



Appeal Decision

Site visit made on 12 January 2021

by M Philpott BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th January 2021

Appeal Ref: APP/N5660/W/20/3260707

Travelodge Vauxhall, 3 Bondway, Vauxhall, London SW8 1SJ

- 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 Cornerstone, Telefonica UK Ltd & Vodafone Ltd against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 19/04474/FUL, dated 29 November 2019, was refused by notice dated 7 April 2020.
 - The development proposed is for 7 no pole mounted antenna, 4 no 300mm dishes, together with the installation of 6 no equipment cabinets to be installed on a new steel support grillage at roof level, 1 no meter cabinet at ground level and ancillary development thereto.
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Decision

1. The appeal is allowed and planning permission is granted for 7 no pole mounted antenna, 4 no 300mm dishes, together with the installation of 6 no equipment cabinets to be installed on a new steel support grillage at roof level, 1 no meter cabinet at ground level and ancillary development thereto at Travelodge Vauxhall, 3 Bondway, Vauxhall, London SW8 1SJ in accordance with the terms of the application, Ref 19/04474/FUL, dated 29 November 2019, 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: 100 Rev A; 101 Rev A; 200 Rev A; 201 Rev A; 300 Rev A; 301 Rev A; 302 Rev A; 303 Rev A; 304 Rev A; 305 Rev A; 306 Rev A; 307 Rev A.

Main Issues

2. The main issues are: (i) the effect of the proposal on the character and appearance of the area, with due regard to the Vauxhall Conservation Area and the settings of locally listed buildings; and (ii) in the event that any harm is identified, whether the harm is outweighed by other material considerations.

Reasons

Character and appearance

3. The site comprises part of a 6 storey building which is currently used as a hotel and fronts onto Bondway and a bus station at Vauxhall Cross. The area is a transport interchange. There are several major roads, an underground station

and a train station in the immediate vicinity. A railway viaduct runs behind the hotel. The site is adjacent to a former bank at 1-5 Wandsworth Road, a former public house at 2 South Lambeth Place and Rowton House at 11-13 Bondway. The buildings are located within the Vauxhall Conservation Area (CA) and, aside from the hotel, are locally listed buildings (LLBs).

4. The building heights along Bondway are generally consistent at mostly 4-6 storeys. However, there are also many modern, significantly taller and more imposing buildings in the vicinity, particularly along the south bank of the River Thames and to the south of the bus station. The area is undergoing a strategic transformation, with several large development schemes permitted and under construction, including the redevelopment of the bus station and public realm improvements.
5. The Council's Conservation Area Statement indicates that the CA is characterised by main roads lined by commercial buildings, architecturally significant buildings and a strong townscape. It states that the buildings along Bondway represent one of the last coherent groups of Vauxhall's commercial character. It also says that the LLBs have historical and architectural interest and the hotel is in keeping with its surrounding context. The hotel and the LLBs positively contribute to the character and appearance of the CA.
6. The proposal seeks to install mobile telecommunications equipment on the roof of the hotel and an electrical meter cabinet at ground level. The Council has not objected to the cabinet and I have no compelling reasons to find that it would be harmful.
7. Most of the proposed equipment would have limited prominence as a result of its size, siting and the height of the hotel. The development's appearance would be typical of telecommunications equipment found in urban areas. Additionally, the proposal does not comprise of so many readily visible elements that the roofscape would appear cluttered. Notwithstanding this, the proposed antennas would protrude above the roofline and occupy longer distance views in the area.
8. The LLBs are visible from parts of the train station platforms; however, views of the LLBs from the east at ground level are limited. While the equipment would be visible from such perspectives, it would appear diminutive against the backdrop of the imposing buildings on the south bank of the River Thames which project above the roofline of the buildings along Bondway. There would be a similar backdrop to the equipment when viewed from the north. The buildings behind the equipment would dominate those views. There would be a limited visual impact on the hotel and the LLBs in the foreground as a result. In that context, the development would not appear incongruous or detract from the hotel or the heritage assets.
9. The skyline above the buildings along Bondway is undisrupted when viewed from points along Wandsworth Road and on approach from Vauxhall Bridge. From those perspectives, the prominence of the LLBs is limited as a result of the presence of the bus station, other buildings and a significant amount of street furniture and paraphernalia. The equipment would also have limited prominence in those views. However, the antennas would nevertheless project into the sky and disrupt the roofscape near to Rowton House and the former bank. Consequently, the antennas would compete with and detract from those LLBs, including the former bank's domed roof, from those perspectives. This

would result in limited harm to the significance of the LLBs, the CA and the character and appearance of the hotel and thus the wider area.

