



Appeal Decision

Site visit made on 21 August 2025

by **A Price BSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 2nd September 2025

Appeal Ref: APP/C5690/W/25/3362568

North of Honor Oak Station, West of Grierson Road, London SE23 1PE

- 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 Mr Joe Hopkins of Cellnex Connectivity Solutions Limited against the decision of the Council of the London Borough of Lewisham.
 - The application Ref is DC/24/137875.
 - The development proposed is an 8.1m monopole mast with four attached antennas and a ground based equipment cabinet on steel mesh grillage.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by Cellnex Connectivity Solutions Limited against the Council of the London Borough of Lewisham. This application is the subject of a separate decision.

Preliminary Matters

3. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (GPDO 2015), 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. My determination of this appeal has been made on the same basis.
4. The provisions of Schedule 2, Part 16, Class A of the GPDO 2015 do not require regard be had to the development plan. I have had regard to the policies of the development plan only insofar as they are a material consideration relevant to matters of siting and appearance.

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 area, including on the setting of heritage assets;
 - if any harm is identified whether that harm would be outweighed by the need for the installation, taking into account any suitable alternative sites; and

- whether the proposed installation would meet the requirements of the GPDO.

Reasons

Character and appearance

6. The appeal site comprises a small parcel of land to the west of the railway line near Honor Oak Park Station. It forms part of a verdant band of landscaping along the railway embankment. Camberwell New Cemetery lies to the immediate west of the site, which itself features some mature landscaping.
7. The proposed installation would comprise an 8.1 metre high monopole with four antennas and ground-based equipment. The relatively prominent location of the installation, together with its scale, is such that it would be visible from several vantage points, including the nearby Honor Oak Park Station and platforms and from the B238 bridge. The installation would also likely be visible from some nearby residential properties along Grierson Road, although to a lesser extent. Ultimately, where visible, it would appear as a harmfully stark and dominant vertical feature which would add clutter to the local area, to the detriment of its character and appearance.
8. Overall, I conclude that the siting and appearance of the mast and associated equipment would result in harm to the character and appearance of the area. The proposed installation would be contrary to the relevant provisions of policy 15 of the Lewisham Core Strategy and policies 30 and 39 of the Lewisham Development Management Local Plan. These policies, in summary, seek to ensure high quality design and the least detrimental visual impact for telecommunications equipment.

Heritage assets – special interest and significance

Mortuary chapels, Camberwell New Cemetery

9. Mortuary chapels form a Grade II listed building, dating from 1928. The building comprises a large, symmetrical building of coursed rubble masonry with dressed stone. It contains a central clock tower with arched carriageway under. The building was historically split into two chapels, an Anglican and Nonconformist.
10. Based on the evidence before me, the special interest and significance of the listed building is largely derived from its historic and architectural interest. Important contributors in these regards are its dominant presence within the cemetery, its group value with the nearby cemetery buildings of the same age and its association with the architect Sir Aston Webb.

Gates, piers and railings, Camberwell New Cemetery

11. The gates, piers and railings form a Grade II listed building. It forms the main entrance to the cemetery from Brenchley Gardens and comprises a set of square stone piers either side of the vehicular carriageway, topped by spheres. A repeat set of piers sits adjacent, either side of a pedestrian walkway.
12. Based on the evidence before me, the special interest and significance of the listed building is largely derived from its historic and architectural interest. Important contributors in these regards are its dominant presence along Brenchley Gardens and its group value with the nearby cemetery buildings of the same age.

Lodge, Camberwell New Cemetery

13. The lodge is a Grade II listed building dating from 1928-9. It sits adjacent to the main entrance to the cemetery from Brenchley Gardens and is constructed of rubble masonry with stone dressings and a blue-green slate roof over.
14. Based on the evidence before me, the special interest and significance of the listed building is largely derived from its historic and architectural interest. Important contributors in these regards are the use of traditional building techniques and materials, and its association with the architect Sir Aston Webb. It is of group value with the nearby cemetery buildings of the same age.

Setting of the listed buildings

15. Pertinent to this appeal, the special interest and significance of the listed buildings is also derived, in part, from their setting. The grounds of the cemetery have an historic, visual and functional connection with the heritage assets. It is a tranquil space that is clearly defined by boundary treatments including walls, railings and mature landscaping. These grounds form the immediate setting of the assets, and it is from here that the assets are best appreciated. This immediate setting contributes considerably to the special interest and significance of the assets.
16. Beyond this, the surrounding area, of which the appeal site forms a part, is made up of predominantly residential, development. This is indicative of the evolution of the surrounding urban area over time. This development is interspersed by verdant landscaping as well as railway infrastructure. This surrounding area forms the asset's wider setting. The surrounding urban development has altered how the assets are experienced to a degree, moderating the contribution the wider setting makes to the special interest and significance of the assets.

