



Appeal Decision

Site visit made on 12 April 2022

by David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 MAY 2022

Appeal Ref: APP/Y5420/W/21/3280795

Area of Footpath, Archway Road, Highgate, London N6 5BB

(Grid Ref Easting: 528991; Grid Ref Northing: 187568)

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 16, Class A of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Hutchison 3G (UK) Limited against the decision of the Council of the London Borough of Haringey.
 - The application Ref HGY/2021/1420, dated 30 April 2021, was refused by notice dated 25 June 2021.
 - The development proposed is erection of a 16 metre high Phase 8 telecommunications pole with built-in cabinet, 3no. separate cabinets and ancillary works.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the siting and appearance of the proposal on the character and appearance of the area, with due regard to designated heritage assets.

Reasons

3. The appeal site is located within the footpath adjacent to Archway Road, which is one of the main roads leading through this area and has a mixed residential and commercial character. The site is next to an advertisement hoarding and an area of landscaping including trees, planting and a seating area.
4. There is a terrace of dwellings near the appeal site along Archway Road, and the existing and proposed site plans submitted by the appellant indicate that this terrace projects to the edge of the footpath. However, it was apparent on my visit that the buildings are set back from the highway. This terrace of dwellings establishes a strong building line, and the proposed mast would project forward of this. Due to this location, the mast would appear as an overly prominent and obtrusive feature in views along the streetscape.
5. The advertisement hoarding is a prominent and relatively utilitarian structure. However, the hoarding respects the established building line and does not set a context which justifies the insensitive siting of the mast.

6. There are trees and shrubs which would provide a degree of screening. However, those closest to the site are not of sufficient height to mitigate the visual intrusion of the mast, and the proposal would still be apparent in the streetscape even allowing for larger trees in the area, particularly when the trees are not in leaf.
7. The mast would also be significantly higher than the nearby terrace of two-storey dwellings, which would add to the proposal's undue prominence within the streetscape.
8. The appellant emphasises that the mast and cabinets would be coloured black to blend in with nearby street furniture, namely lampposts. However, the mast would be of a significantly greater height and bulk than these features, and the proposed colouring would not be sufficient to ensure that it would complement existing street furniture. Furthermore, the dark colouring would exacerbate the prominence of the mast when viewed against the sky.
9. The site is located within the Highgate Conservation Area (CA). The CA Appraisal and Management Plan sets out that the character of the CA is formed by the relationship of its historic pattern of development, its high percentage of buildings of architectural merit and its distant views, amongst other things. Archway Road is an important part of this character, being a major route through the area fronted by Victorian and Edwardian retail parades. These are factors which contribute to the importance of the CA as a designated heritage asset.
10. Due to its location and scale, the proposal would be an unduly prominent feature in views along Archway Road, to the detriment of the character and appearance of the CA. There are existing vertical features in the area such as trees and lampposts, but these would not suitably mitigate for the impact of the mast due to its relative height, bulk and unsuitable location. Indeed, the CA Appraisal refers to a profusion of features including lampposts and road signs which are not sensitively designed and which contribute to visual clutter. The appeal proposal would add unacceptably to this cluttered appearance, with subsequent harm to the CA.
11. Reference has been made to the effect on the setting of listed buildings. The proposal would be located diagonally opposite from the Church of St Augustine of Canterbury, which is a Grade II Listed Building. The Listing description refers to the front of the Church facing onto Archway Road, which is of a highly individual free Gothic style, with a prominent west tower with pagoda roof. The appeal proposal would appear as a prominent vertical feature, which would be seen within the context of this listed Church in views along Archway Road. Due to its height, bulk and obtrusive location, the mast would compete with the importance of the listed Church, and particularly with views of the prominent west tower. This would detract from the appreciation of the significance of the Church, and would fail to preserve the setting of this Listed Building and its features of special architectural interest.
12. The proposal would also be a prominent feature on the approach to Archway Bridge, which is a Grade II Listed Building. The steel and cast-iron arch of the bridge and its associated decorative elements are an important feature in views along Archway Road, and this architectural interest contributes to the importance of the Listed bridge as a designated heritage asset. Due to its scale and prominent location beyond the building line, the proposed mast would

appear as an obtrusive and incongruous feature on the approach to the bridge, to the detriment of the setting of this Listed bridge and its special architectural interest.

13. There is an existing telecommunications mast located near to the appeal site on the opposite side of Archway Road. However, this existing mast is of a different design to the appeal proposal, and is also more sensitively located in relation to taller buildings compared to those in the immediate vicinity of the appeal site. This existing mast does not therefore set a visual context which justifies the appeal proposal.
14. Paragraph 117 of the National Planning Policy Framework (the Framework) sets out that evidence must be supplied to demonstrate that alternatives have been taken into consideration. The appellant has undertaken a sequential approach to site selection with all the alternatives discounted. The appellant states that no site sharing or opportunities or existing structures were identified. However, even given the limited size of a 5G cell, little evidence is provided in respect of buildings which may fall within an appropriate distance and which may be used to support antenna. On that basis, the appellant's sequential approach would not appear to be suitably robust.
15. I am mindful of the economic and social benefits of providing and enhancing electronic communication infrastructure, as set out in the London Plan 2021 and the letter from the Department for Digital, Culture, Media and Sport of 27 August 2020. I also note rising demand due to an increase in working from home, as is reflected in a comment made in support of the appeal. Paragraph 114 of the Framework advises that advanced, high-quality and reliable communication infrastructure is essential for economic growth and social well-being and that the expansion of electronic communication networks, including next generation mobile technology (such as 5G), should be supported. These matters weigh in the proposal's favour. However, it has not been demonstrated that these benefits would not be possible from a scheme which is more suitably located in respect of character and appearance. These benefits therefore carry limited weight in favour of the appeal.
16. I conclude that the proposal, due to its siting and appearance, would lead to significant harm to the character and appearance of the area. The proposal would also fail to preserve or enhance the character and appearance of the CA, and would not preserve the setting of nearby Listed Buildings. Within the terms of the Framework, the harm to designated heritage assets would be less than substantial. However, mindful of my concerns in respect of the visual impact of the proposal and the assessment of potential alternatives, I do not consider that it has been demonstrated that the public benefits of the proposal in this location are sufficient to outweigh that harm.
17. Thus, insofar as they are a material consideration, the proposal conflicts with the heritage, design and public realm aims of policy HC1 of the London Plan 2021; policies SP11 and SP12 of the Haringey Local Plan 2017; policies DM1, DM3, DM9 and DM54 of the Development Management DPD 2017; and policy DH2 of the Highgate Neighbourhood Plan 2017. The proposal would also be contrary to the Framework in respect of the sympathetic design of new telecommunications sites as well as conserving and enhancing the historic environment.

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

David Cross

INSPECTOR