



Appeal Decision

Site visit made on 11 April 2024

by C Butcher BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 May 2024

Appeal Ref: APP/W1850/W/23/3325614

Grass Verge at College Road, Holmer and Shelwick HR1 1JP

- 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 Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by CK Hutchison Networks (UK) Ltd against the decision of Herefordshire Council.
 - The application Ref is 230697.
 - The development proposed is the installation of 20m high phase 8 monopole, supporting 6 no. antennas, 2 no. equipment cabinets, 1 no. electric meter cabinet and ancillary development thereto.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (GPDO 2015), under Article 3(1) and Schedule 2, Part 16, Class A, Paragraph A.3(4) 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. My determination of this appeal has been made on the same basis.
3. Submissions made under the aforementioned legislative provisions are not determined in accordance with the development plan albeit I have referred to the relevant policies insofar as they are material considerations pertaining to matters of siting and appearance. These policies relate to the Herefordshire Local Plan Core Strategy, October 2015 (LP).

Main Issue

4. The main issue is whether the siting and appearance of the proposed development would be acceptable, with specific regard to the character and appearance of the area.

Reasons

5. The appeal site is in a highly visible location at a junction of roads in an area that contains a mix of uses including residential dwellings and industrial units. All of the buildings in the immediate surroundings are of a fairly limited height.
6. The proposed development would introduce a very tall mast and several cabinets to an area of grass verge. While 5G masts are tall structures by their

very nature, the proposed mast in this instance would be 20 metres in height and would therefore greatly exceed the height of any of the surrounding buildings or items of street furniture. Indeed, the mast would appear even taller than it otherwise might do due to the fact that the grass verge on which it would be located is raised slightly above road level. As a result of the prominence of the site, the proposed mast and cabinets would appear as a highly obvious, dominant and discordant feature within the street scene.

7. I acknowledge that such apparatus is common to urban areas, and that the effect of its modern and industrial appearance would be mitigated to some degree by the presence of industrial units nearby, including car show rooms. However, in my view, this mitigation is only partial and it is still the case that the proposal would significantly detract from the character and appearance of the area.

Planning Balance Conclusion

8. The appellant's statement provides a summary of alternative options which were discounted for various reasons. However, it is not sufficiently clear what criteria were used to identify alternative sites within the search area, including whether there might be realistic options that are less visually prominent and therefore would have less of an impact on the character and appearance of the surrounding area than the appeal proposal before me. For this reason, I attach limited weight to these matters.
9. There is support in the National Planning Policy Framework (the Framework) for high quality communications, and that advanced, high quality, reliable communication infrastructure is essential for economic growth and social wellbeing. Decisions should also support the expansion of the communications network, specifically to support the roll out of 5G. Government Ministers have re-iterated this message. However, I must balance this against the requirement for equipment to be sympathetically designed and sited, as well as the overarching imperative in the Framework for development to achieve well-designed places for the long term. I attach significant weight to these matters.
10. The siting and appearance of the proposed development would be harmful to the character and appearance of the area. For the reasons I have set out, this harm would not be outweighed by the support in the Framework for high quality communications or the appellant's consideration of alternatives.
11. Insofar as they are material to the main issues, the proposals would not be supported by LP Policies SS6, LD1 and SD1. Taken together, these policies seek to ensure that development is well designed and is not visually intrusive.
12. For the above reasons, the appeal is therefore dismissed.

C Butcher

INSPECTOR