

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/18/3202189

Outside 95 Old Christchurch Road, Bournemouth, BH1 1EP

- 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-LT 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 pedestrianised shopping street with shops and offices at ground floor level. The buildings at nos. 83 to 101 Old Christchurch Road are Grade II Listed with upper facades of particular architectural merit. In this part of the conservation area the street is wide and quite spacious, but it has a cluttered appearance with large and small brick planters, as well as lighting columns, bollards and freestanding advertisements outside shop frontages.
 4. Notwithstanding the open side and glass panels, the call box with a footprint of about 1.32m by 1.11m, and a height of about 2.56m would not be insubstantial in size and it would appear as a significant item of street furniture. 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.
 5. The proposal would appear as a prominent and dominating feature sited about 0.7m from one of the small planters with a feature tree. The proximity to the planter and tree would appear awkward and cluttered. It would add to the proliferation and cluttered appearance of the street furniture nearby.
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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 reduce further the spacious character of the pedestrianised street. The Council indicates that the larger planters may be removed at some unspecified future point, but I have judged the proposal in relation to all of the existing street furniture in place.
7. Taking all these matters into account, the proposal would neither preserve nor enhance the character and appearance of the Old Christchurch Road Conservation Area, and it would materially harm the setting of the nearby listed buildings.
8. There would be conflict with development plan policies, insofar as those policies are a material consideration to this appeal for prior approval. 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. The proposal would be in line with and next to other street furniture so that it 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 similar proposals in the locality, 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 the designated heritage assets. The appeal therefore does not succeed.

Sue Glover

INSPECTOR