



Appeal Decision

Site visit made on 6 November 2024

by M Aqbal BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 January 2025

Appeal Ref: APP/F5540/W/24/3343478

Land at Oxford Road South, Chiswick W4 3DH

- 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 00847//PA1.
 - The development proposed is the installation of a telecommunications base station comprising a 20 m high slim streetworks column, associated 6 no. antenna, 2 no. dish antennas, 1 no. GPS module fixed to the top, 2 no. ground-based equipment cabinets and ancillary works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. In reaching my decision, I have considered the revised version of the National Planning Policy Framework ('the Framework') that was published in December 2024 but this does not alter my findings on the main issues.
3. 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.
4. The provisions of Schedule 2, Part 16, Class A of the GPDO do not require regard be had to the development plan. Nevertheless, I have had regard to the policies of the Hounslow Local Plan referred to me and the Framework, as far as they are material consideration to issues of siting and appearance.

Main Issues

5. The main issues are the effect of the siting and appearance of the proposal on:
i) the character and appearance of the area; ii) the living conditions of neighbours and iii) highway safety, 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

Character and appearance

6. The appeal site comprises a section of footway between the end of Oxford Road South and part of the support structure for the flyover section of the Great West Road. The appeal site is also located within the Wellesley Road Conservation Area.
7. Section 72 (1) of the Planning (Listed Buildings and Conservation Area) Act 1990 places a duty to require special attention to be paid to the desirability of preserving or enhancing the special character or appearance of a conservation area, including its setting. The Framework also requires me to assess the particular significance of any heritage asset that may be affected by a proposal.
8. Whilst I am aware that there have been further relaxations of permitted development for telecommunications apparatus in conservation areas, prior approval in respect of siting and appearance of the scheme before me is still required.
9. The Wellesley Road Conservation Area is a primarily residential area flanking Wellesley Road from Turnham Green Common to Kew Bridge Station, consisting mostly of mid to late nineteenth century two to three storey semi-detached and terraced houses. Therefore, the significance of this conservation area is largely derived by the history and quality of its architecture and cohesive street scenes.
10. Oxford Road South comprises a variety of different residential properties. The arrangement and appearance of these properties along with landscaping to some frontages, positively contribute to the quality of the street scene and the significance of the Wellesley Road Conservation Area.
11. The monopole would be largely viewed against the backdrop of the support structure for the flyover section of Great West Road. This is a mainly brick structure with limited articulation and in general does not positively contribute to the character and appearance of the Wellesley Road Conservation Area. Even so, in views from Oxford Road South its impact is mitigated by its lower height relative to nearby buildings and adjacent landscaping. Therefore, to an extent this is settled within the street scene.
12. To the east and in the vicinity of the appeal site is an existing lamp post about 6m in height and to the west is a taller tree about 13.5m in height.
13. Most notably, the support structure for the Great West Road has a strong horizontal emphasis. Therefore, the monopole, due to its appreciably greater height and column width and more bulky and visibly distinct headframe design in relation to the supporting column, would tower above the support structure and appear as a visually dominant and conspicuous addition to the street scene. For these reasons, the proposal would also fail to integrate visually with the nearby street lighting and trees.
14. The appellant asserts that the equipment cabinets would be permitted development. This is not a matter for me to determine in the context of an appeal made under section 78 of the Town and Country Planning Act 1990. The proposal before me therefore relates to the whole installation, including the associated cabinets. However, I acknowledge that the associated cabinets, which are to be

finished in a green colour are similar to those of other statutory undertakers, including those near the appeal site. Therefore, as standalone items, these would not be detrimental to the visual amenity of the area.

15. Nonetheless, in combination with the monopole, the associated cabinets in proximity of the roadside and a footpath would not be discrete and would further contribute to the visual dominance of the proposal as perceived by passing pedestrians and in views from along Oxford Road South.
16. In particular, in combination with the support structure for the Great West Road, the proposed telecommunications apparatus would distract from and undermine the natural appearance of the adjacent established trees and the quality of the nearby buildings. I am also unpersuaded that the visual impact arising from the design, height and siting of the monopole could be mitigated by the use of a particular colour finish.
17. The proposed monopole would also be visible from along a section of Great West Road. However, because of its siting, this would be set back from the edge of this road and due to the elevated nature of this part of the road, only about 14m of the top of the monopole would be visible. In the context of the sizeable infrastructure associated with this major road, which includes lighting and a nearby gantry and signage, the visible section of the monopole would not be unduly dominant or harmful to the character and appearance of the Great West Road.
18. Nevertheless, for the above reasons and having visited the site and taken account of the submissions, which include a Panoramic Assessment and photomontages, in views from along parts of Oxford Road South, the proposal would introduce a stark and visually obtrusive feature within the street scene, which would fail to preserve the character and appearance of the Wellesley Road Conservation Area and its significance.
19. Given the extent of the Wellesley Road Conservation Area, the harm that would occur to the significance of this would be 'less than substantial' within the meaning of the Framework.
20. The Framework says that where a proposal would lead to less than substantial harm to the significance of the heritage asset, this harm should be weighed against the public benefits of the proposal. I shall undertake this 'heritage balance' later in my decision.

