



Appeal Decision

Site visit made on 8 July 2025

by N Armstrong BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd September 2025

Appeal Ref: APP/M5450/W/25/3359810

Land at West End Avenue and Marsh Road junction, adjacent 171 Marsh Road, Pinner HA5 5NG

- 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 Harrow.
 - The application Ref is PL/1626/24.
 - The development proposed is the installation of a telecommunications base station comprising a 17.5m high slimline column (height to the top of shrouded antennas) associated 2 no. GPS modules fixed to the side and top of the column, 2 no. 300mm diameter dish antennas, associated 5 no. equipment cabinets and 1 no. meter cabinet and ancillary works.
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Decision

1. The appeal is dismissed.

Procedural 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. My determination of this appeal has been made on the same basis.
3. The Council has referred to Policy DM49 of the Harrow Council Development Management Policies (2013) (the DMP) in its decision notice. 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 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. Interested parties have made reference to the designation of West End Avenue as a Local Area of Special Character (LASC) in December 2024 since the application was determined. Comments were invited from the main parties on the extent and status of this designation, as well as the implications of this for the appeal. The Council has confirmed the designation of the LASC and the extent of this. The appeal site is not within the LASC, although it is close to the boundary. I have had regard to this insofar as it is a material consideration relevant to matters of siting and appearance.

5. The Council did not provide copies of representations submitted with the application with their appeal questionnaire. These were provided during the course of the appeal, and the appellant has had an opportunity to comment on them.

Main Issue

6. The main issue is the effect of the siting and appearance of the proposal 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

7. The appeal site forms part of the wide pavement located to the side and rear of a three-storey building on Marsh Road, close to its junction with West End Avenue. Marsh Road is a busy street with a mix of uses, including commercial and residential. The buildings on Marsh Road closest to the appeal site either side of the junction with West End Avenue are three-storey, with some taller buildings further to the north and south, and smaller one and a half and two-storey properties situated on the opposite side. West End Avenue is a much quieter road of predominantly two-storey, semi-detached residential properties, which due to its character and appearance, provides an attractive residential setting.
8. Marsh Road features a range of typical street furniture, including taller street lighting columns compared to those on West End Avenue and School Lane. The columns in the immediate area are predominantly coloured dark grey/black. A smaller existing mast and associated equipment are located further south of the appeal site within the pavement on Marsh Road, which the proposal is intended to replace. Other telecommunications infrastructure is located to the side of Monument House to the north of the site on what appears to be a temporary supporting structure. Notwithstanding the reference to other telecommunications apparatus on the roof of Monument House in the appellant's statement, equipment in the location is not prominent in public vantage points.
9. The proposed development includes the erection of a monopole with shrouded antennas and associated cabinets at ground level. The plans show that the top of the monopole would measure 17.5 metres above ground level. The side elevation of 171 Marsh Road features an irregular, single-storey flat roof section that protrudes at an angle compared to the building line of the upper floors. The monopole would be sited close to this elevation and beyond its rear, set away from the upper floors rather than being seen directly against the building. The ancillary equipment would be located within the pavement, close to the side elevation of 171 Marsh Road, with part of this also extending beyond the rear elevation.
10. There is a dismissed appeal¹ relating to the refusal of permission for a 15 metre high monopole and other equipment close to the appeal site. That Inspector did not consider the proposal would be visually intrusive or detrimental to visual amenity and noted that telecommunication infrastructure is increasingly a common part of the modern street scene. The Council acknowledges that the current proposal would address the reasons that the previous appeal was dismissed for in terms of its siting and impact on pedestrian movements. However, there are material differences between that and the current appeal scheme before me in

¹ Appeal Decision ref APP/M5450/W/20/3257137, dated 3 February 2021

terms of visual impact. These include the proposed increase in height of the monopole and reference to the previous scheme being for a temporary period.

