

CTIL AND TELEFONICA 02 LTD

REPLACEMENT OF TELECOMMUNICATION EQUIPMENT CONSISTING OF REMOVAL OF 2 No ANTENNA FROM GABLE ENDS OF BARN AND 2 No GROUND CABINETS AND THE INSTALLATION OF A 12.5M REPLICA TELEGRAPH POLE WITH 6 No SHROUDED ANTENNA, 2 No DISHES AND 2 No CABINETS PLUS ANCILLARY EQUIPMENT AT LONDON FARM, NEW ROAD, WEST BAGBOROUGH

Location: LONDON FARM, NEW ROAD, WEST BAGBOROUGH, TAUNTON,
TA4 3EP

Grid Reference: 315902.133093

Full Planning Permission

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval

RECOMMENDED CONDITION(S) (if applicable)

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

(A3) DrNo 100 Proposed Planning Maps
(A3) DrNo 200 Existing Site Plan
(A3) DrNo 201 Proposed Site Plan
(A3) DrNo 301 Proposed Elevation
(A4) DrNo 300 Existing Elevation

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The telecommunications mast hereby permitted shall be finished in those materials specified in the application, namely brown timber effect GRP cladding, only. The mast shall be maintained to this finish in perpetuity and no other materials (excluding apparatus) shall be applied to the mast unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not harm the

character and appearance of the Quantock Hills AONB and successfully assimilates within the surrounding landscape, in accordance with Policies DM1 and CP8 of the Taunton Deane Core Strategy and Para 43 of the National Planning Policy Framework.

Notes to Applicant

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way and has imposed planning conditions to enable the grant of planning permission.

PROPOSAL

The application seeks planning permission for the installation of a 12.5 metre telecommunication mast with associated ancillary equipment at London Farm, West Bagborough.

The proposed mast will support six shrouded antenna and two dishes, with the addition of two ground mounted equipment cabinets sited beside the mast. The proposed mast will be finished externally with brown timber effect GRP cladding; the proposed equipment cabinets will be dark green in colour. The mast has a diameter of 350mm.

The proposals will be sited West of existing agricultural buildings sited within the yard at London Farm. Two existing building mounted antenna and two ground equipment cabinets will be removed from the site once the proposed mast becomes operational.

SITE DESCRIPTION AND HISTORY

London Farm is located to the West of London Cross, off the approach road between the A358 and the village of Bagborough. The site contains a number of traditional stone and more modern portal frame agricultural buildings that are currently used for storage of agricultural paraphernalia; no livestock was present at the time of visiting the site.

The site is located at the foot of the Quantock Hills and abuts the boundary of the AONB. North of the location of the proposed mast, the site is bound by high level hedgerow and tree planting; to the East and Southeast are the agricultural buildings whilst open fields are to the South and West. In general fields to the South are bound by high level native hedgerows with sporadic tree planting within hedgerows.

Public Footpath T30/15 runs along an East-West access over a private track parallel to the Northern boundary. There are three residential properties within 275 metres of the application site, and these are located to the East and Southeast.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

WEST BAGBOROUGH PARISH COUNCIL - Object to the proposals for the following reasons:

This is not an upgrading of an existing facility. It is a completely new location. The initial pre-application referred to existing equipment in a position behind the existing large barn at London Farm. This application shows the mast in an entirely different location. The reason for the new position is that the proposed development of London Farm would mean the existing position would not be tenable. The proposed development of the London Farm site also includes the removal of all the existing farm buildings adjacent to the proposed new location. Thus, the mast will stand entirely on its own away from any buildings.

Whilst the Parish Council agreed with the original proposals they strongly object to the revised position and design because the impact on the visual amenity will be totally unacceptable in this prominent position. This site has previously been recognised as of great importance with regard to visual amenity. Visual amenity is recognised in:-

- *Section 6.70 of The Taunton Deane Local Plan states in regard to Large Telecommunications Masts: Visually prominent sites, particularly in AONBs are inappropriate;*
- *West Bagborough Village Design Statement 8.6 "The extensive views of surrounding hills are of paramount importance in maintaining the character of Bagborough."*

LANDSCAPE -

The proposed structure will have more impact than the equipment presently on site.

