

Appeal Decision

Site visit made on 3 September 2018

by Sue Glover BA (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th September 2018

Appeal Ref: APP/G1250/W/18/3202175

Outside 53 Old Christchurch Road, Bournemouth, BH1 1DT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) Order 2015.
 - The appeal is made by Infocus Public Networks Ltd against the decision of Bournemouth Borough Council.
 - The application Ref 7-2017-18550-LO dated 5 December 2017, was refused by notice dated 25 January 2018.
 - The development proposed is the installation of an electronic communications apparatus.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether or not approval should be given in respect of the siting and appearance of the proposal having regard to whether it would preserve or enhance the character or appearance of the Old Christchurch Road Conservation Area.

Reasons

3. The proposed apparatus, a telephone call box, would be sited in a busy town centre shopping street, which has recently been pedestrianised. The street is open and spacious without traffic and with less signage. Buildings are 3 to 5 storeys for the most part retaining the historic facades that are a positive characteristic of this part of the conservation area. The buildings at nos. 49 to 51 Old Christchurch Road nearby are Grade II Listed.
 4. There remains some street furniture although most is sited on the opposite side of the street from the appeal proposal, including a lighting column feature, litter bin and cycle racks. There are also 2 call boxes nearby, but not of a modern, accessible design.
 5. The proposal would be positioned about 0.5m from the kerbstone, which remains in place, and next to a short street pole. With an open side, steel frame and toughened glass panels, and with a height of about 2.56m, the call box would appear as a conspicuous and not insubstantial feature in the street scene. Although a simple design with toughened glass panels and steel frame, there is potential for dirt and dust accumulation resulting in an opaque rather than a transparent glazed appearance.
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6. The proposal would appear as a bulky and incongruous addition, unrelated in material or form to its surroundings and detracting from and partially blocking views of the facades of heritage buildings. It would be dominating and out of place. Although there is limited street furniture on this side, taking this part of the street as a whole, the call box would contribute to a cluttered appearance undermining the spacious character of this part of the conservation area.
7. Taking all these matters into account, the proposal would fail to preserve or enhance the character and appearance of the Old Christchurch Road Conservation Area, and it would materially harm the setting of the nearby listed buildings. There would be conflict with development plan policies, insofar as those policies are a material consideration to this appeal for prior approval.
8. I have also taken into account current policies in the National Planning Policy Framework, and other national planning and highway guidance, in so far as they are relevant to matters of siting and appearance.

Other Matters

9. As the principle of development is established by the General Permitted Development Order (GPDO), the need for the call box is not a relevant matter. The appeal relates to a call box only and not any advertisement consent that may otherwise be required. Given the wide pedestrian space remaining, the proposal would not create a significant impediment to safe pedestrian movement or to those with a visual or mobility disability.
10. I have no reason to consider that the call box would encourage anti-social behaviour as the design is not fully enclosed. It would have a graffiti proof external finish intended to discourage vandalism, and there is nearby street lighting and natural surveillance of the site. There would be benefits of a fully accessible design to aid those with impaired mobility who rely on a wheelchair or scooter, and PV roof modules to generate solar power to illuminate the interior.
11. I have taken into consideration other appeal decisions by another Inspector for a similar proposal nearby and elsewhere in the town centre, but I have judged this proposal on its own merits in respect of its own individual siting and appearance.

Conclusion

12. In reaching my decision I have taken into account all other matters. Although the harm to the conservation area is less than substantial, the public benefits are not sufficient to outweigh the material harm that I have identified to this designated heritage asset. The appeal therefore does not succeed.

Sue Glover

INSPECTOR