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## Appeal Decision

Site visit made on 8 December 2020

**by A Blicq BSc (Hons) MA CMLI**

**an Inspector appointed by the Secretary of State**

**Decision date: 18 December 2020**

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**Appeal Ref: APP/Y5420/W/20/3249176**

**Downhill Park Road Telecommunications Site, Haringey, London N17 6NY**

- 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 George Oliver of Beacon Comms Group against the decision of The London Borough of Haringey.
  - The application Ref HGY/2019/2300, dated 5 August 2019, was refused by notice dated 1 October 2019.
  - The development proposed is installation of a 20m monopole, 12 no apertures 6 no equipment cabinets, alongside associated ancillary equipment. The removal of the existing 9.7 m monopole, 3 no antennas, 4 no equipment cabinets, alongside any redundant ancillary equipment.
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### Decision

1. The appeal is dismissed.

### Procedural Matter

2. Although the appellants for the application and the appeal differ, I am satisfied that this was an administrative error.

### Main Issues

3. The main issues are:
  - Whether there would be an adverse effect on pedestrian safety; and,
  - The character and appearance of the area:

### Reasons

#### *Pedestrian safety*

4. There are currently three cabinets located towards the outer edge of the footway as it runs along the boundary of Lordship Park (the park). Between the deepest cabinet and the park boundary the residual footway is about 1.2 metres wide, and about 1.5 metres beside the shallower cabinets. This is significantly less than the recommended minimum 2 metres unobstructed footway set out in Manual For Streets (MfS), for footways alongside a lightly trafficked road. Nonetheless, it is adequate for the passage of an adult with a child, or a mobility scooter, and over short distances I am satisfied that a reduced footway width where there is wholly linear movement may be acceptable.

5. However, the development would increase the number of cabinets, and they would extend to the park's gated entrance. A bollard would be sited opposite the pedestrian entrance to protect the cabinets from vehicle damage. The overall length of footway with reduced width would be about 15 metres, about double the length of the current situation.
6. Moreover, any bottleneck created by the cabinets would be aggravated by its location at the park entrance, particularly if there are vehicles using the adjoining vehicular entrance or if the vehicle gates are closed, as they were at my visit. The disruption to the free flow of pedestrians at that focal point and entrance would be significantly greater than that currently experienced. I conclude therefore that the proposed arrangement of cabinets and bollard so close to the park entrance, would significantly impede the free flow of pedestrian movement. This could have an adverse effect on pedestrian safety.
7. The development would therefore be contrary to Policy SP11 of the Strategic Policies (SP) which requires development to create a well-connected and high quality public realm that is safe to use, Policy DM3 of the Local Plan (LP) which requires that minimum residual footway width should be preserved and LP Policy DM1 which requires development to have regard to connecting routes and spaces. Although there is nothing definitive in the policy to conclude what residual width should be, I have based my reasoning on the recommendations in MfS.
8. The Council has also cited Policy 7.8 of the London Plan (LOP) but this is concerned with heritage assets. There is nothing before me to suggest that there are heritage assets nearby. As such, this weighs neither for nor against the appeal.

#### *Character and appearance*

9. The existing monopole is set in a rebate within the park's boundary fence. It is no higher than the surrounding tree canopies and when these are in leaf the monopole would not be particularly obtrusive in the street scene or when viewed from the park.
10. A 20 metre monopole would be considerably wider and taller than the existing and would be set alongside the kerb where it would be more prominent. It would extend well above the tree line and would also be a notable feature on the footway, particularly given its location within the line of cabinets. It would be obtrusive in the street scene, particularly given its proximity to the park entrance.
11. However, notwithstanding there is open space on both sides of the road here, it is a suburban setting and a very large proportion of the pole would be subsumed into the tree canopies. In principle, and bearing in mind the public benefits that the development would bring, I am satisfied that the harm arising from the increased pole height and girth of the monopole alone would be outweighed by the benefits to be gained from improvements to the network.
12. Nonetheless, the combination of the monopole and the increased number of cabinets would detract from the park entrance and constitute visual clutter in what is a focal point in the street scene.
13. The development would therefore have an adverse effect on the character and appearance of the area, and would be contrary to the design aims of LP Policy

DM1 and SP Policy SP11 , as well as LP Policy DM3 which states that telecommunications equipment should not have an adverse effect on the street scene.

14. The Council has also cited LOP Policy 7.8, but as noted above, this policy weighs neither for nor against the appeal.

*Planning balance*

15. Paragraph 112 of the National Planning Policy Framework sets out that planning decisions should support the expansion of electronic communications networks. However, in this particular set of circumstances the combination of visual clutter and pedestrian safety at the park entrance leads me to conclude that that the harm arising from the development is not outweighed by the public benefits.
16. I appreciate that alternative sites have been considered and discounted, but this does not alter my reasoning.

**Conclusion**

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

*A Blicq*

INSPECTOR