



Appeal Decision

Site visit made on 13 March 2024

by Hannah Guest BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 April 2024

Appeal Ref: APP/E0345/W/23/3328159

Cromwell Road Streetworks, Cromwell Road, Reading RG4 5EB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 16, Class A of the Town and Country (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 is 230158.
 - The development proposed is 5G telecoms installation consisting of a 15m street pole, ancillary equipment cabinets and associated ancillary works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. 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 Reading Borough Local Plan (2019) (Local Plan) this is only where they are a material consideration relevant to matters of siting and appearance.
3. On 19 December 2023, a revised National Planning Policy Framework (the Framework) was published. Those parts of the Framework most relevant to this appeal have not been significantly amended. As a result, I have not sought further submissions. I will refer to the updated paragraph numbers where necessary in this appeal.

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. The proposed mast would be located in a prominent location adjacent to the A4155 Henley Road, a principal road with frequent traffic and pedestrian movements. With the exception of Queen Anne's School, the surrounding area is largely residential and comprises fairly modest two-storey houses. Along the section of the Henley Road where the mast would be located, the land to the south falls towards the river Thames. Together with the wide highway, this

provides a feeling of openness. Tall mature trees along the north side of the highway and planting in the front and rear gardens of the adjacent houses add some greenery to the street scene. Overall, the area has a spacious and verdant character.

6. Although the proposed mast would be shorter than that previously refused by the Council at the appeal site, it would still be significantly taller than any nearby structures in the vicinity, such as lampposts, buildings, and trees. Its substantial height would be pronounced by the lower ground level of the adjacent houses on Cromwell Road. As a result, it would dominate and detract from the street scene. While the proposed mast would be located next to the flank elevation of the adjacent house, No. 82 Cromwell Road, and not directly in front of it, I saw on site that there are residential units on the opposite side of the Henley Road that would have views of the mast from their windows and balconies through gaps between existing trees. Also, by virtue of its height, the proposed mast would be visible from the wider public realm, houses in the surrounding area, and their gardens. There are some tall mature trees bounding the site of Queen Anne's School. However, these trees are on the opposite side of the highway and would neither screen nor provide a backdrop to the mast in views taken along the Henley Road.
7. The proposed mast would be much bulkier than any of the existing vertical structures, such as the lampposts. The intended colour of the proposal is unclear from the evidence before me. The appellant's statement of case refers to the monopole and cabinets as being both grey, and black and green respectively, to help assimilation. Notwithstanding this, while the colour of the proposed mast could help integrate it more successfully with its surroundings, in this case, neither of the colour choices proposed would fully address the harm I have identified resulting from its substantial size and siting.
8. Policies CC7 and OU3 of the Reading Borough Local Plan deal with design and the public realm, and telecommunications. They are therefore material in this case. Policy CC7 of the Local Plan seeks to ensure that development is of a high quality that maintains and enhances the character and appearance of the area of Reading in which it is located. In terms of telecommunications development, Policy OU3 of the Local Plan only permits this where it would not have an adverse impact on the visual amenity of the surrounding area and where the apparatus would be sited and designed so as to minimise its visual impact by innovative design solutions such as lamp column 'swap-outs' or concealment/camouflage.
9. In conclusion, it may be that the area where the proposed mast would be located is neither a conservation area nor subject to any similar designations. Nonetheless, by virtue of its siting, size and design, the proposed mast would be an obtrusive structure within the street scene that would tower above all other structures and would harm the spacious and verdant character of the area. I recognise that this type of mast has been designed to be installed alongside public roads in urban locations. However, there is little evidence before me to demonstrate that the proposal is an innovative design solution intended to specifically address the context of the appeal site.

Suitable alternatives

10. Paragraph 121 of the Framework deals directly with applications for electronic communications development, including applications for prior approval under

the GPDO, and is therefore material in this case. It requires evidence to be submitted to demonstrate that the possibility of erecting antennas on an existing building, mast or other structure has been explored. This is also required by Policy OU3 of the Local Plan, along with evidence that no preferable alternative sites are available which result in a development that would be less visually intrusive.

11. The evidence before me sets out the sequential approach that was undertaken to select the appeal site, which, it is stated, included the exploration of mast sharing and erecting antenna on existing buildings and structures. It concludes that no mast/site sharing opportunities or existing buildings/structures were identified, and this is not disputed by the Council.
12. Nevertheless, although other nearby locations for a new ground-based mast were considered and discounted, the extent and detail of the information provided setting out why these sites have been discounted is very brief, generic, and unsupported by any further evidence. For example, it is unclear why some of the alternative sites were discounted for being in residential areas when the appeal site is also located within a residential area, close to houses and a school. There is no explanation setting out why these sites were chosen as alternatives and no substantive evidence demonstrating why other areas of land within or close to the search area were not considered and discounted.
13. Moreover, the proposed mast would be located opposite the site of Queen Anne's School, which contains some listed buildings. Yet, the proximity of the proposed mast to both the school and its listed buildings do not appear to have been identified by the appellant or taken into account in the assessment of suitable alternatives. As such, I am not convinced that a robust review of possible site options within or close to the search area has been conducted.
14. In conclusion, the information provided on alternative sites is not sufficiently compelling or robust to demonstrate that this is the only site on which the proposed development could be located. Therefore, while I recognise that the technical requirements of the mast mean it is not possible to reduce its height any further, I am not satisfied that the significant harm that I have identified to the character and appearance of the area is outweighed by the need for the installation to be sited as proposed.

Other Matters

15. The proposed mast would be located opposite the site of Queen Anne's School, including a Grade II Listed Building known as the main block and chapel. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to give special regard to preserving the building or its setting or any features of special architectural or historic interest which it possesses. The significance of the building derives from its architectural value. With regards to this appeal, the open, landscaped grounds of the school, which provide the immediate setting to the listed building, contribute positively to its significance. However, the Henley Road and the houses on the opposite side of the highway have a neutral effect.
16. The intervisibility between the section of the Henley Road where the proposed mast would be located, and the listed building is limited by mature, tall trees, including some evergreens. While it is likely that the mast, given its substantial height, would be visible above these trees, it would not dominate. Its

appearance would also be softened by the intervening greenery. For these reasons it would not harm the setting or significance of the listed building.

17. It has been put to me by the appellant that the Council did not fully consider the significant efforts made to ensure the appeal site and design of the proposed mast struck an appropriate balance between operational requirements and the significant improvements enhanced 5G bring and the environmental considerations of planning policy. However, while I acknowledge the references made to various social and economic benefits, as well as the importance given to telecommunications infrastructure in both the Local Plan and the Framework, they have not been taken into account in considering matters of siting and appearance. 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.
18. I have carefully considered concerns raised by interested parties regarding the impacts of 5G on health and the evidence provided. Nonetheless, the appellant has provided a declaration that the proposed equipment and installation is designed to be in full compliance with the radio frequency public exposure guidelines of the International Commission on Non-Ionizing Radiation Protection, and paragraph 122 of the Framework is clear that decision makers should not set health safeguards different from these guidelines.
19. I note that interested parties have also made representations about various other matters such as highway safety. However, as I am dismissing the appeal no adverse impacts regarding these matters would arise from my decision.

Conclusion

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

Hannah Guest

INSPECTOR