



Appeal Decision

Site Visit made on 7 September 2021

by G Rollings BA(Hons) MAUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 September 2021

Appeal Ref: APP/D5120/W/21/3268282

Halfway Street / Woodbine Road, Sidcup, DA15 8DJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Hutchison 3G UK Ltd against the decision of London Borough of Bexley.
 - The application Ref 20/01757/GPDO8, dated 18 July 2020, was refused by notice dated 11 September 2020.
 - The development proposed is Installation of a proposed 20 metre Phase 8 Monopole C/W wraparound; Cabinet at base with associated ancillary works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (GPDO 2015), under Article 3(1) and Schedule 2, Part 16, Class A, Paragraph A.3(4) require the local planning authority to assess the proposed development solely on the basis of its siting and appearance, taking into account any representations received. My determination of this appeal has been made on the same basis.
3. Amended plans have been submitted with the appeal; these were not before the Council when it issued its decision. The amendments indicate a reduction in the height of the mast from 20m to 15m. Taking into account the fact that no submissions were received from interested parties, I am satisfied that in accepting these plans for my consideration, no parties are prejudiced.

Main Issues

4. The main issues are the effect of the siting and appearance of the proposed telephone kiosk upon the character and appearance of the area, and the pedestrian environment.

Reasons

5. The principle of development is established by the GPDO 2015 and the provisions of Schedule 2, Part 16, Class A of the GPDO 2015 do not require regard be had to the development plan. I have had regard to the policies of the development plan only insofar as they are a material consideration relevant to matters of siting and appearance.

Siting and impact on character and appearance

6. The proposed mast and associated cabinet would be located on a corner, flanked by a shopping parade, in a predominantly residential area. There is an existing, shorter mast in close proximity.
7. From much of the surroundings, the proposed mast would be hidden in view by existing buildings. However, there are long views of the site from both approaches along Halfway Street, particularly from the south-east, where the proposed mast would be a focal point of the linear view along the road, for a significant distance. I acknowledge the presence of other vertical structures surrounding the proposal, but in conjunction with the nearly existing mast, the proposal would create visual clutter which would be detrimental to this busy area.
8. I therefore conclude that the siting and appearance of the proposed telephone kiosk would have a harmful impact on the character and appearance of the area.

Siting and impact on the pedestrian environment

9. The shopping parade and nearby pavement areas were busy at the time of my visit. Activity included market stalls outside of the shops and occupation of the bicycle stands, which are immediately adjacent to the proposed location of the mast. Other pavement obstructions include roadside bollards and a raised planter bed.
10. The plans indicate that there would be around 2.5m between the base of the pole and the road edge, but the bollards and nearby lamppost are set in from the road edge. Accordingly, the usable part of the pavement would be less than 2.5m. Given the busy characteristics of this area of pavement, I am concerned that the location of the proposal would result in pedestrian congestion, and based on the corner location, lead to highway safety risks.
11. I therefore conclude that the siting and appearance of the proposed telephone kiosk would have a harmful impact on the pedestrian environment.

Other Matters

12. I have been provided with evidence relating to the need for the proposal and the consideration of alternative sites. However, in accordance with the prior approval process set out above, these are not determinative factors in my decision.

Conclusion

13. For the reasons given above, I conclude that the appeal should be dismissed.

G Rollings

INSPECTOR