



Appeal Decision

Site visit made on 20 April 2022

by Alison Scott (BA Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th May 2022

Appeal Ref: APP/N5090/W/21/3280477

Area of footpath at Stoneyfields Lane, Adjacent to 2 Magnolia Gardens, Broadfields, Barnet, London, HA8 9GQ

- 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 Hutchinson 3G (UK) Ltd against the decision of London Borough of Barnet.
 - The application Ref 21/1447/PNT, dated 16 March 2021, was refused by notice dated 26 April 2021.
 - The development proposed is The proposed erection of a 15 metre high Phase 8 C/W wraparound cabinet at base and associated ancillary works.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Because this is an application for prior approval the provisions of the 2015 Order 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. This appeal will be determined on the same basis.

Main Issues

3. The main issues are the effect of the siting and appearance of the proposed monopole installation, and, if any harm would occur, whether this is outweighed by the need for the installation to be sited as proposed taking into account any suitable alternatives.

Reasons

4. The site is adopted footway located on Stoneyfields Lane and close to the boundary wall with Number 2 Magnolia Gardens. The local area is suburban residential in character consisting of modern and planned housing estates with modern houses located on Magnolia Gardens. The A41 Edgware Road is located within close range of the appeal site.
5. The proposed installation is a Hutchinson 3G Limited Phase 8 Monopole to which the appellant explains the need for a new mast is to deliver 5G technology to the local area.
6. As a vertical structure with a reasonable girth and wider headframe of visible antennas positioned in this location, would appear as a stark and standalone

feature. In addition, it would be extensively visible in views to the north due to the long and largely straight road layout of Stoneyfields Lane, made more prominent by the slight incline of the road.

7. There may be streetlamps positioned close to the site and other highway directional and information signs. However, these features are considerably lower in height than the proposed monopole. It would not blend with these typical street features.
8. In addition, the trees located in close range of the proposed monopole may be a back-drop to it, but they are physically separated from the site due to the perimeter wall. The monopole would not be absorbed amongst the trees and would be significantly higher, the trees providing limited screening properties. Even if the finished colour were conditioned, it would not camouflage the monopole to adequately blend into its environment.
9. There may be no statutorily designated areas or features located close to the appeal site or protected trees within the vicinity. Nonetheless, the proposal would amount to visually intrusive development, harmful to the character and appearance of the local area.

Other Considerations

10. The deployment of new 5G technology, the public, social and economic benefits of mobile connectivity are highlighted by the appellant. The necessity of digital technology is further stressed by them given the significance of the Coronavirus pandemic.
11. Published Government statements and the objectives of the National Planning Policy Framework (the Framework) to support and drive towards advanced digital connectivity has also been pointed to by the appellant. This is also recognised within the London Plan 2021. The London Borough of Barnet Local Plan makes specific reference to telecommunications within its adopted policy.
12. The appellant places great emphasis on the height of the proposed monopole and ICNIRP guidelines, stating it is the lowest possible height to provide the necessary coverage within the local area and point to a recent refusal for an 18m high monopole here. Whilst they comment that the proposed design is the least visually intrusive design solution, a lower height mast may compromise the deployment of the digital service, although this has not been evidenced on coverage maps.
13. The Framework requires evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure. There is nothing before me to contradict the appellant's explanation that site sharing is not a viable proposition.
14. The appellant undertook a number of alternative sites within their site selection process. They have focused their search in residential areas with an identified constraint the fact that the area is densely residential in character with dropped curbs to driveways posing as another constraint. I find no reason to disagree with the appellant that this would be problematic. The Edgware Road site has been discounted by the appellant to which I agree this heavily trafficked and fast-moving highway would pose a health and safety risk.

Balance and Conclusion

15. The appellant states that the appeal site is the only viable option to site their equipment to provide the identified need for 5G service to the local area, and the resultant public benefits that would ensue to which they attract due weight.
16. I appreciate the value of telecommunications within the technology and communications industry. However, a balance should be struck between visual impact and need. I apportion significant weight to the harm I have explained would arise to the character and appearance of the local area by siting the monopole here as it would appear detrimentally visually incongruous. Therefore, even though they state this may be an optimal site and they have tried to address the impact of another refused scheme, the harm that would arise to the character and appearance of the area would on balance, not outweigh the benefits identified by the appellant.
17. For the reasons given above I conclude that the appeal should be dismissed.

Alison Scott

INSPECTOR

