
Appeal Decision

Site visit made on 2 August 2023

by John Felgate BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 August 2023

Appeal Ref: APP/Z2260/W/22/3310530

Highway verge at London Road, Ramsgate

- 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 Mobile Broadband Network Limited against the decision of Thanet District Council.
 - The application Ref TL/TH/22/1163, dated 18 August 2022, was refused by notice dated 17 October 2022.
 - The development proposed is the installation of a "Phase 7 monopole with wraparound cabinet, 1 No. RBS6130 cabinet, 1 No. Bowler cabinet, 1No. MK5B link a/c cabinet, 2 No. existing Dorset cabinets to be relocated, and associated ancillary works".
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Decision

1. The appeal is dismissed.

Preliminary matter

2. In the application form, the location of the development is given as "15m left of London Road Roundabout, West Cliff Hotel, Ramsgate, CT11 0DD". For several reasons, that description seems to me to be either inaccurate or inadequate: not least because there appears to be no such hotel, and also because the site falls outside the suggested postcode area; and in any event, "15m left of..." is clearly meaningless in terms of defining the location. However, the submitted plans make it clear that the proposed site is in fact located in London Road, to the west of the roundabout junction with West Cliff Road and Grange Road. I have dealt with the appeal on the basis of the location shown in the plans, as set out above.
3. In the circumstances, I am mindful of the possibility that members of the public could have been unintentionally misled, potentially affecting the outcome of the public consultation process. However, given that my decision is to dismiss the appeal, on its planning merits, I am satisfied that in this case the shortcomings of the application will ultimately not have led to anyone being prejudiced.

Reasons for the decision

4. The proposed new mast and cabinets would be sited within the grassed highway verge on the north side of London Road, a few metres to the west of the roundabout. The new 'monopole' mast would be 17.5m in height, and would also be substantial in its diameter. The six accompanying cabinets

would be arranged in a line, on either side of the mast, together occupying about a 12-metre stretch of the verge, adjacent to the footway.

5. Immediately to the north is a group of 2-storey maisonette blocks known as Grange Court. The nearest block, comprising Nos 1-4 Grange Court, fronts onto London Road, and is separated from the footway only by an open-plan lawned frontage, of about 8 metres or so in depth. As I saw on my visit, these four units have what appear to be their main habitable rooms, and their external balconies or verandas, all facing south, towards the street.
6. The development now proposed would be directly in front of Nos 1-4 Grange Court, and directly in line with the outward views from the principal living areas of those dwellings. Given the new mast's height, girth and proximity, and the lack of intervening vegetation, it seems to me that it would be likely to appear from Nos 1-4 as an intrusive and dominating addition to the street scene, adversely affecting their outlook. This impact would be exacerbated by the effect of the proposed row of cabinets, which would extend across almost the whole of the block's frontage, creating visual clutter and further imposing on outward views.
7. I appreciate that the development now proposed would replace the existing installation on the opposite side of London Road, which was approved by the Council in 2000. However, the existing 'lamp-post' style mast at that site is substantially shorter and slimmer than that now proposed, and indeed shorter than the actual street lamps nearby; and the cabinets are fewer in number. All are significantly further from nearby residential properties. In all these respects, the present proposal would have a greater and more harmful impact. The fact that a nearby site was found acceptable for a smaller proposal, over 20 years ago, does not mean that the present proposal must also be accepted.
8. There is no doubt that the surrounding area is urban in nature, and that items of modern street furniture of all kinds are a familiar sight. But this does not alter my view that the development now proposed would be especially conspicuous due to its size, and would be particularly insensitive in its siting. From some directions, the mast and cabinets would be seen against a backdrop of trees, but that would not be so in the case of views from Grange Court. I agree that the development would not unduly affect the settings of the two nearby Conservation Areas, but nevertheless, for the reasons already stated, I consider that the adverse visual impact on the site's immediate surroundings, including nearby properties, would be significant.
9. The National Planning Policy Framework makes it clear that the numbers of masts and sites should be kept to a minimum, and that applications should be supported by relevant evidence. In this case, the appellants state that a sequential search was carried out at the time of the previous application, for the existing site on the south side of London Road. However, that was now many years ago. In the present application and appeal there appears to be no documented or up-to-date evidence regarding any consideration of alternative sites.
10. I fully accept that there is a national and local need to expand the existing telecommunications networks, to bring enhanced telephone and full-fibre broadband capacity, including 5G services, to meet ever-increasing levels of demand. The installation now proposed would help to supply that need, and thus bring significant social and economic benefits. The site would also provide

for mast-sharing, including use by local emergency services. But these benefits do not outweigh the harm that I have identified.

11. I conclude that, by reason of their appearance and siting, the proposed new mast and cabinets would have an unacceptably harmful impact on the character and appearance of the street scene, and particularly on views from the adjacent properties Nos 1-4 Grange Court. In this regard, the development would fail to meet the requirements of Policy QD07 of the Thanet Local Plan (adopted July 2020), which sets out criteria for telecommunications developments, including the need to minimise impacts on visual amenity.
12. I have taken account of all the other matters raised, but none outweighs the harm that I have identified. The appeal is therefore dismissed.

J Felgate

INSPECTOR