



Appeal Decision

Site visit made on 26 March 2024

by S D Castle BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 April 2024

Appeal Ref: APP/V1260/W/23/3326765

Talbot Road street works, Talbot Road, Bournemouth BH9 2EU

- 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 Cignal Infrastructure UK Limited (formerly known as CK Hutchison Networks (UK) Limited) (a company registered in England and Wales with company number 12985914) against the decision of Bournemouth, Christchurch and Poole Council.
 - The application Ref 7-2022-18550-PQ, dated 15 December 2022, was refused by notice dated 07 February 2023.
 - The development proposed is 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 provisions of Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO), 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 of the GPDO do not require regard be had to the development plan. I have had regard to the policies of the development plan and the National Planning Policy Framework (Framework) only in so far as they are a material consideration relevant to matters of siting and appearance.

Main Issue

4. 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 any harm would occur, whether this is outweighed by the need for it to be sited as proposed taking into account any suitable alternatives.

Reasons

Character and appearance

5. The appeal site relates to a section of grass verge next to the pavement on the southern side of Talbot Road. The pavement separates the site from an area of grassed public open space to the south that is bounded by a variety of mature trees. The surrounding area is predominantly residential, with buildings of up to three storeys, and has pleasant, spacious and verdant qualities. Street furniture such as streetlights, road signs and telegraph poles feature within the immediate locality. The Meyrick Park and Talbot Woods Conservation Area (CA) is located to the south and east of the site. The area surrounding the site is well used by pedestrians, bus passengers and users of the adjoining open space, in addition to being passed frequently by road users.
6. Whilst the existing street furniture includes vertical features, the nearby streetlights are slimline in design and stand at around 10 metres in height. Consequently, the existing street apparatus does not dominate the suburban landscape setting. The proposed monopole would be significantly taller, bulkier, and more prominent than the existing street furniture. The antennae, in particular, would appear as an incongruous bulky element on the upper section of the structure. When combined with the associated equipment cabinets, the proposed development would therefore appear visually intrusive and at odds with the prevailing size and scale of existing street furniture and would detract from the street scene.
7. The installation would be prominent in both public and private views. The most intrusive visual effect would be on those travelling along Talbot Road and on users of the adjacent public open space. Occupiers of the dwellings located to the north would also have full and clear views of the monopole. The backdrop of existing trees located to the south of the site would provide an element of screening and visual softening to the installation. The mitigating effect of the trees would, however, be limited due to the overall height of the proposed monopole which would project above the top of the trees. Furthermore, the screening and visual softening effect of the adjacent trees would be significantly reduced in winter or if pruning was necessary. The proposed monopole and associated cabinets would, therefore, be unduly visible and prominent, appearing as incongruous and obtrusive features within the street scene, harmful to the character and appearance of the area.
8. The monopole's scale and proximity mean that it would be visible from the northern edge of the nearby CA. Whilst the installation would not reflect any buildings or features from which the CA draws its significance, the intervening trees and green space would reduce its impact sufficiently such that it would not harm the CA's setting.
9. The purpose of the installation is to provide the appellant new 5G coverage thereby facilitating significantly improved connectivity for the target coverage area. Paragraph 119 of the Framework encourages the use of existing masts, buildings and other structures, stating where new sites are required, such as for new 5G networks, "equipment should be sympathetically designed and camouflaged where appropriate". I acknowledge that the proposed colour of the monopole could be conditioned to align with the colour of the nearby street furniture. However, its colour would not alter the fundamental issue of its

scale, height and siting failing to assimilate with the pleasant character and appearance of the surrounding area.

10. In so far as they are material considerations relevant to matters of siting and appearance, I find the proposal's identified harm to character and appearance would conflict with the relevant provisions of the Framework, and of the development plan. In particular, the proposal would be contrary to Policies 4.25 and 5.11 of the Bournemouth District Wide Local Plan (2002) and Policy CS41 of the Bournemouth Local Plan Core Strategy (2012), which, amongst other things, promote the importance of quality design and seek to ensure that the location or landscaping requirements of telecommunications equipment have been designed to minimise the visual impact of such. Furthermore, the proposal would not accord with the Framework requirement that development should be sympathetic to the local character (paragraph 135).
11. Chapter 10 of the Framework supports the provision of high-quality communications. Paragraph 118 of the Framework states that "advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being." Paragraph 118 also advises that planning decisions "should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections". The proposal would provide the public benefit of improved connectivity in accordance with the economic and social objectives of the Framework. There is no basis to question the appellant's contention that the equipment is necessary to achieve the required standard of network coverage.
12. Paragraph 121 requires for a new mast or base station, evidence that the possibility of erecting antennas on an existing building, mast or other structure has been explored. The appellant has followed a sequential approach resulting in the location of the current proposal. The level of detail for the discounted options is somewhat limited and interested parties have suggested a variety of alternative sites not assessed by the appellant. This matter is not, however, determinative in my final decision. That is because, even if I accept the appellant's evidence regarding the need for the installation to be sited as proposed due to the lack of suitable alternative sites, the significant level of harm to the character and appearance of the area outweighs the benefits of siting the development in the proposed location.
13. The proposed development is not, therefore, acceptable in respect of its siting and appearance.

Conclusion

14. For the reasons above, the appeal is dismissed.

S D Castle

INSPECTOR