



Appeal Decision

Site visit made on 19 June 2023

by N Teasdale BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 September 2023

Appeal Ref: APP/E5330/W/22/3313984

Beryl House, Spinel Close, Greenwich, Plumstead SE18 1LL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant full planning permission.
 - The appeal is made by Cornerstone against the decision of Royal Borough of Greenwich.
 - The application Ref 22/1542/F, dated 6 May 2022, was refused by notice dated 1 July 2022.
 - The development proposed is described as, 'The installation of 3No. support frames supporting 3No. antennas each (9No. antennas in total), the installation of 2No. 300mm dishes on frames, the installation of 3No. cabinets at rooftop level, and ancillary development thereto'.
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Decision

1. The appeal is allowed and planning permission is granted for the installation of 3No. support frames supporting 3No. antennas each (9No. antennas in total), the installation of 2No. 300mm dishes on frames, the installation of 3No. cabinets at rooftop level, and ancillary development thereto at Beryl House, Spinel Close, Greenwich, Plumstead SE18 1LL in accordance with the terms of the application, Ref 22/1542/F, dated 6 May 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Drawing No. 100 (Rev. A); Proposed Site Plan Drawing No. 201 Rev D; Proposed Site Elevation 'A' Drawing No 301 Rev C; Proposed North West Elevation 'B' Drawing No. 303 Rev A; Proposed South West Elevation 'C' Drawing No. 305 Rev A; Proposed North East Elevation 'D' Drawing No. 307 Rev A.
 - 3) In the event that the telecommunications equipment hereby approved is no longer required or operational, the equipment shall be removed in its entirety and the roof returned to its original state.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the building, including whether it would preserve or enhance the character or appearance of the Plumstead Common Conservation Area (CA).

Reasons

3. The appeal site accommodates an 11-storey residential tower block known as Beryl House which forms one of four residential tower blocks situated in close

- proximity to one another sharing a similar height and overall appearance. The tower blocks sit in an elevated position, surrounded by open green space and a number of the adjacent towers already have telecommunication apparatus on their roofs.
4. The site falls within the CA. I therefore have a statutory duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA. Moreover, the National Planning Policy Framework (the Framework) advises that great weight must be given to the conservation of designated heritage assets and any harm which is less than substantial must be weighed against the public benefit of the proposal.
 5. The significance of the CA is derived from its focus on the Common Land of the medieval village where the settlement pattern survives with the shape of many building plots having medieval origins. The elevated position and steep ground allows for numerous spectacular views to be had over the Common grasslands including skyline and buildings. In accordance with the Plumstead Common Conservation Area: Character Appraisal (PCCACA), the site falls within Character Area 1: Winn's Common & Lakedale Road Area.
 6. The local distinctiveness is described as open land with low scale perimeter housing, railings and long flights of steps. The Grosmont towers which include the appeal site are identified as a detrimental notable local feature within this setting. The towers are identified as tall buildings in the PCCACA and the appraisal explains that over the last century there have been various significant losses to the character of the CA including the construction of tall buildings which took place prior to the designation of the CA. On the basis of the evidence before me and my own observations on site, I have no reason to disagree with this assessment.
 7. The submitted plans show the existing roof level of Beryl House to be 30 metres above ground level and the proposed development would introduce various telecommunications equipment at roof level and the top of the proposed antennas as shown on the plans would be 34.50 metres above ground level.
 8. Given the height of the building, its elevated position, the proposed height coupled with the amount of apparatus and siting towards the edge of the roof, the development would be visible from surrounding viewpoints including more distant views. Nevertheless, the overall scale and projection above the roof form would appear as subordinate features within the street scene in comparison to the host property which is of a substantial height and mass and the separation between the equipment positioned on each of the north-eastern, north-western and south-eastern corners ensures that it would not appear cluttered.
 9. Additionally, a number of adjacent towers already have telecommunication apparatus on their roofs and the presence of other apparatus at this height and of a similar appearance in the vicinity means that it would not be particularly prominent or dominate the overall appearance of the host property and surrounding area nor be uncomfortable in its context.
 10. I appreciate that the apparatus on the adjacent Marble House is sited centrally within the roof, and I note attempts to reduce its impact on the wider area.

