



# Appeal Decision

Site visit made on 7 March 2022

**by David Reed BSc DipTP DMS MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 21 April 2022

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## **Appeal Ref: APP/X1925/W/21/3284014 Land at Old North Road, Royston, SG8 5DQ**

- 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 C K Hutchinson Networks (UK) Ltd against the decision of North Hertfordshire District Council.
  - The application Ref 21/02179/TD, dated 9 July 2021, was refused by notice dated 1 September 2021.
  - The development proposed is an 18.0 metre Phase 8 Monopole C/W wraparound Cabinet at base and associated ancillary works.
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### **Decision**

1. The appeal is dismissed.

### **Main Issue**

2. The proposal is permitted development under Part 16 Class A of the 2015 Order but prior approval is required for its siting and appearance under paragraph A.3(3). The main issue is therefore the effect of the proposal on the character and appearance of the area.

### **Reasons**

3. The proposal is for a 18 metre slimline monopole with associated ground level cabinets on the grass verge immediately alongside the northbound exit from the Old North Road/York Way/Burns Road roundabout in Royston. The site lies adjacent to the single storey Royston Evangelical Church with housing estates on the opposite side of the road and to the south and an industrial estate with superstore to the north-west beyond the church.
4. The appellant is in the process of building an upgraded 5G telecommunications network and claims a new mast site is required in the north Royston area to improve digital connectivity in the neighbourhood. However, the only evidence for this in the appeal statement is the small scale and poor resolution Figure 5, which is said to show an overloaded or congested cell like the illustrative example in Figure 4, where mast PLY041 shows one of the sectors shaded red. However, Figure 5 does not show such a cell in Royston, with mast NHE012 near the centre of the town only showing green sectors. Paragraph 3.15 of the statement claims the coverage 'hole' extends into a residential area and land owned by The Chalk Hills Academy, however the latter is situated in Luton, not Royston. The part of the town, if any, with poor connectivity has not therefore been established in the evidence submitted to date.

5. There is also no evidence to support the assertion that the new mast should be sited in or near the search area shown on Figure 5, a small area of housing centred on Grays Close east of the selected site. No diagram, calculation or explanation is provided as to why the search area is so restricted in size and located in this particular area as opposed to any other part of the town.
6. The tall, 18 m high monopole would be sited on a narrow roadside verge beside the busy Old North Road where it would be visually intrusive and obvious to all road users, particularly slow-moving pedestrians. The monopole would also be clearly visible from nearby residential properties, most seriously in the direct view of the rear facing ground and first floor windows and rear gardens of Nos 10-14 and 19-23 Isherwood Close, six two-storey houses which back onto Old North Road opposite the appeal site.
7. The appellant argues that the chosen location benefits from screening provided by tall, large, mature trees which paragraph 4.1.7 claims would provide 'near complete screening'. However, in reality there is only one modest 5 m high tree and a bush on the church boundary with the other only medium sized trees being located on the opposite verge or on the roundabout some distance away. Two newly planted trees in the church grounds will take years to grow to any significant height. The 18 m high monopole would not therefore be screened in any meaningful way and would remain a stark feature in the street scene. Whilst there are several thin lampposts in the area, these are widely spaced and only just over 10 m high. Drawing no. NHE17239\_M001 Issue A shows clearly how the monopole would be much thicker and taller than the adjacent lamppost, demonstrating the discreet design of the latter rather than the similarity and visual acceptability of the former.
8. In addition, the claim that the monopole would be the minimum possible height to be clear of surrounding clutter is not supported by any technical evidence nor 360° panoramic views at different heights. The ground rises noticeably to the north, west and south of the chosen site where a lower monopole might be feasible, indeed to the north-west a large industrial estate and superstore may offer alternative sites in a less sensitive location.
9. For these reasons the proposed monopole would significantly detract from the character and appearance of the area in conflict with Policies SP9 and D1 of the emerging North Hertfordshire District Local Plan which require development to be well located and seek to minimise the visual impact of street furniture.

## **Conclusion**

10. The strong policy support for advanced and high-quality communications set out in NPPF paragraphs 114-118 is fully recognised. The numerous technical and locational requirements that limit the availability of sites for an installation are also appreciated. However, paragraph 117 states that applications for such development (including prior approval) should be supported by the necessary evidence to justify it. Persuasive evidence to support the need for a site in the area and the precise location chosen is lacking in this case. Consequently, the undoubted public benefits of improved digital communications do not outweigh the significant harm to the character and appearance of the area that has been identified in this instance. The appeal should therefore be dismissed.

*David Reed* INSPECTOR