



Appeal Decision

Site visit made on 24 September 2024

by Alison Scott (BA Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 October 2024

Appeal Ref: APP/H5960/W/24/3338883

West Hill, (25m south of junction with Sunderland Grove), Wandsworth, Putney, London SW15 3SS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 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).
 - The appeal is made by MBNL on behalf of H3G against the decision of the Council of the London Borough of Wandsworth.
 - The application Ref is 2023/3069.
 - The development proposed is The removal and replacement of the existing 10.3m high monopole with a new 18-metre-high monopole supporting 6 no. antennas with a wraparound equipment cabinet at the base of the column, the installation of 3 no. new equipment cabinets and ancillary development thereto.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Because this is an application for prior approval the provisions of the 2015 Order 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. This appeal will be determined on the same basis.
3. Also, as the provisions of Schedule 2, Part 16, Class A of the GPDO 2015 do not require regard be had to the development plan, or to apply the statutory duty in respect of section 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act, I have had regard to the policies of the development plan and any related guidance and the National Planning Policy Framework (Framework) only in so far as they are a material consideration relevant to matters of siting and appearance.
4. The proposal would replace an existing telecoms mast at the site in an adjacent location and would be fully dismantled upon activation of the new mast.
5. The appeal site is not located within a conservation area but is located close to the boundary of Rusholme Road CA and is therefore within its setting.

Main Issue

6. The main issues are the effect of the siting and appearance of the proposed monopole installation, and, if any harm would occur, whether this is

outweighed by the need for the installation to be sited as proposed, taking into account any suitable alternatives.

Reasons

7. Within their statement of case the appellant explains it would support 5G capacity, although they also explain that it is only intended for 2G, 3G and 4G coverage. Nevertheless, they explain that the existing apparatus requires upgrading in order to deploy the required technical coverage to the local area.
8. It would be constructed at approximately eighteen metres high as a slimline glass reinforced plastic monopole sited on highways land along the southern side of West Hill. Three external equipment cabinets would support the installation and sited in close proximity to the mast apparatus.
9. The footway is reasonably wide and level, with semi-mature trees planted at intervals close to the curb and contains only typical street furniture within it. Despite the streetlamps, directional signage and other highway effects, the overall scale of the installation would not relate to the typical street furniture that are recognised physical features of this streetscape and are well assimilated into its fabric.
10. The proposed apparatus would be visually apparent as it would be stepped forward from its backdrop of the low-rise block of flats that is significantly lower in height than the monopole would be, with a horizontal emphasis to its structure. The trees close by may be around seventeen meters in height, but with no other vertical features that would be more closely related to this type of telecommunications apparatus to compare to, it would take on a discordant appearance therefore appearing prominent, stark and alien as it would not be successfully absorbed into this sensitive environment. Furthermore, the existing natural landscaping would not adequately provide mitigation screening measures as it would be higher than these. Neither would the low-rise block of flats located in close range, mitigate its impact, and would overall only seek to highlight its incongruous appearance.
11. The local area exhibits one of a leafy suburban character. The site is outside the Rusholme Road CA, and the significance of the CA derives from its distinctive late Victorian and Early Edwardian residential architectures seen in close range to the appeal site.
12. Large houses of a decorated style are set in parallel groups along a consistent building line. Although the proposed mast would be located within the setting of a heritage asset, it is nevertheless sensitive to change. I am also aware that the existing mast forms part of the setting of the CA. It is however only around 10.3m high and more akin to that of a telegraph pole. The new apparatus would be materially different in its appearance.
13. The harmful effects of installing a modern vertical telecoms mast that would not integrate with its context would appear visually obtrusive and consequently deleterious to the character of the local area. Even if it were to be painted green in colour or another finished colour I saw fit, it would lead to a visual change to the detriment of the setting of the CA.

Other considerations

14. The Framework explains that applications for telecoms equipment must be determined on planning grounds only, and the 'need' for such should not be questioned. However, the Framework also makes clear that there should be evidence presented to justify the proposed development.
15. The appellant comments that the existing network is under significant pressure from consumer demand. A 4G roll out by way of an upgrade to the existing mast would enhance coverage within the local area. I note however that there is no substantiating digital evidence to demonstrate that without this specific mast, there would be a gap in coverage or that siting it in this new location would ensure coverage of this specific part of Putney area, is achieved. Nor is evidence presented to substantiate that at a lower height, more masts would be required to efficiently cover the cell area. Whilst they state this monopole is the very lowest height a mast can be to deploy the necessary coverage, neither has this been evidenced on coverage maps to demonstrate this to be the case.
16. The Framework states that before a new mast or base station can be considered, the operator must explore alternative solutions with the possibility of erecting antennas on an existing building, mast or other structure with a sequential test of site options to be undertaken by the appellant to explore the availability of other potentially less harmful siting options.
17. The appellant has discounted the existing mast as it would not be structurally capable of accommodating the extra apparatus. They have considered a limited number of alternative sites mainly on rooftops and at a nearby petrol filling station but found in favour of an 'upgrade' at this site. However, to my mind, this is not a substantially robust sequential test to meet the tests set out within the Framework.
18. A lattice tower in this location has been discounted by the appellant for visual reasons. Whilst the appellant states this specific apparatus would be the least visually obtrusive option, there is no evidence presented that other structures, apart from a lattice style, would appear more visually intrusive than the monopole design before me. This further weighs against the proposal.
19. I fully appreciate there is an imperative towards supporting advanced digital connectivity in order to deliver the public, social and economic benefits that mobile communications bring, and the safety requirements of the ICNIRP guidelines, to which have been met by the appellant. The need for improved telecommunications is also supported in the form of published Government statements and other mobile technology publications brought to my attention by the appellant. I understand the necessity of its benefits to the NHS and other emergency services. The rollout of high speed 4G can assist in the delivery of these overall wider benefits. To that end, new infrastructure cannot be considered without clear and persuasive evidence to demonstrate there is a justification for a new mast to support the 4G network here, and substantiating evidence that this site and mast is the least harmful means to deliver mobile technology.
20. Other Inspectors' decisions to allow telecoms masts¹ have been brought to my attention by the appellant. I have had due regard to these decision letters. One

¹ Appeal References APP/V2004/A/11/2154903, APP/24310/W/20/3260439, APP/Y3425/W/15/3003427

was to replace a more visually intrusive lattice style of mast which the Inspector found to be an improvement to the local area; one was much lower at 12.5m high and another is located in a different context and is not located within the setting of a conservation area. Therefore, I do not consider the same circumstances of these two appeals to compare, and I apply limited weight to them.

Balance and Conclusion

21. I have concluded that the siting and appearance of the proposed telecoms mast in this location would harm the character and appearance of the local area and the setting of the conservation area as a whole. I have therefore balanced the proposal against the public benefits taking into account the justification for improved network coverage and the possibility of any suitable alternatives. I have found that there is an acute absence of reliable evidence to justify the proposed development in this locality. These matters attract significant weight and outweigh the benefits associated with it.
22. The proposal would therefore conflict with Policy LP22 of the Wandsworth Local Plan and Policy S16 of the London Plan as they relate to well-designed and suitably located digital infrastructure.
23. For the above reasons, I conclude that the appeal is dismissed.

Alison Scott

INSPECTOR