However this impact is softened by existing trees on site and the fact that the Quantock hills provide a backdrop.

The equipment should be dark in colour, and some new landscaping would help to lessen the impact of the structure.

THE QUANTOCK HILLS AONB SERVICE - Objects to the proposed development for the following reasons:

1. A mobile phone mast with dishes and other associated infrastructure at the proposed location will be visually prominent. It will not conserve nor enhance the natural beauty of the Quantock Hills and is therefore contrary to the primary purpose of AONB designation.

Related policy:

Paragraph 109 of the NPPF clearly states that "The planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes..." Paragraph 115 of the NPPF clearly states that "Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to landscape and scenic beauty".

2. The 12.5 m pole in this visually exposed location will stand juxtaposed and awkward against the striking backdrop of the prominent wooded and farmed escarpment which so characteristically defines much of the AONBs south-facing hills.

Related documents:

Quantock Hills AONB Management Plan 2014-2019 states that “Pylons, masts and wind turbines are serious threats to the landscape of open areas, especially those like the Quantocks with a highly visible skyline – they change the landscape character from agricultural to industrial”.

Quantock Hills Management Plan 2014-2019 Objective D13: To protect the views in to and out of the AONB through involvement in the planning process”.

Paragraph 8.6 of The West Bagborough Village Design Statement (adopted by Taunton Deane Borough Council in 2000) states that “The extensive views of surrounding hills are of paramount importance in maintaining the character of Bagborough”.

3. The AONB Service believes that, regardless of the proposed wood-clad effect to the mast, the proposed structure would be visually detracting - at odds with the overtly rural setting that forms the immediate hinterland to this nationally protected and valued landscape. On entering the village of West Bagborough (along New Road from the A358) a cast iron sign (at the end of the track leading to London Farm which is also a public right of way) denotes that you are within an Area of Outstanding Natural Beauty and as such the expectation of landscape quality and visual amenity is high. An immediate view of mobile phone infrastructure is therefore contrary to this expectation.

4. Whilst falling just outside of the official AONB boundary, the impact of the mast in the proposed location would be no different than if the proposed installation sat just inside the AONB boundary so we ask that the ‘impacts’ of the structure be the focus and not the very precise details of the location.

Related legislation:

Section 85 of the Countryside and Rights of Way Act 2000 states that relevant authorities have a statutory duty to have regard to AONB purposes. Natural England notes that “The duty applies primarily to ‘relevant authorities’ operating within the boundaries of an AONB or National Park. In some cases however the activities of authorities operating outside these protected landscapes may have an impact within them and, in such circumstances, the duty still applies”.

Additional comments:

The existing antennas are discreet and attached to a farm building. This proposal is for a free standing mast in a different location that will have an overt presence in the landscape. We do not therefore consider this to be a replacement of the existing equipment as its appearance is markedly different and its visual impact significantly greater.

The AONB Service notes the comments from Taunton Deane’s Landscape Officer. We presume these are preliminary and will be added to as they do not appear to

provide enough detail given the visually vulnerable nature of the location.

Has the Applicant provided evidence of predicted landscape effects or some visuals/photomontages? A simple wireframe diagram does not seem to be sufficient for such a sensitive site.

The Quantock Hills AONB is afforded the highest level of landscape protection because it is one of England's finest landscapes (and the first English AONB to be designated – confirmed in 1957). With this in mind we believe a 12.5m mobile phone mast, in this open and very visible location, right on the edge of the nationally protected landscape should not be granted permission as it would be contrary to policy from the national to local level.

The AONB Service believes there must be many less sensitive sites that should be considered ahead of the proposed location at London Farm and request that this be put to the Applicant.

