



Appeal Decision

Site visit made on 26 October 2022

by Bhupinder Thandi BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 November 2022

Appeal Ref: APP/T5150/W/22/3290526

Belmont Avenue, Wembley, Brent, London HA0 1TX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to 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 MBNL, EE Ltd & H3G (UK) Ltd against the decision of London Borough of Brent.
 - The application Ref 21/3233, dated 23 August 2021, was refused by notice dated 14 October 2021.
 - The development proposed is a 20m monopole, 12no. antenna, 6no. equipment cabinets and associated ancillary development thereto.
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Decision

1. The appeal is allowed and approval is granted under the provisions of Article 3(1) and Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for a 20m monopole, 12no. antenna, 6no. equipment cabinets and associated ancillary development thereto at Belmont Avenue, Wembley, Brent, London HA0 1TX in accordance with the terms of the application Ref 21/3233, dated 23 August 2021, and the plans submitted with it including 002 Site Location Plan Issue B; 100 Existing Site Plan Issue B; 150 Existing Elevation A Issue B; 215 Max Configuration Site Plan Issue B and 265 Max Configuration Elevation Issue B.

Procedural Matters

2. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (GPDO), 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. The principle of development is established by the GPDO and the provisions of Schedule 2, Part 16, Class A of the GPDO do not require regard be had to the development plan. I have had regard to the policies of the development plan and the National Planning Policy Framework only in so far as they are a material consideration relevant to matters of siting and appearance.

Main Issue

4. The main issue is the effect of the proposed development upon the character and appearance of the area.

Reasons

5. The appeal site is a grass verge located on Mount Pleasant close to the junction with Belmont Avenue. Mount Pleasant is a suburban location with built up surroundings including residential and commercial uses. Green spaces extend along Mount Pleasant acting as pleasant soft buffers between the road, pavement and built form. Whilst the appeal site forms part of this chain of green spaces it is less prominent within the street scene due to its position set back from the roadside.
6. There is no doubt that the proposed development would alter the aspect along the road. However, the mast would be set away from the road and its position and scale would maintain a degree of openness, despite some erosion of the site resulting from the development. Furthermore, the neighbouring open spaces along Mount Pleasant would remain unaffected continuing to contribute to the character of the area.
7. The proposed development would be confined to a small area set against the boundary fence of a dwelling. In my view, it would not introduce significant street clutter to the area maintaining the sense of spaciousness that exists.
8. Telecommunication installations, such as the one proposed, are common features in urban environments given the requirement for high quality communications and that advanced, high quality, reliable communication infrastructure is considered essential for economic growth and social well-being. In the context of the surrounding area, I find that the proposed development would integrate into the area and would be compatible with its surroundings.
9. Consequently, I conclude that the siting and appearance of the proposed development would not adversely affect the character and appearance of the area.

Other Matters

10. I acknowledge the appeal decision referred to by the Council. However, from the details before me, it appears that the merits and circumstances of this appeal is materially different to the appeal proposal before me. In any case, every appeal must be considered on its own merits, as I have done.

Conditions

11. The GPDO does not provide any specific authority for imposing additional conditions beyond the deemed conditions for development by electronic communications code operators contained within it. These specify that the development must be carried out in accordance with the details submitted with the application, begin within 5 years of the date of the approval and be removed as soon as reasonably practicable after it is no longer required for electronic communications purposes and the land restored to its condition before the development took place.
12. Based on the information before me it is not necessary to impose conditions beyond those specified in the GPDO.

Conclusion

13. For the reasons set out above the appeal is allowed and prior approval is granted.

B Thandi

INSPECTOR