



Appeal Decision

Site visit made on 17 December 2024

by **K Mansell BA (Hons) MPhil TP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 10 January 2025

Appeal Ref: APP/N2345/D/24/3348220

37 Oxford Road, Preston PR2 3JL

The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.

The appeal is made by Mr Lance Gibbs against the decision of Preston City Council.

The application Ref is 06/2023/1130.

The development proposed is replacement of existing radio antenna with enlarged radio mast.

Decision

1. The appeal is dismissed.

Procedural Matters

2. On 12 December 2024, the Government published a revised version of the National Planning Policy Framework (the Framework). In relation to the main issue in this appeal, Government policy has not materially changed. For this reason, I have not sought the parties' comments upon it but neither party has been prejudiced by my having regard to it.
3. The description of development on the application form provides a detailed explanation of the appeal scheme. For conciseness, in the banner heading above, I have therefore used the description of the proposal given on both the Council's decision notice and the appeal form.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the host property and the surrounding area.

Reasons

5. Oxford Road lies within an established residential area. It is characterised by mainly semi-detached bungalows of a broadly consistent scale. Along with other dwellings along the street, the appeal property at No 37 sits within a linear plot. It is modestly set back from the road with a longer garden to the rear. There is already a radio antenna within the back garden of No 37. It reaches approximately 12 metres at full extension, comprising a relatively slim pole-like mast to support the antenna with a metal tripod support at its base, as well as additional guy supports.
6. The appeal proposal would replace the existing antenna with a three-section triangular lattice mast that narrows somewhat towards the antenna at the top. It would extend up to approximately 18 metres at full extension whilst operational and to approximately 8 metres when not in use. The radio mast would occupy a central

position within the width of the garden of the appeal property, positioned towards the rear boundary shared with the dwelling at 18 Black Bull Lane.

7. Even if the existing mast has limited visibility from Oxford Road, being seen mainly in the gap between the appeal property and No 35, the appeal scheme would be perceptibly taller. When fully extended, it would rise significantly above the ridge height of No 37 and neighbouring dwellings, such that it would be visible from the road. It would also be substantially higher than the scale of other vertical structures along the street, such as telegraph poles and lampposts. When in use, the radio mast would therefore be unduly conspicuous in comparison to the host dwelling and within the wider street scene.
8. On my site visit, I observed that there are some mature trees of varying heights surrounding the rear garden of No 37. Nonetheless, the plans indicate that the fully extended mast would be taller than even the large species directly beyond it within the neighbour's garden at No 39. Moreover, these trees are mainly deciduous and would offer limited screening of the mast to neighbouring properties to the rear in the winter months in particular. Furthermore, irrespective of its colour, unlike a small extension to a property, the lattice appearance and width of the mast would have a relatively industrial appearance. It would also be more prominent than the single slimline form of the existing structure. Notwithstanding that both parties agree there would be no harm to the living conditions of neighbouring occupiers, the enlarged radio mast would nonetheless be visually incongruous and dominant within this residential area as a result.
9. I recognise that the proposed radio mast would not be fully extended at all times. However, when retracted to its lowest level, it would still be higher than the ridge of the appeal property and significantly above that of the fence enclosing No 37's garden. Even if visibility from Oxford Road would be limited due to its set back within the site, it would still be evident from at least the immediate neighbouring gardens. The appellant also states that the mast would mainly be used at weekends and night-time, and often after dark. However, I have nothing before me to indicate the actual extent of its daytime use, particularly at weekends and in the summer months when its fully retracted position would represent a stark contrast to the residential character of the host dwelling and the surrounding area.
10. My attention has been drawn to radio masts of the same type and design within the postcode area 'PR8', as well as a mast on Jeffrey Hill within an Area of Outstanding Natural Beauty in the Ribble Valley. However, I have not been provided with any details of planning permissions for these masts nor their history. Consequently, I cannot be certain as to the detailed considerations that applied in those cases. Moreover, I am required to reach conclusions based on the individual site-specific context of this appeal.
11. For these reasons, I find that the proposal would be harmful to the character and appearance of the host dwelling and the surrounding area. It would therefore conflict with Policies AD1(a) and EN9 of the Preston Local Plan 2012-2026 Site Allocations and Development Management Policies (2015), which require, amongst other matters, that development within existing residential locations should be sensitive to and consistent with the character and appearance of the area. It would further be contrary to guidance within the Framework and the Central Lancashire Design Guide Supplementary Planning Document (2012), which both generally promote the importance of development being contextual and enhancing the quality

of the local area, as well as the National Design Guide, which broadly seeks to ensure that development is well-designed, relates well to the site and responds positively to context.

12. In its reason for refusal, the Council has also cited Saved Policies D13 and H8 of the Preston Local Plan (2004) and Policy 17 of the Central Lancashire Adopted Core Strategy (2012), as well as the Council's Residential Extensions and Alterations Supplementary Planning Document (2013) (SPD) in its entirety. Whilst these policies and SPD generally reference a need to take account of the local area, they relate principally to the design of new buildings or extensions or built alterations to a dwelling, which the appeal scheme would not constitute, being neither a building nor a domestic extension. As such, I do not find them relevant to the determining issues within this case.

Other Matters

13. The appellant queries whether the appeal scheme required a planning application. However, that is not a matter for me to determine and I must consider the appeal as submitted on its individual merits. It is also contended that the replacement mast would be safer and more practical, being set within a concrete base that would eliminate the need for additional guy supports. However, I have nothing before me to indicate that there have been any particular safety concerns with the existing mast to prevent its use. It is therefore not a matter that would affect the harm that I have identified above and accordingly, it does not alter my findings.
14. The appellant cites that the appeal property lies within the flight path of military and commercial flights and notes also that emergency plans prepared by local authorities must make provision for radio communications. I am also mindful that the replacement mast would allow the appellant, as an amateur radio enthusiast, to monitor radio wave traffic, including emergency frequencies and potential distress calls in most parts of the globe, which can play a role in emergency communication when other methods may fail. However, no information regarding the extent of such occurrences arising has been provided. There is also no evidence before me to demonstrate that the radio mast must be to the height and design of the appeal proposal to play such a role. I therefore attribute limited weight to these factors, and they do not outweigh the harm to the character and appearance of the host dwelling and the surrounding area that I have identified previously.

Conclusion

15. The appeal proposal would conflict with the development plan as a whole, and there are no material considerations that would indicate a decision otherwise would be appropriate. For the reasons given above, I therefore conclude that the appeal should be dismissed.

K Mansell

INSPECTOR