The Planning Inspectorate

Appeal Decision

Site visit made on 28 August 2020

by R Sabu BA(Hons) MA BArch PgDip ARB RIBA

an Inspector appointed by the Secretary of State

Decision date: 8 October 2020

Appeal Ref: APP/Q5300/W/20/3246046
Bullsmoor Lane SW, Bullsmoor Lane, Enfield, London EN1 4SW

- 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 Mr Melvyn Law of MBNL, EE (UK) Limited and H3G (UK) Ltd against the decision of the Council of the London Borough of Enfield.
- The application Ref 19/02333/FUL, dated 25 June 2019, was refused by notice dated 21 August 2019.
- The development proposed is described as, 'The installation of a 20m monopole, 12 no. apertures, equipment cabinets and concrete bollards. The removal of the existing 9.7m monopole, 3 no. antennas, redundant equipment cabinets and development ancillary thereto.

Decision

1. The appeal is dismissed.

Procedural Matter

2. Notwithstanding the description of development as stated in the application form, the appellant confirmed that concrete bollards are not included in the proposal. I have therefore assessed the appeal accordingly.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The site lies on a busy road adjacent to a petrol filling station (PFS) and a number of restaurants. There is also a PFS opposite the site and commercial uses within two storey buildings nearby. However, the wider surroundings comprise residential buildings and the height of the buildings both in the vicinity of the site and in the wider area is generally limited to two or three storeys. Moreover, apart from the two PFSs, the buildings in the area are generally in a traditional style with a modest scale. Therefore, the area has a modest, spacious character and appearance.

5. The proposals include the removal of the existing telecommunications equipment and the installation of a 20m high monopole and equipment cabinets. The proposed monopole would be roughly twice the height of the existing monopole and would be some 10m higher than the surrounding buildings. Given its height and width, the proposed monopole would appear discordant against the surrounding vertical elements such as existing

equipment and street furniture which are generally no more than two storeys in height. While the existing mast and equipment cabinets have been of a comparable sale to other street furniture in the vicinity of the site, the proposed pole would project a significant distance above the prevailing skyline and would therefore appear awkward and unsightly.

6. Furthermore, as demonstrated by the submitted photomontages, the pole would be in clear view on approach from both directions and given its height, views would be readily available from surrounding roads. In addition, it's height would result in the monopole being seen from a large number of the surrounding dwellings and would be an incongruous addition to the street scene. Interrupting the sense of openness, it would draw the eye and result in unacceptable harm to the character and appearance of the street scene and locality.

7. Given the presence of other low-level street furniture in the vicinity of the site, the proposed equipment cabinets would not appear incongruous. However, this would not override the harm to the character and appearance of the area that would be caused by the significant height and increased width of the proposed monopole.

8. Consequently, the proposed development would significantly harm the character and appearance of the area. Therefore, it would conflict with Core Policy 30 of The Enfield Plan Core Strategy 2010-2025 Adopted November 2010 (CS) which requires that all developments and interventions in the public realm must be high quality and design-led, having special regard to their context. It would also conflict with Policy DMD 37 of the Development Management Document (DMD) Adopted November 2014 which resists, among other things, developments which fail to have appropriate regard to its surroundings. Policy 2.17 of The London Plan The Spatial Development Strategy For London Consolidated With Alterations Since 2011 March 2016 relates to strategic industrial locations and from the evidence before me is not directly relevant to this case.

Other Matters

9. The proposal would provide facilities for 2 telecommunications providers as part of the companies' programme to upgrade the existing mobile/digital telecommunications equipment to accommodate fifth generation wireless (5G) services. I also note the evidence which sets out the general economic and social benefits of this technology and its importance in national terms including government guidance promoting digital communications growth. In addition, I note the technical design constraints for the monopole and that its height is the minimum to meet technical requirements.

10. The National Planning Policy Framework (Framework) encourages the use of existing masts, buildings and other structures for new electronic communications capability and where new sites are required, equipment should be sympathetically designed and camouflaged where appropriate.

11. It is also evident that the appellants have explored other options and I have no reason to doubt there are a limited number of suitable options for a freestanding site in the locality given the technical design requirements. I acknowledge that the installations are designed to be fully compliant with the public exposure guidelines established by the International Commission on

Non-Ionizing Radiation Protection. I also accept that the proposal has been sited to replace the existing base station and the existing pole would be removed at the earliest opportunity after the proposal is installed.

12. Nevertheless, in this case I cannot rule out the possibility that an alternative site might yet be found to address the Council's concerns. Furthermore, I do not consider that the above points or the operational and locational needs of the operators or national strategy to provide 5G services outweigh the significant harm I have identified from the siting of the pole in this particular location.

13. I also acknowledge that no concerns were raised by statutory consultees or third parties and note the evidence regarding permitted development. However, given the harm identified, and that the evidence indicates that the proposed mast is the minimum height and girth capable of introducing 5G technologies to the area, the erection of a monopole which meets the conditions required by permitted development would be unlikely, these and other matters raised have not altered my overall decision.

Conclusion

14. For the reasons given above the appeal is dismissed.

R Sabu

INSPECTOR