



Appeal Decision

Site visit made on 29 August 2023

by B Phillips BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 September 2023

Appeal Ref: APP/E0345/W/23/3315646

Pepper Lane, Whitley, Reading RG2 7DE

- 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 Hutchison Networks (UK) Ltd against the decision of Reading Borough Council.
- The application Ref 221368, dated 9 September 2022, was refused by notice dated 7 November 2022.
- The development proposed is described as 'proposed telecommunications installation: Proposed 15.0m Phase 9 slimline Monopole and associated ancillary works'.

Decision

1. The appeal is allowed and prior approval is granted for a proposed telecommunications installation: Proposed 15.0m Phase 9 slimline Monopole and associated ancillary works at Pepper Lane, Whitley, Reading, RG2 7DE in accordance with the terms of the application Ref 221368, dated 9 September 2022, and the plans submitted with it.

Preliminary Matters

2. Article 3(1) and Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) establishes that the proposal is permitted development and therefore it is accepted in principle by virtue of the legislation. However, a developer must apply to the local planning authority (LPA) to establish as to whether the prior approval of the LPA is required as to the siting and appearance of the proposal.
3. The provisions of Schedule 2, Part 16, Class A of the GPDO 2015 do not require regard be had to the development plan. I have had regard to the policies of the development plan and any related guidance and the National Planning Policy Framework (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 therefore the effect of the siting and appearance of the proposed installation on:
 - the character and appearance of the area, including nearby trees and the setting of the Grade II listed Blandford Lodge; 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. The appeal site lies on the northern side of Pepper Lane, a lengthy highway running through an area dominated by the University of Reading's Whiteknights Campus. Immediately to the north is the car park of the Russel Building, a university building. The road has a verdant character due to the mature roadside trees and hedgerow and there are some vertical elements visible such as streetlamps and fencing nearby.
6. The proposal would be of functional appearance, typical of telecommunications equipment seen in urban and suburban areas generally. The monopole would be sited on the roadside verge. I note that a previous proposal¹ for a 18m mast nearby on Pepper Lane was refused recently on the basis of its visual impact. The proposal before me is lower in height at 15m, and whilst remaining taller than any of these existing surrounding vertical elements, it would be seen in the context of the nearby trees.
7. Whilst a slimline design, the mast would have thicker elements at its top, drawing attention to its height. However, its reduced height would limit its visual impact from short, medium and distance views, including when viewed from the nearby Grade II listed Blandford Lodge.
8. No information is provided regarding the significance of this heritage asset; however, it appears that the building's significance lies in its age and architectural quality. Whilst glimpses of the top of the mast may be visible from this building, between the appeal site and this building is the substantial and modern Russel Building, access roads, and mature trees. Given this distance and the mixed context of the setting to Blandford Lodge, including adjacent modern, nondescript university buildings and areas of car parking, I am satisfied that the proposal would preserve the particular significance of this heritage asset and its setting.
9. Given the tree screening along this part of Pepper Lane, the mast would also mostly be obscured from view when viewed from Leighton Park School to the south. The nearest part of the school to the mast would be its car park, and whilst glimpses of the top of the mast may be visible from some north facing windows of the nearest building, it would not appear overly prominent nor visually incongruous.
10. The proposed mast and units would be located on a grass verge, behind which is the footpath and hedgerow. Behind the hedgerow next to the car park are some minor trees. There is no substantive evidence before me to indicate that the works would cause harm to the nearest tree's roots. Given the limited scale of these trees and subsequent root protection areas, I am satisfied that the proposed installation would be a sufficient distance away to comply with the requirements of the guidance² referenced by the appellant.
11. The Council reference several larger protected trees on the opposite side of the highway however, again, given the separation distance to the appeal site, I am satisfied that the proposal would not affect the health of these trees, and consequently would not detrimentally impact the verdant character of the surroundings.

¹ Application reference 211542, appeal reference APP/E0345/W/22/3295590

² 'National Joint Utilities Group Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees'

12. As such, I conclude that the proposal would not have a harmful visual effect on the character and appearance of the local area. Insofar as they are a material consideration, the proposal would comply with Policies CC7, EN1, EN4, EN6, EN14 and OU3 of the Reading Borough Local Plan (2019) which, amongst other things, seek to ensure development respects the local environment, including the historic environment and tree coverage.

Other Considerations

13. As I have found the proposal to be acceptable it is not necessary for me to address the merits of alternative sites.
14. The Council reference two other appeal decisions³, in which an Inspector dismissed appeals for similar telecommunications installations. Given the site-specific nature of these proposals, which include Conservation Areas and predominantly residential areas, I do not consider that these are directly comparable to the proposal in front of me. As such, I give these decisions little weight.

Conditions

15. Any planning permission granted for the development under Article 3(1) and Schedule 2, Part 16, Class A is subject to conditions set out in Paragraphs A.3(9), A.3(11) and A.2(2), which specify that the development must, except to the extent that the local planning authority otherwise agree in writing, be carried out in accordance with the details submitted with the application, must begin not later than the expiration of 5 years beginning with the date on which the local planning authority received the application, and must be removed as soon as reasonably practicable after it is no longer required for electronic communications purposes and the land restored to its condition before the development took place.

Conclusion

16. For the reasons given above, I conclude that the appeal should be allowed and prior approval should be granted.

B Phillips

INSPECTOR

³ Application references APP/E0345/W/22/3305239 & APP/E0345/W/22/3303138