



Appeal Decision

Site visit made on 16 December 2025

by David Wyborn BSc(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 January 2026

Appeal Ref: APP/G5750/W/25/3373739

Land at Burford Road, Stratford, London E15 4QZ

- 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 Shared Access Ltd and Vodafone against the decision of the Council of the London Borough of Newham.
 - The application Ref is 25/01236/PRETEL.
 - The development proposed is the proposed installation of a telecommunications base station comprising of a 20m monopole which will support 4No. Antennas and 1no. GPS Module together with 1no. metering cabinet.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. This is an application that seeks prior approval for the installation of telecommunications equipment under Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO). This requires that the developer must first apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the siting and appearance of the development. A monopole with antennas and a cabinet are proposed and the Council has refused prior approval.
3. When submitted to the Council the proposal sought approval for a monopole of 20m in height. At the appeal stage the appellant seeks to amend the proposal so that the monopole would be 17.5m in height and amended plans have been submitted.
4. The advice in the Procedural Guide: Planning appeals – England is that an appeal should not be used to evolve a scheme. The approach to be taken when considering amended details is set by the judgement in *Holborn Studios Ltd v The Council of the London Borough of Hackney* (2018), which refined the “Wheatcroft principles” set out in *Bernard Wheatcroft v Secretary of State for the Environment* (1982).
5. The change from 20m to 17.5m, in the circumstances of this site and its surroundings, would be substantive and require a key element of the description of the development to be amended. In effect, amending the plans as proposed would result in a different application for consideration. The Procedural Guide explains

that it is important that what is considered by the Inspector at appeal is essentially the same scheme that was considered by the LPA and by the interested parties at the application stage. In these circumstances, while I note that the Council has not raised an issue with the change at the appeal stage, and there are no public objections to the scheme, because of the fundamental nature of the proposed change I will not accept the amended plans. The appeal should be considered on the same basis as the scheme which was before the Council, a 20m monopole.

Main Issue

6. The main issue is the effect of the siting and appearance of the proposed installation on the character and appearance of the area.

Reasons

7. The provisions of Schedule 2, Part 16, Class A of the GPDO do not require formally that regard be had to the development plan or the National Planning Policy Framework (the Framework). Nevertheless, they can be material considerations where relevant to matters of siting and appearance.
8. The Council has referred to policies from the London Plan 2021 (Policies D1, D3, D4 and SI 6) and the London Legacy Development Corporation Local Plan 2020 (the Legacy Local Plan) (Policies BN.1 and S.6).
9. Policies D1, D3 and D4 of the London Plan concern design and character and, in summary, seek to ensure that development responds appropriately to the existing character of a place. Policy SI 6 concerns digital connectivity infrastructure and includes support for the effective use of rooftops and the public realm (such as street furniture and bins) to accommodate well-designed and suitably located mobile digital infrastructure.
10. Policy BN.1 of the Legacy Local Plan addresses issues of responding to place and Policy S.6 is titled increasing digital connectivity, safeguarding existing communications provision and enabling future infrastructure. In particular, the latter policy requires that new development should co-locate services where possible on existing structures, such as masts, or within appropriate street furniture, such as street lighting, to ensure the effective use of public realm to accommodate well-designed and located digital infrastructure that mitigates the impact of new infrastructure on the existing built environment.
11. In this case, a 20m monopole including the antennae is proposed on land at the closed end section of Burford Road. This area includes a raised planter with two modest height deciduous trees and with seating around the planter. There are bike stands and a modest area of paved public realm. To the southern side is a previous bingo hall, now in a different use and named Saffron Gallery. On the other side of this space is a row of single storey buildings that turn the corner onto the High Street and merge with taller and more substantial brick buildings.
12. The High Street is a dual carriageway road with a central planted area. It is a fairly busy urban road. On the broadly south eastern side of the High Street there are a wide mix of building types with various designs and heights. On the other side of the dual carriageway, the streetscape is dominated by more modern, tall buildings, some of which are close to or front the High Street.

13. Within the High Street, both sides of the dual carriageway are framed by rows of street lights (including an EE mast to the south west of the site). These consist of grey poles with the lighting fixtures set down from the top by several metres. These grey poles are quite functional in appearance and are one of the characteristic features for pedestrians and drivers using this section of road. The submitted elevation plans show that the lighting poles are about 13m in height and two are located in proximity to the end of Burford Road, with another in the central reservation.
14. The proposed grey monopole would be set back from the edge of the High Street, in a position in front of the planter. In views from the other side of the High Street, the monopole would be seen in the context of the other grey street lighting poles, a partial backdrop at times of the trees and some of the taller buildings. However, the proposed monopole with antennae section would be materially taller than the other poles in this area and would be a noticeable addition amongst the other structures. The monopole would also be taller than the buildings either side adding to the perception that it is a prominent and disproportionate addition amongst its immediate surroundings.
15. From the same side of the High Street, the row of street lights are a dominant feature along the footway areas, and the monopole would be set back and broadly in line with the front of the buildings. However, again the height of the monopole would appear out of kilter with the other adjoining structures and in this area of public realm it would be an overly tall and functional feature that would dominate this seating area. I consider that the height disparity with the adjoining buildings and other vertical structures along this road side would be such that the monopole would draw the eye and be an overly dominant addition within this public space.
16. When approaching from the east along Burford Road, the monopole would be visible. In most views it would be partially screened by the trees and at times with a backdrop of taller buildings. In the longer distant views, it would not be overly prominent but, in closer positions towards the end of Burford Road, the monopole would again be experienced as an overly dominant feature and immediately apparent especially to pedestrians approaching the High Street.
17. The evidence shows that there is a gap in mobile phone coverage and that other sites have been investigated including options on existing buildings. These other options have been discounted for various technical, structural and other reasons. The proposed location at the end of Burford Road would address the gap in coverage and provide a service to both local residents, businesses and those moving through the area. The provision of continuous digital coverage to an area is an important consideration, especially given the large resident and visiting population and the use of the busy road within this part of Stratford. This provision of a good mobile service is supported by the Framework which explains that high quality and reliable communications infrastructure is essential for economic growth and social well-being.
18. However, notwithstanding the clear and important benefits that the telecommunications equipment would bring, in particular 5G coverage, the monopole would not be well-designed because its height would be unreasonable and disproportionate in relation to its immediate surroundings. It would especially draw the eye because of the materially greater height compared with the street lighting poles and in this respect would not meet with the Framework requirement

that communications equipment should be sympathetically designed and camouflaged where appropriate. Even taking into account the technical requirements to provide suitable coverage and the lack of options, the harms would outweigh the benefits of the installation.

19. For these reasons, I conclude that the siting and appearance of the monopole would not be appropriate for this area of public realm alongside the High Street. In these circumstances there would be conflict with the development plan and the Framework, especially in respect of its design and the policy requirements to accommodate well-designed and suitably located mobile digital infrastructure.

Conclusion

20. For the reasons given above, the scheme would be unacceptable in relation to its siting and appearance. Consequently, I conclude that the appeal should be dismissed.

David Wyborn

INSPECTOR