



Appeal Decision

Site visit made on 9 January 2024

by Tamsin Law BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 January 2024

Appeal Ref: APP/U1620/W/23/3325697

Footway of Barnwood Road, Gloucester, GL4 3JR

- 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 Signal Infrastructure UK Limited against the decision of Gloucester City Council.
 - The application Ref 23/00173/TCM, dated 20 February 2023, was refused by notice dated 24 April 2023.
 - The development proposed is described as "Proposed telecommunications installation: The installation of a 16m high phase 8 street pole, supporting 6 no. antennas, 1 no. wraparound equipment cabinet at the base of the monopole, 3 no. equipment cabinet, and ancillary development thereto, including the installation of 1 no. GPS module."
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (the GPDO), under Article 3(1) and Schedule 2, Part 16, Class A, Paragraph A.3(4) require the local planning authority to assess the proposed development solely on the basis of its siting and appearance, taking into account any representations received. My determination of this appeal has been made on the same 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 be had to the development plan. Consequently, I have taken it into account as a material consideration but only insofar as the policies relate to matters of siting and appearance.

Main Issue

4. In the context of the above, the main issue is the effect of the siting and appearance of the proposed installation on the character and appearance of the area and the living conditions of nearby occupants, 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

5. The appeal site is an area of footway on the corner of Barnwood Road and Wotton Court. Apart from a shop and the Wotton Hall Social Club the immediate area is generally residential in nature and is characterised by a mix of single, two and three storey dwellings. At this location dwellings are set back

from the highway behind front gardens and driveways. The proposed development would be located within a footway adjacent to the boundary of No's 1 and 2 Wotton Court. The appeal site, being on a corner, is in a prominent location and is located opposite a junction. A street lighting column is located within the same footway and these are a common feature in the wider area. There are a number of trees in the wider area. The existing street furniture is considerably shorter than the proposal and the street trees are also modest in scale.

6. Therefore, the proposal would appear visually intrusive and dominant in the street scene, noticeably taller and wider than other existing street furniture. Whilst there are trees in the area, these are some distance from the proposal and would not be seen in the context of the proposed mast when travelling along Barnwood Road. This would be emphasised by the prominent location of the appeal site at a junction, opposite another junction and close to a pedestrian crossing, from which the proposal would be a dominant addition.
7. The appeal site is in a residential area where there would be views of the proposal from a number of nearby houses, particularly No's 1 and 2 Wotton Court. Whilst the proposal would be visible from within these dwellings, the extent to which the proposal would impact on their outlook would be limited due to the distance between the proposal, which would be on the opposite side of the parking associated with the properties. Consequently, the proposal would not result in unacceptable impacts on living conditions of nearby residents with respect to outlook.
8. I note the alternative locations considered by the appellant and reasons given for discounting each of those. I also note that no evidence regarding the reasoning to discount mast sharing or the use of buildings has been submitted.
9. Given the harm I have identified to the character and appearance of the area, alternatives must be robustly explored to determine the likelihood of there being less harmful alternatives to the appeal scheme. There are a number of discounted sites located along Barnwood Road. These have largely been discounted due to visual prominence, proximity to listed buildings and narrow footways. However, this is a large area with potential to move the specific location of a mast. Pavements appear wide in some areas, with other street furniture already located within the footway. There also appears to be no overhead lines in parts of the road. Additionally, the immediately vicinity of the site does not appear to be wholly residential in character, being close to commercial buildings and sites (i.e. commercial developments and parking to the rear of the co-operative). Therefore, subject to further investigation this site might reasonably be less harmful to character and appearance than the appeal scheme.
10. I recognise the importance of good, fast, reliable, and cost-effective communications and the support for high quality communications infrastructure within the Framework. Nevertheless, I conclude that the harm from the siting and appearance of the proposed installation on the character and appearance of the area would not be outweighed by the need for the installation to be sited as proposed, considering the potential for suitable alternatives.

Conclusion

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

Tamsin Law

INSPECTOR