
Appeal Decision

Site visit made on 8 November 2016

by David Cross BA (Hons), PGDip, MRTPI

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

Decision date: 20 December 2016

Appeal Ref: APP/N5090/W/16/3155678

Wood Street, Chipping Barnet, Barnet EN5 4DB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Part 16 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by H3G & EE Ltd against the decision of the Council of the London Borough of Barnet.
 - The application Ref 16/1966/PNT, dated 21 March 2016, was refused by notice dated 4 May 2016.
 - The development proposed is replacement of 11.7m phase 2 monopole with a 12m 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 Part 16 of Schedule 2 of the General Permitted Development Order (GPDO) 2015 for the replacement of 11.7m phase 2 monopole with a 12m Alpha monopole and 1 no. additional equipment cabinet at Wood Street, Chipping Barnet, Barnet EN5 4DB in accordance with the terms of the application Ref 16/1966/PNT, dated 21 March 2016, and the plans submitted with it.

Background and Main Issues

2. Both the Council and the appellant consider the proposal is a replacement of the existing apparatus and is therefore permitted development under Part 16 of the GPDO. Based on the positions of the main parties and the evidence available to me, which I explore below, I have no reason to disagree.
3. The main issues in this appeal are twofold. Firstly the effect of the proposal on the character and appearance of the area and with particular regard to its location in the Wood Street Conservation Area. Secondly, whether a detailed consideration of alternative sites is required to be consistent with national policy.

Reasons

4. The appeal site is located close to the western boundary of the Wood Street Conservation Area (CA), adjacent to an area of open land to the south. I agree with the Council's Character Appraisal Statement, which sets out the character, appearance and heritage significance of the CA.
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5. Wood Street is a main road running through the area. The area round the appeal site includes a variety of street furniture including bollards, utility equipment cabins, a bus stop, street signs and vertical structures consisting of lighting columns of varying design. This gives the streetscape a relatively cluttered appearance.
6. The existing monopole has a shrouded head and the proposal would be of a similar diameter so that the highest point of the proposed monopole would have a similar visual impact as the current site. The main body of the existing monopole is of slender design and in comparison the relatively constant diameter of the replacement would mean that it would have slightly more bulk albeit not notably so. The additional cabinet would be of a modest size and would be viewed against an existing hedge to the rear of the site.
7. The small increase in bulk and height of the replacement monopole would not, in the streetscape described previously, appear materially different and noticeable nor would the replacement mast and the extra equipment cabinet appear prominent or incongruous. Thus the character and appearance of the CA and the street scene would be preserved.
8. The Council's second reason for refusal states that the appellant has not provided a satisfactory assessment of alternative sites. I am mindful that the Framework states that advanced, high quality communications infrastructure is essential for sustainable economic growth. The appellant states that the proposal will improve 2G and 3G services in the area and will provide a 4G service for both EE and H3G customers in the area and the Council does not dispute the need to improve the network in the area.
9. The appellant identifies that the replacement proposal consists of an upgrade to an existing site and therefore alternative site options have not been investigated. Given the circumstances, the absence of harm to the character and appearance of the area and with due regard to the provisions of the Framework, I am satisfied that a detailed investigation of alternative sites is not required in order for the proposal to be consistent with national policy.
10. In conclusion, the proposal would not appear visually intrusive and would not cause harm to the character and appearance of the CA or the street scene. The proposal therefore complies with the design, heritage and telecommunication aims of Policies DM01, DM06 and DM18 of the Council's Development Management Policies 2012 and with the provisions of the National Planning Policy Framework. Consequently, I consider that the siting and appearance of the proposal is acceptable. The appeal is allowed.
11. The Council have suggested a number of conditions to be placed on any approval. However, the GPDO does not provide any specific authority for imposing additional conditions beyond the deemed conditions for development by electronic communications code systems operators. Consequently, I have not imposed the suggested conditions.

David Cross

INSPECTOR