



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: 21 May 2024

Appeal Ref: APP/W1850/W/23/3325613

Hoarwithy Road, Hereford, Herefordshire HR2 6HA

- 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 Cignal Infrastructure UK Limited against the decision of Herefordshire Council.
 - The application Ref is 230654.
 - The development proposed is a proposed telecommunications installation of 17m high slim-line monopole, supporting 6 no. antennas, 1 no. wraparound equipment cabinet at the base of the monopole, 2 no. equipment cabinets, 1 no. electric meter cabinet and ancillary development thereto including 1 no. GPS module.
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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).
4. From the evidence before me, it is clear that the scale of the proposed development was amended during the application process. I have therefore used the description of development provided on the Council's decision notice.

Main Issue

5. 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

6. The appeal site is in a highly visible location at a junction of roads in a predominantly residential area that contains buildings that are mainly two storeys in height. The visibility of the site is increased further by the fact that it is a grass verge that is effectively an 'island' situated between Holme Lacy Road and a small parking area. The grass verge and generous width of the pavement currently provides the area with a spacious feel.
7. The proposed development would introduce a mast and several cabinets to the verge. Despite such apparatus being common to urban areas, the modern and overly industrial nature of the proposals would appear incongruous with residential character of the area and the height of the monopole would appear overly dominant in comparison to the height of nearby dwellings and existing street furniture. As a whole, the development would also add clutter to the grass verge and the overall street scene which would erode the current feeling of spaciousness. This harm would be exacerbated by the highly prominent location of the site.

Balance and Conclusion

8. The appellant's statement provides a summary of alternative options which were discounted for reasons including narrow pavements and proximity to residential uses. However, it is not sufficiently clear what other criteria were used in the identification and appraisal of alternatives including whether they would be more or less harmful than development at the appeal site in relation to character and appearance, most notably in terms of the visual prominence of different options. I therefore 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 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