



Appeal Decision

Site visit made on 3 August 2021

by Alison Scott BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 August 2021

Appeal Ref: APP/H5960/W/21/3267300

Shurgard Self Storage, 118-120 Garratt Lane, Wandsworth, London SW18 4DJ

- 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 (UK) Ltd and H3G (UK) Ltd) against the decision of London Borough of Wandsworth.
 - The application Ref 2020/1755, dated 19 May 2020, was refused by notice dated 21 July 2020.
 - The development proposed is The installation on the roof of the building of an 8 metre high stub tower supporting 6 no. antenna apertures and 4 no. dishes, the installation of 8 no. equipment cabinets on the roof and an electrical meter cabinet at ground level, and ancillary development thereto.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Since the time the appeal was submitted, a new London Plan has been published in March 2021 and replaces The London Plan 2016. I have had due regard to the new Plan. In addition, the revised National Planning Policy Framework (the Framework) has been published in July 2021. My decision is made in the context of the revised Framework.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the Metropolitan Open Land.

Reasons

4. The licensed operator is MBNL, (EE (UK) Ltd and H3G (UK) Ltd) as a shared operator. The appellant's evidence explains that the operator would provide a coverage of 2G, 3G, 4G and/or 5G across both networks to address a gap in coverage and capacity that would occur once an existing lattice tower, located elsewhere, is decommissioned. Further, it explains that the site has been identified as it meets specific technical and operational requirements.
5. The appeal site is a large four storey storage warehouse building. It is flat roofed and located amongst other businesses in the Wandsworth Trading Estate. It backs onto the public open space of King George Park consisting of

open land, tennis courts and children's playground. This land is Metropolitan Open Land (MOL), which is generally dealt with in a similar manner to Green Belt.

6. The Park is large in scale and flat in nature, mostly given over to grassed land. This contributes to its sense of openness. The existing warehouse building is clearly visible from many vantages from within the Park. It is experienced in an environment of a group of other industrial buildings that are well contained within their defined boundary. It is conspicuously visible from the Park due to its mass and close relationship with the Park. The roof is clearly visible from many directions although no structures are clearly discernible upon it.
7. The proposed equipment would protrude well above the flat roof with the tower at approximately 8m high together with its associated antennas and dishes and other ancillary equipment. A substantial amount of equipment is proposed and would be visible above the flat roof.
8. Given its proposed position on the building and relationship with the Park, with limited shielding, it would be seen in both short and long range views from many directions across the Park. The proposed equipment would significantly distort the roofscape and appear as a prominent and incongruous feature. It would not positively respond to the character of the area of a pleasant green environment, but instead lead to harm arising to the character and appearance of the MOL.
9. The Framework places an emphasis on the requirement for new electronic equipment to be sympathetically designed and camouflaged. This proposal would not meet the objectives of good design.
10. There are high rise residential blocks of flats close to the Park to the western and eastern side, although the appeal property and these buildings are not viewed in the same context, they are spatially separate. In any case, the appeal property is closer as it abuts the open space and is located against its boundary.
11. The appellant comments on the desirability of locating telecommunications equipment within industrial locations. However, all developments are considered on their own merits.
12. To conclude on this main issue, for the reasons set out above, the development would not assimilate into its environment and would lead to significant visual intrusion to the locale, harmful to the character and appearance of the MOL. The proposed development would be in conflict with the Wandsworth Local Plan Development Management Policies Document 2016 (DMPD) Policies DMS 1 and DMS 9 in their combined design aims. I find no direct relevance to Policy DMO 1 as this relates directly to protecting and enhancing open space. Finally, it would not comply with the Framework in its objectives for new telecommunications equipment to be sympathetically designed.

Other Considerations

13. The appellant argues in favour of the proposed equipment as they explain the need to prevent the loss of degradation of some services and loss of other services within the local area in the northern part of the cell that would be split.

14. Published Government statements and the London Plan to support and drive towards advanced digital connectivity has been referenced by the appellant. The need to support digital technologies and their growth, and the social and economic benefits that can arise, has also been brought to my attention and the impacts of the Covid-19 pandemic, as well as benefits to emergency services.
15. However, in this particular situation, the purported public benefits have not been sufficiently substantiated to lead me to the view that the level of harm I have identified would be outweighed by the benefits of the scheme.
16. The Framework requires evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure. A number of alternative sites have been investigated and discounted by the appellant for various reasons including technical and structural issues.
17. Alternative equipment for the roof of this building was discounted by the appellant due to the structural integrity of the roof, and described by them as 'potentially less prominent'. Further, the MOL was considered but discounted by the appellant due to 'a tall structure would be needed'. However, no evidence has been provided to substantiate these claims.
18. I note the appellant's assertion that this proposed apparatus would keep the overall number of installations to a minimum. Whilst shared facilities are welcome, there is no evidence presented to back up this statement that it would indeed negate the need for other equipment.
19. A number of appeal decisions have been brought to my attention by the appellant. The appeal Inspectors recognise the public benefits of the telecommunications industry. In some instances, the benefits outweigh the harm that would arise, and this is the conclusion reached by the Inspector. In other examples, the appeal decisions relate to different types of telecoms apparatus and are not the same circumstances as the proposal before me to reasonably compare. Where another appeal decision relates to roof-top equipment, again the circumstances are not precisely the same as the appeal before me. I therefore apply limited weight to these examples.

Balance and Conclusion

20. I have balanced the proposal against a number of considerations including public benefits and site constraints. I afford moderate weight to the economic and social benefits of the appeal scheme. However, the harm I have found that would arise to the character and appearance of the MOL does not outweigh the benefits of the proposal. These matters attract significant weight and outweigh the benefits associated with it.
21. Therefore, the proposed development would lead to conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should not succeed.

Alison Scott

INSPECTOR