



Appeal Decision

Site Visit made on 24 November 2021

by Andrew McGlone BSc MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 December 2021

Appeal Ref: APP/H5960/W/21/3275822

Telecommunications Site Ref 78216, Walpole Lodge, 7 Plaza Gardens, Putney, Wandsworth SW15 2DP

- 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 Everything Everywhere Limited against the decision of London Borough of Wandsworth.
 - The application Ref 2020/1525, dated 27 April 2020, was refused by notice dated 2 December 2020.
 - The development proposed is the installation of telecommunications equipment comprising of 3no antennas and 3no 300mm dishes on new support structures, 2no equipment cabinets and associated ancillary works thereto.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are: (a) the effect of the proposed telecommunications equipment on the communal amenity space of Walpole Lodge, the living conditions of nearby residents and the visual amenity of the area; and (b) whether any harm caused is outweighed by the need to site the installation in the location proposed having regard to the potential availability of alternative sites.

Reasons

Communal amenity space, living conditions and visual amenity

3. Walpole Lodge is an 8-storey mixed use building on the eastern side of Plaza Gardens in Putney Town Centre. The building has 34 owner/occupied residential units on the upper levels. Many of these are said to be occupied by families with young children. Commercial office space is on the lower levels.
4. To the south-east is a timber yard and railway arches. The 11-storey building of Grand Tower adjoins Walpole Lodge on the lower floors is to the south. Capital House, a 7-storey building is to the west and Millennium House, a 5-storey building is to the north-west. To the north, west and south-east of this body of development are railway lines. The lines to the west and south-east converge to the south at East Putney Underground Station. The character of the area is mixed, but it does not have an industrial nature.
5. Paragraph 112 of the National Planning Policy Framework (the Framework) advises 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. This is reflected in Policy IS 6 of

the Core Strategy supports the provision of telecommunications infrastructure. However, Framework paragraph 113 sets out that the number of masts should be kept to a minimum and where new sites are required (such as for new 5G networks), equipment should be sympathetically designed and camouflaged where appropriate.

6. The roof of Walpole Lodge steps down in height to the north and provides communal terraces on the fourth, fifth and sixth floors. The terraces are residents' only recreation space which is well used by all accounts for activities such as eating, drinking, hosting visitors, relax, exercise and for children's play.
7. The proposed telecoms equipment would be sited on the roof of the highest part of Walpole Lodge next to screening that surrounds plant on the roof. It would be close to the highest terrace and protrude above the height of the screen. The masts would therefore extend above the existing built form and they would have an overbearing effect on the living conditions of occupiers / users of the fifth and sixth-floor roof terraces, and occupiers of units of Grand Tower facing Walpole Lodge, especially from the upper floor units who have external amenity spaces. This would be an unacceptable intrusion into their enjoyment of these spaces and their general outlook with the proposed equipment being unneighbourly and unsightly at such proximity. The presence of the equipment would, in my view, detract from people using these spaces which are key for resident's wellbeing even if there is a park around 10 minutes' walk away.
8. From Upper Richmond Road there would be a varied visibility and thus effect of the proposed equipment with either buildings or the railway bridge limiting direct views of the roof of Walpole Lodge. However, the proposed equipment would clearly be visible on top of the building from the east of the railway bridge on Upper Richmond Road. There are also likely to be views from other buildings in the area due to their scale, siting and placement of openings. The effect, in the context of Policy DMS 9 of the Development Management Policies Document (DMPD), would not, however be significant, though still harmful.
9. The nature of the proposed equipment and its technical requirements means that blending it into an area is not straightforward and I recognise that the amount of equipment and its height seem to have been kept to a minimum. However, its position on the highest part of the roof in this location would mean that its size and scale would not be minimised despite its pale grey colour that would blend well against the plant screen.
10. In respect of this issue, I conclude that the proposed telecommunications equipment would cause significant harm to the communal amenity space of Walpole Lodge and the living conditions of nearby residents. This would conflict with DMPD Policy DMS1 which seeks, among other things, development to not harm the amenity of occupiers/users and nearby properties through unacceptable overbearing and unsatisfactory outlook. Harm would also be caused to the visual amenity of the area, but it would not be a significant impact that would conflict with DMPD Policy DMS 9 a), but the proposal would conflict with part d) of this policy insofar as being appropriately designed, minimising size and scale.

