



Appeal Decision

Site Visit made on 12 January 2021

by Nick Davies BSc(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 February 2021

Appeal Ref: APP/V1260/W/20/3260416

Queens Park South Drive, Springbourne, Bournemouth BH8 9BJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Part 16 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.
 - The appeal is made by Hutchison 3G UK Ltd against the decision of Bournemouth Christchurch and Poole Council.
 - The application Ref 7-2020-18550-MM, dated 19 June 2020, was refused by notice dated 20 August 2020.
 - The development proposed is a 20m Phase 8 Monopole C/W wraparound cabinet at base and associated ancillary works.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Amended plans were submitted to the Council, late in the application process, showing a 15-metre monopole. However, the evidence indicates that this drawing was not accepted by the Council as a formal amendment to the application, and no publicity or consultation was carried out on the alternative scheme. The Council's delegated report and decision notice both refer to the plans that were submitted with the application, so it is clear that the decision was based on the original proposal. Furthermore, the appeal form says that the description of the development has not changed from that stated on the application form.
3. The revised proposal differs significantly from that submitted to the Council, and on which the views of interested parties were sought. The letters notifying interested parties of the appeal referred to the original description of the development. Consequently, whilst the Council does not object to my consideration of the amended scheme, to do so would deny those who should have been consulted through the planning application process the opportunity of such consultation. I have therefore determined the appeal on the basis of the original proposal submitted to the Council.

Main Issue

4. The main issue is the effect of the siting and appearance of the development on the character and appearance of the area.

Reasons

5. The appeal site lies on a grass verge adjacent to a turning head at the south-eastern end of Queens Park South Drive. Although there are groups of trees to the east and west, and in the centre of the turning area, the site itself is open.

It lies between a large area of public parkland to the north, and the busy A338 dual carriageway road to the south. The nearest buildings in Queens Park Drive South are a leisure centre and a school. The proposal is to install a standalone 20-metre monopole, with cabinets around its base, to provide improved 5G connectivity.

6. Although the site is not close to residential properties, it would, nevertheless be readily visible from public viewpoints. There is a well-used footpath/cycleway immediately to the west of the site, which provides access to the leisure centre, school and parkland, from the large residential area on the opposite side of the A338. Viewed from this path, in front of the leisure centre, the open nature of the site means the entire installation would be visible. Although it would be seen in the context of the adjacent streetlight, and the lighting columns down the central reservation of the A388, it would be much higher and bulkier than these features. The trees on the opposite side of the A388 would only serve as a backdrop for the lowest part of the structure. It would, therefore, be a very prominent and dominant feature, with no screening to mitigate its harmful visual impact.
7. The height of the structure means that it would also be a prominent feature in views out of the parkland to the northeast. The park provides a large area of greenspace, encircled by trees, which largely conceal the urban features of the surrounding area, resulting in a sense of openness. The lower part of the installation would be screened, but the submitted Theoretical Zone of Visibility (TZV) shows that a 15-metre pole would be visible from a significant area within the park. Consequently, a considerable proportion of a 20-metre pole would be seen above the trees, and silhouetted against the sky. As such, it would be an incongruous urban feature that would be harmful to the open, parkland character of its setting.
8. The submitted drawings indicate that the trees to the west of the site are approximately 10 metres high. At roughly twice this height, a considerable proportion of the installation would be visible above the tree line from the residential area on the opposite side of the A388. It would be a prominent feature of the skyline, and would appear as an intrusive focal point above the tree line in views down Hayes Avenue, resulting in harm to the visual amenity of the locality.
9. The TZV shows that a 15-metre pole would only be visible along a short stretch of the A388. In view of the curvature of the road, it is unlikely that a 20-metre pole would be much more widely visible to drivers. The installation would, therefore, only be seen from passing cars for a short period of time. The impact on visual amenity from the A388 would, therefore, be limited. However, this does not reduce the harm that I have found to the character and appearance of the area from other viewpoints.
10. The appellants have indicated that the installation could be coloured to merge into the street scene. However, the visually harmful impacts would often arise where the pole and antenna were silhouetted against the sky. In such circumstances their colour would have little mitigating effect.
11. The proposal would be significantly higher and bulkier than the existing street furniture in the locality. It would appear as a prominent and visually intrusive feature, which would detract from the character and appearance of the immediate locality, the parkland to the north, and the residential area to the

south. It would, therefore, be contrary to Policy CS41 of the Bournemouth Local Plan: Core Strategy (2012) and Policy 5.11 of the Bournemouth District Wide Local Plan (2002). These policies seek to conserve and improve landscape and townscape, and to ensure that telecommunications equipment is designed to minimise its impact on visual amenity.

Other Considerations

12. The visual impact of the proposal should be considered against its benefits. The National Planning Policy Framework (the Framework) aims to support high quality communications. Paragraph 112 says that *"high quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G)"*. The proposal would provide improved connectivity to a 5G network in a residential area that currently has poor coverage, so would accord with this aim.
13. Paragraph 113 of the Framework seeks to minimise the number of telecommunications masts, consistent with the efficient operation of the network. The appellant has set out the sequential approach, and explained why the least-favoured option of a new ground-based mast has been selected. This is based largely on the constrained nature of the search area and limited availability of options. I have not been provided with evidence to suggest that any suitable alternative sites are available to plug the gap in coverage.
14. Where a new site is required, paragraph 113 says equipment should be sympathetically designed and camouflaged where appropriate. Other than suggesting that the equipment could be coloured to blend in with the street scene, the proposal does not include any mitigating measures, such as landscaping, to camouflage its appearance. Furthermore, a 20-metre pole is proposed, even though the appellant's statement of case indicates that a height of 15 metres is the lowest that works effectively for the operator.

Planning Balance

15. The proposal would contribute to the Framework's aim to support high quality communications. In particular, it would support the provision of a comprehensive, reliable 5G network, which in turn would contribute to improved economic productivity and social inclusion. These are significant benefits of the proposal.
16. Nevertheless, the 20-metre monopole would be a prominent and visually intrusive feature, which would detract from the character and appearance of the immediate locality and the wider area. The evidence indicates that similar benefits could be achieved with a lesser impact on visual amenity. Therefore, the benefits of the proposal do not outweigh the harm to the character and appearance of the area.

Conclusion

17. For the reasons given above, I conclude that the appeal should be dismissed.

Nick Davies

INSPECTOR