

REPORT TO: PLANNING COMMITTEE
Date of Meeting: 11 October 2021
Report of: City Development Strategic Lead
Title: Appeals Report

Is this a Key Decision? No

Is this an Executive or Council Function? No

1. What is the report about?

- 1.1 The report provides Members with information on latest decisions received and new appeals since the last report.

2. Recommendation:

- 2.1 Members are asked to note the report.

3. Appeal Decisions

- 3.1 [21/0599/TEL](#) - **Land next to Unit 6 Exebridge Centre, Cowick Street** - *Proposed 5G 15m Phase 8 Monopole C/W wraparound Cabinet at base and associated ancillary works.*

The appeal concerns a prior approval application for the installation of a 15 metre 5G telecommunications mast on the pavement beside Unit 6 (Poundland), Exebridge Centre on the south side of Cowick Street.

The principle of development is established by the GDPO, and the provisions of Schedule 2, Part 16, Class A of the GDPO do not require regard to be had to the development plan. The Inspector therefore cites the main issue in this appeal, as the effect of the siting and appearance of the development on the character and appearance of the area, including the settings of designated heritage assets.

The Inspector noted that the appeal site lies on the edge of a wide pavement/seating area adjacent to the retail park. It is characterised by a significant level of street furniture, including street lighting, car park lighting, traffic lights, road signs, railings and benches, and despite its urban location a substantial number of trees. The Inspector notes that the mast would occupy an area already populated by a range of street furniture and large buildings, softened by the appearance of trees. The Inspector therefore considered that the mast would be relatively unremarkable position within the street. Furthermore, the siting and appearance of the development would not have a harmful impact on the overall character and appearance of the locality.

With regards the matter of the impact of the proposed mast on the setting of designated heritage assets, the Cowick Street Conservation Area and the Grade II listed St Thomas Railway Station, 70 metres from the site, the Inspector concluded that from most angles the mast would be seen against the adjacent retail unit rather than the listed building. Therefore the mast would have little impact on the setting of the listed railway station. The mast was concluded to only affect views into the conservation area from a short section on the east side of Cowick Street. Due to the existing street furniture and the dimensions of the archway, the mast would not have a harmful impact on the setting of the conservation area.

For these reasons the Inspector concluded that the siting and appearance of the proposed development would not have a harmful impact on the character and appearance of the

area, including the designated heritage assets and therefore would accord with the relevant policies within the Exeter Local Plan and the aims of the NPPF. For these reasons the appeal is allowed.

Within the report the Inspector addressed other matters not raised by the Council, but by the representations. Representations questioned the need for the installation and whether an alternative location would be more appropriate. The framework advises in determining applications, decision makers should not question the need for the installation. Besides the evidence indicates that the installation is required to fill a large gap in coverage in a densely populated residential area, and the residential nature of the area limited the number of sites available.

Representations also raised concerns over potential health effects, however, the applicant has provided a certificate to confirm the compliance with the guidelines published by the International Commission on Non-Ionizing Radiation Protection. Regardless, the framework advises health safeguards are not something a decision-maker should determine.

4. New Appeals

- 4.1 [20/0020/FUL](#) - **The Annexe, Melbury House, 4 Queens Crescent** - Use of annexe as independent residential dwelling (*Class C3*)
- 4.2 [21/0349/FUL](#) - **1 Crawford Gardens** - Construction of a 3-bedroom end-of-terrace dwellinghouse

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Local Government (Access to Information) Act 1985 (as amended)

Background papers used in compiling the report:

Letters, application files and appeal documents referred to in report are available for inspection from: City Development, Civic Centre, Paris Street, Exeter

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