However, at my site visit, such apparatus was still notably visible given its overall height. I also observed other apparatus on the tower block known as Crystal House located closer to the appeal site. I have had regard to the photomontages submitted by the appellant which demonstrates that from certain viewpoints, the proposed development would be seen against other apparatus located on the other towers and I am sufficiently persuaded that the proposed development would for the majority of viewpoints not appear discordant in this context or at odds with other nearby equipment. There are however instances where Beryl House is viewed in isolation against the backdrop of the sky from certain vantage points including along Rockmount Road. In this respect, the proposed development would stand out as being a taller feature than others nearby.

11. Bringing everything together, the proposed development would install telecommunications apparatus on a building currently devoid of any such features and would be visible at a distance from the appeal site. The visibility of the apparatus and its backdrop against other apparatus would depend on where the building is being viewed from. By virtue of its modern specification, scale, height, and siting would be located on a tall and elevated building that is already identified as a detrimental feature within the CA and thus would result in some, albeit limited harm to the overall character of the area. Consequently, it would fail to preserve or enhance the character or appearance of the CA causing less than substantial harm to its significance.
12. For the same reasons, it would be contrary to Policies D3 and HC1 of the London Plan The Spatial Development Strategy for Greater London, 2021 (LP) and Policies DH1, DH3, DH (h) of the Royal Greenwich Local Plan Core Strategy with Detailed Policies, 2014 (CS) which collectively, amongst other matters, requires development to respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character.
13. It would also be contrary to Policy SI 6 of the LP which whilst supporting the effective use of rooftops and the public realm (such as street furniture and bins) for mobile digital infrastructure, it also requires these to be well-designed and suitably located. The proposed development would also be contrary to Policy DH (c) of the CS only in so far that telecommunications development is required to be sited, designed, coloured and landscaped so as to minimise visual impact on its setting and local environment and that the special character and appearance of Conservation Areas are preserved or enhanced. The proposed development would also be contrary to the aspirations of the Framework relating to high quality communications which requires equipment to be sympathetically designed and camouflaged where appropriate.

Planning balance

14. Given the nature of the equipment proposed, its location at roof top level, overall limited scale, and the presence of other similar equipment nearby, the harm identified would be less than substantial. In such scenarios, paragraph 202 the Framework explains that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

15. Paragraph 114 of the Framework explains that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections. Policies should set out how high-quality digital infrastructure, providing access to services from a range of providers, is expected to be delivered and upgraded over time; and should prioritise full fibre connections to existing and new developments (as these connections will, in almost all cases, provide the optimum solution).
16. I have had due regard to the public benefits associated with provision of enhanced digital communication including benefits to the wider economy, improved connectivity for businesses, industry, and other sectors, use by the emergency services and ensuring continuous coverage. I have also had regard to the specific requirements for such telecommunications, opportunities for siting and search area/viability and I am persuaded that the best available option has been put forward.
17. To this end, a number of alternative sites were considered and subsequently discounted. I have had regard to these alternative sites and information supplied in terms of the explanation on why other sites have been discounted. Many of these sites have been discounted due to height issues such as being lower than the application building and coverage, roof form of buildings and location in relation to listed buildings. I am therefore satisfied that other alternative siting solutions have been adequately explored by the appellant and have been found to have been unsuitable for the proposal.
18. I am fully aware that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation which is irrespective of the less than substantial harm identified. However, on balance, the less than substantial harm identified would be outweighed by the considerable public benefits. Consequently, this material consideration outweighs the conflict with the development plan in the particular circumstances of this case.

Conditions

19. I have considered the conditions suggested by the Council including the standard time for commencement of development which I have applied. I also agree that a plans condition is necessary to ensure that the approved development is carried out in complete accordance with the approved plans. A condition relating to the removal of equipment is also necessary in the interests of visual amenity.

Conclusion

20. For the above reasons, the appeal is allowed subject to conditions.

N Teasdale

INSPECTOR