



Appeal Decision

Site visit made on 2 June 2020

by Peter Mark Sturgess BSc (Hons), MBA, MRTPI

an Inspector appointed by the Secretary of State.

Decision date: Friday, 17 July 2020

Appeal Ref: APP/M5450/W/20/3244354

Belmont Circle Streetworks, Belmont Circle, Kenton Lane, Harrow HA3 8RF

- 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 against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/2476/19, dated 3 June 2019, was refused by notice dated 26 July 2019.
 - The development proposed is the removal and replacement of the existing 12.5m monopole with a 20m monopole, 12no antennas, equipment cabinets, the removal of the existing 12.5m monopole, 3no antennas, redundant equipment cabinets and development ancillary thereto.
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Decision

1. The appeal is allowed and planning permission granted for the removal and replacement of the existing 12.5m monopole with a 20m monopole, 12no antennas, equipment cabinets, the removal of the existing 12.5m monopole, 3no antennas, redundant equipment cabinets and development ancillary thereto, at Belmont Circle Streetworks, Belmont Circle, Kenton Lane, Harrow HA3 8RF in accordance with planning application Council ref P/2476/19 dated 3 June 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin no later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be completed in accordance with details supplied with the application: declaration of conformity with ICNIRP dated 2019-06-03; supplementary information dated 03-06-2019; covering letter dated 3 June 2019; Plan No 002 Site Location Plan, issue A; Plan No 100 Existing Site Plan, issue A; Plan No 150 Existing Elevation, issue A; Plan No 215 Max Configuration Site Plan, issue A; Plan No 265 Max Configuration Elevation, issue A.
 - 3) The electronic communications apparatus provided in accordance with this permission shall be removed from the land upon which it is situated as soon as reasonably practical after it is no longer required for electronic communications purposes and the land shall be restored to its former condition.
 - 4) The existing monopole and associated cabinets and equipment shall be removed from the site within 60 days of the first operation of the equipment hereby approved.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. Policy DM1 of the Harrow Development Management Policies Local Plan (LP) (2013) seeks, amongst other things, to resist proposals detrimental to local character and appearance and have regard to the height of proposed buildings in relation to their location, surroundings and impact on neighbouring occupiers. Policy DM49 seeks, amongst other things, to ensure that the installation of new telecommunications equipment minimises its impact on the character and appearance of the area within which it is located.
4. The National Planning Policy Framework (the Framework) recognises the importance of the establishment of high quality and reliable communications infrastructure, such as 5G, as being essential to economic growth and social wellbeing. Where new equipment is required the Framework requires that it is sympathetically designed and camouflaged where appropriate.
5. The appellant has argued that the new mast is required in order to facilitate the roll out of the 5G network and is the minimum capable of accommodating the 5G equipment and meeting ICNIRP standard. I also note that the operators have investigated alternative sites for the proposed mast. The proposal is also a mast share between two operators.
6. The site lies at the side of a busy and large roundabout in front of a petrol filling station, adjacent to a cycle track. The roundabout is surrounded on three sides by three storey high mansion blocks with shops, restaurants and takeaways on the ground floors. The centre of the roundabout is covered in well maintained trees and other vegetation. Belmont Circle rises from the petrol filling station to the mansion blocks on the opposite side, with the appeal site and the petrol filling station lying on the lower side of Belmont Circle. This change in levels, to a certain extent, helps to mitigate the impact of the height of the mast when viewed from the opposite side of the circus. The front of the petrol filling station, where the proposed mast is proposed to be located, is currently the site of two 12.5m masts and associated cabinets. There are also prominent streetlights in the locality.
7. Whilst a degree of increased visual impact over and above the existing masts is inevitable due to the increase in height of the proposed mast, it is nevertheless the minimum height and girth capable of providing the improved services and introducing 5G technologies to the area, whilst also satisfying ICNIRP standards. It is also set away from residential development.
8. I find that the impact of the proposed mast on the character and appearance of the area, despite its height, would be low. I base this assessment on the siting of the proposed mast, adjacent to existing telecommunications equipment, against the backdrop of a petrol filling station and surrounded by other street furniture such as streetlights and street signage associated with the roundabout and cycle track. This is an urban location where there is already street paraphernalia so it will not appear out of place or especially obvious in that context. Additionally, when the site is viewed from the opposite side of

Belmont Circle the intervening vegetation on the roundabout and the change in levels would break up the outline of the mast and help to reduce its prominence. I therefore consider that the proposal accords with the Policies of the LP. Its siting minimises its effect on the character and appearance of the area within which it is located, and it is not detrimental to local character and appearance, given the street furniture already present in the locality, the local topography and the vegetation on the roundabout. I also give weight to the fact that this is a proposed mast share between two operators. I have also taken account of the appellant's attempts to find a suitable alternative site and the advice given in the Framework concerning the siting of telecommunications masts and find that these also add weight to my decision.

Conditions

9. In addition to the standard time limit and a condition referencing the approved plans – for the avoidance of doubt – there needs to be conditions that ensure the communications apparatus is removed once it is no longer needed and that the land is restored to its former condition once it is removed. I note that the appellant has suggested a further condition requiring the removal of the existing monopole within 60 days of the first operation of the mast which is the subject of this appeal. I consider that a condition such as this would assist in reducing the clutter in the area once the proposal which is the subject of this appeal has been implemented.

Conclusion

10. I find that having regard to all matters before me, including the policies of the development plan, when taken as a whole, that the appeal should be allowed, and planning permission granted.

Peter Mark Sturgess

INSPECTOR