



Appeal Decision

Site visit made on 13 February 2023

by Robert Parker BSc (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 March 2023

Appeal Ref: APP/A1720/W/22/3305192

**Bishopsfield Road street works, Bishopsfield Road, Fareham PO14 1ND
(Grid Ref Easting: 456342, Grid Ref Northing: 105906)**

- 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) (England) Order 2015, as amended.
 - The appeal is made by CK Hutchison Networks (UK) Ltd against the decision of Fareham Borough Council.
 - The application Ref P/22/0852/PA, dated 16 June 2022, was refused by notice dated 19 July 2022.
 - The development proposed is 5G telecoms installation: H3G street pole and additional equipment cabinets.
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Decision

1. The appeal is allowed and approval is granted for 5G telecoms installation: H3G street pole and additional equipment cabinets at Area of Footpath, Bishopsfield Road, Fareham, Hampshire PO14 1ND (Grid Ref Easting: 456342, Grid Ref Northing: 105906) in accordance with the terms of the application, Ref P/22/0852/PA, dated 16 June 2022, and the plans submitted with it.

Procedural Matters

2. The site address in the banner heading is taken from the application form. However, the location is described more accurately on the appeal form as Area of Footpath, Bishopsfield Road, Fareham, Hampshire PO14 1ND (Grid Ref Easting: 456342, Grid Ref Northing: 105906). This is the address I shall use in my formal decision.
3. The provisions of the Order require the local planning authority to assess the proposed development based solely on its siting and appearance, taking into account any representations received. My determination of this appeal has been made on the same basis.
4. The principle of development is established by the Order. The provisions of the Order do not require regard to be had to the development plan. However, I have taken account of Policy CS17 (High Quality Design) of the Fareham Local Development Framework: Core Strategy (2011) (Core Strategy) and Policy DSP55 (Telecommunications) of the Fareham Local Plan Part 2: Development Sites and Policies (2015) (LPP2) insofar as they are relevant to judgements concerning the siting and appearance of the proposed development. I have also had regard to the National Planning Policy Framework (the Framework) as a material consideration.

Main Issue

5. The main issue is the effect of the siting and appearance of the proposed installation on the character and appearance of the area, and if harm would be caused whether there are any preferable sites or designs available.

Reasons

6. The site forms part of the footway on Bishopsfield Road, close to its junction with Longmynd Drive and backing onto a grassed amenity area. Bishopsfield Road is a wide thoroughfare linking the A27 with Longfield Avenue. Its footways are separated from the carriageway by grass verges which give the area a spacious feel. The road is predominantly residential in character, with two-storey family housing on the one side and four-storey blocks of maisonettes on the other. Longmynd Drive, which leads off Bishopsfield Road adjacent to the site, is comprised mainly of bungalows. At the northern end of Bishopsfield Road, near its junction with the A27, are two educational establishments – Fareham College and St Jude's Catholic Primary School.
7. The proposed equipment cabinets would be much larger than others used by infrastructure providers to house electronic equipment in the locality. They would nevertheless be modest features in the street scene and I am mindful that such cabinets are commonly seen on highway verges, particularly in conjunction with modern telecommunications installations. In this case, the pavement would be extended to the kerb to provide clearance for pedestrians. Overall, I consider the proposed cabinets to be unobjectionable.
8. The open nature of the site means that the proposed mast and antennae would be visible from some distance along the roads that intersect at this point. Some screening would be provided on the northern approach by the trees within the grounds of St Philip Howard Church and the adjacent primary school. However, the mast at 15m high would be visible above the trees, even when the trees are in full leaf. It would also be highly prominent in views along Bishopsfield Road from the south and when approaching along Longmynd Drive. The height and girth of the mast would be significantly greater than that of nearby lighting columns and consequently there would be a degree of harm to the character and appearance of the area. It is therefore necessary to consider whether there are any alternative, preferable sites where the antennae could be located.
9. The siting of the mast is constrained by the technical requirements of the 5G mobile network. The operator has supplied details of the locations of existing base stations and a plot showing the coverage provided by those sites and the gaps in coverage needing to be filled by new installations. The search area is a localised one, centred on Bishopsfield Road and surrounding residential streets. This is essentially a circle with a radius of several hundred metres.
10. I have not been made aware of any existing masts in the immediate area that could be shared. There are some taller buildings in the vicinity, notably the maisonette blocks, but these have pitched roofs and there is no obvious means by which these could accommodate an antenna array. Fareham College has a four-storey block, but there is no evidence from the Council to indicate that this site is available and it may not provide the required height in any event.
11. The appellant has provided a list of sites they have discounted in favour of the proposed location. The Council criticises this on the grounds that the number of

options considered was limited, but in my view they are representative of the range of possibilities available within the search area. The reasons for discounting the options are brief, but based on my observations at the site visit they are convincing. Apart from an option at the junction of the A27, which was discounted for its proximity to schools and services, most of the options are on grass verges close to residential properties and therefore they would give rise to similar, or worse, impacts to that of the appeal site. The latter does at least have the benefit that the installation would be a reasonable distance from windows in nearby dwellings such that the mast would not be unduly imposing.

12. The Council does not express a preference for any of the discounted sites and moreover it does not put forward any suggestions for alternative sites, beyond making the criticism that the operator has not made enough effort in their site search. No suggestions for an alternative and less prominent design have been proposed.
13. Having regard to all these matters, none of the alternative options or locations that have been drawn to my attention are obviously more preferable to that put forward by the appellant as the appeal scheme. I therefore conclude that the proposed installation would be 'least worse' option of those identified and available, and within the constraints imposed by the existing network.

Planning Balance

14. The Framework supports the expansion of electronic communications networks, including next generation technology such as 5G. The benefits of such networks, and of mobile telecommunications in particular, to the economy and social well-being are widely recognised.
15. In this case, I have identified that there would be a degree of harm to the character and appearance of the area due to the scale and prominence of the proposed mast in the street scenes of Bishopsfield Road and Longmynd Drive. This would give rise to conflict with Policy CS17 of the Core Strategy, insofar as it seeks high quality design which responds positively to the key characteristics of the area, and with the requirement of Policy DSP55 of the LPP2 that telecommunications installations should not have a significant adverse effect on the appearance of the space in which the equipment is located.
16. However, I have also determined that the location is no more intrusive than any of the reasonable alternatives that are before me. The social and economic benefits of providing an advanced, high quality and reliable communications network would outweigh the visual harm that would be caused. I therefore conclude that the proposal is acceptable.

Conditions

17. Planning permission granted for development under Article 3(1) and Schedule 2, Part 16, Class A of the Order is subject to conditions set out in paragraphs A.2 and A.3. These specify that the development must begin not later than the expiration of 5 years beginning with the date on which the approval was given; be carried out in accordance with the details approved unless agreed otherwise by the local planning authority; and be removed as soon as reasonably practicable after it is no longer required and the land restored to its condition before the development took place.

Conclusion

18. For the reasons given above, and having noted the absence of representations following display of the site notice, I conclude that the appeal should succeed.

Robert Parker

INSPECTOR