



Appeal Decision

Site visit made on 7 January 2020 by C Brennan BAE (Hons) M.PLAN

Decision by Andrew Owen BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 February 2020

Appeal Ref: APP/U5360/W/19/3238463

Telecommunications Site on Roof of 79-122 Kingsgate Estate, Tottenham Road, Hackney, London N1 4DD

- 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 MNNL on behalf of EE Ltd and H3G UK Ltd against the decision of the Council of the London Borough of Hackney.
 - The application Ref 2019/0274, dated 17 January 2019, was refused by notice dated 2 April 2019.
 - The proposed development is the removal and replacement of 6No. existing antennas with 12No. upgraded antennas located on new steelwork, the removal of 6No. existing cabinets and 2No. existing dish antennas, the installation of 8No. cabinets located on new steelwork on the rooftop, and ancillary development thereto.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the building, surrounding area and De Beauvoir Conservation Area.

Reasons for the Recommendation

4. The appeal site comprises an 11-storey residential block on the northern side of Buckingham Road, near the junction with De Beauvoir Road. The site is situated within the De Beauvoir Conservation Area, whose significance is largely derived from the architectural quality and variety of its Victorian buildings and its spacious, wide and tree lined streets.
 5. As the appeal building is significantly taller than those in the surrounding area, the existing rooftop antennas can be seen within long views. However, the visibility of the existing antennas is mitigated by their central positioning within the roof. While the proposed replacement antennas would be shorter than the existing antennas, they would be considerably wider and would be set at the edge of the southwest, southeast and northwest corners of the roof, and indeed, from the plans, would appear to overhang the edge of the roof. Due to
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their combined width and siting across the roof edge, the proposed replacement antennas would appear as overtly obtrusive, cluttered and bulky additions to the appeal property, and their colour would do little to mitigate this. Furthermore, as the replacement antennas would be visible within long distance views, the proposal would appear particularly incongruous within the De Beauvoir Conservation Area and would cause harm, albeit less than substantial, to its significance as a heritage asset.

6. In their statement of case, the appellant states that there are no possible alternative designs for upgraded telecommunications infrastructure at this site, and that the proposal is the only design solution which can be implemented at this site to comply with the guidelines set out by the International Commission on Non-Ionising Radiation. However, in the planning statement, it is stated that replacement antennas within the same central location as the existing antennas would need to be 42 metres above ground level in height (an increase of around 2 metres in height from the existing antennas) to be effective, which suggests that an alternative design may be possible. Therefore, from the evidence before me, I am unconvinced that the proposal is the only design solution available to the appellant. Regardless, the proposal before me is unacceptable for reasons set out above.
7. For the above reasons, I conclude that the proposed development would cause unacceptable harm to the character and appearance of the site, surrounding area and De Beauvoir Conservation Area. The proposal therefore conflicts with Policies 7.4, 7.6 and 7.8 of the London Plan (2016), Policies 24 and 25 of the Hackney Local Development Framework Core Strategy (2010) and Policies DM1 and DM28 of the Hackney Development Management Local Plan (2015) which require that development should be designed to a high standard, have regard to the character of an area, make a positive contribution to a coherent streetscape, and conserve the significance of conservation areas.
8. The harm that the proposed development would cause to the significance of the De Beauvoir Conservation Area would be less than substantial. While I acknowledge the need for good quality network coverage; I understand that the proposal is for the minimum amount of equipment required to provide that coverage; and I recognise the benefit of reusing this site instead of other sites in the conservation area, these factors do not outweigh the harm that would be caused to the De Beauvoir Conservation Area.

Conclusion and Recommendation

9. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

C Brennan

APPEAL PLANNING OFFICER

Inspector's Decision

10. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Andrew Owen

INSPECTOR