



Appeal Decision

Site visit made on 25 August 2023

by James Blackwell LLB (Hons) PGDip

an Inspector appointed by the Secretary of State

Decision date: 1 September 2023

Appeal Ref: APP/R3515/W/23/3318407

Henley Road, Ipswich IP1 6RW

- 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 MBNL (EE UK Ltd & Hutchison UK Ltd) against the decision of Ipswich Borough Council.
- The application Ref IP/22/00989/TPD, dated 24 November 2022, was refused by notice dated 18 January 2023.
- The development proposed is the replacement of existing street works equipment at Henley Road, Ipswich, Suffolk, IP1 6RW with +20.0m AGL Phase 7 telecommunications installation and associated ancillary works.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Because this is an application for prior approval, the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (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. This appeal will be determined on the same basis.
3. The principle of the proposed development is established by the GPDO and the provisions of Schedule 2, Part 16, Class A do not require regard to be had to the development plan. Nonetheless, I have had regard to Policies DM12, DM21 and DM34 of the Ipswich Local Plan¹ (Local Plan) and the National Planning Policy Framework 2021 (Framework) insofar as they are relevant to matters of siting and appearance. The Framework also promotes the need for high quality mobile communications, which is a material consideration to which I have had regard.

Main Issue

4. The main issue is the effect of the siting and appearance of the proposed development on the character and appearance of the area, and where harm is identified, whether this would be outweighed by the need for the installation to be sited as proposed, having regard to the potential availability of alternative sites.

¹ Ipswich Borough Council Local Plan, Core Strategy and Policies Development Plan, Document Review (March 2022)

Reasons

Character and Appearance

5. The appeal site comprises a parcel of grassland on the eastern side of Henley Road, which sits close to a junction into a new housing estate to its east. Henley Road is predominantly residential in nature, and is typified by detached dwellings, many of which are bungalows, set within spacious gardens. The relatively low-level nature of built form gives the area a strong degree of openness which contributes positively to its overriding character. As an undeveloped expanse of grassland within a prominent corner location, the appeal site contributes to this prevailing sense of openness.
6. Whilst the proposal would replace an existing monopole, the replacement would be approximately 20 metres tall, which would be almost double the height of the existing pole. This means the proposal would be much taller than all surrounding street furniture, including nearby telegraph poles and trees. In turn, the monopole would appear very prominent and disruptive within its surrounding open context, and would dominate views when approaching the site from all directions. This domineering impact would be exacerbated by the alien appearance of the extensive supporting antenna and dishes, which would starkly contrast with the verdant and suburban character of the area.
7. Even accounting for any proposed tree planting as part of the new housing development to the east, there is limited landscaping or other screening immediately around the appeal site, which would sufficiently mitigate the impact of the new monopole. In particular, the trees along the western side of Henley Road are sited too far away from the appeal site to provide any real benefit in this regard.
8. In the absence of adequate landscape screening or mitigation, the development would undermine the open and suburban credentials of the street scene, thereby harming the prevailing character and appearance of the area.

Alternative Sites

9. The appellant has explored a number of alternative sites for the development. One of the discounted alternatives is a nearby site at the junction of Henley Road and Defoe Road. This site already accommodates a tall monopole, much of which is screened by surrounding tall trees. The appellant's evidence indicates that the existing structure is not shareable, and a large upgrade would be required to facilitate mast sharing. However, little detail has been provided to explain why this location would not be suitable for apparatus sharing, with or without an upgrade.
10. As highlighted in the letter to local planning authorities from the Department for Science, Innovation and Technology dated 13 April 2023, there is growing concern among Parliamentarians and their constituents about the number of new poles being erected in areas where there are existing poles in place. The letter is clear that operators must comply with their statutory obligations when installing their networks, which include requirements to share apparatus where applicable.
11. Without a comprehensive explanation as to why the alternative site at Henley Road/Defoe Road would not be suitable as a shared site, I am not persuaded that the appeal site is the most appropriate location for the new pole. Indeed,

the alternative site at Henley Road/Defoe Road benefits from extensive tree screening, which means the harm deriving from any monopole in this location is greatly reduced.

12. Whilst I appreciate the need to find a viable site, in light of this factor, I am not able to conclude that less harmful alternatives have been fully explored. Even accounting for the importance that the Framework places on the need for high quality mobile communications, the need for installation in the particular location proposed has therefore not been sufficiently demonstrated to outweigh the harm to the character and appearance of the area.

Other Matters

13. I acknowledge that there are significant social and economic benefits associated with the proposal. However, these benefits are not relevant to matters of siting and appearance.

Conclusion

14. The siting and appearance of the development would harm the character and appearance of the area, and the need to site the proposal in the location proposed would not outweigh this harm. The appeal should therefore be dismissed.

James Blackwell

INSPECTOR