



Appeal Decision

Site visit made on 27 May 2025

by U P Han BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 June 2025

Appeal Ref: APP/L5240/W/25/3361137

Grass verge at Pixton Way, Pixton Way, opposite Fernwood, Forestdale, Croydon CR0 9LE

- 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).
 - The appeal is made by Cornerstone against the decision of the Council of the London Borough of Croydon.
 - The application Ref is 24/03296/PA8.
 - The development proposed is installation of a 17.5m monopole supporting 6no. antennas, 1no. 300mm dish, 2no. cabinets and 1no. meter cabinet and ancillary works thereto.
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Decision

1. The appeal is allowed and planning permission is granted for installation of a 17.5m monopole supporting 6no. antennas, 1no. 300mm dish, 2no. cabinets and 1no. meter cabinet and ancillary works thereto, at Grass verge at Pixton Way, Pixton Way, opposite Fernwood, Forestdale, Croydon CR0 9LE in accordance with the terms of the application, Ref 24/03296/PA8, and the plans submitted with it including drawings referenced Site Location Maps 100 Rev A; Existing Site Plan 200 Rev A; Proposed Site Plan 201 Rev B; Existing Site Elevation 300 Rev A; and Proposed Site Elevation 301 Rev B.

Preliminary Matters

2. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (the GPDO), 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. This appeal has been determined on the same basis.
3. I have amended the description of development used in my decision from the one in the Application Form to exclude superfluous wording that does not describe an act of development.

Planning Policy

4. The provisions of Schedule 2, Part 16, Class A of the GPDO 2015 do not require regard to be had to the development plan. Therefore, I have had regard to Policies SP1, SP4 and DM10 of the Croydon Local Plan 2018 (the CLP) only insofar as they are a material consideration relevant to matters of siting and appearance.

Main Issue

5. The main issue in this appeal is the effect of the siting and appearance of the proposed installation 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, taking into account any suitable alternatives.

Reasons

6. The appeal site is located on a grass verge on the south side of Pixton Way, opposite its junction with Fernwood. The grass verge extends along the entire southern side of Pixton Way and contains trees, including some that are large and mature. A pedestrian footpath runs along the grass verge near the appeal site. There is a mature buffer of trees between the grass verge and the nearest residential properties to the south of the appeal site in Hartscroft.
7. The area near the appeal site features various pieces of street furniture, including street lighting columns and road signage positioned near the edge of the road, existing cabinets close to edge of the pedestrian footpath in the verge and street lighting columns positioned near the southern edge of the pedestrian footpath.
8. The surrounding area is predominantly residential in character and largely comprises two and three storey semi-detached and terraced houses and blocks of flats interspersed by grassed areas and trees. Pixton Way itself is a relatively busy carriageway served by buses. The road rises westwards towards Seldon Park Road and descends gently to the east. The form and character of the area is suburban rather than rural.
9. The proposed monopole would be visible in views, particularly when travelling eastwards along Pixton Way, due to the topography of the area. It would also be visible in views when travelling south along Fernwood. The upper part of the monopole would protrude above the existing trees. However, its compact profile and colour would limit its visual impact. Moreover, the existing trees and lower-level vegetation would provide a backdrop against which the monopole would be viewed, further limiting its visual effect, even in winter. In addition, the proposal would be seen alongside a busy road that already contains a variety of furniture. Within this setting, the proposal would be perceived as part of the existing ensemble of urban infrastructure and would be compatible with its surroundings.
10. The associated ground-based cabinets would be modest in scale, clustered in a contained location and coloured green to minimise their visual effect. As such, the development would not result in a sense of visual or physical clutter or undermine the green character of the street scene.
11. Due to the separation distance and presence of intervening trees between the appeal site and the nearest residential dwellings in Hartscroft, the monopole would be partially screened from views in Hartscroft, even during winter months when trees are not in full leaf. While the monopole would be taller than other existing street furniture, it would have a slim and unobtrusive profile, with no overly bulky headframe. The monopole would be coloured green to assimilate with the surrounding vegetation and the antennas would be coloured light grey to blend in with the backdrop of the sky. As such, the proposal would not unacceptably harm the outlook of occupants in Hartscroft.

12. Therefore, taking all matters into account, I conclude that the siting and appearance of the proposal would not have a harmful effect on the character or appearance of the area. The visual amenity of nearby occupiers would not be unacceptably affected. Insofar as they are a material consideration, the proposal would comply with Policies SP1, SP4 and DM10 of the CLP which seek to promote sustainable development, require development to respect local character and protect the amenity of occupiers of adjoining buildings.
13. As I have found that the siting and appearance of the proposed development would be acceptable, it is not necessary to consider the detailed merits of any potential alternative site or the possibility of erecting antennas on an existing building, mast, or other structure.

Other Matters

14. Concerns have been raised about potential effects on human health, including individuals with implanted medical devices and metal in their body, due to the proposed monopole's proximity to residential properties. However, the appellant has provided 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 National Planning Policy Framework (the Framework) advises that decision-makers should not set health safeguards different from the International Commission guidelines for public exposure. 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.
15. In determining this appeal, I have had due regard to the Public Sector Equality Duty (PSED) contained in Section 149 of the Equality Act 2010, which sets out the need to eliminate unlawful discrimination, harassment, and victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it.
16. Disability is a relevant protected characteristics to which the PSED applies. A representation has been made that the proposal would exacerbate symptoms for people suffering from electro-hypersensitivity. However, as outlined above, the proposed installation has been designed to comply with the ICNIRP guidelines which include substantial precautionary safety margins and are considered protective of the entire population. Therefore, I consider the proposal would not discriminate against persons with the protected characteristic or the other aims of the PSED stated above. As such, it would be proportionate and justifiable to allow the appeal.
17. A third party has referred to various studies, asserting that 5G technology will lead to a significant increase in the carbon footprint of digital technology. However, no substantive or site-specific evidence has been provided to support this assertion in relation to the appeal proposal. Furthermore, there is no robust technical evidence before me to indicate that the proposed monopole and associated cabinets would lead to an unacceptable increase in carbon emissions. On the contrary, improved digital connectivity can facilitate efficiencies in transport, industry, buildings and support broader sustainability objectives.
18. Reference has been made to a proposal for a 5G monopole that was purportedly refused in another local authority. However, I do not have full details of that

proposal and so cannot be certain that it represents a direct parallel to the appeal proposal. In any event, I have determined the appeal on its own merits.

19. No substantive evidence to demonstrate that the appeal proposal would specifically harm Ashen Grove Site of Nature Conservation or flora and fauna in the area has been provided. Neither has robust evidence been submitted to support the claim that the proposal would attract graffiti and vandalism.
20. Planning is concerned with land use in the public interest, therefore the protection of private interests such as the impact on the value of a neighbouring property, would not be a material consideration.
21. While the proposed installation would serve a particular mobile network provider, the Framework supports the expansion of electronic communications networks and does not make the acceptability of such development contingent on multi-operator use.

Conditions

22. The GPDO does not provide any specific authority for imposing additional conditions beyond the deemed conditions for development by electronic communications code operators contained within it. These specify that the development must be carried out in accordance with the details submitted with the application, begin within 5 years of the date of the approval and be removed as soon as reasonably practicable after it is no longer required for electronic communications purposes and the land restored to its condition before the development took place.

Conclusion

23. For the reasons given above I conclude that the appeal should be allowed and prior approval should be granted.

U P Han

INSPECTOR