



Appeal Decision

Site visit made on 16 May 2022

by M Chalk BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th May 2022

Appeal Ref: APP/L5810/W/21/3289831

Land between Langhorn Drive and Craneford Way, Twickenham, Middlesex, TW2 7SG, 515242, 173575

- 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 and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by EE Limited against the decision of the London Borough of Richmond Upon Thames.
 - The application Ref 21/3643/TEL, dated 18 October 2021, was refused by notice dated 1 December 2021.
 - The development proposed is described as "15m streetworks column in the style of a telegraph pole and associated supporting apparatus."
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council decided not to grant prior approval for the siting and appearance of the proposed installation. The principle of the proposed development is established under the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (the Order). This appeal will be determined based on the siting and appearance of the appeal proposal only.
3. The Order does not require that regard be had to development plan policies. The policies of the Richmond Upon Thames Local Plan 2018 are therefore material considerations only so far as they relate to the character and appearance of the appeal proposal.

Main Issue

4. The main issue is whether the siting and appearance of the appeal proposal would be acceptable, and, if harm would result from the proposed development, whether that harm would be outweighed by the need for it.

Reasons

5. The appeal site is an area of grass verge alongside a footpath. The surrounding area comprises a stadium, a Council depot and a block of flats on the opposite side of the footpath that backs onto open land. There are several mature trees along the footpath which are protected by a group Tree Preservation Order. These trees contribute significantly to the character of the area and provide screening of the Council depot from the nearby flats.

6. The submitted plans show the proposed installation set within the canopy of an established tree. From the evidence submitted it would also be within its root protection area. No arboricultural impact assessment or information to show the depth of the foundations required for the installation has been provided. It is not therefore possible to make an informed assessment of the impact that the installation would have on the nearest tree, or whether it would impact on the root protection area of any other nearby trees. Given the importance of the trees to the character of the area, I cannot therefore conclude that the siting of the proposed installation would be acceptable.
7. Notwithstanding this, the installation would principally comprise a 15 metre mast and three cabinets of varying size. The mast would be finished in wooden or olive brown vinyl coating to give it an appearance like a telegraph pole. The cabinets would be painted green to reduce their prominence against the backdrop of the trees to their rear. Given the surrounding mixed character of the area, presence of lamp columns of similar height to the proposed mast nearby and the backdrop of the established trees, there would be limited visual impact from the appeal proposal. The appearance of the proposed installation would therefore be acceptable in this location.
8. The National Planning Policy Framework (the Framework) recognises that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. The installation would replace an existing base station that will be decommissioned due to site redevelopment. Its replacement is required to continue to provide coverage in this area. In addition, EE provides telecommunications coverage for the emergency services. These considerations carry significant weight in favour of the proposed development.
9. However, the Framework also recognises that trees make an important contribution to the character and quality of urban environments. The trees in this area are protected and contribute to its character. They would also provide screening and a backdrop for the proposed installation, limiting its visual impact. It is not possible to say that the appeal proposal would not cause harm to trees in the vicinity of the site. This would outweigh the benefits of the proposed development.

Conclusion

10. For the reasons set out above, the appeal fails.

M Chalk

INSPECTOR