



Appeal Decision

Site visit made on 28 April 2021

by D.R McCreery MA BA (Hons) MRTPI

An Inspector appointed by the Secretary of State

Decision date: 29 April 2021

Appeal Ref: APP/G5180/W/20/3259031

Leesons Hill adjacent to junction of Sunnyfield Road, St Pauls Cray, Orpington BR5 2NQ

- 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 and Vodafone Ltd against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/20/00007/FULL5, dated 30 December 2019, was refused by notice dated 12 March 2020.
 - The development proposed is the replacement of an existing 10.7m high monopole with a 12.5m high monopole supporting 6 no antenna within a shroud.
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Decision

1. The appeal is allowed and planning permission is granted for the replacement of an existing 10.70m monopole with a 12.5m high monopole supporting 6 no antenna within a shroud at Leesons Hill adjacent to junction of Sunnyfield Road, St Pauls Cray, Orpington, BR5 2NQ in accordance with the terms of the application Ref DC/20/00007/FULL5, dated 30 December 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 approved plans, unless otherwise agreed in writing by the Local Planning Authority.
 3. No development above slab level shall take place until details of a colour for the exterior of the equipment have been approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and shall be retained as such unless otherwise agreed in writing by the Local Planning Authority.

Main Issues

2. The main issues are the effects on the character and appearance of the surroundings and whether any harm identified is outweighed by the need for the proposed development in this location.

Reasons

Character and appearance

3. The site is part of a grass verge adjacent to the footway that runs the southern edge of Leeson's Hill, which is on a slope with the site towards the top. Leeson's Hill carries a relatively high level of traffic, with the grass verge and accompanying mature trees serving as a buffer between the road and the footway. The surrounding area is residential in nature, with greenery provided by mature trees and other nearby planting integral to its character.
4. This location is said by the Council to have been used for the siting of telecommunications equipment since around 2006. As such, equipment of this nature has an established presence within the surroundings.
5. The existing mast and its associated equipment are utilitarian in appearance and are not an attractive feature of the existing street scene. Notwithstanding this, the adjacent street trees, other vegetation and structures, and the topography play a key role in reducing the overall prominence of the existing equipment. This serves to limit extensive visibility in longer public views and localise the impacts.
6. The taller mast proposed, with wider upper section, would further increase the prominence of the telecommunications equipment. This includes views of the mast as seen from surrounding properties, particularly those on lower ground such as the closest houses on Clarendon Way. This would exacerbate to some degree the effects that the appearance of the existing equipment has on the immediate surroundings. I acknowledge that the impacts would be reduced by the proposal remaining mostly below the height of the surrounding trees and the screening provided by vegetation and other structures.
7. Carefully weighing up the evidence, including the comments from other interested parties, whilst localised in the way described above, the increased prominence that the proposal would give to telecommunications equipment in this location would result in a degree of harm to the character and appearance of the surroundings. The degree of harm resulting would be in conflict with Policies 37 and 89 of the Bromley Local Plan which includes requirements that development should positively contribute to the existing street scene and, in respect of telecommunications equipment, minimise any adverse impacts on the character and appearance of the area.

Need for the proposal in this location

8. I have carefully considered the Appellant's evidence relating to the need for the proposal to be in this location, including information relating to existing coverage. The evidence points to a number of benefits, including those resulting from upgrading the existing network and mast sharing in the interests of containing the proliferation of telecommunications equipment. I also recognise the public benefits of supporting the expansion of electronic communications networks, in line with policy in section 10 of the National Planning Policy Framework (the Framework).
9. Overall, the need for the proposal in this location, along with the wider public benefits, is a factor that should attract weight in this decision.

Conclusions

10. The proposal would have harmful effects on the character and appearance of the surroundings by virtue of the increased prominence of the equipment. The overall impacts would be reduced as a result of natural and other screening. Further, conditions relating to the colour of the mast would assist in assimilating the equipment into the surroundings.
11. These effects must be weighed against the need for the proposal to be in this location, which is established by the evidence, and brings with it a number of wider public benefits, notably supporting the expansion of electronic communications networks in line with policy in the Framework. These factors attract significant weight.
12. Weighing these factors up, the public benefits resulting from the proposal would outweigh the degree of harm to the character and appearance of the surroundings and therefore the conflict with Local Plan policy.
13. In reaching this decision, I have paid regard to the appeal decisions submitted by the parties. As each of these decisions was informed by its own specific context and the evidence presented I afford them limited weight. I have also paid regard to the planning history of the site and the wider area, insofar as it is brought to my attention, whilst also considering the proposal on its own merits and on the basis of the evidence presented and the current policy framework.
14. In final conclusion and having regard to all other matters raised, including the comments of other Interested Parties, the appeal should be allowed.

Conditions

15. The conditions of this permission are set out in the attached schedule. I have imposed standard conditions relating to timing and accordance with the approved plans. I have also included a condition requiring agreement of the colour of the external faces of the equipment in the interests of ensuring a satisfactory standard of external appearance.

D. R. McCreery

INSPECTOR