



Appeal Decision

Site Visit made on 17 November 2021

by L J O'Brien BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 February 2022

Appeal Ref: APP/V1260/W/21/3279052

Christchurch Road, Iford, Bournemouth, BH6 5RF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under a development order.
 - The appeal is made by HUTCHISON UK LTD C/O: Agent against the decision of Bournemouth Christchurch and Poole Council.
 - The application Ref 7-2021-18550-NI, dated 8 April 2021, was refused by notice dated 18 June 2021.
 - The development proposed is Prior approval procedure - The installation of a 18m Phase 8 Monopole column with wrapround Cabinet at base and associated ancillary works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal site is situated between the traditional built-up area of Bournemouth and the approach to Christchurch and is within the Green Belt.
3. In accordance with the provisions of Schedule 2, Part 16 of The Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (GPDO), and subject to any relevant exception, limitation or condition specified therein, development by or on behalf of an electronic communications code operator for the purpose of the operator's electronic communications network is permitted development. This requires the local planning authority to assess the proposed development solely on the basis of its siting and appearance, taking into account any representations received. Accordingly, the principle of development is not a consideration and the question of whether or not the proposal represents inappropriate development in the Green Belt does not arise. My determination of this appeal has been made on this basis.
4. The relevant provisions of the GPDO do not require regard to be had to the development plan. Accordingly, I have had regard to these policies and related supplementary guidance only insofar as they are a material consideration relevant to matters of siting and appearance. They are not, in themselves, determinative.
5. During the course of the application, and prior to the Council's decision, the plans appear to have been amended, reducing the height of the proposed mast to 15m. Though the original description of development which refers to an 18m mast has been cited on the Council's Decision Notice and on the Appeal Form, it is clear from the evidence that an amendment to the scheme has been agreed. As such, in the interests of clarity, I have, therefore, taken the description of development from the Appellant's Appeal Statement rather than

that found on the original application form. This describes the development as proposed 15m Phase 8 Monopole C/W wraparound Cabinet at base and associated ancillary works on land adjacent to Christchurch Road, Iford, Bournemouth, BH6 5RF. I have also determined the appeal on the basis of the revised plans and the scheme as amended.

Main Issue

6. The main issue is the effect of the siting and appearance of the proposal on the character and appearance of the area and, if any harm would occur, whether this is outweighed by the need for the installation to be sited as proposed taking into account any suitable alternatives.

Reasons

7. Christchurch Road is a wide, busy road which was fairly regularly trafficked at the time of my site visit. Buildings and street furniture are regularly visible along the road which has an urban character and appearance. The appeal site is situated on highway land along this road. However, the proposed development site would be adjacent to an area of undeveloped land that forms part of the River Stour Valley and includes an area of public open space that straddles the river. The area of open space closest to the proposed development site is an area of managed grassland with trees and other vegetation. This area forms the entrance to a well used public footpath network which runs along the river corridor. This part of the wider area has a notably different character and appearance and forms an attractive area which has a predominantly tranquil and picturesque character and appearance, especially once within the public footpath network.
8. The proposal is for a 15m phase 8 monopole with a wraparound cabinet at the base and associated ancillary works in order to improve digital wireless, mobile coverage within the area with new equipment to facilitate 5G coverage.
9. When viewed from Christchurch Road the proposed development would be seen in the context of the Road and other buildings and paraphernalia which characterise the urban area. Though the proposal itself would be sited alongside the Road it would be prominent in views from multiple locations along the public footpath network which is sheltered from both views of, and noise from, the road by mature trees. The footpath and surrounding areas of open space provide an important escape from the hustle and bustle of the main road. When viewed from this location the proposal would sit above the tree line, albeit marginally, and would appear as a visually jarring feature within its context adding visual clutter which would detract from the verdant, green and idyllic character of the area. As such, I consider that the proposal would cause harm to the character and appearance of the area.
10. I recognise that this location, and the design of the development, were chosen on the basis of a number of factors with the aim of limiting any potential impacts of the scheme. Indeed, the National Planning Policy Framework (the Framework) states, at paragraph 117, that supporting evidence for a new mast or base station should include 'evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure'. The evidence before me indicates that it may be unlikely that it would be possible to use an existing building, mast or other structure in the area and achieve the required coverage. I note that other locations have been

explored and ruled out. This includes a previous application approximately 1km away from the current site. However, this application was for a 20m high monopole rather than the 15m high monopole currently proposed. The Site Specific Supplementary Information also refers to both 20m and 18m monopoles as opposed to the 15m high monopole which is proposed in this instance. As such, in my view, the evidence before me is not sufficient to persuade me that the appellant has expressly considered or discounted potential alternatives which are directly comparable to the scheme before me. To this extent, I do not find the search and assessment of alternative sites to be robust.

11. For the reasons outlined above, I find that the proposal would be unacceptable in respect of its siting and appearance. Furthermore, I consider that the search for and assessment of alternative sites is not sufficiently robust and I cannot be certain that there are no other sites available where the harm would be less severe.
12. I acknowledge that the proposal would deliver economic and social benefits including the ability to advance 5G technological innovations, in accordance with paragraph 114 of the Framework. However, on the basis of the evidence before me, I do not consider that this would be sufficient to outweigh the very significant harm that would be caused to the character and appearance of the area in this instance.

Conclusion

13. For the reasons given above I conclude that the appeal should fail.

L J O'Brien

INSPECTOR