Need and alternatives

11. The appellant company has identified a signal shortfall in the area covering the train line and its immediate surroundings. Currently, calls are said to drop

when trains pass through the area. The appellant company explains that the issue is due to inadequate capacity and the speed of delivery. There are challenges linked with passengers on trains from receiving a strong signal, many of which are physical issues. The demand for greater and better coverage has also risen over time with increasing reliance and use of mobile data to support phone calls, navigation and video streaming for example.

12. Based on the coverage plot for this tight target area there is a need for improved signal along the railway line extending east-west to the north of Walpole Lodge. Siting equipment within the optimal search area identified on a coverage plot in the vicinity of Plaza Gardens/Disraeli Road/Fawe Park Road and Oakhill Road would address this if a mast is located next to the railway line and near the centre of the search area. The proposal would fulfil both aspects meaning that the existing telecommunications network would be improved by providing faster and denser coverage to residents, businesses, the emergency services, rail passengers and visitors. There would be no direct benefit to the Emergency Services Network (ESN) that utilises EE coverage as the site would not be part of EE's ESN project.
13. New base stations are sometimes the appropriate solution, but the Framework advocates keeping new masts to a minimum and DMPD Policy DMS 9 states that all options for sharing of existing equipment, and erecting masts on existing tall buildings or other structures should have been fully explored, adopted as the preferred approach wherever possible, and demonstrated clearly within the application documents.
14. Various alternative sites have been considered and discounted by the appellant company. Some are based on their location outside the target coverage area, and these are mainly existing sites run by the appellant company. How realistic an alternative they are is questionable. An existing Network Rail GSMR site next to the railway would be within the target coverage area. There would be a visual impact of redeveloping this site but there is not sufficient justification to set aside using this site solely because it would need considerable redevelopment with increased height and width. That said, Network Rail masts are said not to allow shared occupation with other operators as they are linked to the operation of the railway. In any event, the site at Woodlands Gate is discounted based on a smaller coverage area without any supporting plots; the site at East Putney Station discounted based on potential effect on a locally listed building without any details of the relationship or the size or design of potential new installation; and the rooftop at Putney Plaza discounted based on the lack of roof space without any details demonstrating how or why the proposed equipment would not fit.
15. I am therefore not of the opinion that the proposed site is the only design solution available to appellant company that can achieve the desired technical requirements. While the application was not refused by the Council due to a lack of alternative sites, residents have cited concerns in this respect, and I share those views. Residents also suggest other sites, and it would be for the appellant company to fully explore these. However, this does not alter my conclusion on this issue that although there is a need for improved coverage, all options for sharing of existing equipment or existing tall buildings or other structures have not been fully explored in accordance with DMPD Policy DMS 9.

Other Matters

16. While concerns are expressed about potential health impacts, evidence and a certificate has been submitted confirming that the proposal complies with the guidelines published by the International Commission on Non-Ionizing Radiation Protection.
17. I agree with the appellant company's assessment that the proposal would not cause light, overshadowing or privacy issues to residents, but this does not alter or outweighs my conclusions on the main issues.
18. I note the appellant company's efforts to provide additional supporting information and amended plans to address the concerns raised as much as possible, and whilst the scheme was recommended for approval to the Planning Applications Committee, they are not bound by their Officer's recommendation and I have, in any event, considered the proposal on its own merits.

Conclusion

19. The appeal scheme would conflict with the Development Plan as a whole and despite the aim to future proof the network and the economic and social benefits of the proposal alongside the demonstrable need, there are no other considerations, including the Framework, that indicate that I should take a different decision other than in accordance with the Development Plan.
20. For the reasons given above I conclude that the appeal should be dismissed.

Andrew McGlone

INSPECTOR