
Appeal Decision

Site visit made on 19 December 2016

by A J Mageean BA (Hons) BPI PhD MRTPI

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

Decision date: 24th January 2017

Appeal Ref: APP/M5450/W/16/3159571

Harrow Cricket Club, Wood End Road, Harrow HA1 3PP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under the provisions of Class A of Part 16 of Schedule 2 of The Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended).
 - The appeal is made by Shared Access & Cornerstone Telecommunication Infrastructure Limited against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/3327/16, dated 8 July 2016, was refused by notice dated 26 August 2016.
 - The development proposed is erection of a 15m monopole to support 3no. telecommunications antennae for use by Vodafone, which together with the installation of 2no. dishes and 4no. ground based equipment cabinets will provide 2G, 3G and 4G mobile electronic communication services from the installation.
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Decision

1. The appeal is allowed and approval is granted under the provisions of Class A of Part 16 of Schedule 2 of the General Permitted Development Order 2015 for the siting and appearance of a 15m monopole to support 3no. telecommunications antennae for use by Vodafone, which together with the installation of 2no. dishes and 4no. ground based equipment cabinets will provide 2G, 3G and 4G mobile electronic communication services from the installation at land at Harrow Cricket Club, Wood End Road, Harrow HA1 3PP in accordance with the terms of the application Ref P/3327/16, dated 8 July 2016, and the plans submitted with it.

Policy Context and Main Issue

2. The proposed telecommunications apparatus is within the limits allowed under Class A of Part 16 of Schedule 2 of the General Permitted Development Order (the GPDO) 2015. Under this legislation the issues to be considered are limited to siting and appearance. Therefore the principle of development is not a consideration and the question of whether this scheme is inappropriate development in the Metropolitan Open Land does not arise.
 3. The Council's Decision Notice refers to Policy DM 1 of the Harrow Development Management Policies 2013 (the DMP). As this is a general policy relating to the built environment I agree with the appellant that it does not directly relate to the issues being considered in this case. Reference is also made to DMP Policy DM 16 which refers to the importance of maintaining the openness of Metropolitan Open Land. However, as noted above, it is not relevant to consider this policy any further.
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4. The DMP Policy DM 49 sets out the circumstances in which telecommunications proposals will be supported by the Council. This advises that, amongst other things, such proposals will be supported where the siting and design of the installation would minimise its impact on the amenity of neighbouring occupiers and the appearance and character of the area.
5. The National Planning Policy Framework (the Framework) indicates that local planning authorities should support the expansion of electronic communication networks. They should aim to keep the number of masts and sites to a minimum, and where new sites are required equipment should be sympathetically designed and camouflaged where appropriate¹.
6. I therefore define the main issue in this case as the effect of the proposal on the appearance of the area, and whether any harm caused is outweighed by the need to site the proposal in the location proposed, having regard to the availability of alternative sites.

Reasons

7. This proposal is for a 15m high monopole to support 3 telecommunications antennae which together with the installation of 2 dishes and 4 ground based equipment cabinets would provide 2G, 3G and 4G electronic communications services. The appellant states that this equipment is required due to the intended decommissioning of a nearby existing telecommunications installation at the David Lloyd gymnasium, and that without a replacement structure the surrounding area will suffer a reduction in radio coverage.
8. This equipment would be located within the grounds of Harrow Cricket Club which lies on the western side of Wood End Road. It would be within an outdoor area to the south west of the single storey Club House, which is bound to the south by a line of coniferous trees which the parties note are around 15m in height. Beyond this to the south is the railway embankment, and beyond the railway line is a wooded area. To the west and north west of the site are playing fields. To the north and north east are residential properties.
9. The monopole itself would be of simple design and painted green, topped with antenna and with 2 dishes of 300mm diameter positioned at 11m. The ground based equipment cabinets would be hidden from view by existing vegetation and fencing. Whilst the monopole would be to some degree hidden by the existing trees, I understand that these would need to be reduced in height to 9m in order to prevent interference with radio signals. I accept the views of objectors that a 40% reduction in the height of such trees could undermine their health, noting that a reduction of around a third is the maximum advised in any 12 month period. However, as these are not protected trees their retention cannot be required.
10. As this is a relatively flat area the monopole would be visible above the trees and in the surrounding area. It would be an unusual feature which would be seen in views along both approaches from Wood End Road. However, given its relatively slim profile and its position adjacent to the railway embankment and the Club House, away from the main public vantage points, I do not consider that this would appear as an overly-intrusive element.

¹ Paragraph 43.

11. I understand that the South Hill Avenue Conservation Area covers much of the residential area to the north of the appeal site, though the Council states that this proposal would not have a detrimental impact on its setting. The Council also states that the proposal would not have a detrimental impact on the residential amenities of the occupiers of neighbouring properties. I have no reason to take a different view.
12. The appellant has provided additional information regarding the site selection process, including an appraisal of the other sites considered. However, as I have found that in this case the proposed site would not cause significant harm, it is not necessary to consider the merits of alternative locations.
13. I note the concerns of objectors relating to the health risks associated with such equipment. However, a signed ICNIRP certificate² indicating that the proposal complies with radio frequency public exposure guidelines accompanies the proposal.
14. I therefore conclude that the proposal would be acceptable in terms of its effect on the appearance of the area. As a result the proposal would comply with the relevant policies of the development plan and the Framework as set out above.

Conclusion

15. As the siting and appearance of this proposal would be acceptable the appeal is allowed. Proposals which are permitted development under Class A of Part 16 of Schedule 2 of the GPDO are subject to standard conditions, and it is not necessary to impose any additional conditions as part of this approval.

AJ Mageean

INSPECTOR

² International Commission on Non-Ionizing Radiation Protection