

Appeal Decision

Site visit made on 11 December 2023

by B Phillips BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th December 2023

Appeal Ref: APP/E0345/W/23/3319656

Whitley Wood Road Street Works, Whitley Wood Road, Reading RG2 8NY

- 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 230095, dated 25 January 2023, was refused by notice dated 14 March 2023.
 - The development proposed is a 'proposed 5G telecoms installation: H3G 15m street pole and additional equipment cabinets.'
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Decision

1. The appeal is allowed and prior approval is granted under the provisions of Article 3(1) and Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for a proposed 5G telecoms installation: H3G 15m street pole and additional equipment cabinets at Whitley Wood Road Street Works, Reading RG2 8NY in accordance with the terms of the application, Ref 230095, dated 25 January 2023, 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.
4. Amended plans were submitted with the appeal. These plans (version C) show the monopole and cabinets sited on the grass verge rather than the footpath. Given the minor nature of the alteration, which would move the equipment away from the nearest properties, to consider it would not deprive those who should have been consulted on the change, the opportunity of such consultation. I have therefore considered the appeal on the basis of these amended plans. For clarity these are plans RDG20663_RDG210_89985_RG6855_GA_REV_C.

Main Issues

5. The main issues are therefore the effect of the siting and appearance of the proposed installation on:
- 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

6. The appeal site lies next to the Whitley Wood Road/ Whitley Wood Lane roundabout. Surrounding and facing the roundabout is a mix of commercial units and residential properties, ranging from two storey dwellings to three storey apartments. The character of this area is of a busy, suburban environment with a mix of structure heights.
7. There are some vertical elements visible such as streetlamps nearby, in addition to the mature trees, and there is freestanding signage and a tree in the centre of the roundabout. The proposal would be of functional design, typical of telecommunications equipment seen in urban and suburban areas generally. Whilst thicker than the nearby streetlamps, it would have a slender form which is maintained to its top, and as such would not appear bulky. However, its 15m height means that it would be taller than the surrounding street furniture, buildings, and trees.
8. Given this height and its position next to a busy roundabout, the mast would be visible from several directions. However, this visual impact is mitigated by the fact that the attention of drivers would be on the highway, and pedestrians would view the monopole in the context of the existing vertical elements, varied structure heights and mixed, busy character of the surroundings. It would not appear as an unexpected feature in this location.
9. When viewed from the nearby dwellings on Copenhagen Close, the mast and cabinets would be visible over the short brick wall and tall hedging along the boundary. However, given the orientation of the nearest properties, they would not directly face the mast and its slender proportions would limit its visual impact when viewed from the garden area.
10. As such, the mast and the cabinets would not appear incongruous nor visually dominant from any direction and would not detract from the existing character of the surroundings.
11. I conclude that the proposal would not have a harmful visual effect on the character and appearance of the area. Insofar as they are a material consideration, the proposal would comply with Policies CC7 and OU3 of the Reading Borough Local Plan (2019) which, amongst other things, seek to ensure development, including telecommunications development, respects the local environment.

Other considerations

12. As I have found the proposal to be acceptable it is not necessary for me to address the merits of alternative sites.

13. Given the limited visual impact that I have found above, the proposed monopole would not have an unacceptable impact on the outlook from the gardens of the nearest properties on Copenhagen Close, which would remain mostly of the boundary hedging, sky and a tree.
14. As set out above, the plans show that the monopole and cabinets would be sited on the grass verge next to the footpath. As such, they would not obstruct users of the footpath or require its re-routing.
15. I acknowledge that concerns have been raised about potential effects on health, particularly for children. However, the appellant has provided a certificate to confirm that the proposal has been designed to comply with the guidelines published by the International Commission on Non-Ionizing Radiation Protection (ICNIRP). In these circumstances, the Framework advises that health safeguards are not something which a decision-maker should determine. I do not consider that the evidence before me indicates that the ICNIRP guidelines would not be complied with or that a departure from national policy would be justified.
16. Finally, any harm to TV reception is not substantiated and is not a material planning consideration.

Conditions

17. 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 (version C, as set out above), 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

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

B Phillips

INSPECTOR