



Appeal Decision

Site visit made on 6 June 2022

by James Blackwell LLB (Hons) PgDip

an Inspector appointed by the Secretary of State

Decision date: 23 June 2022

Appeal Ref: APP/X0360/W/21/3285240

Land to the North East of Vauxhall Drive, Woodley, Wokingham RG5 4EJ

- 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 Mobile Broadband Network Limited against the decision of Wokingham Borough Council.
 - The application Ref 210668, dated 25 February 2021, was refused by notice dated 20 April 2021.
 - The development proposed is the installation of a 20m high monopole supporting 6No. antenna apertures & 4No. 600mm transmission dishes; plus the installation of 8No. ground-based equipment cabinets within a secured, fenced compound; and ancillary development thereto.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Because this is an application for prior approval, the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (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. This appeal will be determined on the same basis.
3. The principle of the proposed development is established by the GPDO and the provisions of Schedule 2, Part 16, Class A do not require regard to be had to the development plan. Nonetheless, I have had regard to the policies of the Council's Core Strategy¹, MDD Local Plan² and the National Planning Policy Framework 2021 (Framework), but only insofar as they are relevant to matters of siting and appearance. The Framework also promotes the need for high quality mobile communications, which is a material consideration to which I have again had regard.

Main Issues

4. The main issues are the effect of the siting and appearance of the proposed installation on the character and appearance of the area, and, if any harm

¹ Wokingham Borough Local Development Framework, Adopted Core Strategy, Development Plan Document, January 2010 (Core Strategy)

² Wokingham Borough Development Plan, Adopted Managing Development Delivery, Local Plan, February 2014 (MDD Local Plan)

would occur, whether this is outweighed by the need for the installation to be sited as proposed taking into account any suitable alternatives.

Reasons

Character and Appearance

5. The appeal site is situated within an area of public open space in the centre of Woodley, which is known as Vauxhall Park. It comprises a parcel of land towards the north-east of the park, which is nestled within a small clearing amongst a copse of trees and vegetation. Although there is an industrial estate to the north-west of the park, it is otherwise broadly surrounded by residential properties. The park includes open grassland, a play area and dog walking paths, with extensive trees, hedgerows and other mature vegetation punctuated throughout. These features give the park a verdant and secluded quality which contributes positively to its character, forming a welcome contrast with the surrounding built-up area.
6. It was apparent on my site visit that the park is widely used by local residents for a variety of recreational activities. Its amenity value is therefore clearly evident, a factor which is compounded by the relative scarcity of other areas of public open space in the locality. Its value to the local community is also reflected in the multitude of local representations received in connection with this appeal.
7. The proposed development would introduce a 20m high monopole to the park, together with ground-based equipment cabinets. Although much of the base equipment and lower parts of the monopole would be screened by the surrounding vegetation, given its extensive height, a significant proportion would still project far beyond the highest points of the tree canopy. As a result, it would appear visually prominent throughout the park and its immediate surrounds.
8. Its prominence would be exacerbated by the supporting antenna and transmission dishes, all of which add bulk and clutter to the proposal. These features also exaggerate its industrial appearance, which would juxtapose starkly with the rural character of the park. In turn, the development would appear alien and oppressive within the surrounding landscape, significantly undermining the sense of verdancy and seclusion which characterise the park. As a result, the development would significantly harm the character and appearance of the area.

Alternative Locations

9. The appellant has explored a number of alternative locations for the proposed development, many of which are within the Headley Park Industrial Estate. These sites have primarily been discounted on the basis that the industrial estate has been promoted by its landowner for future development. Nonetheless, the site currently remains unallocated, and there are no known live planning applications relating to this land. Any future development in this location is therefore only theoretical at this stage. Even if re-development of the industrial estate was more certain, very little detail of the land promotion has been provided. This means I cannot properly assess the extent to which these alternative sites have been considered, nor whether they have been discounted on a legitimate basis.

10. The Council has suggested an alternative site for the proposal, comprising an area of highway verge along Headley Road East. Whilst the feasibility of this site has not been properly assessed, attempts are ongoing to obtain access, so that its suitability (or lack thereof) can be established. If feasible, this site could prove more suitable, given its more urban setting where it could integrate more effectively with its surroundings.
11. The Council has also suggested that the network improvements could potentially be achieved through multiple smaller street work installations. Once again, little evidence has been provided to demonstrate why this alternative approach would be less feasible or suitable.
12. Whilst I appreciate the urgency to find an alternative and viable site, in light of these factors, I am not persuaded that less harmful alternatives have been properly explored. As a result, I do not consider that the need for installation in the location proposed would outweigh the significant harm to the character and appearance of the area.

Other Matters

13. Whilst I acknowledge there are significant social and economic benefits associated with the proposal, consideration of this appeal is limited to matters of siting and appearance only. These factors cannot be taken into account, as they go beyond the scope of the GPDO.
14. A number of other appeal decisions have been cited by the appellant to support its case. Whilst each case must be assessed on its own merits, the current proposal can be distinguished, given its location within a park which provides valuable green amenity space to the locality. Its impact on character and appearance would therefore be materially different. Moreover, several of the examples cited were not prior approval applications, so would have been assessed on a different statutory basis.

Conclusion

15. The siting and appearance of the development would harm the character and appearance of the area, and the need to site the proposal in the location proposed would not outweigh this harm. The appeal should therefore be dismissed.

James Blackwell

INSPECTOR