



Appeal Decision

Site visit made on 7 September 2021

by B Davies MSc FGS CGeol

an Inspector appointed by the Secretary of State

Decision date: 18 October 2021

Appeal Ref: APP/D0121/W/21/3277206

Drove Road, Haywood Village, Weston-Super-Mare, BS23 3PH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 16, Class A of the Town Country Planning (General Permitted Development) Order 2015 (as amended).
 - The appeal is made by Hutchison UK Ltd against the decision of North Somerset Council.
 - The application Ref 21/P/1070/TEA, dated 4 April 2021, was refused by notice dated 2 June 2021.
 - The development proposed is a Phase 8 Monopole C/W wraparound cabinet at base and associated ancillary works.
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Decision

1. The appeal is dismissed.

Main issue

2. The provisions of Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the 'GPDO') require that the decision maker assesses the proposed development solely on the basis of its siting and appearance. My determination of this appeal has been made on this basis.
3. The principle of development is established by the GPDO and the provisions of Schedule 2, Part 16, Class A do not require regard to be had to the development plan. I have had regard to these policies and those in the National Planning Policy Framework (2021) (the 'Framework') only in so far as they are a material consideration relevant to matters of siting and appearance.
4. In the context of the above, the main issue is the effect of the siting and appearance of the development on the character and appearance of the area, including whether the applicant has undertaken a suitable search of alternative sites.

Reasons

5. It is proposed to erect a 15 metre high telecommunications monopole and equipment cabinets to enable 5G mobile coverage in the area. The monopole and cabinets would be placed on a small, grassed verge on the approach road to a large roundabout on the A370.

6. The grassed area is divided by a footpath that provides access to the adjacent pedestrian crossing. The verge also hosts a large brick built public art sculpture in a prominent position on the corner of Drove Road and Bridge Road.
7. The appeal site is on the edge of a large retail zone that follows the main road into the town. There is an entrance to a car showroom behind the site, immediately beyond which is the residential housing along Bridge Road.
8. The monopole would be visible when travelling along residential Bridge Road and from the windows of No 1 Bridge Road approximately 24 metres away. Although this would be viewed against a backdrop of predominantly retail development, it would be considerably higher than the existing street furniture and would harmfully introduce a domineering commercial element to an otherwise residential area.
9. To an extent the monopole would also mark the entrance to Bridge Road, increasing the sense that the residential area is dominated by the nearby commercial zone. I consider that this would be harmful to the perceived character of the area as residents enter Bridge Road.
10. The Council has highlighted the efforts being made to improve the character and appearance of the A370 corridor, which is the main approach road to the town. This is underpinned by Policy SA10 of the Site Allocations Plan (April 2018), which seeks to enhance the appearance of the area through landscaping, high quality design and architectural interest. The public art sculpture contributes positively to this aspiration. The monopole and cabinets would dominate and distract from the sculpture, causing harm to the appearance of the A370 corridor.
11. The small, grassed verge is cluttered by mixed railings, infrastructure for the pedestrian crossing, lampposts, and the flags and signs at the entrance to the car showroom. The monopole and cabinets would add to the cluttered appearance, further distracting from the public art sculpture and exacerbating an unattractive experience for pedestrians and passers-by.
12. I acknowledge that the monopole is as slim and low as possible to reduce the visual intrusion. However, for the reasons above, I conclude that there would be harm to the character of the residential area and the appearance of the main corridor into the town.
13. The appellant has offered to accept a condition in respect of the colour of the equipment. Notwithstanding that I do not consider this would overcome the harm identified above, it is not possible to impose any further conditions on this type of prior approval application beyond those listed in the GPDO.
14. Given the potential harm to the character and appearance of the area from the proposal, I consider it imperative that an adequate search for alternative sites has been undertaken. Paragraph 117 of the Framework states that, for a new mast, evidence must be provided that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure.
15. The appellant states that there are extremely limited constraints on the siting of the monopole, but these are not expanded upon and I am therefore unable to evaluate whether all options have been adequately assessed. I have no information regarding the search area, nor evidence that existing masts or buildings have been considered.

16. I have had regard to the Site Specific Supplementary Information sheet supplied at the application stage. Two sites are dismissed because they are in a residential area with overhead powerlines nearby. However, I have no evidence to demonstrate that these are the only alternatives, notwithstanding that they seem to be in a different area of the town to the appeal site. Compelling evidence that alternatives have been adequately undertaken, as recommended in paragraph 117 of the Framework, has therefore not been provided.

Planning balance and conclusion

17. The Framework advises that high quality communications infrastructure is essential for economic growth and social well-being, and that expansion of networks, including next generation mobile technology, should be supported. I do not doubt from the information provided that there is a need for such infrastructure locally. There would therefore be public benefit from the development and I afford this matter positive weight in the overall planning balance.
18. However, the GPDO requires that appearance and siting are taken into account. In this case, I have found that there would be harm to the character of the adjacent residential area and harm to the appearance of the approach corridor into the town, which is a visually sensitive area. In light of this, I consider it essential that alternative locations have been adequately assessed and compelling evidence that this has been done has not been provided.
19. For these reasons, I conclude that the benefits do not outweigh the harm to the character and appearance of the area and the appeal should be dismissed.

B Davies

INSPECTOR