



Appeal Decision

Site visit made on 11 June 2025

by **C Skelly BA (Hons) MSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23 July 2025

Appeal Ref: APP/T5150/W/25/3359482

Land at Woodcock Hill Road, Kenton, Harrow HA3 0JG

- 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 Brent.
 - The application Ref is 24/1890.
 - The development proposed is the installation of a 20m monopole supporting 6 no. antennas, 2 no. transmission dishes, 2 no. equipment cabinets and ancillary development thereto.
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Decision

1. The appeal is allowed and prior approval is granted under the provisions of Article 3(1) and Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the installation of a 20m monopole supporting 6 no. antennas, 2 no. transmission dishes, 2 no. equipment cabinets and ancillary development thereto at land at Woodcock Hill Road, Kenton, Harrow HA3 0JG in accordance with the application 24/1890 and the details submitted with it including plan nos. 100 Rev A, 200 Rev A, 201 Rev A, 300 Rev A and 301 Rev A.

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 representation received. My determination of this appeal has been made on the same basis.
3. The principle of development is established by the GPDO and the provisions of Schedule 2, Part 16, Class A of the GPDO do not require regard to be had to the development plan. I have therefore had regard to the policies of the development plan and the National Planning Policy Framework (the Framework) only insofar as they are a material consideration relevant to matters of siting and appearance.
4. In support of the appeal, further alternative sites were assessed by the appellant (Nos D17-D20) and reasons why they were discounted included with the Appeal Statement. As this information was available to third parties and they have had the opportunity to comment on the additional sites I do not consider that any parties would be prejudiced by my taking it into account and therefore have considered the proposal on this basis.

Main Issues

5. The main issues are:

- the effect of the siting and appearance of the proposed installation on the character and appearance of the site and surrounding 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

Character and appearance

6. The appeal site is a wide grass verge which adjoins the corner of Woodcock Hill and Retreat Close. Wealdstone Brook runs along the side of the site and is lined with mature trees and landscaping and separated from the appeal site by a 2m high chain link fence. The site is located within a Site of Importance for Nature Conservation (SINC) Grade II and within a wildlife corridor, opposite a row of semi-detached dwellings which also face onto Woodcock Hill. Further dwellings are located on the other side of the beck. Further along Woodcock Road is St Gregory's college. There is an existing cabinet located within the public footpath and a number of lamp posts and street signs.
7. There is an existing rooftop installation at the BT Exchange on Kenton Road, however the operator has been given notice to quit the site. The proposed mast would have 6 antennas, split into a dual stack formation, with transmission dishes below, installed at the top of a slimline mast at a height of 20m. A cabinet would also be installed on the site and would be coloured green. Because the existing trees are approximately 11m in height, the monopole would extend approximately 9m beyond the tree canopy and therefore the antennas would be seen against the backdrop of the sky.
8. The monopole would be visibly prominent when viewed along Woodcock Hill, particularly from the dwellings directly opposite the appeal site. The top parts of the mast would also be visible when viewed from immediate surrounding streets and dwellings, despite the intervening built form. While there are some lampposts and other vertical structures in the local area, these have slim profiles and are simple in design. In contrast, the proposal would be much taller, thicker in profile and have a more cluttered appearance due to the components which would be accommodated.
9. The appellant puts forward that the design utilises the slimmest design possible to enable all the multi technologies to be supported and the proposed height is necessary in order to provide coverage to the target area and transmission links to the network. However, as the proposed mast would extend significantly beyond the existing tree canopy and surrounding buildings it would appear as an urban structure, which would be seen predominantly against the sky. Although there would be some limited mitigation during the summer months from some perspectives, it would become significantly more visible during the winter months when trees are not in leaf.
10. The proposed mast would therefore appear as an intrusive feature which would harm the character and appearance of the site and surrounding area.