11. The proposal would introduce a sizeable structure into a highly prominent location that would be clearly visible along Marsh Road. It would also appear as a very prominent addition within the street scene in views to and from West End Avenue. The monopole would be considerably higher than the tallest adjacent three-storey building on Marsh Road and other buildings close to the junction. It would therefore appear as a visually intrusive and incongruous feature in this location, resulting in harm to the character and appearance of the area.
12. The overall proposed size and lighter grey colouring of the monopole would also make it appear more visually dominant in comparison with nearby street lighting columns, which are shorter, more slender and different in colour. Whilst using a similar colour to other existing columns in the area could potentially help to mitigate the visual appearance to some degree, I am not satisfied that an alternative would adequately mitigate and overcome the overall visual harm arising from its siting and scale. Despite some trees along West End Avenue, these would not sufficiently mitigate the visual impact, and the proposal would have a harmful visual impact on the character and appearance of this attractive residential setting.
13. Other associated equipment that is part of the proposal, including cabinets, would be set against the side elevation of the adjacent building. Concerns have been raised by the Council regarding cumulative impact and clutter in this location. However, due to their proposed location set against a much larger commercial building in comparison to these elements, I do not consider that their siting and appearance would result in significant or unacceptable visual impacts, alone or in combination.
14. The development is proposed as part of a network maintenance and improvement programme in this area on behalf of two operators. Coverage has previously been provided by the existing mast to the south of the appeal site. The appellant's evidence indicates that this existing mast has been affected by the adjacent residential development constructed at Heath Lodge. The Council does not dispute that there is a need to improve network coverage in this location.
15. Paragraph 120 of the Framework states that where new sites are required, equipment should be sympathetically designed and camouflaged where appropriate. I have found that the proposed monopole, through its siting and appearance, would cause harm to the character and appearance of the area for the reasons given. The other options that might be available are therefore an important consideration. Paragraph 122 of the Framework states that applications should be supported by the necessary evidence to justify the proposed development, including for a new mast, evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure.
16. The appellant's appeal statement refers to 35 options that have been considered, which is a significant increase on the 15 that were submitted during the application². The extent of the search area also differs between the two assessments, with the initial area being larger in size. Within the most recent submitted with the appeal statement, the existing mast on Marsh Road is close to the centre of the search area. The appeal site is located further to the north with

² Galliford Try Telecoms letter, dated 14 June 2024

other sites also beyond this, but still in the extent of the defined search area. On the basis of the evidence before me, I am satisfied that the appellant has demonstrated that there is an identified need for the proposed development to be located somewhere in the search area. I am also mindful that the Council does not express a preference for any of the discounted sites and it does not put forward any suggestions for alternative sites.

17. The appellant has considered a relatively large number of sites and provides some reasoning for discounting these, which includes siting on existing buildings. Reasons for discounting some sites include being located to the periphery of the area, despite being located within the defined search area, and the ability of existing buildings, including at Monument House and the tallest building in the immediate vicinity at Trinity Court, development of which was completed at the time of my visit, to accommodate new antennas.
18. I have limited detailed information to adequately demonstrate that these are not feasible options in terms of coverage, structural issues or other methods of affixing to the buildings. In the case of the building at Heath Lodge, very close to the existing mast, it is also suggested that any antennas would need to be raised a significant height, although no further details are provided as to what this would entail in order to consider the extent of any potential impact. Other sites within the search area, including Nos 12 and 13, have also been discounted with an 'on balance' judgement, suggesting that these are not entirely unsuitable options. I therefore have insufficient information before me to clearly demonstrate that these have been fully explored and would not be feasible alternatives.
19. For the reasons given, and despite the efforts of the appellant, I am not satisfied that, based on the evidence before me the requirements of paragraphs 120 and 122 of the Framework have been met, or there is compelling evidence that there is a lack of alternatives. The proposal does not meet the aims of government policy and would be materially harmful to the street scene in this area of Marsh Road and West End Avenue. The evidence does not demonstrate that such harm is justified by an absence of suitable alternative sites, and it is my overall view that the need for the installation does not in this case, outweigh the harm.
20. For these reasons, the siting and appearance of the proposal would have a harmful effect on the character and appearance of the area that is not outweighed by the need for the installation to be sited as proposed taking into account any suitable alternatives. Insofar as it is a material consideration, the proposal would also be contrary to Policy 49 of the DMP. Amongst other things, this supports proposals where the siting and design of the installation would minimise its impact upon the appearance and character of the area.

Other Matters

21. I have had regard to the planning history of the site, including the appellant's reference to the officer assessment on a previous proposal for a 17.5 metre mast³, albeit the subsequent decision of the Council was to refuse planning permission. The appellant's evidence also references the issue of the existing mast on Marsh Road being affected by the development of Heath Lodge. Whilst these matters are noted, and I acknowledge the existing infrastructure would be removed, they do not alter my conclusion on the main issue.

³ Planning application ref P/4612/15

22. The appellant has directed me to other appeals within their statement, including in the context of the assessment of alternative sites. There are some differences in terms of the locations, including sites being more open, close to a dual carriageway highway and proximity to other similar telecommunications development, as well as the alternative options. However, I do not have full details of these to determine if they are directly comparable to the appeal proposal, and I do not find that these decisions provide reasons to alter my judgement. I have considered this appeal on its own merits and the site-specific circumstances, and I have concluded that it would cause harm for the reasons set out above.
23. The Framework supports the expansion of electronic communications networks, and I have also had regard to other documents provided by the appellant demonstrating similar support, industry requirements and relevant guidance. The benefits of mobile telecommunications to the economy and social well-being, as well as others identified, are not contested. Nevertheless, an appropriate balance needs to be struck between the network requirements and visual amenity.
24. Concerns have been raised by interested parties about potential effects on health. 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.

Conclusion

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

N Armstrong

INSPECTOR