



Appeal Decision

Site visit made on 11 July 2023

by E Worley BA (Hons) Dip EP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 August 2023

Appeal Ref: APP/M5450/W/22/3309897

Kenmore Avenue, Greenhill, Wealdstone, London HA1 2RB

- 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/2777/22, dated 24 July 2022, was refused by notice dated 16 September 2022.
 - The development proposed is described as 'Proposed telecommunications installation: Proposed 15.0m Phase 8 Monopole C/W wraparound cabinet at base and associated ancillary works'.
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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 (the GPDO) for a proposed telecommunications installation: proposed 15.0m Phase 8 Monopole C/W wraparound cabinet at base and associated ancillary works at Kenmore Avenue, Greenhill, Wealdstone, London HA1 2RB in accordance with the terms of the application, Ref P/2777/22, dated 24 July 2022, and the plans submitted with it.

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.

Reasons

5. The appeal site comprises a grass verge at the end of Kenmore Avenue where the road terminates, and the footpath and cycle track begin to decline in level as they continue towards the subway which goes under the railway. The buildings surrounding the site include a scout hut and larger scale community, industrial and commercial buildings, together with residential properties on the opposite side of the railway line. The street scene also includes bollards, boundary fencing, traffic signs, lamp posts, overhead railway line equipment and mature trees.
6. The proposed monopole and equipment cabinets are required to improve digital wireless coverage within the area and to facilitate new 5G coverage to increase mobile connectivity and digital inclusion. The appellant has indicated that the sequential approach has been followed in order to identify the site and that a monopole of the height proposed is necessary to clear the nearby clutter so that it can operate effectively.
7. The proposal would be located at the entrance to the scout hut car park, adjacent to the palisade fence to the front boundary. It would be near the taller more mature tree on the opposite side of the entrance, which the appeal submissions indicate is 16m high.
8. The proposed monopole would reflect the vertical emphasis of existing street furniture in the vicinity including lamp posts and traffic signs, albeit greater in height. Due to its height and siting the proposed monopole would be perceptible in views along the road, including from the adjoining footpath, cycle track and scout hut car park, as well as in glimpsed views from the edge of the nearby recreation ground, the railway line, and the residential properties beyond it.
9. However, in both longer distance views, as well as in closer range views, the structure would be viewed against the backdrop of, and reasonably well screened, by both the adjacent commercial buildings and surrounding trees, the latter particularly during the summer months. Nonetheless, even in winter, the branches of the trees would offer some screening. Consequently, the proposal would not be a visually anomalous feature in the street scene and would integrate with the existing character of the area.
10. Considering the above, I find that the siting and appearance of the proposed monopole would not harm the character and appearance of the area. Therefore, as far as they are material to this matter, the proposal would accord with Policies DM1 and DM49 of the Harrow Development Management Policies Local Plan (2013) which, among other things, require development to achieve a high standard of design having regard to the character and appearance of the area.

Conditions

11. There is no authority in this type of case to apply any conditions beyond those as set out in the relevant part of the GPDO. 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.

Conclusion

12. For the reasons given above, the appeal is allowed, and prior approval granted.

E Worley

INSPECTOR