

Appeal Decision

Site visit made on 8 November 2016

by Beverley Wilders BA (Hons) PgDurp MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 5 December 2016

Appeal Ref: APP/B5480/W/16/3157670

Wingletye Lane, Hornchurch, London RM11 3AT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under 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 H3G and EE Ltd against the decision of the Council of the London Borough of Havering.
 - The application Ref M0015.16, dated 22 June 2016, was refused by notice dated 28 July 2016.
 - The development proposed is replacement of 12m phase 1 monopole with a 15m slimline Alpha monopole and 1 no. additional equipment cabinet.
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Decision

1. The appeal is allowed and approval is granted under the provisions of Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the siting and appearance of the replacement of a 12m phase 1 monopole with a 15m slimline Alpha monopole and 1 no. additional equipment cabinet at land at Wingletye Lane, Hornchurch, London RM11 3AT in accordance with the terms of the application Ref M0015.16, dated 22 June 2016, subject to the standard conditions as set out in paragraphs A.2 and A.3 of Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and to the plans submitted with it.

Procedural Matters

1. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO) require the local planning authority to assess the proposed development solely on its siting and appearance. My determination of this appeal has been made in the same manner.
2. Having regard to the available evidence the proposal appears to be permitted development under Schedule 2, Part 16, Class A of the GPDO.

Main Issue

3. The main issue is effect of the proposal on the character and appearance of the area.
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Reasons

4. The appeal site comprises a small area of land located at the back edge of the pavement on the approach to the nearby railway bridge. It forms a telecommunications base station and contains an existing 12m high monopole together with a number of equipment cabinets of varying height, design and colour positioned adjacent to an existing fence and hedging. There are a number of mature trees in the vicinity of the appeal site and these serve to screen the existing monopole from various vantage points meaning that it is not unduly prominent. The immediate surrounding area is mainly residential in character though there are some commercial uses nearby. There is existing street furniture along Wingletye Lane including a number of lamp posts and at the time of my visit the road was reasonably busy with traffic.
5. The proposed replacement slimline monopole would be positioned to the other side of the existing equipment cabinets, lower down the slope and further away from the existing trees. It would be 3 metres taller and would be wider than the existing monopole but its position lower down the slope from the bridge means that in relative terms it would only be slightly taller than the existing monopole. Consequently the existing mature trees would provide significant screening to the proposed monopole when viewed from the south west and whilst the monopole would be more prominent when viewed from the north east, it would largely be viewed against the backdrop of the existing mature trees meaning that skyline views would be limited.
6. Whilst there would be more open views of the monopole from directly opposite the appeal site itself, this view would be limited to pedestrians and drivers of vehicles crossing the bridge and would be short lived. The replacement monopole would be a similar grey colour to the existing monopole and to some surrounding street furniture and due to its siting and appearance I do not consider that it would be a visually obtrusive and overbearing feature.
7. The proposed equipment cabinet would be positioned adjacent to the replacement monopole and the existing fence and hedging. It would be small in scale, designed for purpose and would be coloured green to match a number of the existing cabinets. Having regard to this and to the character of the immediate surrounding area, I do not consider that the additional equipment cabinet and any slight increase in footprint of the base station would result in a cluttered visual aesthetic detrimental to the existing streetscene.
8. In reaching my decision I have had regard to the appeal decision relating to St Leonard's Way (Ref M0020.14) provided by the Council. However having read the decision it seems to me that there are material differences between the St Leonard's Way scheme and the appeal proposal, not least that the appeal site at St Leonard's Way is very close to the boundary of a Conservation Area. I therefore give it limited weight. I also note that the Council has previously refused prior approval for telecommunications development at the appeal site (Refs M0029.15 & M0004.16). However I am not aware of the details or the particular circumstances relating to those applications. In any event, I must determine the proposal before me on its own merits.
9. Taking the above matters into consideration, I conclude that the siting and appearance of the proposal would not adversely affect the character and appearance of the area. It therefore complies with policies DC61 and DC64 of the Havering Core Strategy and Development Control Policies Development

Plan Document. These policies seek to ensure, amongst other things, that development including telecommunications development does not have an unacceptable effect on the character and appearance of the surrounding area.

Conditions

10. I have had regard to the conditions suggested by the Council. However, proposals which are permitted development under Schedule 2, Part 16, Class A of the GPDO are subject to standard conditions as set out under paragraphs A.2 and A.3 of Schedule 2, Part 16 of the GPDO. Consequently I have not imposed any conditions.

Conclusion

11. For the above reasons and having regard to all matters raised, I conclude that the appeal should be allowed.

Beverley Wilders

INSPECTOR