



Appeal Decision

Site visit made on 31 July 2024

by M Aqbal BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 October 2024

Appeal Ref: APP/F5540/W/23/3331497

Wellmeadow Road Allotments, Wellmeadow Road, Boston Manor, London W7 2AP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) 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) ('GPDO').
 - The appeal is made by Cornerstone against the decision of the Council of the London Borough of Hounslow.
 - The application Ref is 01853/A/PA2.
 - The development proposed is installation of a 20m monopole comprising 12 no antennas and 4 no dishes on an open headframe with 3 no ground based cabinets, 4 no racks and ancillary development thereto.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. As this is an application for prior approval, the provisions of the GPDO 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 this same basis.
3. The principle of development is established by the GPDO, the provisions of which do not require regard to be had to the development plan. The fact that the appeal site is within the Metropolitan Open Land also does not alter this. Nonetheless, I have had regard to the policies of the development plan and the National Planning Policy Framework ('the Framework') only insofar as they are material to matters of siting and appearance.

Main Issue

4. The main issue is the effect of the siting and appearance of the proposal on the character and appearance of the area and, in the event that any harm is identified, whether that harm would be outweighed by the need to site the installation in the location proposed.

Reasons

5. The proposed monopole would be located to the north west corner of the Wellmeadow Road Allotments ('the allotments') which are accessed off Wellmeadow Road. This is a relatively short and narrow road, which is flanked by semi-mature street trees and terminates at the access for the allotments. The properties along this road are generally modest two-storey, semi-detached

- dwellings. As such, this road has a strong domestic character and a modest scale.
6. The appeal site comprises part of a grassed area adjacent to an informal parking area for the allotments. This part of the allotments is free of any significant development and, in part, is bound by trees. These trees, along with those on Wellmeadow Road give the appeal site and the approach to the allotments an attractive and verdant appearance. The form of the boundary treatment along the access to the allotments allows views towards the site from Wellmeadow Road. As such, because of its location and appearance, the appeal site is prominent and sensitive to change.
 7. On the information before me, the siting of the proposed monopole would not unacceptably undermine the functioning of the allotments. The height of the proposed monopole and its design are based on technical and operational requirements. I am also aware that the appellant has reduced the scale of the proposal following the refusal of a previous scheme at the appeal site.
 8. Notwithstanding the above, the proposed monopole would be substantially and appreciably taller than nearby surrounding features, including lighting columns and trees. Because of its height, the proposed monopole would also tower above the nearby two-storey dwellings. In particular, against the skyline, the distinct wide headframe of the monopole which incorporates a number of antenna and dishes would appear unduly prominent.
 9. The proposed development would be highly visible in views from along Wellmeadow Road (travelling west), the allotments, neighbouring playing fields and to a lesser extent in longer distance views associated with the Boston Manor Playing Fields beyond the Piccadilly Line to the south east. Most notably, in the immediate context of the allotments, low-rise dwellings, and simple and modest street furniture, the proposed development would appear particularly strident.
 10. The appellant has offered to finish part of the proposed cabinetry and the compound fence in Green. Nevertheless, because of its substantial height, siting, utilitarian form and appearance, this would have limited effect in assimilating the proposed development within its context.
 11. The Council has granted prior approval for a 20m monopole, which supports antennas and dishes at Boston Manor Playing Fields ('the MBNL site'). This was commissioned by other operators as a replacement for their existing installations at Boundary House, Boston Manor Road.
 12. Although the existing monopole at the MBNL site incorporates a wider and taller headframe, this is located to the rear of dwellings and therefore its siting is not so prominent. Also, its scale and appearance are absorbed by the large expanse of the playing fields the existing site is associated with and the nearby railway infrastructure. Whereas the appeal site is located at the head of a small residential road. Therefore, I am not persuaded that the Council has taken an inconsistent approach to telecommunications development proposals in the local area, because the approved and proposed schemes are not directly comparable.
 13. For the above reasons, and having taken account of the submissions which include a Panoramic Assessment and photomontages, and based on my visit,

the proposal would appear as a prominent, isolated and discordant feature within a generally recreational and residential setting. In this context the proposal would be highly visible and visually intrusive. Therefore, this would detract from and diminish the attractiveness of the area. This impact would be compounded by the site's location at the end of Wellmeadow Road and the access to the allotments, where the visual dominance of the proposal, would be clearly perceived by those who use this road and the allotments.

14. Therefore, the siting and appearance of the proposal would significantly harm the character and appearance of the area.
15. Whilst not determinative, the proposal would also be contrary to the design aims of policies CC1, CC2 and EC4 of the London Borough of Hounslow Local Plan (2015-2030). Amongst other things, these policies seek to ensure that development proposals sensitively integrate and improve the character and appearance of surrounding areas having regard to context.

