



Appeal Decision

Site visit made on 21 December 2022

by Peter White BA(Hons) MA DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 January 2023

Appeal Ref: APP/C1950/W/21/3286104

Welwyn Ambulance Station, Ascots Lane, Welwyn Garden City AL7 4HX

- 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 MBNL against the decision of Welwyn Hatfield Borough Council.
 - The application Ref 6/2021/1547/FULL, dated 4 March 2021, was refused by notice dated 29 October 2021.
 - The development is proposed 25m temporary development at Welwyn Ambulance Station, Ascots Lane, Welwyn Garden City AL7 4HX. A 12 Month Temporary Extension. Proposed Telecommunications Installation upgrade and associated works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant has provided a further certificate to confirm that the proposal has been designed to comply with the guidelines published by the International Commission on Non-Ionizing Radiation Protection (ICNIRP), dated 29th July 2020, confirming that the mast conforms with the ICNIRP public exposure guidelines. I have considered the appeal on that basis.

Main Issues

3. The main issue is the effect of the development on the character and appearance of the area.

Reasons

Character and appearance

4. The appeal site is an area of land at the rear of the Welwyn Ambulance Station adjacent to an ambulance parking and service area, and adjacent to the boundary with the Spring House Medical Centre. The wider site hosts other health-related facilities, and the recently redeveloped QE2 Hospital site is located beyond Ascots Lane to the east. The area is otherwise a residential one, with blocks of 3-storey flats to the north, and two-storey dwellings beyond on Kingsley Court and Howlands.
5. A 12 month temporary permission was granted for a 20m mast in 2020¹ but a 25m mast was installed. The proposal therefore seeks planning permission for the development carried out, for a temporary period.

¹ Welwyn Hatfield Borough Council planning permission ref: 6/2020/1780/FULL

6. The development is a 25m climbable lattice mast on a steel platform with large concrete ballast blocks, a power generator and cabinets, and Heras fencing enclosure.
7. At ground level, visibility of all but the mast itself is largely limited to internal views from a relative distance within the wider site, and from the neighbouring health centre. A raised grass area also significantly reduces views from most nearby residential uses.
8. The mast is a prominent and highly visible structure and, at 25m in height, is seen above all other features from numerous vantage points along Ascots Lane, Howlands, Kingsley Court, and further afield. As a lattice structure, it is industrial in character, and has a negative visual impact on the residential areas in the vicinity. In relation to the closest dwellings, it is an imposing structure and visually intrusive.
9. In conclusion, the development is harmful to the character and appearance of the area, and conflicts with Policies D1, D2 and R21 of the Welwyn Hatfield District Plan 2005. Together those policies require high standards of design which respect the character and context of the area, are not visually intrusive, and are not harmful to the appearance of the street scene, or appear visually intrusive. The Council have also alleged conflict with Policy SADM9 of the emerging Welwyn Hatfield Borough Council draft Local Plan, but I have not been provided with that draft policy.

Other Matters

10. The appellant advises that it is imperative that the mast be permitted for a further 12 month period in order to provide continuity of service of 5G coverage for the wider area for EE, H3G and the Emergency Services Network (ESN). It advises that, as a lattice mast, its height is the minimum required in order to clear surrounding buildings and trees, changes in topographical levels, and to meet ICNIRP guidelines. It also states that a lower lattice mast would not provide the level of coverage sought for both operators and the ESN.
11. The appellant secured prior approval for a permanent replacement mast (ref: 6/2017/2928/PN15) and seeks a 12 month period to install it. But that approval is not a recent one, and the Council describes it as "never implemented". Even if that approval can be implemented, I am not convinced by the appellant's case that it would be in a 12 month period. The Council advises there have been temporary masts in this location since 2018, and a 12 month period has already passed since the application subject to this appeal was submitted in October 2021. The appellant has therefore had ample opportunity to install the approved mast, and I have not seen convincing justification that a further 12 month period would result in its installation.
12. There is support in the Framework for high quality communications, and advanced, high quality, reliable communications infrastructure is considered essential for economic growth and social well-being. Policies and decisions should support the expansion of the communications network, and the delivery of 5G infrastructure is specifically referenced. There are therefore economic and social benefits of 5G network coverage, at both an individual and societal level.
13. At the same time, I must balance this against the requirement for equipment to be sympathetically designed and camouflaged where appropriate, as well as the overarching imperative in the Framework for well-designed places.

14. In relation to the main issue I have found the development is harmful to the character and appearance of the area and conflicts with development plan policies. I attribute significant weight against the development to this harm.
15. I also acknowledge the significant benefits of continuity of 5G provision across the networks, including the ESN. However, for the reasons above, I attach only moderate weight to the benefit of granting planning permission for a further temporary period of 12 months. The identified harm is therefore not outweighed by the need for the installation, or any other matters.

Conclusion

16. I therefore conclude the development would conflict with the development plan as a whole and the approach in the Framework. There are no other material considerations that require a decision to be made other than in accordance with the development plan, and the appeal should therefore be dismissed.

Peter White

INSPECTOR