
Appeal Decision

Site visit made on 5 December 2016

by Tim Wood BA(Hons) BTP MRTPI

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

Decision date: 22 December 2016

Appeal Ref: APP/Z3635/W/16/3157703

Highway Verge at Worple Road adjacent to the corner with Hurstdene Avenue, Staines Upon Thames, Surrey TW18 1LQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under a development order.
 - The appeal is made by Vodafone UK Ltd and CTIL against the decision of Spelthorne Borough Council.
 - The application Ref 16/00840/T56, dated 19 May 2016, was refused by notice dated 14 July 2016.
 - The development proposed is a 12.5m high dual use replica telegraph pole.
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Decision

1. The appeal is allowed and approval is granted under the provisions of Town and Country Planning (General Permitted Development) (England) Order for the siting and appearance of a 12.5m high dual use replica telegraph pole at land at Worple Road adjacent to the corner with Hurstdene Avenue, Staines Upon Thames, Surrey TW18 1LQ in accordance with the terms of the application Ref 16/00840/T56, dated 19 May 2016, and the plans submitted with it.

Preliminary Matter

2. On the application form and elsewhere the appellant refers to the address as "Worpole Road", whereas maps and road signs show it as "Worple Road". I have used the latter in my heading above.

Main Issue

3. The main issue in this appeal is the effects of the proposal on the character of the surrounding area.

Reasons

4. The proposed development includes the construction of a 12.5m high mast and an ancillary equipment cabinet. The mast is designed so that it will accommodate shared equipment. It is referred to as a replica telegraph pole and is designed to broadly replicate the appearance of a wooden pole, although it is acknowledged that it would be wider and taller than the telegraph poles in the area.
5. The development would be sited on a section of highway verge just to the north of the junction of Worple Road with Hurstdene Avenue. The area consists mainly of 2 storey houses and the streets contain a number of trees,

street-lighting columns and some telegraph poles; I also observed another telecommunications mast a short distance away on Hurstdene Avenue.

6. It is accepted that the proposed column would be taller than the adjacent houses and the other features that I have identified. However, the area clearly contains a number of such structures within the highway and so the presence of slim and vertical structures is a feature of this area. I have carefully considered the proposed width and height of the column and I am of the view that, even though it would be taller than other features, this would not mean that it would be unacceptably dominant within the street-scene and would be seen as one of a much greater number of varying features.
7. The Council and residents refer to the effects on the openness of the area and refer to the open green area to the south. I am mindful of the recent appeal decision (APP/Z3635/W/15/3129047) for a similar proposal on land adjacent to the green space. That proposal was for a taller mast and, in my consideration, the current appeal site is sufficiently removed from the open area.
8. At my site visit I had the opportunity to view the appeal site from within the nearest property at No 1 Hurstdene Avenue. I noted that it is not accurately represented on the appellants' drawings. The rear door of No 1 opens out on the side of the house, immediately adjacent to where the proposal would be erected; the door contains obscure glazing. Other windows in the side elevation at the ground floor include a small kitchen window which is blocked internally, an obscure glazed bathroom window and 2 hall windows. Taking account of the obscure glazing and the rooms served by the windows, I do not consider that there would be any unacceptable effects for residents when inside the house. In relation to views gained from the back door and its immediate surroundings, the lower section of the column would be obscured by the fence and planting. The upper section would be visible and would represent a new feature within views. However, I consider that it would be seen as another slim structure within the area and would not amount to an unusually dominating feature.
9. The Council's reason for refusal refers to the effects on highway safety, although this is not supported in their appeal statement. From the information submitted in this respect by the appellants, and from my own observations, I am satisfied that the proposal would not have an unacceptable effect on the sight-lines at the junction of Hurstdene Avenue and Worple Road. I also observed the vehicular entrance for No 1 Hurstdene Avenue, at the rear of its garden. From what I saw, I consider that the proposal would not represent a hazard to safely driving a vehicle out of the access point at No 1.
10. I have taken account of the appellants supporting information in relation to need and the other sites which have been examined. Whilst I have noted the criticisms of some in relation to this information, I consider that, generally, it conveys a demonstrable need to supplement coverage in the area and that other options have been considered. Within the context of the Governments encouragement for high quality communications infrastructure as set out in the National Planning Policy Framework, this must carry some weight in favour of the proposal.

Conclusion

11. I consider that the proposal would have no overriding unacceptable effects on the character of the area and it would not unacceptably affect residents. As a result I find no conflict with Policies CC2 and EN1 of the Core Strategy. Therefore, the appeal is allowed.

S T Wood

INSPECTOR