



Appeal Decision

Site visit made on 15 May 2023

by Emma Worley BA (Hons) Dip EP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 July 2023

Appeal Ref: APP/M5450/W/22/3301156

HRW19783 - Alexandra Avenue Streetworks, Junction of Alexandra Avenue & Sandringham Crescent, Harrow HA2 9BU

- 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 CK Hutchison Networks (UK) Ltd against the decision of the London Borough of Harrow.
 - The application Ref P/4345/21, dated 29 October 2021, was refused by notice dated 21 December 2021.
 - The development proposed is described as 'the installation of an 18-metre-high monopole supporting 6 no. antennas, 4 no. equipment cabinets and development works ancillary thereto'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. As this is an application for prior approval, the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (the GPDO), under Article 3(1) and Schedule 2, Part 16, Class A, 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 consideration of the development plan. I have had regard to the policies of the development plan, related guidance and the National Planning Policy Framework (the Framework) only in so far as they are factors relevant to matters of siting and appearance.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the area and, in the event that any harm is identified, whether that harm would be outweighed by the need to site the installation in the location proposed and any benefits associated with the development.

Reasons

Character and appearance

5. The appeal site is part of a grass verge located on Alexandra Avenue close to its junction with Sandringham Crescent. It lies between the highway and a parade of shops with residential units above. Due to its location adjacent to the highway and footpath, and proximity to the junction, the site is prominent in views from the public realm. The surrounding area is mixed in character, including commercial and residential properties which vary in scale and architectural styles.
6. This part of Alexandra Avenue is a straight stretch of road, lined with mature trees. There are various items of street furniture, including bollards, a bus shelter, refuse bin and street name sign close to the site. The street scene on this side of the road also includes elements with a vertical emphasis, specifically lamp posts and telegraph poles. However, these features are slender in form and due to their height, do not appear at odds with the scale of nearby buildings.
7. The proposed monopole would be 18m in height and would include a wraparound cabinet at its base, as well as three further ancillary cabinets. The appeal submissions indicate that the development is required to provide both new 5G coverage, along with enhanced 4G coverage to address a deficiency in coverage and increase capacity in this area of Harrow. I note that the height and scale of the mast is the minimum required to achieve the specific technical objectives of the development and that the mast and cabinets would be coloured green to reflect the site context.
8. The mature roadside trees in the immediate vicinity would provide a backdrop to and would partially conceal the mast in views towards it from some directions. However, due to its height, the mast would be noticeably taller than the existing trees, street furniture and nearby properties. It would also be different in appearance to other vertical structures in the vicinity due to the antennas at the top. Moreover, as the highway is straight, the monopole would not only be seen in short range views but in longer distance views along significant parts of Alexandra Avenue where the upper part would noticeably protrude above the skyline. Consequently, by reasons of its height and appearance, it would be incongruous and visually obtrusive in the street scene.
9. Whilst the proposed cabinets would be typical of the form of structures often seen adjacent to the highway, the number proposed would be extensive. In addition to the mast, together with existing items of street furniture close to the appeal site, they would lead to undue visual clutter in a prominent corner location. Whilst I acknowledge that it may be that the cabinets themselves could be erected as permitted development, there is no compelling evidence that this would take place in the absence of the proposed mast.
10. For these reasons, I conclude the siting and appearance of the proposal would harm the character and appearance of the area. In these regards, and as far as they are determinative on the matter, it would be contrary to the combined aims of Policies DM1 A and B (a) and DM49 A (b) of the Harrow Development Management Policies Local Plan adopted 2013 which, among other things, require development to achieve a high standard of design having regard to the character and appearance of the area.

Availability of alternative sites

11. The Framework states that for a new mast, evidence should be provided that shows the possibility of erecting antennas on an existing building, mast or structure has been explored. The appeal submissions indicate that no mast/site sharing opportunities or existing buildings/structures were identified within the search area. The existing nearby mast on Alexandra Avenue is unsuitable for mast sharing in its current form and would require an increase in height to accommodate the proposal, while the Matrix Court building is not a suitable height to accommodate an installation. In addition, a site at Eastcote Lane was discounted due to its proximity to existing residential properties. Nevertheless, while I appreciate the limited extent of the search area, it is unclear as to why only these 3 alternative sites were investigated and there is no detailed analysis of other potential options.
12. As such, from the evidence available to me I am not satisfied that it has been demonstrated that less harmful alternative sites have been fully explored. I therefore conclude that the need for the installation in this instance, does not outweigh the harm.

Other Matters

13. The appellant has drawn my attention to a number of appeal decisions where proposals for telecommunications equipment have been allowed, despite harm being identified. However, these relate to sites elsewhere and I do not have full details in respect of such works so I cannot be sure of the circumstances of the cases. In any case, I have determined the appeal on its own merits, based on the evidence before me.

Conclusion

14. There is no dispute the development would provide enhanced signal coverage in an area where there is an identified deficiency. The Framework supports the expansion of electric communications networks, including 5G mobile technology and sets out that access to advanced, high quality and reliable communications is essential for economic growth and social well-being. I give positive weight to the benefits of the scheme in terms of the improved service to all of its users.
15. However, I must balance this against the requirement for equipment to be sympathetically designed and camouflaged where appropriate, as well as the overarching high quality design aims of the Framework, which seek to achieve well-designed places for the long term. Moreover, it has not been demonstrated that such benefits could not be achieved in an alternative way that would have a less harmful effect.
16. I therefore conclude that the harm I have identified with regards to the character and appearance of the area is significant and is not outweighed by the benefits of the scheme, including support in the Framework. As such, I conclude that the appeal should be dismissed.

Emma Worley

INSPECTOR