



Appeal Decision

Site visit made on 19 September 2019

by D J Barnes MBA BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th October 2019

Appeal Ref: APP/Q5300/W/19/3222467

Telecommunication Site 50621, Public Footpath at Hoppers Road, Winchmore Hill, Enfield, London N21 3JR

- 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 EE Limited against the decision of the Council of the London Borough of Enfield.
 - The application Ref 18/03988/FUL, dated 15 October 2018, was refused by notice dated 10 December 2018.
 - The development proposed is the removal of the existing 9.7 metre high phase 4 monopole, the installation of a 14.97 metre high alpha monopole, and ancillary development hereto.
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Decision

1. The appeal is allowed and planning permission is granted for the removal of the existing 9.7 metre high phase 4 monopole, the installation of a 14.97 metre high alpha monopole, and ancillary development hereto at Telecommunication Site 50621, Public Footpath at Hoppers Road, Winchmore Hill, Enfield, London N21 3JR in accordance with the terms of the application, Ref 18/03988/FUL, dated 10 December 2018, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: ENF017_Hoppers Road SW_50621_001; ENF017_Hoppers Road SW_50621_002; ENF017_Hoppers Road SW_50621_004 and ENF017_Hoppers Road SW_50621_005.
 - 3) The existing 9.7 metre high phase 4 monopole telecommunication mast and wrap around cabinet as identified on Drawing No. SW_50621_002 shall be removed and the ground reinstated within 1 month of the high alpha monopole hereby permitted having been erected.

Main Issues

2. It is considered that the main issues are (a) whether the proposed development would preserve or enhance the character or appearance of the Winchmore Hill Green Conservation Area and (b) the effects of the proposed development on the living conditions of the occupiers of neighbouring properties by reason of outlook.

Reasons

Character and Appearance

3. The proposed development is referred to as a replacement of an existing telecommunication mast which is located within a grass verge between the footway of Hoppers Road and the walled car park associated with the Salisbury Arms public house. The existing mast is about 9.7 metres high, is sited close to the footway, has a cabinet enclosing the base of the mast and the shrouding for its antenna is wider than the supporting column. The proposed mast would be circa 15 metres in height, sited closer to the wall than the footway and be a single width which is wider than the existing mast's supporting column. An existing base cabinet would be removed but other cabinets would be retained.
4. The appellant has referred to paragraph 113 of the National Planning Policy Framework (the Framework) which identifies that the use of existing masts for new electronic communications capability should be encouraged. Where new sites are required, equipment should be sympathetically designed and camouflaged where appropriate. The appeal scheme would neither use the existing mast nor reuse the base. However, the appeal scheme would be in close proximity to the current siting and, as such, the proposed mast would not be erected on an entirely new site.
5. Accordingly, in assessing this appeal scheme it is appropriate to consider the individual circumstances and context established by the existing telecommunication apparatus and taking into account the appellant's stated intention to remove the existing mast. The proposed development would retain a telecommunication mast and associated cabinets in the same general location within the grass verge.
6. Adjacent to the appeal site there are a mix of trees of varying heights, including sycamore, cherry and lime. These trees substantially screen or camouflage the existing mast from medium and longer distant viewpoints, including along Hoppers Road. There are also buildings, including the public house and Holly Lodge, which contribute to the screening of the mast.
7. The appeal site is within the Winchmore Hill Green Conservation Area and there is a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the area. This duty is echoed in Core Policy CP31 of Enfield Council's Core Strategy (CS) and Policy DMD 44 of the Development Management Document (DMD). The *Winchmore Hill and Vicars Moor Lane Conservation Areas Character Appraisal* identifies that the heritage significance of the area is associated with the character of what were small rural villages before they were enclosed by suburban 20th century housing.
8. Hoppers Road is the southern entrance to Winchmore village green. The *Character Appraisal* identifies that the buildings define the character of this part of the Conservation Area including the Salisbury Arms, Compton Terrace and Victorian terraced dwellings. The contribution made by these buildings to the Conservation Area is associated with their setting in an open grassed area with a single mature oak tree at the junction of Compton Road. However, this space is adversely affected by Holly Lodge which is described in the *Character Assessment* as a bulky block of flats. There is no discussion about the existing telecommunication apparatus.

