



Appeal Decision

Site visit made on 22 September 2020

by J Bowyer BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21st October 2020

Appeal Ref: APP/Q5300/W/20/3255080

Telecommunications Mast Bramley Road, Southgate N14 4HP

- 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 for H3G (UK) Ltd & EE (UK) Ltd against the decision of the Council of the London Borough of Enfield.
 - The application Ref 20/00024/FUL, dated 3 January 2020, was refused by notice dated 30 March 2020.
 - The development proposed is the installation of a 20m monopole, 12 no. antenna apertures, 8 equipment cabinets, alongside the removal of the existing monopole, 3 no. antennas, redundant equipment cabinets and development ancillary thereto.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of development in the banner heading above is taken from the application form. However, I note that Section E of the appeal form indicates that a revised description was agreed with the Council and states 'replacement of existing 14.7m high monopole with a 20m high monopole, 12 no. antenna apertures and 8 equipment cabinets'.
3. The appellant's evidence refers to an application submitted to the Council seeking prior approval for the installation of a 20m monopole, 12 no. apertures, 7 equipment cabinets and ancillary development. Despite a request to the main parties, I do not know the status of this application but I have in any case determined the appeal on its own merits and with regard to the evidence before me.

Main Issues

4. The appeal site is part of an area designated as Metropolitan Open Land (MOL), to which the development plan gives the same level of protection as Green Belt. The main issues are therefore:
 - i) whether or not the proposal would be inappropriate development on land designated as MOL;
 - ii) the effect of the proposal on the openness of the MOL;
 - iii) the effect of the proposal on the character and appearance of the area; and
 - iv) if the development would be inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.

Reasons

Inappropriate Development

5. The appeal relates to an open area of grass close to the MOL boundary with the adjacent footway along Bramley Road. Core Policy 34 of the Enfield Plan Core Strategy 2010 (CS) broadly seeks to protect MOL, and Policy DMD 71 of the Enfield Development Management Document 2014 (DMD) further states that inappropriate development on land designated as MOL will be refused except in very special circumstances.
6. The National Planning Policy Framework (the Framework) outlines requirements for development within Green Belt which are also applicable to development on MOL in accordance with the provisions of the development plan. It states that the construction of new buildings is inappropriate, although exceptions include the replacement of a building, provided the replacement building is in the same use and is not materially larger. The development would replace an existing monopole and cabinets, albeit in a slightly different location. However, the replacement monopole would be of significantly greater height and increased width than the existing monopole. It would therefore be materially larger, and would additionally be accompanied by an increased number of cabinets. Accordingly, the proposal would comprise inappropriate development on land designated as MOL which is by definition harmful.

Openness

7. The proposal would introduce development to an area of MOL which is currently open. Existing equipment which is within the MOL designation would be removed, but the additional scale of the proposed monopole together with the increased number of associated cabinets would result in a greater presence of development on the appeal site. Nearby trees would obscure the lower section of the monopole and the cabinets from some viewpoints. However, screening would not be complete and the development would be clearly apparent from the surrounding area, including in views from the MOL where the monopole in particular would be prominent projecting above the tree canopy.
8. As a consequence of the greater scale of the development, there would be a modest loss of openness in both spatial and visual terms which would cause harm to the MOL.

Character and Appearance

9. In addition to the existing structures to be replaced, there is other nearby telecommunications equipment, including a mast on Chase Side. Although the development would not therefore be a wholly alien feature in the area, the fairly dense tree cover around the existing structures means they are not readily visible from Bramley Road. In contrast, the position of the appeal site would allow views of the development for a significant distance on the approach to the roundabout along Bramley Road, with further views of the upper part of the monopole which would be higher than the nearest trees, including from within the MOL.
10. Bramley Road is relatively wide at this point and is fairly busy with traffic, and there is other street furniture near to the site including traffic lights, street lamps, signage and bus stops. These existing vertical features would provide some context for the monopole, but its significantly greater height and larger

width with protruding antennas at the highest part of the structure would nevertheless appear distinctly different and prominent. The large number of cabinets would additionally result in an urbanising spread of structures at the edge of the MOL and in visual clutter along the footway to Bramley Road, detracting from the street scene.

