The Planning Inspectorate

Appeal Decision

Site visit made on 6 December 2016

by A A Phillips BA(Hons) DipTP MTP MRTPI

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

Decision date: 12 January 2017

Appeal Ref: APP/Q5300/W/16/3157867
North Enfield Conservative Club, 278 Baker Street, Enfield, London EN1 3LD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Vodafone Limited and CTIL against the decision of the Council of the London Borough of Enfield.
- The application Ref 15/05117/FUL, dated 3 November 2015, was refused by notice dated 17 May 2016.
- The development proposed is the removal and replacement of a 10.64 metre wall mounted pole with a new 12 metre high wall mounted pole supporting six antennas, the replacement of one cabinet and development ancillary thereto. (The overall height of the monopole, including antennas, is 15 metres).

Decision

1. The appeal is allowed and planning permission is granted for the removal and replacement of a 10.04m wall mounted pole with a new 11.8m wall mounted pole supporting six antennas, the replacement of one cabinet and development ancillary thereto (The overall height of the monopole, including antennas, is 15m) at North Enfield Conservative Club, 278 Baker Street, Enfield, London EN1 3LD in accordance with the terms of the application, Ref 15/05117/FUL, dated 3 November 2015, subject to the following conditions:

    1) The development hereby permitted shall begin not later than three years from the date of this decision.

    2) The development hereby permitted shall be carried out in accordance with the following approved plans: 100 Issue C, 200 Issue C, 201 Issue D, 300 Issue C and 301 Issue E.

Procedural Matter

2. The appellant has submitted amended plans with the appeal. The changes are minor and would have less impact than the plans submitted with the application and therefore I accept them for the purposes of determining the current appeal.

Main Issues

3. The main issues are the effect of the proposed development on

    i. the character and appearance of the area; and

ii. the living conditions of the occupants of nearby residential properties with particular reference to outlook.

Reasons

Character and appearance

4. The site currently includes a variety of buildings of various styles and periods, including a large modern two storey building and the original locally listed club building which fronts onto Baker Street.

5. The area around the site has a variety of uses, including residential and commercial premises. A modern car showroom and garage is located immediately adjacent to the site. As well as nearby buildings there is a range of street and highway paraphernalia in the locality, including lighting columns and a flag pole.

6. The proposed replacement monopole would be located on the south elevation of the existing Conservative Club building with a maximum height of 15 metres with one equipment cabinet at the base. The proposal would be the same design as the existing telecommunications monopole but would be higher by some 1 metre through the inclusion of an additional antenna.

7. The proposed monopole would be set back from the highway. However, there are some open views towards the site on the southern approach along Baker Street as a consequence of there being a relatively open forecourt to the front of adjacent garage. Although the installation would be visible from some locations close to the site, the additional visual impact associated with the increase in height would be modest.

8. As a consequence of its limited projection above the ridge of the building, the set back from the highway and the presence of existing mature trees and buildings in the locality, from other local vantage points the proposal would be largely hidden. Furthermore, the proposal for a replacement monopole in the same position as the existing installation on the modern club building would have a minimal visual impact on the adjacent locally listed building. Therefore, the proposal would not have any material effect on the setting or significance of the non-designated heritage asset.

9. Therefore, the additional height of the proposal would be visually negligible and would not result in any significant harmful impact on the character and appearance of the area in comparison to the existing monopole.

Living conditions

10. Most residential properties in the vicinity would be hidden from the site by existing buildings. However, properties to the rear of the site along Weardale Gardens would look towards the site. A row of mature trees would provide screening, particularly at the time of year when the trees are in leaf. Furthermore, there is a separation distance from the properties of at least 35 metres. Therefore, although the proposal would result in a higher installation than currently exists, any additional visual impact resulting from the additional 1.15 metres would be limited from the nearest residential properties.

Other matters

11. I have noted local residents' concerns with regard to the potential health impacts of the proposal. Whilst public fear or perception of harm is capable of being a material consideration, it may only be accorded weight if there is reason to believe that the particular development proposed would justify such apprehension. The appellant has submitted an International Council for Non-Ionising Radiation Protection (ICNIRP) certificate of declaration. Therefore, the proposal would be in accordance with the Framework and a refusal on health grounds would not be justified in this case.

12. The issue of impact on property values has also been raised. It is a well-founded principle that the planning system does not exist to protect private interests such as the value of land or property. Consequently, this matter has no bearing on the outcome of this appeal.

13. Further concerns relating to lightning strikes. However, this is not a material consideration. The potential future loss of trees is also a matter of concern as the proposal would be more exposed should this occur. I have assessed the appeal before me as I found the site and I have no evidence to indicate that the trees would be felled in the future.

Conclusion

14. I conclude that the proposal would not have any significant effect on the character and appearance of the area or cause subsequent harm to the living conditions of the occupants of nearby residential properties with particular reference to outlook. As such it complies with the environmental quality and amenity requirements of Policy 7.4 of The London Plan July 2011, Core Policy 30 of The Enfield Plan Core Strategy 2010-2025 Adopted November 2010 and Policy DMD 37 of the Development Management Document Adopted November 2014.

15. For the reasons given above the appeal should be allowed.

Conditions

16. The Council has suggested conditions. I have specified the approved plans for certainty.

Alastair Phillips

INSPECTOR