
Appeal Decision

Site visit made on 8 November 2023

by M Shrigley BSc (Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 March 2024

Appeal Ref: APP/H5960/W/23/3321619

Bramlands Close, Clapham Junction, London

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant prior approval.
 - The appeal is made by EE Limited against the decision of Wandsworth Council.
 - The application Ref 2023/0386, dated 31 January 2023, was refused by notice dated 24 March 2023.
 - The determination as to whether prior approval is required to install a new 20m monopole tower to support antenna and associated radio equipment housing and ancillary equipment.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. There is no disagreement between the main parties that the proposal satisfies the permitted development limits set out in Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO). Therefore, the dispute centres on whether approval for siting and appearance should be granted as required by Condition A.3 (3).
3. As the principle of development is already established by the GPDO I have only had regard to the development plan policies referred to by the Council insofar as they are material considerations.

Main Issue

4. The acceptability of the siting and appearance of the development.

Reasons

5. The appeal development would be situated on a parcel of pedestrianised land near to the entrance of a cul-de-sac with surrounding residential, commercial, community uses and pedestrian walkways. The character of the immediate area includes built features associated to a densely developed urban location with varied building heights, which are seen in the context of street trees and existing highway paraphernalia such as street lighting columns and bollards, as well as a nearby railway station.
6. I accept that the proposed telecommunications mast together with its associated cabinets would exhibit a functional appearance which would not be uncommon in many developed urban locations. However, the mast would be far taller than the three storey buildings and trees it would be the closest to

within Bramlands Close. It would also be noticeably thicker and taller than nearby highway lighting columns. Furthermore, existing trees would not diminish its visual prominence because of the separation distances involved between those and relative to public vantages within the Close itself.

7. Bearing in mind all those factors, I agree that the mast would look out of place owing to its domineering height in the context of the three-storey building immediately adjacent, and because of the central position it would occupy on public realm land. Moreover, the cabinets would appear as significant street clutter on functional public realm space which would be better left open in visual terms.
8. Although there would be some room for pedestrians to manoeuvre around the cabinets and mast, the development would still excessively narrow pedestrian areas either side of them. Therefore, there would be some impediment to the movements of pedestrians making their way through the vicinity. This would be particularly undesirable as it would create a potential narrow pinch point in the proximity of a commercial unit adjacent, unduly limiting pedestrian movements. Bringing all points together, the adverse impacts identified to the locality carry substantial weight.
9. Accordingly, I find that the resultant effects of the siting and appearance of the development would be harmful. It would conflict with: Policies PL3 and IS3 of the Wandsworth Local Plan Core Strategy (2016); Policies DMS1 and DMS9 of the Wandsworth Local Plan Development Management Policies Document (2016); and Policies PM4, LP1, LP2 and LP22 of the Wandsworth Local Plan 2023-2038, which all combined collectively seek to secure appropriate forms of development having regard to amenity, design quality, public realm, and the appearance of the local area. It would also be contrary to the provisions of the National Planning Policy Framework (the Framework) replicating similar aims.

Other considerations

10. I recognise that the appeal proposal would assist in advancing telecommunications network coverage provision and connectivity for commuters, businesses, and residents. Such advancements translate into important social and economic benefits which are encouraged by the Council's development plan policies taken as a whole, and the advice of the Framework. Therefore, enhancing wireless communication services are public benefits which carry significant weight in my overall decision.
11. That matter aside, I give little weight to the outcome of other appeals broadly referred to in the evidence as they involve different siting and appearance impacts on other unrelated sites.

Planning balance and Conclusion

12. I have carefully considered the range of technical requirements, constraints and alternatives mentioned by the appellant including due proximity to the railway station. Whilst a comprehensive list of alternatives has been discounted, I am unconvinced that there are no other more optimal environmental solutions available which would not result in the level of harm I have identified.
13. The siting and appearance of the telecommunication development appealed would lead to a noticeable and detrimental visual change as well as impeding

pedestrian flow areas within the public realm. The benefits of allowing the scheme would not outweigh the harm it would cause in this case. Overall, the siting and appearance of the development would be unacceptable.

14. For the reasons given above the appeal does not succeed.

M Shrigley

INSPECTOR