Representations

Cllr J Warmington - Objects to the proposed development for the following reasons:

- The replacement of unobtrusive small structure on top of buildings will feature prominently as a much taller stand alone mast only metres from the AONB boundary;
- Concern over siting has been raised by the Parish Council, neighbours and residents;
- There is a better example of a disguised mast at Weddon Cross which affords good communication whilst not broadcasting its presence;
- Improved communications are essential in rural areas but better consideration of siting of location and design required if they are not to intrude;
- Support the comments of the Parish Council and residents in that this is not the best place to site it nor of a design sufficient to make it blend in.

CPRE Somerset - Object to the proposed development:

The existing antennas, attached to a farm building are barely visible. This proposal is for a free standing, much, higher mast in a different location that will be prominent in the landscape. Furthermore as it is proposed to remove the buildings at London Farm (see Parish Council response), the mast will not be associated with other buildings making it more visually intrusive in the landscape. I do not therefore consider this to be merely a replacement of the existing equipment as its appearance is markedly different and its visual impact significantly greater. It will be seen from the approach road to the village, as well as from the footpath following the AONB boundary and the West Deane Way to the north. It is only a few yards from the AONB boundary so will have a detrimental impact on views into and out of the AONB, thus having a damaging effect on the natural beauty of this nationally protected landscape.

It is in clear conflict with all policies which give the highest level of protection to the landscape of AONBs:

Taunton Deane's own Local Plan states that telecommunication masts in visually prominent positions, particularly in AONBs are inappropriate. While the National Policy Planning Framework states: *'Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty....'*

CPRE Somerset strongly urges Taunton Deane Borough Council to be mindful of its own policy, national policy guidance and of its duty to have regard to the protection and enhancement of the landscape and natural beauty of the Quantock Hills AONB and so refuse this inappropriate application.

Friends of the Quantocks - Para 115 of the NPPF gives great weight to the conservation of landscape and scenic beauty in AONBs and the Council is under a statutory duty pursuant to Section 85 of the Countryside and Rights of Way Act to have regard to their planning powers to the purposes of the AONB. Section 85 and the NPPG gives a high level of protect to the AONB but not to proposals outside but which will affect the AONB. Local Plan Policy C14 requires the siting of a mast not to harm the landscape and the applicant must demonstrate that no alternative sites are available. This has not been adopted here. Answer to Q6 is wrong and appears to have been copied from a different application. Proposal is not an upgrade but replacement of inconspicuous apparatus attached to the side of a building with a free standing mast of much greater height. The implications are very different and no justification for the failure to comply with policy provided. No justification for restricting the site search to land ownership. The applicants need to demonstrate that no other suitable site further from the AONB are available. They need to demonstrate that a tree solution would not reduce the impact.

14 Letters of **OBJECTION** received from members of the public making the following planning related matters:

- The position of the mast will be very prominent and have a huge visual impact.
- It will be seen from the A358 and seen by many visiting tourists travelling on this road;
- It will be unsightly to residents of the village;
- The existing mast is not visible; other buildings and street furniture have been kept to a minimum to preserve West Bagboroughs rural setting.
- This is not an upgrade of existing equipment;
- The mast will stand in isolation against the Quantock Hills, significantly impacting on views to the hills from the main access road to the village, contrary to Village Design Statement;
- The proposals will not be the same height as existing antennas;
- Any screening that the adjacent tree would provide is not permanent as it is deciduous, therefore exposing the mast for 6 months of the year;
- Concerned that the applicants have not considered alternative locations; due consideration has not been given to the impact upon local area and views of the Quantock Hills AONB;

- On approaching the Quantock Hills from any direction, a structure of this type would be out of character;
- Proposal may dissuade potential visitors to the area;
- The AONB should not be a backdrop to such a dominant structure;
- Concerned over safety of nearby houses and footpath users;
- Is there an application to remove the barn as well? This would make it worse;
- Is the plan showing a tree as a back drop a true representation?
- Two dishes midway up the pole will make it stand out from its natural surroundings;
- Just a hedgerow would separate the mast from the footpath which leads to the Quantock Hills. Concerned over health and safety;
- There is nothing proposed to lessen the visual impact of the mast on the surrounding visual amenity;
- Unclear how a 42 foot mast can be unobtrusive;
- A fake tree mast would be just as ridiculous as not seen many trees that sprout dishes!
- Mast is similar in height and diameter to that installed at Norton Manor Camp;
- Local Plan states that visually prominent sites, especially within AONBs are inappropriate;
- If this proceeds there is no guarantee that future upgrades will not take place, with extra dishes, antennae and a greater height;
- We believe we are right in stating that phone masts of this type would not be allowed to be installed anywhere within 99 sq km of the Quantock Hills AONB; this is just 3 metres outside.

