
Appeal Decision

Site visit made on 25 July 2017

by Patrick Whelan BA(Hons) Dip Arch MA MSc ARB RIBA RTPI

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

Decision date: 5 September 2017

Appeal Ref: APP/Z3635/W/17/3171672

Telecommunications Site-SPN063, at the junction of Petersfield Road and Fenton Avenue, Staines, Surrey TW18 1DE

- 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 of The Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.
 - The appeal is made by H3G Limited against the decision of Spelthorne Borough Council.
 - The application Ref MC/16/01940/T56, dated 22 November 2016, was refused by notice dated 24 January 2017.
 - The development proposed is the installation of a 10m alpha tower; a pogona cabinet measuring 1230x400x1032mm; the removal of the existing 8m telegraph pole; and associated development.
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Decision

1. The appeal is allowed and approval is granted under the provisions of Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended), for the installation of a 10m alpha tower; a pogona cabinet measuring 1230x400x1032mm; the removal of the existing 8m telegraph pole; and associated development, at Telecommunications Site-SPN063, at the junction of Petersfield Road and Fenton Avenue, Staines, Surrey TW18 1DE, in accordance with the terms of the application Ref MC/16/01940/T56, dated 22 November 2016, and the plans submitted with it.

Main Issue

2. The main issue is the effect of the proposal on the street scene.

Reasons

3. The site of the proposed 10m tower is close to the existing 8m telegraph pole which would be removed, and which has been installed at the back edge of a wide footway at the end of a closed end of a residential street. While the proposed tower would be stouter and higher than the present pole, its additional height and diameter would not make it appear conspicuous in the context of the timber telegraph poles and street lighting columns already in the street.
 4. While it would be taller than these street elements, it would be seen against a large, deciduous street tree in views from the east; and in views from the west, by the tree in the front garden of the house against whose front fence it would stand. It would be taller than the houses in the street but shorter than many of the street trees. It would be painted brown to resemble the existing timber
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telegraph poles. Its siting and appearance would not therefore be obtrusive, or out of character with the vertical structures in the street scene.

5. The new, green-painted cabinet would be sited at the back edge of the wide footway, around the corner from the existing installation. Against the backdrop of the front garden fence with the tree close behind it, the cabinet would not appear intrusive or out of place.
6. I note that the proposal the subject of this appeal was designed following the refusal of a scheme with a 9.7m high Phase 4 monopole which had a larger profile at the top than the present proposal designed to resemble a timber telegraph pole. This demonstrates a readiness to compromise on the part of the appellant.
7. The proposal would not harm the street scene and there would be no conflict, in terms of siting and appearance, with policy EN1 of the Spelthorne Core Strategy and Policies Development Plan Document 2009 which requires development to respect and make a positive contribution to the street scene. It would also accord with paragraph 43 of the National Planning Policy Framework, which states that existing masts and other structures should be used unless the need for a new site has been justified.

Conclusion

8. For the reasons given above, and taking account of all matters raised, I conclude that the appeal should be allowed.

Patrick Whelan

INSPECTOR