



Appeal Decision

Site visit made on 13 October 2023

by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th November 2023

Appeal Ref: APP/E5330/W/23/3320872

Aldi Car Park, Kidbrooke Park Road, London SE3 9BY

- 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 and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- The appeal is made by Cornerstone against the decision of Royal Borough of Greenwich.
- The application Ref 22/3822/T3, dated 15 November 2022, was refused by notice dated 9 January 2023.
- The development proposed is the installation of 1no. 20.6m monopole supporting 12no. antennas and 4no. 300mm dishes, the installation of 5no. cabinets and 1no. meter cabinet at ground level, and ancillary works thereto.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The provisions of the Order under Article 3(1) and Schedule 2, Part 16, Class A, Paragraph A.3(4) 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.

Planning Policy

3. The principle of development is established by the Order, and the provisions therein do not require regard be had to the development plan. I have had regard to the policies of the development plan, any related guidance and the National Planning Policy Framework (2023) (the Framework) only in so far as they are a material consideration relevant to matters of siting and appearance.

Main Issue

4. The main issue is the effect of the siting and appearance of the proposed development on the character and appearance of the area and, if any harm would occur, whether this is outweighed by the need for the installation to be sited as proposed having regard to the potential availability of alternative sites.

Reasons

5. The appeal site is located within a car park which serves two retail units. It is close to the junction of the A2213 and Kidbrooke Park Road, which is a busy junction close to the A2. The surrounding area contains a range of building heights, ranging from two storey dwellings to multi-level purpose built blocks

concentrated around the nearby Kidbrooke Station. At the time of my visit there was also a large development under construction that is located directly opposite the retail units where the development is proposed. There is a significant landscape buffer to the south of the appeal site.

6. The proposed installation would be 20.6 metres in height. The Council outline how it would have a maximum width of 0.83m at its base, which would reduce to 0.5m, just below the mast head. The mast head would have a width of approximately 3.2m at a height of 17.3 metres above ground level. The installation would replace an existing mast that has been erected on a temporary basis. The existing temporary mast is of a similar height but a different, slimmer design. There is also an additional slimline telecommunications installation located on the corner of the junction, opposite the temporary mast.
7. There are a number of tall buildings in the immediate surroundings, including some under construction. When travelling towards the site from the north the proposal would be set against these buildings over a long range. There would also be some limited screening from the retail buildings at a closer range. The site also benefits from a significant degree of landscape screening when viewed from a southerly direction and from a close range.
8. In this context, I find that the height of the installation on its own would not cause harm. However, the headframe, due to its size and thickness, would result in the installation appearing highly prominent both over long and short range views. It would appear bulky and top-heavy. The exposed antenna and other equipment mounted on the headframe would give the structure a disjointed and cluttered appearance that considerably adds to its prominence.
9. Although the presence of buildings and landscaping I have described above would screen elements of the installation, the submitted photomontages serve to demonstrate that the headframe would rise significantly above the trees and be clearly visible from surrounding viewpoints.
10. Therefore, as a result of its siting and appearance, the proposal would form an incongruous and dominant addition to the street scene which would adversely affect the character and appearance of the area.
11. For the reasons set out above, the installation would cause significant harm to the character and appearance of the area. The proposal would be contrary to Chapter 10 of the Framework, which requires, amongst other things, that equipment on new sites to be sympathetically designed and camouflaged where appropriate.
12. The proposed development would also be contrary to Policies DH1 and DH(c) of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (2014) and Policies D3 and D8 of The London Plan (2021). These policies require, amongst other things, that development is of high-quality design having regard to the scale and height of the adjacent townscape and that the public realm is well designed and attractive. It is also a requirement that telecommunications development is, amongst other things, sited and designed so as to minimise visual impact on its setting and local environment.

Other Matters

13. The Framework outlines the significance of high-quality telecommunications infrastructure including in relation to being essential for economic growth and social well-being. These benefits are also outlined in the documentation¹ provided by the appellant. Such factors weigh strongly in favour of the proposed development.
14. I also acknowledge the appellant's sequential approach to site selection that has been undertaken as required by the Framework. This has discounted a number of alternative sites and has informed the appellants decision to pursue the site subject to the appeal. This approach similarly weighs strongly in favour of the proposed development.
15. I have been referred to appeal decisions in Newcastle upon Tyne², Hillingdon³ and Brent⁴. These decisions considered the weight to be given to such matters as the need for the development in terms of its contribution to the provision of telecommunications infrastructure and the lack of suitable alternative sites. I do not have full details of the proposals or their locations. However, each case must be determined on its own individual planning merits. From the evidence before me, it would appear that those installations are of a different appearance to the scheme subject to this appeal. I therefore give them limited weight in the appeal.
16. I do, however, concur with the approach of the previous Inspectors, that a balancing exercise should be carried out, and the need to provide additional telecommunications coverage within the locality, the lack of suitable alternative sites, and the Government's support for telecommunications infrastructure, are essential parts of that exercise.

Planning Balance and Conclusion

17. I do not consider that the public benefits of the installation in terms of an enhanced telecommunications network, its contribution to economic growth, or the operational and locational needs of the operator as outlined in their statement and submitted documents⁵, outweigh the significant harm that I have identified would be caused to the character and appearance of the area.
18. For the reasons given above, and having had regard to all other matters raised, I therefore conclude that the appeal be dismissed.

A M Nilsson

¹ General Background Information for Telecommunications Development – England (Cornerstone); The Public Benefit of Connectivity (Cornerstone); Next Generation Mobile Technologies: A 5G Strategy for the UK – DCMS and The Treasury (March 2017); The global economic impact of 5G – PWC (2021); Online Nation – OFCOM (2020); Communications Market Report 2022 - OFCOM

² APP/M4510/A/12/2169920

³ APP/R5510/W/21/3269903

⁴ APP/T5150/W/21/3283778

⁵ Radio Planning and Propagation V.4 November 2019) An introduction to how radio networks are planned and the limitations associated with the technology (Cornerstone)