



# Appeal Decision

Site visit made on 31 August 2005

by **Richard Clegg BA(Hons) DMS MRTPI**

an Inspector appointed by the First Secretary of State

The Planning Inspectorate  
4/09 Kite Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN  
☎ 0117 372 6372  
e-mail: enquiries@planning-  
inspectorate.gsi.gov.uk

Date

**21 SEP 2005**

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Appeal Ref: APP/Z0923/A/05/1175915

The Lion public house, Woodhouse Road, Whitehaven, CA28 9LL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval under a development order.
- The appeal is made by O2 (UK) Ltd against the decision of Copeland Borough Council.
- The application Ref 4/04/2858/0, dated 1 December 2004, sought prior approval determination in respect of the siting and appearance of development described as 'a 15m timber monopole (telegraph pole effect complete with climbing pegs) structure with antennae shrouded with timber effect and two ancillary equipment cabinets'.
- Prior approval was refused by notice dated 19 January 2005.

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## Decision

1. I dismiss the appeal.


## Procedural Matters

2. The proposed development is more clearly described as a 15m timber effect telegraph pole telecommunications column and two equipment cabinets, and I have considered the appeal on this basis

## Reasons

3. The base station would be set back from Woodhouse Road, to the rear of The Lion public house. Here, the cabinets would be sited close to the wall and fence on the eastern boundary of the property. They would be relatively modest structures, and in this position they would not be conspicuous. The column has been designed to resemble a telegraph pole. However, at 15m it would be markedly taller than the telegraph pole and lighting columns on this part of Woodhouse Road. There would be clear views of the column along Woodhouse Road from the east across the frontages of nearby properties and across the open land on this side of The Lion. On the approach down Woodhouse Road from the west, the public house would be seen in front of the replica telegraph pole, but by virtue of its height the column would also be a dominant feature from this direction. In reaching this view, I have taken into account the fall in the level of the land along Woodhouse Road. The appeal site lies within a predominantly residential area, in a position where there would be only limited screening by the adjacent building and where nearby vertical features are significantly lower in height. The mast would be out of keeping with the scale of development along this part of Woodhouse Road, and I consider that it would appear as an intrusive element in the street scene.
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4. Policy SVC 9 of the adopted Copeland Local Plan and Policy SVC 8 of the emerging Copeland Local Plan 2001-2016 explain that the availability of alternative sites should be taken into account, and several other possible locations for the base station have been investigated. I note that most of these would not provide the level of coverage required, but the majority appear to be towards the edge of the area of deficiency shown on the coverage plots. Having regard to the information submitted, it does not seem to me that the possibility of an alternative site in a more central location has been sufficiently investigated. Accordingly, I am not convinced that there are no available alternatives which would represent a preferable environmental solution to the appeal proposal.
5. I conclude that the siting and appearance of the proposed telecommunications column would be damaging to the character and appearance of this part of Whitehaven, and in this respect it would conflict with Policy SVC 9 of the adopted Local Plan and Policy SVC 8 of the emerging Local Plan.
6. Planning Policy Guidance Note 8 refers to the benefits of modern telecommunications to both local communities and the national economy. The proposed installation would provide third generation coverage to the Woodhouse area of Whitehaven, and the Council does not dispute the need for the installation as part of the appellant's network. However, this matter does not outweigh my view that the proposal would be harmful to the character and appearance of the area. There are no conditions which would overcome my objection to the proposed development.



INSPECTOR