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## Appeal Decision

Site visit made on 9 August 2017

**by M Seaton BSc (Hons) DipTP MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 14 September 2017**

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**Appeal Ref: APP/W5780/W/17/3171954**

**Telecommunications installation opposite Barkingside Station, Station Road, Barkingside, IG6 1NA**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant prior approval required under Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015.
  - The appeal is made by H3G UK Limited against the decision of the London Borough of Redbridge.
  - The application Ref 5490/16, dated 24 November 2016, was refused by notice dated 24 January 2017.
  - The development proposed is the removal of the existing 15m monopole, the installation of a 15m Alpha26, the installation of a Pogona cabinet measuring 1230 x 400 x 1032mm located on a new concrete base at ground level, and associated development.
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### Decision

1. The appeal is allowed and approval is granted under the provisions of Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015, for the removal of the existing 15m monopole, the installation of a 15m Alpha26, the installation of a Pogona cabinet measuring 1230 x 400 x 1032mm located on a new concrete base at ground level, and associated development at the Telecommunications installation opposite Barkingside Station, Station Road, Barkingside, IG6 1NA, in accordance with the terms of the application Ref 5490/16, dated 24 November 2016, subject to the following condition:
  - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Nos. RDB048\_STATION ROAD\_59319\_001 – 006.

### Main Issue

2. The appeal site lies within the Metropolitan Green Belt, and the Council has identified the installation as amounting to inappropriate development in the Green Belt, with the proposed antenna and cabinet causing harm to the openness of the Green Belt.
  3. However, if the telecommunications apparatus is within the limits allowed under *Class A of Part 16 of Schedule 2 of the General Permitted Development Order (GPDO) 2015*, the only issues to consider in respect of a prior approval appeal for telecommunications equipment are siting and appearance. I am also mindful that 'Green Belt' land is not incorporated within the list of designations
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described under Article 2(3) as excluded from permitted development rights in England for the purposes of assessing the proposal. Accordingly, the principle of development is not a consideration and the question of whether or not the proposal represents either inappropriate development or as a consequence has an adverse impact on openness in the Green Belt, does not arise.

4. Therefore, the main issue is the effect of the siting and appearance of the proposed installation on the street scene and the area, and whether any harm caused is outweighed by the need to site the installation in the location proposed.

## **Reasons**

5. The appeal site lies occupies a roadside location on Station Road, near Barkingside London Underground Station, and is close to the point where the road bridges the Underground rail lines. To the North of the appeal site is Fairlop Golf Club, which is separated from the road and existing installation by fence, mature hedgerow and trees, whilst to the South of the appeal site, on the opposite side of Station Road, is Barkingside FC Sports Ground.
6. Approval is sought for the siting and appearance of a telecommunications monopole, comprising a 15 metre high monopole to replace an existing 15 metre high replica telegraph pole, and a new equipment cabinet to be located adjacent to the existing cabinets on the grass verge.
7. The National Planning Policy Framework (the Framework) advises that a high-quality communications infrastructure is essential for sustainable economic growth, and that the expansion of electronic communications networks, including telecommunications should be supported. However, the Framework also advises that the aim should be to keep the numbers of telecommunications masts and the sites for such installations to the minimum consistent with the efficient operation of the network. In this respect, the upgrading of the mast on the existing site has negated the potential need for a further mast elsewhere in the vicinity as a means of achieving the required technical coverage. I consider that this weighs strongly in favour of the location.
8. I am satisfied that the principle of the proposal would be acceptable and in accordance with the limitations set out within Schedule 2, Part 16 of the GPDO, given the overall height of the proposed monopole and the dimensions of the equipment cabinet, and note that the Council has not suggested otherwise. However, in accordance with the GPDO, it is still necessary to assess the proposals against the relevant Development Plan policies and other material considerations in terms of siting and appearance.
9. On the basis of the submissions before me, the Council's chief concerns relate to the resultant visual clutter that would arise from the proposal in this location, and the overall prominence of the installation. In this respect, I am mindful that the proposed monopole would replace an existing replica telegraph pole and occupies a comparatively elevated and therefore prominent location. However, I note that there would not be an increase in the overall height, and whilst I accept that the replacement monopole would be wider by 0.1 metres at 0.35 metre width, I do not consider this to be a significant increase or that there would be visual harm or additional prominence of the installation as a consequence.

10. Turning to the equipment cabinet, I note that it would be set adjacent to the existing cabinets on the grass verge, but that it would be screened from the north by the existing mature hedgerow and trees, and would be viewed in the context of the same as a backdrop from the opposite side of the road and in longer views from the south. Whilst I accept that an additional cabinet in this location would introduce some limited cluttering and that the whole grouping could be positioned closer together, I am satisfied that any overall effect would not be significant due to its location. As a consequence, I am not persuaded that the overall visual impact of the proposal would be so injurious as to result in an unacceptable degree of harm to the overall character and appearance of the street scene or the area.
11. I have identified that the upgrading of the telecommunications installation would weigh strongly in favour of the proposal in this location. Furthermore, I have concluded that the effect of the proposed installation on the character and appearance of the street scene and area would be acceptable. I have noted the various references to Development Plan policies related to the Green Belt, but for the reasons set out above, they do not have a bearing on the decision. However, I am satisfied that the proposal would therefore accord with Policy E6 of the London Borough of Redbridge Borough Wide Primary Policies Development Plan Document 2008, which seeks to ensure that telecommunications development has due regard to the character and appearance of its location and the design of proposals to minimise visual impact on its setting and local environment. The proposals would also accord with the more specific guidance within the Framework.

### **Other Matter**

12. In reaching my decision, I have noted that the Council has indicated briefly within the delegated report their belief that the existing installation does not have the benefit of either planning permission or prior approval. However, this is not a matter to which the Council has adduced any further evidence or indicated that it has, or is seeking to take action in respect of. As a consequence, this is not a matter to which I have attached any significant weight in the context of my decision-making.

### **Conditions**

13. The Council has not suggested any conditions. However, beyond the standard conditions which are imposed by the Town and Country Planning (General Permitted Development) Order 2015, I have added a condition related to the identification of plans, which I consider necessary to provide certainty and clarity in respect of the proposed development.

### **Conclusion**

14. For the reasons given above and subject to the condition, the siting and appearance of the proposal would accord with Policy E6 of the Borough Wide Primary Policies DPD, and the appeal is therefore allowed.

*M Seaton*

INSPECTOR