10. Full details of the likely forthcoming changes to the area have not been provided. However, it appears likely that views of the Bondway roofscape will remain achievable from parts of Wandsworth Road and on approach from Vauxhall Bridge. The issues identified are therefore highly likely to endure following the completion of the planned strategic development.
11. The proposal conflicts with Lambeth Local Plan (LP) Policies Q2, Q5, Q11, Q22, Q23 and T10. These policies seek to ensure that development does not compromise visual amenity and that it is not visually intrusive, reinforces local distinctiveness, positively responds to the character of existing buildings, preserves or enhances conservation areas and protects the settings of locally listed heritage assets.
12. The decision notice also refers to Policy 4.11 of the London Plan. However, the policy does not provide criteria that are directly relevant to character and appearance matters for telecommunications equipment on buildings and thus I find no conflict with it.

Other considerations and planning balance

13. Both main parties consider that the proposal would result in less than substantial harm to the CA in the terms of the National Planning Policy Framework (the Framework). In such scenarios, paragraph 196 of the Framework indicates that the harm to that designated heritage asset should be weighed against the public benefits of the proposal. In addition, paragraph 197 of the Framework indicates that a balanced judgement is required having regard to the scale of the harm and the significance of the LLBs as non-designated heritage assets.
14. The development would provide new 5G network coverage in the area and replace existing coverage that is temporarily being provided by a nearby ground based installation. The temporary installation is within an area identified for redevelopment and the Council does not dispute that a permanent site needs to be found. Moreover, paragraph 116 of the Framework explains that the need for electronic communications systems should not be questioned.
15. Paragraph 112 of the Framework sets out 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 such as 5G, should be supported. It is clear that the proposal would bring about substantial public benefits, particularly given the very high volumes of people that are likely to be within or travel through the immediate area on a daily basis.
16. The appellant has stated that there is no alternative design that would be an improvement to that proposed which would also enable ICNIRP¹ compliant coverage and capacity to be provided. This is not contested by the Council and I have no compelling reasons to find otherwise.
17. The proposal seeks to replace existing network coverage and I accept that potential siting opportunities will therefore be limited to a relatively narrow

¹ International Commission on Non-Ionising Radiation Protection

area. The appellant has undertaken an extensive search for alternate sites, including extant telecommunications sites, existing buildings and schemes with planning permission. There has already been dialogue with the Council regarding potential alternative sites and options that it put forward have been considered. Various reasons have been provided for discounting the alternatives, which include operational and technical requirements alongside practical ones such as the heights of buildings, roof designs and the amount of space available for accommodating equipment.

18. The appellant's evidence is compelling. The Council contends that the search is insufficient and that solutions should be investigated that would enable another site to be used. However, it has not put forward firm and substantive evidence to counter the evidence provided by the appellant. Based on what I have seen and read, I consider that it is unlikely that there is an alternative site which would fulfil operational requirements effectively and have fewer adverse impacts on the character and appearance of the area and heritage assets.
19. I note that the Council has high aspirations for place making in the area. Furthermore, I have given considerable weight and importance to the desirability of preserving the character and appearance of the CA. However, my findings lead me to conclude that the public benefits of the proposal outweigh the harm to the CA, the LLBs, the hotel and the character and appearance of the area.
20. I conclude that the public benefits of the proposal are a material consideration which outweighs the conflict with the development plan. A decision should thus be taken otherwise than in accordance with the development plan. I have considered the conditions put forward by the Council. I find that the time limit and approved plans conditions suggested by the Council are necessary in the interests of certainty.

Conclusion

21. For the above reasons, the appeal is allowed.

Mark Philpott

INSPECTOR