of the local area. They are therefore material in this case. For the reasons above, the proposal would conflict with these policies.

Other Matters

12. I acknowledge the social, economic, and environmental benefits of the proposal, as well as the importance given to telecommunications infrastructure in the Framework. However, the provisions of the 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, and I have determined the appeal on the same basis.

Conclusion

13. For the reasons given above, I conclude that the appeal is dismissed.

Hannah Guest

INSPECTOR