
Appeal Decision

Site visit made on 8 September 2020

by C Osgathorp BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 September 2020

Appeal Ref: APP/W1905/W/20/3252991

Land between Goffs Lane and Lieutenant Ellis Way Roundabout, Cheshunt EN7 5QA

- 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 (EE Ltd & Hutchinson 3G UK Ltd) against the decision of Broxbourne Borough Council.
 - The application Ref 07/19/1035/F, dated 6 November 2019, was refused by notice dated 28 January 2020.
 - The development proposed is telecommunications upgrade. Proposed phase 7 monopole, wrapround cabinet at base and associated works.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The Council adopted the Broxbourne Local Plan 2018 – 2033 (the BLP) in June 2020 and I therefore give full weight to the relevant policies of the BLP. The decision notice refers to policies of the Borough of Broxbourne Local Plan Second Review 2001-2011 which have now been replaced by the BLP and therefore have had no bearing on my decision. The appellant has had the opportunity to comment on the relevant BLP policies.

Main Issues

3. The main issues are the effect of the proposal on (i) the character and appearance of the area; and, (ii) highway safety.

Reasons

Character and appearance

4. The appeal site consists of a grass verge adjacent to the roundabout junction of Goffs Lane and Lieutenant Ellis Way. The surrounding area includes predominantly 2 storey housing to the north. Goffs Academy and Broxbourne Borough Football Stadium are located to the east.
5. There are 2 monopoles with antenna shrouds and associated cabinets currently sited on the grass verge. The proposal would replace one monopole and associated cabinets to facilitate 5G coverage. The scale of the existing monopole is in keeping with the nearby lampposts, and its simple appearance ensures that it is quite inconspicuous in the street scene. Furthermore, the

existing cabinets are low level and sited against hedges at the back edge of the verge, which limits their visual impact.

6. The proposed monopole, at around 20 metres, would be significantly taller than the existing structure and it would be noticeably wider. The antenna would be unshrouded, which would result in an unsightly and utilitarian appearance. The height and bulk of the proposal would be out of scale with the existing street furniture and it would appear as a dominant and incongruous feature in the area. There would be limited screening of the proposed monopole by trees or other features, and it would be clearly visible from the housing to the north, including Goffs Lane and Wolsey Avenue. The low rise nature of surrounding development would emphasise the discordant scale and appearance of the proposal.
7. Furthermore, the number and size of the proposed cabinets would add to the visual impact of the monopole. They would be sited in a more prominent position than the existing cabinets between the footpath and the road. Combined with the proposed monopole, they would result in a cluttered appearance in an area that is currently largely open.
8. The appellant has indicated that the cabinets should not form part of the appeal because they are permitted development. However, no further detail is provided on this matter and to my mind they would be part and parcel of the operation of the proposed monopole.
9. For the above reasons, I conclude that the proposal would cause significant harm to the character and appearance of the area. It would therefore be contrary to Policy DSC1 of the BLP, which seeks to ensure that development proposals enhance local character and distinctiveness.

Highway safety

10. The grass verge is largely open which provides visibility for drivers approaching the roundabout from Lieutenant Ellis Way towards the Goffs Lane exit. Goffs Lane includes a nearby crossover for pedestrians and cycles, which crosses a traffic island.
11. The proposed cabinets would be positioned on the verge close to the roundabout. No visibility splays have been provided to show that the proposed cabinets would not interfere with driver visibility. In the absence of such information, I find that the proposed cabinets owing to their number, size and proximity to the road, would restrict forward visibility from Lieutenant Ellis Way towards Goffs Lane, which would increase the risk of collisions with other vehicles or cyclists. I appreciate that the cabinets would not restrict visibility of oncoming traffic from the east, however this would not overcome my concerns.
12. For these reasons, the proposal would be harmful to highway safety. It would therefore be contrary to Policy TM2 of the BLP, which, amongst other things, states that development proposals must ensure that the safety of all movement corridor users is not compromised.

Other Matters

13. The National Planning Policy Framework (the Framework) advises that high-quality and reliable communications infrastructure is essential for economic growth and social well-being. Furthermore, it states that planning decisions

should support the expansion of electronic communications networks, including next generation mobile technology such as 5G.

14. Paragraph 113 of the Framework states that the number of communication masts, and the sites for such installations, should be kept to a minimum. The proposal would replace an existing installation and it would be shared between H3G and EE, as well as the Emergency Services Network. The appeal scheme gains support in this regard, and the benefits of providing improved telecommunications infrastructure should be given significant weight in the planning balance.
15. Whilst the proposal would be sited near to the existing telecommunications infrastructure to be replaced, it would provide a new mast and base station at a greater height, scale and prominence. In accordance with the Framework, a sequential assessment is necessary to demonstrate that the possibility of erecting antennas on an existing building, mast or other structure has been explored. I appreciate that the height of the proposed monopole is necessary to ensure suitable coverage, however I have not been presented with adequate information to show that there is a lack of suitable alternative sites.

Conclusion

16. The proposal would be harmful to the character and appearance of the area and would cause harm to highway safety. These are matters that attract significant weight. I acknowledge the significant benefits that the proposal would bring in terms of the provision of improved telecommunications infrastructure, however this would not outweigh the harm that I have identified.
17. For the reasons given above, I conclude that the appeal should be dismissed.

C Osgathorp

INSPECTOR