PLANNING POLICIES

CP7 - TD CORE STRATEGY - INFRASTRUCTURE,
 CP8 - CP 8 ENVIRONMENT,
 DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,
 NPPF - National Planning Policy Framework,

DETERMINING ISSUES AND CONSIDERATIONS

The pertinent issues to consider are the planning policy framework together with the impact of the proposed telecommunications mast and associated equipment upon the character and appearance of the landscape, having regard also to the adjoining Quantock Hills AONB.

Planning Policy

The Taunton Deane Core Strategy and National Planning Policy Framework (NPPF) provide the planning policy framework for the determination of new telecommunication developments.

With regard to telecommunication developments, Policy DM1 (H.i) of the Core Strategy states that developments must be sensitively designed and sited to minimise environmental and amenity impacts. It also requires alternative sites or solutions with less impact to be considered and demonstrated not to exist, with

evidence provided that facilities cannot be shared.

Para 43 of the NPPF states that LPA's should support the expansion of electronic communication networks; they should aim to keep the number of radios and masts to a minimum consistent with the efficient operation of the network. Existing masts, buildings and other structures should be used, unless a new site can be justified. Where a new site is required equipment should be sympathetically designed and camouflaged where appropriate.

Para 44 of the NPPF states that LPAs should not place a blanket ban or overzealous restrictions on telecommunications development over a wide area and that they should ensure evidence is provided to demonstrate interference with other electrical equipment, air traffic services or instruments operated in the national interest does not occur; that they consider the possibility of interference with broadcast and telecommunications services. Para 45 requires a developer to provide evidence that alternative options have been explored and that when operational, International Commission guidelines are met.

Turning to the protection of the natural environment, in particular landscape character, DM1 (d) requires development not to unacceptably harm the character and appearance of any affected landscape. This policy approach is further supported by the general thrust of Core Strategy Policy CP8.

Para 109 of the NPPF states that the planning system should protect and enhance valued landscapes;. It goes on at Para 115 to state that:

"Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty."

With regard to public health and safety, policy provides protection through Core Strategy Policy DM1 together with guidance contained within Section 5 of the NPPF.

Assessment of Development Impact

Landscape Impact

The most pertinent issue relating to the proposed mast is its perceived impact upon landscape character, particularly the setting of the Quantock Hills AONB.

The application has received a relatively high level of public response, all of which objects is opposed to the proposed development. In addition, the AONB Service, CPRE and Quantock Hills action group 'Friends of Quantock' also object to the proposals. Nearly all of the issues raised relate to the impact of the proposed telecommunications mast upon the Quantock Hills AONB, the boundary of which immediately adjoins the application site to the North. The proposed mast and ancillary equipment will be sited within five metres of the AONB.

The application has been described as a replacement scheme, due to the proposed removal of two existing antennae from nearby agricultural buildings; these antennae

are much smaller and of a lesser height than the proposed mast and visually they cannot be detected on the buildings from a distance. It is acknowledged that the replacement of these small antennae with a larger mast is a significantly different proposition in landscape impact terms.

With regard to visual impact, the occasional glimpse of the site and its agricultural buildings can be had from a small number of points along the highway that leads of the A358 towards West Bagborough. In general, the high level hedgerow that abuts the highway acts as a visual screen when with foliage. Between late autumn, winter and early spring when foliage is not present the site will be more visible from the highway however the proposed timber effect cladding to the mast will still enable assimilation with these the planting.

