
Appeal Decision

Site visit made on 21 January 2020

by D Peppitt BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26th February 2020

Appeal Ref: APP/N5660/W/19/3240202

Babington Road DNS, Babington Road, Streatham, London SW16 6AQ

- 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 MBNL Cee Ltd and Hutchinson 3G UK Ltd against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 19/02525/FUL, dated 5 July 2019, was refused by notice dated 27 August 2019.
 - The development proposed is upgrade to existing telecoms site. Proposed phase 7 monopole wrapround cabinet at base and associated works.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the development would preserve or enhance the character or appearance of the Streatham High Road and Streatham Hill Conservation Area, with particular regard to the setting of the Grade II Listed drinking fountain and the and the locally listed Manor Arms pub.

Reasons

3. The appeal site is an existing telecommunication mast located at the paved public space at Mitcham Lane which sits adjacent to Streatham Green. The site contains an existing high monopole mast at approximately 12.5 metres and equipment cabinets of varying sizes. There are also other items of street furniture in this area including a bus stop, lamp posts and litter bins. The site sits within the Streatham High Road and Streatham Hill Conservation Area (CA) and the setting of a Grade II Victorian Gothic drinking fountain and locally listed Manor Arms pub.
4. The surrounding area has a variety of uses and the CA includes commercial and purpose-built residential apartment blocks dating from the late Victorian, Edwardian and inter-war eras. Within the CA there are various green spaces which contribute to the character of the area and which reflect Streatham's rural origins and layout. The remaining portion of the village green and the drinking fountain are of significance in that they are evidence of those origins.
5. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA. I have a statutory duty, under Section 66(1) of the Planning (Listed Buildings and Conservation Areas)

- Act 1990, to consider the impact of the proposal on the special architectural and historic interest of the listed building and its setting.
6. The National Planning Policy Framework (the Framework) advises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. Paragraph 193 of the Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Substantial harm to or loss of a Grade II listed building should be exceptional.
 7. Paragraph 196 of the Framework confirms that where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimal viable use. Paragraph 197 also states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
 8. Although the existing monopole is relatively tall, it is a slender pole within the street scene and does not appear overly dominant in comparison to the surrounding area and existing street furniture, such as the lamp posts. The proposed monopole would be a taller pole with an increased bulky top and a large cabinet at the base. The base cabinet would be taller than both the boundary wall and railings of Streatham Green. The combination of the additional height and increased bulk at its base and top of the pole would make the monopole appear more intrusive in the open green.
 9. There are a number of different sized cabinets within the site and the proposal would add further cabinets. Some of these would be bulkier than the existing cabinets. This would add to the visual clutter of the street scene and compete with other features in the area, and would fail to preserve or enhance the character or appearance of the CA. The development would also detract from appreciation of the Grade II Listed drinking fountain by adding clutter in the vicinity of the fountain and the Manor Arms pub. Some of the proposed cabinets would also extend above the boundary wall and railings of Streatham Green. Consequently, they would be more prominent in the streetscape.
 10. The proposal would be harmful to the setting of the listed building, and thereby the significance of the designated heritage asset. Nevertheless, the harm would be less than substantial and in accordance with paragraph 196 of the Framework, that harm should be weighed against any public benefits of the proposal, including securing its optimal viable use.
 11. I recognise the importance of good, fast, reliable and cost-effective communications. Moreover, there is no basis to question that the equipment is necessary to achieve the required standard of network coverage, or that the mast's dimensions are the minimum possible. It is also noted that the proposal would be shared by 2 operators and the appellant considers this to be the only site now available in the search area. Weight has been attached to all these matters.

12. However, the benefit would be for the customers of the companies utilising the mast rather than the wider public. I am aware as well that while the Government aims to facilitate the growth of new telecommunications systems, it also places great emphasis on protecting areas and buildings of architectural or historic importance. Mindful of these points, I consider any public benefits to the telecommunications service would not be sufficient to outweigh the harm identified above in relation to the historic environment.
13. The proposed telecommunications base station and associated ancillary development would result in visually prominent structures, which would be obtrusive and lead to unacceptable visual clutter. This would neither preserve nor enhance the character or appearance of the Streatham High Road and Streatham Hill Conservation Area, and would be detrimental to the setting of the Grade II Listed drinking fountain and locally listed Manor Arms pub.
14. The appellant suggests that the current siting was historically agreed by the Council, thus no other standalone new facilities have been investigated. However, the proposed development is considerably different from the existing mast, and as such, must be determined on its own merits.
15. Consequently, the proposed development would be contrary to policies T10, Q2, Q20 and Q22 of the Lambeth Local Plan (2015). These policies, amongst other things, seek development to preserve or enhance the character or appearance of conservation areas and listed buildings. In addition, they state that telecommunications equipment should not cause harm to the character and appearance of the area, and not be visually instructive in the street scene or create unacceptable clutter.

Conclusion

16. For the reasons set out above, I conclude that the appeal is dismissed.

D Peppitt

INSPECTOR