9. Along with Holly Lodge, the existing mast and cabinets are not positive features within the Conservation Area and impact upon the character and appearance of the open grass verge. However, there is no indication that the existing telecommunication equipment would be removed if this appeal failed, particularly because of the appellant's claim that there is a limited availability of other suitable sites.
10. By reason of the height required to enable an improved telecommunication signal, the appeal scheme would protrude above some of the surrounding trees and it would be more noticeable within the streetscene from the north along Hoppers Road than the existing mast. However, the width of the proposed mast visible above some of the trees would not be materially different to the existing antenna shrouding. The taller trees would still provide a visual background when, in particular, walking southwards from the village green towards the appeal site. When compared to the existing situation, the proposed mast would not be so conspicuous so that there would be a material change to the character and appearance of this part of the Conservation Area.
11. Further, the siting of the proposed mast further away from the footway would assist in reducing its prominence in the streetscene. The brown colour of the proposed mast would also provide some camouflaging, especially when the trees are not in leaf. The removal of the existing base cabinet would be a positive, albeit limited, attribute of the appeal scheme by reducing some of the clutter of cabinets adjacent to the footway.
12. Although the proposed development would be taller and overall wider than the current mast, when compared to the existing situation the appeal scheme would have a neutral effect on the character and appearance of the Conservation Area. For the same reasons, the heritage significance of the Conservation Area would be unharmed. In addition to these judgements, there are other factors which weigh in favour of the proposed development, including the improvement to telecommunication capacity and coverage for customers.
13. On this issue it is concluded that the proposed development would preserve the character and appearance of the Winchmore Hill Green Conservation Area and, as such, it would not conflict with CS Core Policy CP31 and DMD Policy DMD 44. It is further concluded that the appeal scheme would not conflict with the urban design requirements of CS Core Policy CP30 and DMD Policy DMD 37, including development being appropriate in its context and protecting the quality of the public realm.

Living Conditions

14. The existing mast can be seen from some of the windows of the 2 buildings comprising Hadley Hall which front Lynwood Grove. However, these buildings are located away from the appeal site; overlook the public house's car park and there are trees which substantially screen the existing mast. Although the appeal scheme would result in a taller and overall wider mast when the current apparatus, the outlook for the residents of Hadley Hall would not be materially different.
15. There is an outlook from habitable room windows of Holly Lodge across Hoppers Road towards the existing telecommunication apparatus. For some windows, the equipment is partially screened by the street trees along either side of the road. The proposed mast would be sited slightly further away from

Holly Lodge and, although taller and wider than the existing mast, it would still benefit from the screening effect of the trees. The simpler design of the proposed mast and external brown colour would also contribute reducing any perceived visual prominence in the outlook from the windows.

16. By reason of the increased height and overall width of the proposed mast compared to the existing monopole, there would be an effect on the outlook of the residents of Holly Lodge. However, when taking into siting, design and screening, the proposed development would not be so conspicuous so as to cause unacceptable or significant harm to the outlook of the occupiers of residents of Holly Lodge.
17. For the reasons given, it is concluded that the proposed development would not cause unacceptable harm to the living conditions of the occupiers of neighbouring properties by reason of outlook and, as such, it would not conflict with the Framework's policy of there being a high standard of amenity for existing and future user. No specific conflict has been identified which CS Core Policy CP30 and DMD Policy DMD 37 because these are general design policies rather than specifically relating to the effects on neighbouring occupiers.

Conditions

18. The Council has not suggested any conditions in the event that this appeal succeeds. However, it is necessary for reasons of certainty, that there is a condition requiring the proposed development to be undertaken in accordance with the submitted drawings which would also secure the mast being painted brown. It is also necessary for a condition to be imposed which secures the appellant's intention to remove the existing mast and associated base cabinet when the proposed mast has been erected. These conditions would meet the tests in the Framework and the Planning Practice Guidance.

Conclusion

19. For the reasons given, it is concluded that this appeal should be allowed.

D J Barnes

INSPECTOR