When glimpsed from along the highway, the application site can be seen sitting at the base of the Quantock Hills which rise to the North, reaching well above the maximum height of the proposed mast. Timber telegraph poles are seen within views of the site from the highway, where they are sited across fields to the South of the site and the proposed mast, whilst taller, would have a similar appearance to these. As a consequence of these matters, the mast would not break the skyline, but instead it would be seen surrounded by trees to the North, some of which are comparable in height to the 12.5m mast, together with the large agricultural buildings. Whilst of a rural character, the agricultural building present on the site are of an industrial scale and already affect the appearance of this area of the landscape, and impede views of the AONB to the North.

Visually, the proposed mast will not constitute a stand alone structure within the site or wider landscape, virtue mainly of its close siting to retained agricultural buildings. Few vantage points from public highways or footpaths are available within the wider landscape and from a distance the mast would be even less conspicuous than if seen from the approach road to the village. None of the comments received note the proposed finish to the mast, which will be of a brown timber effect GRP cladding; it will not, therefore, have the appearance of a street lighting column similar to that found at Norton Manor Camp. The proposed finished appearance is a design feature that attempts to minimise the visual impact of the mast, such as is required by Policy DM1 (H.i) and Para 43 of the NPPF.

Whilst the concerns raised by the public and consulter's have been considered, they conflict directly with the opinion of the Council's Landscape Officer, who considers the impact of the proposed mast to be acceptable. Although additional landscaping is suggested, such would be unlikely to provide a benefit to screening the mast for a number of years. Without additional planting around the mast, the impact is considered to be acceptable.

To conclude, the visual impact of the proposed development is considered to be acceptable. For the reasons outlined above, its impact upon the surrounding landscape and the adjoining Quantock Hills AONB is acceptable and no significant harm can be attributed to the proposed development.

Other Matters

Issue has been taken to the level of evidence provided with the application,

demonstrating whether alternative, more suitable and less sensitive sites have been investigated. Both the Core Strategy and NPPF state that evidence of alternative sites should be provided and the application is therefore in conflict with this policy and guidance. In this instance, the applicant relies on the presence of existing telecommunication equipment as reason not to search for alternative sites.

In addition, reasoning is focused on the primary aim of the proposed mast, which is to improve the network coverage for the village of West Bagborough, by providing a 3G and 4G network. To do this a new mast is required; it will be shared with the mobile network providers Vodafone and O2, thereby reducing the need for a further mast in the area. It is generally well designed, as described above, in order to minimise its landscape impact. Notwithstanding the lack of evidence over alternative sites, it needs to be acknowledged that if the mast is required to serve the West Bagborough area, it stands to reason that it must be sited within a suitable distance of the settlement and its catchment to serve its function. Due to the location of the settlement within the AONB, which covers a significant area of land, it is unlikely that any other suitable sites would be available in less sensitive settings that would also provide the enhanced network coverage.

Taking the above points into consideration, the under provision of evidence can, on this occasion, be accepted due to other mitigating factors and the fact that the landscape impact of the mast is considered to be acceptable.

Finally, concerns of public health and safety have been mentioned in representations. There are only three dwellings nearby together with the public footpath; it is understood that the proposed mast will accord with International Commission guidelines and necessary license requirements regarding public health and safety. There does not appear to be any material evidence available to resist the proposed mast on health and safety grounds.

Conclusions

Notwithstanding the objections received in relation to the impact of the proposed telecommunications mast upon the Quantock Hills AONB and landscape character in general, the proposed mast is considered to be of a scale, design, siting and finished appearance that will not result in an unacceptable level of harm to the scenic beauty of the area. The mast relates to existing buildings and structures within the area, will be of an appropriate design and finish and its visual impact will be softened by the presence of trees and hedgerows within the site and wider landscape.

Despite a lack of evidence to rule out other appropriate and less sensitive sites, this is considered to be an appropriate location for the proposed mast, which will benefit the rural community and local businesses by enhancing access to modern telecommunication networks.

Taking the above matters into consideration, the proposed development is considered to accord with local and national planning policy and it is therefore recommended that planning permission be granted subject to conditions.

In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.

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