

Appeal Decision

Site Visit made on 24 November 2020

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

an Inspector appointed by the Secretary of State

Decision date: 21st December 2020

Appeal Ref: APP/V1505/W/20/3256451

Telecommunications site, Nether Mayne, Opposite Basildon Hospital, Basildon, SS16 5HD

- 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 & H3G LTD) against the decision of Basildon Borough Council.
 - The application Ref 20/00167/TFULL, dated 10 February 2020, was refused by notice dated 21 April 2020.
 - The development proposed is the replacement of an existing 11.7m monopole with a 20.0m high monopole supporting 12 no antenna apertures, together with the installation of ground-based equipment cabinets and ancillary development thereto.
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Decision

1. The appeal is allowed and planning permission is granted for the replacement of an existing 11.7m monopole with a 20.0m high monopole supporting 12 no antenna apertures, together with the installation of ground-based equipment cabinets and ancillary development thereto at Telecommunications site, Nether Mayne, Opposite Basildon Hospital, Basildon, SS16 5HD in accordance with the terms of the application, Ref 20/00167/TFULL, dated 10 February 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - 982728 _BAN002_50338_SS2449_M001 Issue A – 002 Site Location Plan, 982728 _BAN002_50338_SS2449_M001 Issue A – 215 Proposed Max Configuration Site Plan and
 - 982728 _BAN002_50338_SS2449_M001 Issue A – 265 Proposed Max Configuration Elevation).
 - 3) Before the development is first brought into use, a scheme for the removal of the existing telecommunications mast, all associated equipment and paraphernalia including reinstatement of the land and timetable for the work shall be submitted to and approved in writing by the local planning authority. The existing telecommunications mast, all associated equipment and paraphernalia shall be removed in accordance with the approved details.

Preliminary Matter

2. Since the proposal is some distance from the existing equipment, I have removed the reference to 'existing' in the address above in the interests of certainty.

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 is a grassed area adjacent to a roundabout that leads to busy dual carriageways that form a primary route to Basildon and is near to Basildon Hospital. As such, while the site itself has a green and spacious appearance, the wider area has a busy and utilitarian character and appearance.
5. The proposed monopole would replace an existing one further along the dual carriageway and would be taller and wider than existing. However, the dual carriageway and roundabout are lined by a regular rhythm of tall streetlights and there is a considerable amount of traffic signs and other street furniture in the vicinity of the site. As such, the proposed monopole and cabinets would not appear incongruous when viewed against the backdrop of tall streetlights and busy dual carriageways as well as the utilitarian architecture of Basildon Hospital. In addition, the nearest residential areas are largely some distance from the site such that the proposal would be unlikely to affect the character and appearance of those areas. Therefore, while the proposal would be in a more prominent position than the existing equipment and the monopole would be taller than existing, for the foregoing reasons, the siting and external appearance of the proposal would not appear out of place on the street scene or surrounding area.
6. Consequently, the proposed development would not harm the character and appearance of the area. Therefore, it would not conflict with Policy BAS BE20 of the Basildon District Local Plan Saved Policies September 2007 which requires that the siting and external appearance of any telecommunications apparatus should not have a significantly detrimental visual impact on the District's landscape or townscape as a result of excessive prominence.

Other Matters

7. I note the evidence regarding the general benefits of the provision of 4G and 5G services. Given my findings on the main issue, these matters have not altered my overall decision.

Conditions

8. The standard conditions relating to commencement and specifying plans are necessary in the interests of certainty. I recognise that the existing telecommunications equipment cannot be removed until the proposal is in use, in order to maintain network coverage in the area. Therefore, a condition requiring a scheme for their removal including a timetable is necessary in the interests of certainty and to safeguard the character and appearance of the area.

Conclusion

9. For the reasons given above, the appeal should be allowed.

R Sabu

INSPECTOR