



Appeal Decision

Site visit made on 15 January 2024

by Nick Davies BSc(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 January 2024

Appeal Ref: APP/N1160/W/23/3323310

**Footway in front of Efford Post Office, 4 Efford Crescent, Plymouth
PL3 6NH**

- 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 and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by CK Hutchison Networks (UK) Limited against the decision of Plymouth City Council.
 - The application Ref 22/02116/16, dated 21 December 2022, was refused by notice dated 8 February 2023.
 - The development proposed is a 5G telecoms installation: H3G 15m street pole and additional equipment cabinets.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The address in the banner heading is different to that given on the application form. However, it accords with that used by the Council on its decision notice, and it is a more accurate description of the location of the appeal site.
3. 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.

Planning Policy

4. 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. Nevertheless, Policies DEV1 and DEV20 of the Plymouth & South West Devon Joint Local Plan (Adopted March 2019) are material considerations, as they relate to issues of siting and appearance. In particular, they seek to ensure all development is well-designed, and does not adversely impact on the living conditions of existing residents. The National Planning Policy Framework (the Framework) is also a material consideration, and it includes a section on supporting high quality communications.

Main Issues

5. The main issues are the effect of the siting and appearance of the proposed installation on the character and appearance of the area and the living conditions of the occupants of 2 and 4 Efford Crescent, 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

Character and appearance

6. The appeal site is part of an open, paved area of public realm close to a complicated roundabout junction, where five roads converge. The space is dominated by hard surfacing, and surrounded by utilitarian galvanised railings along the roadside. Although there is a small tree in the centre, it does little to relieve the rather stark character of its surroundings. The ground floors of the buildings fronting the space are a Post Office and a bakery, and there are also commercial uses on the other road frontages near the roundabout, including a petrol filling station. There is a significant level of low-level road signage, lighting, and other street furniture immediately around this busy road junction, but the wider area is predominantly residential, and the buildings are almost universally of two-storey height. So, although this is undoubtedly an urban location, the street scene is composed of buildings that are domestic in scale.
7. The appellant states that a 15-metre street pole is the lowest installation that can provide 5G coverage in this area. Even so, it would be very much taller than any of the surrounding buildings or other structures. Being located in the centre of an open space, it would be seen in isolation, so would be entirely visible from bottom to top. Consequently, its uncharacteristic scale would be immediately evident. It is contended that its siting near to lamp posts would reduce its visual impact. However, it would be almost twice the height, and considerably broader in diameter, so would be a much more strident feature in the street scene than the light columns, or any other street furniture. The use of a grey colour to match the streetlights would do little to disguise its dominant, functional appearance. Viewed from locations immediately around the road junction it would be a very imposing and incongruous structure.
8. It has been put to me that the pole and cabinets are designed to be installed alongside public roads, and are often found in urban locations. Whilst this may be so, in this case the installation would be at the centre of an open public space that is surrounded by much lower street furniture and domestic scale buildings. Consequently, the pole would not assimilate successfully into its immediate surroundings, and would result in significant harm to the appearance of the area from close viewpoints.
9. The installation would also be visible in wider views from the five roads that radiate out from the roundabout junction. From the south, the straight alignment of Efford Crescent means the pole would be seen from a considerable distance at the end of the road, rising well above the surrounding buildings, and silhouetted against the sky. From here it would appear as an alien feature in an otherwise residential setting. To the north, Hollycroft Road falls away from the road junction. As a result, the dominant scale of the installation would be particularly evident in views from here. It would form an

unattractive focal point at the end of the road, framed by the two-storey houses to either side, which would accentuate its discordant scale.

10. The development would be similarly visible from significant distances along Efford Road to the east, and Egguckland Road either side of the roundabout to the west and northeast. In some of these views the lower section of the pole would be seen partly against the backdrop of buildings on rising land beyond. However, in all cases it would be a prominent structure that would be incompatible in scale and appearance with the surrounding buildings and street features.
11. I acknowledge that the site does not lie within a Conservation Area, or any other location that is formally recognised for its sensitivity. However, the aims of Section 12 of the Framework to achieve well-designed and beautiful places are not restricted to designated locations. I therefore conclude that the siting and appearance of the proposed installation would result in significant harm to the character and appearance of its immediate surroundings and the wider area.

Living conditions

12. The first floors of the Post Office and the bakery, which look out onto the open space, are both in residential use. They each have a bay window and another large window, from which occupants have an open outlook over the open space, the road junction, and the two-storey houses beyond. The pole would be sited only approximately eight metres away from these windows, so would be unescapable for residents in views out of the living accommodation. However, whilst the installation may not be considered to be an attractive feature in these views, the head of the apparatus would be well above the normal line of vision from within the rooms. The mounting pole would only occupy a very narrow part of the otherwise uninterrupted vista from these windows. Consequently, there would be no significant loss of outlook, and the living conditions of occupants would not be harmed.
13. Nevertheless, I have concluded that the proposal would result in significant harm to the character and appearance of the area. I must consider whether this harm is outweighed by the need for the installation to be sited as proposed, taking into account any suitable alternatives.

Need for installation and alternative sites

14. The installation is required to provide 5G service to a densely populated area surrounding the site, which lacks coverage. Paragraph 119 of the Framework advises that the number of telecommunications masts should be kept to a minimum, consistent with the needs of consumers, the efficient operation of the network, and the provision of reasonable capacity for future expansion. It also encourages the use of existing masts, buildings, and other structures. However, it does recognise that new sites may be required for new 5G networks. The evidence indicates that the sequential approach to site selection set out in paragraph 121 of the Framework has been followed, and that there are no opportunities for erecting antennas on existing buildings, masts, or other structures.
15. A new 5G base station would need to be close to the area where coverage is needed. The appellant's evidence identifies six alternative sites within the

target coverage area that were considered. There is little detail about the precise locations, and the reasons given for discounting them are brief. However, I viewed all the locations, and saw that they were all in residential areas with predominantly two-storey buildings. None of the locations offered a significant degree of screening, so in all cases a 15m monopole and cabinets would be a prominent and discordant addition to the street scene. They would not, therefore, represent less harmful locations for the installation. As the Council has not suggested any alternative locations, I have no evidence from either party identifying a suitable alternative site.

16. However, the appellant's evidence does not provide any rationale behind the process for selecting the six alternative sites that were considered. It is unclear to me whether they were based on a comprehensive consideration of the whole area, taking account of constraints, or whether they were selected as roughly equidistant locations around the nominal location, and then found to be unsuitable. I am mindful that much of the search area is covered by housing, so would not provide any better alternatives than the six discounted options. However, there is a large area of open recreational land between Options D2 and D3. There is no evidence to indicate that the potential to site a new facility in this area has been given any consideration, or that there has been any analysis of whether it would represent a preferable location. Consequently, I am not satisfied that a thorough review of all possible options within the search area has been conducted.
17. The evidence provided is not sufficiently comprehensive for me to safely conclude that there are no more suitable sites for the installation. Consequently, the harm that the proposal would cause to the character and appearance of the area is not outweighed by the need for it to be sited as proposed.

Other Matters

18. Reference has been made to various social and economic benefits, but these have not been taken into account in considering the matters of siting and appearance.

Conclusion

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

Nick Davies

INSPECTOR