



Appeal Decision

Site Visit made on 17 February 2021

by S Thomas BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 March 2021

Appeal Ref: APP/P0119/W/20/3263201

Highways land at Junction of Blackhorse Rd and Westerleigh Rd, Emersons Green, Bristol, BS16 6UB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by H3G UK and EE Ltd against the decision of South Gloucestershire Council.
 - The application Ref P19/17400/F, dated 21 November 2019, was refused by notice dated 4 June 2020.
 - The development proposed is Replacement of the existing 14.7m column with a 20m column, along with additional cabinets and ancillary development.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The appeal site is located on a busy highway junction where Blackhorse Road meets Westerleigh Road. The junction is surrounded by existing two storey residential dwellings and the appeal proposal would be situated immediately to the side of an existing dwelling on Westerleigh Road. Whilst there exists vertical street infrastructure around the junction and also a 3-storey building, there is nothing as high as the proposed replacement mast.
4. Paragraph 112 of the National Planning Policy Framework (the Framework) states that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning decisions should support the expansion of electronic communication networks, including next generation mobile technology (such as 5G) and full fibre broadband connections.
5. Whilst vertical features form part of the character of the immediate area such as streetlights, the proposed replacement mast would be substantially larger. Similarly, it would be thicker and taller than the existing mast it would replace on the opposite side of the junction which has a narrower sleeker appearance. The proposed mast would incorporate a number of antennae which would add visual clutter to the top of the mast. By virtue of this and its uncharacteristic height and appearance it would be prominent and would jar with the surrounding context appearing visually intrusive in the street scene.

6. I note the proposal would replace the existing mast and cabinets on the opposite side of the junction and their removal could be secured by a suitably worded condition. However, the proposed siting would be more prominent from existing properties, in this case, the relationship to the habitable room windows on the side elevation of No 160 Westerleigh Road. Therefore, the amended siting, together with the size of the mast would have a greater visual impact.
7. I acknowledge the mast needs to be 20m tall and it has been designed for mast sharing by a number of telecommunication companies including opportunities for use by the Emergency Service network. The appellant also identifies a number of public benefits associated with the proposed upgrade of the existing mast for the provision of a 5G network in this location. These attract moderate weight recognising Paragraph 112 of the Framework. However, even though the area does not fall within a statutory designation, nevertheless the harm to the character and appearance of the street scene will be considerable and this harm outweighs the public benefits of the proposed mast.
8. Alternative locations have not been explored due to this mast replacing the existing mast at the junction. However, given the harm, I would need to be convinced that there are not more suitable, discreet sites available which could accommodate the necessary 20m mast without adversely impacting on the character and appearance of the area.
9. For the reasons above, the proposal would result in harm to the character and appearance of the area. Accordingly, it would be in conflict with Policy CS1 of the South Gloucestershire Core Strategy (2013) and Policies PSP8 and PSP36 of the South Gloucestershire Policies Sites and Places Plan (2017). Amongst other things, these policies state that development will be permitted where the highest possible standards of design are achieved, development should demonstrate that siting, scale, height and detailing respect and enhance the character of an area and should not create an unacceptable impact on the residential amenity of occupiers of neighbouring properties.
10. In addition, the policies state that development for new or upgraded telecommunications equipment will be acceptable provided that they are sited and designed in a way to minimise visual amenity impact on the built environment.

Conclusion

11. For the above reasons, the appeal does not succeed.

S Thomas

INSPECTOR