11. Moreover, the development would be set in a small clearing away from trees nearest to the site. Irrespective of its colour, the monopole would form an isolated feature in the skyline, projecting above the nearby tree canopy and standing out conspicuously against the open backdrop of the surrounding MOL. As a consequence, I consider it would be an intrusive and incongruous feature which would dominate its surroundings. The adverse visual impact would not be mitigated by the presence of nearby trees given the greater height of the monopole and that screening would be partial at best.
12. Although the development would replace existing equipment, the different locations of the existing and proposed structures, the greater height of the proposed monopole and the larger number of cabinets all mean that I find the visual impact of the development would increase considerably.
13. For these reasons, I conclude that the proposal would cause significant harm to the character and appearance of the area. It would therefore conflict with Core Policy 30 of the CS and Policy DMD 37 of the DMD which require, amongst other things, development that maintains and improves the quality of the built and open environment and which is appropriate to its context.

Other Considerations

14. The development is proposed to facilitate additional telecommunications network coverage and capacity incorporating 4G services, and the introduction of 5G technology to the area. 5G coverage allows networks to handle more data and to connect more devices at greater speeds. This would support improved home-working, as well as delivering potential benefits which may include enabling 'smart' devices and services and supporting 'Smart Cities' and cars of the future, as well as enabling future advances.
15. The appellant has drawn my attention to Government guidance emphasising how improved digital infrastructure can lower barriers to social and economic participation and boost productivity and earning power. The Framework further advises that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being, and that the expansion of electronic communications networks, including next generation mobile technology, should be supported. Policies of the existing and emerging London Plan similarly seek to support economic growth, reduce inequalities and to facilitate the provision and delivery of information and communications technology and digital infrastructure.
16. The proposal would serve these social and economic objectives, and facilitate 5G coverage supporting the Government's ambition for the majority of the population to have access by 2027. These are important public benefits and a matter to which I give significant weight.
17. The site would be shared by two operators, and I have no reason to doubt that the development, including the height and width of the monopole is the minimum necessary to meet requirements and ensure effective coverage taking account of surrounding buildings and trees and the need to comply with

International Commission on Non-Ionizing Radiation Protection requirements. This would accord with the approach advocated by the Framework including to avoid the proliferation of masts and weighs in favour of the proposal. The appellant also asserts that no alternative sites would be suitable for the required development, although very limited justification has been provided for the selection of the appeal site on this particular part of Bramley Road where it would be set away from tree cover on a relatively more open part of the MOL.

Other Matters

18. I note that a 20m high monopole and equipment cabinets may potentially be installed under permitted development rights provided by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) ('the GPDO'). However, the appellant advises that the width of the monopole would exceed relevant limitations within the GPDO. This does not therefore represent a fallback position for the appeal proposal as a whole, and does not alter my findings with regard to the effect of the proposal on the MOL and the character and appearance of the area.
19. The appellant contends that the development would be balanced by the removal of the existing equipment from the MOL, but I have found that the proposed development would be more harmful to MOL openness than the existing structures. Furthermore, the development would be positioned on an area of grass around a commemorative tree. While this area may not be regularly used, in my view it offers greater benefit and potential for practical recreation use than the existing site which is set within a narrow margin between the footway and adjacent trees.

Planning Balance and Conclusion

20. Drawing matters together, the development would be inappropriate in the MOL and would cause some further modest harm to the openness of the MOL. I give this harm substantial weight. The development would additionally cause harm to the character and appearance of the area. Against this, I give significant weight to the social and economic benefits of upgraded telecommunications infrastructure and acknowledge the support offered for such development by the Framework and adopted and emerging London Plan. I also note the lack of identified alternative sites to accommodate the proposal, although the weight that I give to this is reduced somewhat by the limited justification provided for this specific location on Bramley Road.
21. I find that the other considerations, either individually or collectively, do not in this case clearly outweigh the harm that I have identified so as to amount to the very special circumstances necessary to justify the development. Accordingly, there would be conflict with Core Policy 34 of the CS and Policy DMD 71 of the DMD which seek protection for MOL. I have additionally found conflict with Core Policy 30 of the CS and Policy DMD 37 of the DMD.
22. The proposal would conflict with the development plan when it is read as a whole and there are no material considerations, including the Framework, which would outweigh this conflict. Accordingly, and for the reasons given above, I conclude that the appeal should be dismissed.

J Bowyer

INSPECTOR