Heritage assets – appeal proposals and effects

Mortuary chapels; Gates, piers and railings; Lodge

17. The proposed installation would comprise an 8.1 metre high monopole and ground-based equipment. The location of the installation, together with its scale, is such that it would likely be visible from several locations within the cemetery, which forms the immediate setting of the heritage assets. This is irrespective of any alleged lack of visibility from the listed buildings themselves.
18. I appreciate that the position of the installation has been relocated since a previous planning application and that it has been positioned alongside the railway. I also accept that the area surrounding the site contains a range of street furniture, including railway infrastructure, with an existing monopole positioned near to the station buildings. However, the proposed installation would be appreciably more isolated from those other features. Where visible, the installation, including its four antennas, would appear visually jarring and incongruous here.
19. Whilst a 'visibility image' has been submitted in support of the proposed installation, indicating that the installation would be visible only from some limited positions, I have no detail before me of how this study was prepared or what methodology was used. In addition, it does not extend across the full cemetery or include areas immediately adjacent to the heritage assets such that I can rule out visibility concerns. Moreover, no drawings showing the installation within its context have been provided, or to clearly indicate its position relevant to sloping land or site

levels. Consequently, this lack of clarity means there is doubt as to whether the installation would, as argued, be out of sight from within the setting of the assets.

20. The appellant refers to the band of trees that separate the site from the area to the west. However, there is no substantive evidence before me to demonstrate that those trees would obscure the installation. Moreover, some of these are deciduous, reducing any alleged coverage during the winter months, and may be subject to reduction or removal given their proximity to railway infrastructure.
21. Overall, I conclude, based on the evidence before me, that the siting and appearance of the proposed installation would fail to preserve the setting of the Grade II listed buildings. Consequently, it would harm the significance of these designated heritage assets.

Heritage assets – public benefits and balance

22. With reference to paragraphs 213 and 214 of the National Planning Policy Framework (the Framework), in finding harm to the significance of designated heritage assets, the magnitude of that harm should be assessed. Given the extent of the works, I find the harm to be 'less than substantial' in this instance but, nevertheless, of considerable importance and weight. Under such circumstances, paragraph 215 advises that this harm should be weighed against the public benefits of the development.
23. The proposed installation would contribute to providing advanced, high quality and reliable communications, an objective supported by the Government and reflected in Framework paragraph 119. In particular, the installation would provide improved mobile connectivity along the Brighton Mainline, supported by Network Rail. There is no basis to question the appellant's contention that the equipment is necessary to achieve the required standard of network coverage. This benefit is afforded weight in support of the appeal.
24. However, the weight that I ascribe to the public benefits that accrue from the proposal is not sufficient to outweigh the considerable importance and weight that I attach to the harm I have found. Accordingly, the proposed development would fail to preserve the setting of the Grade II listed buildings. Consequently, the proposed installation would be contrary to the relevant provisions of the Framework which seek to conserve and enhance the historic environment, and policy HC1 of the London Plan, Policy 16 of the Lewisham Core Strategy and Policy 36 of the Lewisham Development Management Local Plan. These policies, in summary, seek to protect the historic environment.

Alternative sites

25. The appellant has set out that the siting of the development is dictated by technical and operational constraints and that the potential for the siting of the equipment is restricted to a very small area. The appellant has provided limited evidence to demonstrate that any alternative locations for a mast and associated apparatus have been fully explored, or why they would fail to achieve the same level of coverage as the site before me. Nevertheless, the Council have no objection in this respect, and I have no reason to come to an alternative conclusion. Be that as it may, this matter does not outweigh the harm identified above.

Whether the proposed installation would meet the requirements of the GPDO

26. The Council sets out that the proposed installation would fail to meet the requirements at Class A, Part 16, Schedule 2 of the GPDO. Specifically, they claim that the proposed installation base area would exceed 1.5 square metres, which is not permitted by Class A.1(7).
27. The appellant directs me to Class A(c), which allows for 'development ancillary to radio equipment housing', and paragraph A.4 which sets out the interpretation of this as 'the construction, installation, alteration or replacement of structures, equipment or means of access which are ancillary to and reasonably required for the purposes of the radio equipment housing, and except on any land which is, or is within, a site of special scientific interest includes: (a) security equipment; (b) perimeter walls and fences; and (c) handrails, steps and ramps'.
28. Moreover, paragraph A.5 sets out that 'Where Class A permits the installation, alteration or replacement of any electronic communications apparatus, the permission extends to any: (a) casing or covering; (b) mounting, fixing, bracket or other support structure; (c) perimeter walls or fences; (d) handrails, steps or ramps; or (e) security equipment.
29. From my reading of the legislation and the plans before me, I concur with the appellant's argument that the grillage and ground area could, in this particular instance, be reasonably described as development ancillary to radio equipment housing. Consequently, the 1.5 square metre restriction at A.1(7) falls away and the proposed installation would meet the requirements of the GPDO in this respect. Nevertheless, my conclusion on this matter does not overcome or outweigh the harm identified above.

Other Matters

30. My attention has been drawn to similar permitted installations in other locations within the borough and beyond. Nevertheless, the site context here is unique, particularly in respect of the proximity to Camberwell New Cemetery. Accordingly, those other permissions are not directly comparable. I have assessed the appeal scheme on its own individual circumstances, based on the evidence before me and my observations on site. Ultimately, the existence of those appeals does not lead me to an alternative conclusion on the main issues.
31. I appreciate the appellant's frustration in respect of communication with the Council. Nevertheless, this is a matter best dealt with via a costs application, which has been submitted.
32. I note documentation has been provided to confirm compliance with the International Commission on Non-Ionizing Radiation Protection (ICNIRP). However, that has not been a determining factor in this case and attracts no weight in support of the appeal.

Conclusion

33. For the above reasons, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

A Price INSPECTOR