



Appeal Decision

Site visit made on 2 June 2020

by Paul T Hocking BA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 June 2020

Appeal Ref: APP/K3605/W/19/3238019

Brooklands Road, O/S Weybridge Heath South Car Park, Weybridge, Surrey KT13 8UD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by EE Ltd against the decision of Elmbridge Borough Council.
 - The application Ref 2019/0926, dated 4 April 2019, was refused by notice dated 24 May 2019.
 - The development proposed is the installation of 1No. 15.0m phase 5 street pole with 2No. antennas, 2No. 0.3m dishes, 3No. equipment cabinets and ancillary development thereto.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (the GPDO 2015), under Schedule 2, Part 16, Class A, Paragraph A.3(4) require the local planning authority to assess the proposed development solely on the basis of its siting and appearance, taking into account any representations received. My determination of this appeal has been made on the same basis. Accordingly, the principle of development is not a consideration and so the question of whether or not the proposal represents inappropriate development in the Green Belt does not arise.

Planning Policy

3. As the principle of development is established by the GPDO 2015, the provisions of Schedule 2, Part 16, Class A do not require regard be had to the development plan. I have had regard to the policies of the development plan, any related guidance and the National Planning Policy Framework (the Framework) only in so far as they are a material consideration relevant to matters of siting and appearance.

Main Issue

4. The main issue is the effect of the siting and appearance of the proposed telecommunications equipment upon the character and appearance of the area.

Reasons

5. The proposed telecommunications equipment comprises a monopole that would stand 15m high with associated antennas and dishes as well as three adjacent cabinets. The development would be situated on an area of pavement located adjacent to a railway station and car park.
6. The monopole and adjacent cabinets would have a small footprint and I am in no doubt that other types of telecommunications equipment could have a bulkier appearance than that proposed. However, whilst similar equipment is located in the area, I do not accept that they represent a common feature in this locality.
7. The predominant development pattern on this side of the highway is one of built form, as well as street furniture, that is low in height. The monopole would be at-odds with this and the general topography of the area. It would be significantly taller than the adjacent boundary treatment, street furniture, railway building and even against the backdrop of nearby trees.
8. The appellant accepts that the monopole would be visible, but I do not accept the assertion that it would have very little impact over a wider area. The telecommunications equipment would be out of keeping with the street-scene and otherwise spatially open character of the area, having particular regard to the low height of development on this side of the highway. It would therefore be visually intrusive and prominent from numerous public vantage points, given its siting, and would increase visual clutter.
9. Whilst I appreciate the development needs to be located within close proximity of the railway line, and which I shall address later in my decision, I am not persuaded on the evidence before me that the telecommunications equipment has to be sited in such close proximity of Brooklands Road, where it would be a particularly conspicuous installation owing to its siting and appearance.
10. The proposal would therefore fail to comply with Policy DM16 of the Elmbridge Local Plan Development Management Plan, April 2015 (the LP), which seeks, amongst other things, to ensure telecommunications equipment does not have a significant adverse effect on the visual amenities of the area. It would also fail to comply with the thrust of the other policies brought to my attention by the Council, namely Policies DM1 and DM2 of the LP, Policies CS4 and CS17 of the Elmbridge Core Strategy, July 2011, and the Elmbridge Local Plan Design and Character Supplementary Planning Document, April 2012, insofar as they relate to siting and appearance in the interests of ensuring proposals preserve or enhance the character of the area.
11. I conclude that the siting and appearance of the proposal would result in harm to the character and appearance of the area. This is a matter to which I attach substantial weight.

Other considerations

12. The Council does not dispute that the appellant has proven a need for the telecommunications equipment in this area. It also acknowledges the weight given in favour of such proposals by the Framework which seeks to secure advanced, high quality and reliable communications infrastructure to support economic growth. I have no evidence to lead me to a different conclusion and am aware that the development is intended to assist in delivering voice, data

and WiFi connectivity obligations for the train network, which thus require very specific coverage requirements and which amount to a public benefit. These are matters to which I attach considerable weight.

Planning balance

13. The Framework recognises that planning decisions should support the expansion of electronic communications networks and the appellant has provided the necessary evidence to justify the proposed development. However, I have found the siting and appearance of the development would result in harm to the character and appearance of the area, which is not outweighed by these other considerations.

Conclusion

14. For the reasons given above, I conclude that the appeal should be dismissed.

Paul T Hocking

INSPECTOR