Living conditions of neighbours

21. The orientation of some of the nearby dwellings means that these would have views towards the appeal site. The nearest property is 38 Oxford Road South. However, the established tree between this property and the proposed monopole and associated cabinets would provide some mitigation from the proposed installation in views from the windows of this property.
22. From other properties the views of the proposed monopole and associated cabinets would be more distant and less direct. Therefore, the proposal would not cause any undue obstruction to views or have any significant overbearing effect on nearby dwellings. Overall, the proposal would not be dominant enough to result in undue harm to the living conditions of neighbours with regard to outlook.

Highway safety

23. As part of the submitted Transport Statement ('TS') a review has been undertaken of the local pedestrian and cycle network. This shows that the footway adjacent to Oxford Road South, where the proposal would be located does not legally permit cycling. Therefore, the TS has considered the effects of the proposal on pedestrians as this is the permitted movement within the footway location where the proposal is to be located.
24. Due to their location to the back of the footway, the proposed cabinets would not affect pedestrian visibility in the vicinity of the wall adjacent to 38 Oxford Road South.
25. The proposed installation results in a localised narrowing of the footway to about 2.55m outside of the western cabinet. This width is in excess of the footway width on Oxford Road South and on the nearby shared pedestrian/cycle ramp which caters for both pedestrians and cyclists. Consequently, the reduced width of the footway arising from the proposal, would still provide sufficient capacity for pedestrian movement in the local area.
26. Although the proposed monopole would be visible from along a section of the Great West Road, in the context of other infrastructure associated with this road, this would not be unduly dominant or distracting for motorists.
27. For the above reasons, the siting and appearance of the proposed monopole, would not adversely affect highway safety.

Other considerations

28. In this case, there is a requirement for replacement network services within the northwest Chiswick area of east Brentford in the London Borough of Hounslow, including the North London Line Overground and District Line Underground route running south of Gunnersbury Station and the associated section of the 'Great West Road' M4 motorway. Coverage for the operator was previously supplied to the local area by the shared Cornerstone base station site at Boiler House, Chiswick. However, Cornerstone have been served with a 'notice to quit,' this rooftop telecommunications site due to plans for consented redevelopment of this site. The proposal therefore seeks to provide essential infrastructure for replacing lost 3G and 4G coverage and capacity whilst establishing new superfast 5G services.
29. Support for the delivery of advanced, high quality and reliable communications networks is afforded by the Framework, the development plan, and other documents 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 improved telecommunications apparatus. 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. However, as already stated, I will consider these as part of my heritage balance.

30. 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.
31. Alternative sites have been considered, which have been discounted for various reasons. Two of the alternative sites identified are 'Chiswick Village Garages' and 'NWR Land.' These sites have been discounted because the level of service that would be provided would not meet the necessary coverage requirements. The appellant adds that other locations, including the appeal site are more appropriate to deliver the required level of coverage to the target area.
32. However, the appellant's submissions confirm that the operator has to be located as close as possible to the existing installation in order to maintain the provision of equivalent coverage and capacity to the surrounding local area. Given that the 'Chiswick Village Garages' and 'NWR Land' sites are physically closer to the Boiler House site than the appeal site, it is unclear why these would not meet the necessary coverage requirements.
33. Furthermore, according to the appellant, the search area is largely within the Wellesley Road Conservation Area and occupied by residential and recreational areas, and transport infrastructure and is therefore constrained. Nevertheless, on the information before me, the overall extent of the intended target/search area is unclear.
34. The appellant has also confirmed that no buildings were available within the search area for the siting of a base station, therefore, ground-based apparatus of minimum impact was explored. Because I am unclear about the extent of the overall target/search area, I cannot be certain about the availability of buildings within this. There is also limited evidence for the consideration of mast sharing.
35. Drawing on the above reasons, I am not persuaded that the information before me demonstrates that a robust sequential approach has been adhered to or that an exhaustive analysis of all parts of the target/search area has been undertaken for the proposal. Consequently, I cannot be certain that a location within the conservation area is unavoidable or that a less harmful location could not be found.
36. The appellant has referred to Appeals 3271840, 3276432 and 3287882, to highlight the approach taken by Inspectors in the consideration of alternative sites having regard to the Framework, with which I am familiar. Even so, this is largely based on the extent and quality of information in respect of alternative sites for each proposal. Therefore, these decisions do not alter my findings in respect of the appeal before me.

Planning balance and conclusion

37. I have found that the siting and appearance of the proposal would not harm the living conditions of neighbours or highway safety. However, the siting and appearance of the proposal would harm the significance of the Wellesley Road Conservation Area. Even though this harm would be 'less than substantial.' Having regard to the Framework, this is a matter of considerable importance and weight.
38. Balanced against this harm, there is a requirement for the proposed installation in filling the network gaps created by the decommissioning of the Boiler House site,

improving connectivity to mobile telecommunications networks, and expanding 5G coverage in the area.

39. There are also public benefits arising from the proposal as already highlighted. These include the economic and social benefits of upgrading electronic communication infrastructure, which are significant.
40. Taking these factors into account, while I give significant weight to the public benefits identified in this instance and moderate weight to the locational needs of the appellant, I do not consider these to be sufficiently forceful to outweigh the less than substantial harm that I have identified to the Wellesley Road Conservation Area, to which I must attribute great weight.
41. For the reasons given above, I conclude that the appeal should be dismissed.

M Aqbal

INSPECTOR