Other considerations

16. In this case, coverage for Vodafone Limited and VMO2 was previously provided by a base station at Boundary House, Boston Manor Road. This building had been the primary telecommunications site in the local area and also hosted other licenced operators. However, the operators were served with a 'notice to quit' due to the freeholders' plans for redevelopment.
17. The appellant advises that whilst the solutions for each of the adjoining cell areas have been or are in the process of being upgraded, they are too far removed to fulfil the function of replacing the coverage lost due to the decommissioning of the Boundary House site.
18. Consequently, there is a requirement on behalf of both of the above operators to provide a replacement and improved, shared, radio base station within the Boston Manor area of northern Hounslow, including the Piccadilly Line via the Boston Manor underground station, Northfields Depot and associated section of the M4 motorway, to provide essential infrastructure for 3G and 4G coverage and capacity along with new superfast 5G services.
19. Therefore, the specific requirement for this proposal to provide coverage, and the growing need for telecommunications infrastructure, as supported by various documents and publications referenced in the appellant's submissions is not disputed.
20. I also acknowledge that the target coverage area is made up of three main land uses, which are residential, recreational and transport and that there can be constraints and limitations associated with such land uses. Even so, these land uses are not uncommon in urban areas and despite this, there are existing telecommunications apparatus in this area.
21. Paragraph 121(c) of the Framework outlines that for a new mast or base station, evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure should be submitted.
22. The appellant's submissions identify a number of alternative sites within and beyond the target coverage area, which have been considered and discounted for various reasons.

23. The appellant has also considered mast sharing in respect of the MBNL site but says that the existing site is not ideally located for replacing its coverage due to its peripheral location relative to the decommissioned Boundary House site. However, I am unpersuaded by this, as the MBNL site is within the appellant's target coverage area.
24. The appellant has confirmed that because the MBNL site has now been built it could be upgraded under permitted development rights and without any further consent or prior approval but advises that the existing installation at the MBNL site would need to be redesigned to a bigger and bulkier structure to accommodate the appellant's transmission equipment. To this end, the appellant asserts that given the already unpopular status of the development at the MBNL site, a taller and wider mast accommodating further transmission apparatus is unlikely to be well received.
25. Nevertheless, the submitted redesign options for the MBNL site are largely in draft form. Furthermore, the provisions of permitted development apply irrespective of a proposal's popularity. Therefore, and notwithstanding that permitted development may be subject to certain conditions, on the information before me, I cannot be certain that mast sharing at the MBNL site is not a viable option.
26. For the above reasons, whilst I acknowledge that other potential alternative sites have been discounted, the site sharing option has not been fully tested. Accordingly, I cannot be certain that the new ground-based installation is the only option. As such, the requirement of the proposal in this particular location to secure appropriate coverage attracts moderate weight.

Other Matters

27. The application is supported by a certificate to confirm that the proposal has been designed to comply with the guidelines published by the International Commission on Non-Ionizing Radiation Protection (ICNIRP). In these circumstances, the Framework advises that health safeguards are not something which a decision-maker should determine. No sufficiently authoritative evidence has been provided to indicate that the ICNIRP guidelines would not be complied with or that a departure from national policy would be justified.
28. The Grade II Listed Boston Manor Underground Station is located about 200m to the east of the appeal site. Any effect of the proposal on the significance and setting of this heritage asset is not determinative because the provisions of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which require me to pay special regard to the desirability of preserving listed buildings and their setting, do not apply in respect of prior approval applications.
29. The appellant has referred me to a number of appeal decisions. These decisions are largely incorporated to reflect how other Inspectors have considered 'harm versus benefit,' cumulative impact, alternative site consideration and all other considerations. These, however, are largely matters of planning judgement for the decision maker, based on the context and evidence in respect of a specific proposal. Whilst I have noted these decisions, these do not alter my findings, which are largely based on the appeal site, the specific proposal and evidence before me.

Planning balance and Conclusion

30. Support for the delivery of advanced, high quality and reliable communications networks is afforded by the Framework, the development plan, and other publications as set out in the appellant's submissions. I also acknowledge that such networks bring significant social and economic benefits. I have also taken account of the sustainability, environmental, education and health benefits associated with maintaining telecommunications apparatus, which in this case would serve customers living, working, visiting and travelling in the area. Even so, the Order is clear that the only considerations should be the siting and appearance of the proposal. Those benefits have effectively been recognised by the grant of permission under Article 3(1) of the GPDO. Hence, they do not carry additional weight when considering matters of siting and appearance as part of the prior approval process.
31. In this case, for the reasons given above, the siting and appearance of the proposed development would have a harmful effect on the character and appearance of the area. I have also taken account of the coverage and locational needs of the appellant. However, I do not consider that cumulatively, these outweigh the significant harm that I have identified. I, therefore, conclude that the appeal should be dismissed.

M Aqbal

INSPECTOR