
Appeal Decision

Site visit made on 24 November 2020

by D J Barnes MBA BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 23 December 2020.

Appeal Ref: APP /N5090/W/20/3254797

Near Mill Hill County High School Oak Hill Campus, Church Farm, Church Hill Road, Barnet EN4 8XE

- 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 against the decision of the Council of the London Borough of Barnet.
 - The application Ref 20/0598/FUL, dated 5 February 2020, was refused by notice dated 30 March 2020.
 - The development proposed is a 20m monopole supporting 12 no. antennas, equipment cabinets, the removal of the existing 11.7m monopole, 3 no. antennas, removal of redundant equipment cabinets and development ancillary thereto.
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Decision

1. The appeal is dismissed.

Main Issue

2. It is considered that the main issue is the effect of the proposed development on the character and appearance of the surrounding area, in particular the streetscene.

Reasons

3. The proposed development is for the replacement of a telecommunications monopole and associated equipment cabinets which are cut into a grass embankment. The existing monopole is about 12 metres high, dark in colour and seen against the context of several trees and a boundary hedge fronting the road. Street furniture includes circa 10 metre high streetlights. By reason of its height and profile, the existing monopole has a satisfactory appearance in this context and is not particularly conspicuous.
4. There is open land to the east and west of the site, including Oak Hill Park. These predominantly grass areas, together with the trees and hedge, gives the streetscene an open and verdant character and appearance. There are views of the monopole from various locations within the park and along the road, especially from the south due to the gradient of the road.
5. The replacement monopole would, at some 20 metres in height, be about 8 metres higher than the existing pole and considerably wider both in terms of the supporting structure and the antenna. The proposed monopole would be sited about 12 metres to the south of the existing facility. There would be an overall increase in the number of equipment cabinets of varying sizes.

6. By reason of the of location of nearby trees, there are material differences between the existing and proposed equipment in relation to their siting and the degree to which the trees can help to assimilate the appearance of the monopole in the streetscene. These differences also include the ground level of the proposed monopole being lower than the existing facility but this does not negate the significant difference in the overall height and bulk between the existing and proposed structures.
7. The National Planning Policy Framework (the Framework) at paragraph 113 refers to new telecommunication sites being sympathetically designed and camouflaged. By reason of its height and profile, the photomontages demonstrate that the antenna would be a visually more obtrusive feature within the streetscene and its visual impact would materially differ from the existing monopole. The proposed monopole would be an incongruous form of development which would have a significant adverse effect on the generally open and verdant character and appearance of the streetscene.
8. Although cut into the bank, the visually intrusive and incongruous appearance of the proposed monopole would be accentuated by the increase in the number of cabinets. This increase in the number of cabinets would lead to an appearance of clutter within the streetscene and, as such, would contribute further to the material change in the character of this open and verdant area.
9. For the reasons given, it is concluded that the proposed development would cause unacceptable harm to the character and appearance of the surrounding area, in particular the streetscene. It is also concluded that the appeal scheme would conflict with Policies DM01 and DM18 of the Barnet's Local Plan Development Management Policies Development Plan Document which seek to protect the Borough's character and amenity and which require telecommunications equipment not to have a significant adverse effect on the external appearance of the space in which it is located.

Other Matters

10. A copy of an appeal¹ has been provided by the appellant, albeit the full planning details have not been provided to assess whether this other proposal is of direct relevance to the proposed development. However, although there appear to be some similarities, I note that for the other scheme that there were nearby commercial buildings and many vertical structure within the vicinity. These characteristics are not shared by this appeal site which is located within an open and verdant area.
11. The Framework places importance both on achieving well-designed places and on supporting high quality communications. Paragraph 112 of the Framework refers to high quality and reliable communications infrastructure being essential for economic growth and social well-being. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G). The proposed development would provide additional coverage and capacity incorporating 5G technology. There would be the benefit of enhanced mobile connectivity.
12. Paragraph 113 of the Framework encourages the number of sites for masts to be kept to a minimum consistent with operational requirements. The appeal

¹ APP/N5090/W/20/3245093

scheme would reflect this objective in that it involves the sharing of the monopole by 2 telecommunication providers. The appellant claims that the height and design of the proposed monopole is the minimum necessary to allow both telecommunication providers to operate without potential interference. A lower installation would significantly reduce coverage.

13. The appellant has set out a sequential approach to site selection taking into account matters such as technical requirements and the availability of tall buildings. Based upon the site visit, there are no reasons to doubt the appellant's site assessment but the appeal scheme is required to be assessed against the relevant development plan policies. This required assessment also arises because, as identified by the appellant, the appeal scheme would not be permitted development.
14. In my judgement, the other matters supporting the case for the proposed telecommunication infrastructure do not outweigh the unacceptable harm which would be caused to character and appearance of the surrounding area, in particular the streetscene. Accordingly, it is concluded that this appeal should be dismissed.

D J Barnes

INSPECTOR