Alternative sites

11. The Framework places importance on decisions that support the expansion of electronic communications networks, including next generation mobile technology (such as 5G). Where new sites are required, equipment should be sympathetically designed and camouflaged where appropriate. The proposal is required to maintain 2G, 3G and 4G and establish new 5G coverage for the Virgin Media O2 network. It has been demonstrated that the site is within an area with demonstrable need for a replacement installation in the vicinity to achieve a full and appropriate level of coverage.
12. There are no opportunities for mast sharing within the search area. A total of 15 alternative locations (D2-D16) have been considered in the Site Specific Supplementary Information Statement and a further 4 sites (D17-D20) as part of the appellant's appeal statement. The search area for alternative sites is a compact area focussed around the crossroads of Kenton Road and Woodcock Hill, which comprises a densely built up area. The constrained nature of the search area is due to the necessity for the mast to be as close as possible to the existing site to prevent a gap in coverage. Reasons are given as to why each alternative site was discounted.
13. Five of the alternative locations were on the rooftops of buildings, which have been rejected as the roof did not have suitable structural support for the apparatus or were too low to provide appropriate coverage (D2-D6). A total of 7 alternative locations (D7-D10, D14, D16 and D18) have been discounted on account of the presence of existing underground services. Other sites have been discounted as there is insufficient space to accommodate a radio base station (D11, D13, D15 and D20). Further sites have been discounted as not being suitable due to Wealdstone Brook being located directly underneath the footway (D12) and the proximity of houses (D17). The justification for rejecting these alternative sites is reasonable and logical.
14. Therefore, I am satisfied that there are no other mast sharing opportunities, suitable buildings or other structures within the required search area that would be capable of accommodating the proposed installation. Although the proposal would be visibly prominent, there would be some limited mitigation offered by having the lower parts of the mast set against a backdrop of trees and it would be located a sufficient distance from nearby dwellings, which is not the case for all alternative locations. Third parties have not put forward any further alternative sites which have not been considered by the appellant.
15. I conclude that the siting and appearance of the proposed installation would cause harm to the character and appearance of the surrounding area. Whilst alternative sites may exist, the appeal proposal is preferable for the reasons outlined above. Therefore, any identified harm is outweighed by the need for the installation to be sited as proposed, taking into account the suitable alternatives.

Other Matters

16. Concerns have been raised by third parties about potential effects on health, particularly the proposed monopole's proximity to residential properties and school. 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 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.

17. It has also been suggested that the proposal would distract drivers and therefore would raise issues in relation to highway safety, however no objections were raised by the Council's highways department in this regard. Concerns have also been raised that the cabinets would attract graffiti, however I note that the appellant has confirmed they could be painted with anti-graffiti paint to prevent this.
18. The site is a designated SINC. A number of concerns have been raised in relation to the impact on trees, the beck and the wildlife corridor. I have no substantive evidence that the proposed mast would harm animals or plants and I also note that the Council's ecologist raised no objections to the proposal. An Arboricultural Impact Assessment was submitted with the application, which concluded that the development does not require the removal of trees or hedgerows, with the pole being located outside tree root protection areas. The proposal would, therefore, have an acceptable impact on the SINC.
19. A number of concerns have been raised in relation to the proximity of the sewage pipe. The appellant has submitted a copy of the Utility Searches¹ which shows the location of the foul water pipe. Although a pipe runs near to the site the appellant has confirmed that due diligence has been undertaken to maintain a safe proximity away from the pipe. Prior to commencement, Thames Water will be consulted as part of the Construction (Design and Management) Regulations 2015. Although comments have also been raised in relation to subsidence, I note that the construction method for the mast is such that it would negate any ground movement. Although third parties have raised concerns in relation to flood risk the area is a low level of flood risk and this has not been raised by the Council. I am therefore satisfied that the proposal would not cause harm in relation to flooding, subsidence or to the existing sewage pipe.

Conditions

20. 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

21. For the reasons given above, having had regard to all other matters, I conclude that the appeal should be allowed and prior approval be granted.

C Skelly INSPECTOR

¹ Undertaken by Clarke Telecom dated 5/10/23