



Appeal Decision

Site visit made on 15 July 2013

by David Harmston FRICS DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 17 July 2013

Appeal Ref: APP/X1735/A/13/2192526

Highways Land off Eagle Avenue, Waterlooville, Hampshire

- 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 Everything Everywhere Limited against the decision of Havant Borough City Council.
 - The application (Ref APP/12/01089), dated 18 October 2012, was refused by notice dated 29 November 2012.
 - The development proposed is the installation of a 15m high telecommunications lamp post with one associated equipment cabinet located adjacent to the lamp post and ancillary equipment thereto.
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Decision

1. The appeal is allowed and approval is given under the provisions of Part 24 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) for the installation of a 15m high telecommunications lamp post with one associated equipment cabinet located adjacent to the lamp post and ancillary equipment thereto on highway land off Eagle Avenue, Waterlooville, Hampshire in accordance with the terms of the application (Ref:- APP/12/01089), dated 18 October 2012, and Drawing Nos GA/01/A; GA/02/A; GA/03/A and GA/04/A submitted therewith.

Main Issues

2. The main issues in this appeal are, firstly; the effects of the development on the character and appearance of the area with particular reference to the visual impact of the lamp post installation on the streetscene in Eagle Avenue and, secondly; its effects on the occupants of the nearby dwellings in terms of any unacceptable overbearing impact or visual intrusion.

Reasons

3. The telecommunications lamp post and equipment cabinet would be sited on a wide grass verge used as an amenity space, adjacent to, and on the south-eastern side of, Eagle Avenue, just west of its junction with Curlew Gardens. The area surrounding the site is a modern housing estate with residential streets running off Eagle Avenue which is the spine road for the development. The installation would be positioned next to a footpath running across the grass sward. The nearest dwellings are between about 12.5m and 20m away in Curlew Gardens. A number of equipment cabinets are already present on the grassed area to the south-west of the site and there are a few trees.

4. The installation is required to replace a 25m high latticed-mast currently located at Woodcroft Farm. This will have to be removed because the site is to be redeveloped. At 15m the proposed lamp post would be much higher than those existing in the area. However, this is considered by the appellant to be the minimum necessary to provide an adequate level of signal strength to the target area. Predictive coverage plots have been submitted demonstrating that the installation would achieve that objective. Paragraph 46 of the National Planning Policy Framework (the 'Framework') states that the need for a telecommunications system should not be questioned.
5. A total of nine sites were identified and assessed as alternatives to that proposed. These were discounted either because the visual impact and effects on residential properties were judged to be greater than would be the case with the appeal site, because of technical constraints or because no positive response to the appellant's approaches was received from the site provider. This exercise complied with the provisions of paragraph 45 of the Framework.
6. On the first main issue the lamp post would be of a slimline design and of an appearance that is commonly in use for such a form of infrastructure. The trees and other items of street furniture present nearby would reduce its obtrusiveness and visual impact. Whilst 15m high, it would not appear overly conspicuous or particularly incongruous in this location and the development would be broadly consistent with the aims of policy CS16 of the Havant Borough Core Strategy (2011). Such negative impact that the development would have on the character and appearance of the area and the streetscene would be outweighed by the need for the development and the lack of any more suitable and available sites capable of fulfilling the necessary coverage.
7. On the second main issue the installation is proposed to be sited in a position that would minimise any adverse effects on the outlook from the nearby dwellings. With its slimline design, and despite its height, such views of the lamp post from these properties as would be available would be filtered by the trees to some extent. Whilst visible from the nearest houses, the development would be sufficiently well-removed therefrom so as to avoid any unacceptable overbearing impact or visual intrusion. On this issue the development would accord with policy CS16 of the Core Strategy.
8. Concerns have been raised by local residents in respect of the risks to health arising from the development. Evidence has been adduced by the appellant demonstrating that when in use public exposure to radiation from the equipment would be in full compliance with the International Commission on Non-Ionising Radiation Protection (ICNIRP) guidelines and a Declaration of Conformity in this respect has been submitted. The terms of paragraphs 45 and 46 of the Framework have therefore been met. The appellant undertook a pre-submission consultation exercise in accordance with paragraph 45 of the Framework. I have considered all the representations made in respect of this proposal but I conclude that, on balance, the factors in its favour outweigh all other considerations.

David Harmston

Inspector