

**9. FULL APPLICATION – THE INSTALLATION OF A 30M LATTICE TOWER SUPPORTING 2 No ANTENNAS, 2 No TRANSMISSION DISHES, 1 No 1.2M SATELLITE DISH ON A SUPPORT POLE, 1 No GENERATOR, 3 No EQUIPMENT CABINETS AND A METER CABINET WITHIN A SECURE COMPOUND 12M X 4.4M AND DEVELOPEMTN ANCILLARY THERETO, NEAR HAGG BARN, SNAKE ROAD, BAMFORD, HOPE WOODLANDS (NP/HPK/0217/0118, P.3301, 416382 / 388677, 3/2/2017/JK)**

**APPLICANT: MR ANDREW BRAMALL – EE (UK) LTD**

**Site and Surroundings**

The application site lies within coniferous woodland on the hillside some 120m to the north-east of the A57 Snake Road and 325m to the south-east Hagg Farm Outdoor Education Centre. Access to the site is via a forestry track which leads off the Hagg Farm access road close to its junction with the public bridleway which leads up through Haggtor Coppice to Lockerbrook and the Derwent Valley.

The forestry access track runs south-east through the coniferous woodland some 200m before rising up the hillside. It currently provides access to an existing Vodafone Mobile Base Station partway up the hillside which comprises of a 9m green lattice mast and equipment cabin. The track then climbs another 40-50m or so up to an open plateau within the woodland where the disused Hagg Barn sits, immediately below the steeply rising Haggtor Coppice.

The application site comprises a rectangular area (11.5m x 4.5m) of roughly level ground lying behind a dilapidated boundary wall on the northern side of the track across from the Vodafone mast. A short section of the track verge to provide access is also included in the application site area along with 120m or so of the steeper section of the forestry access track.

The site is completely surrounded by coniferous planting which has no conservation designation. Haggtor Coppice, an area of ancient and semi natural woodland lies 77m to the east and is also designated as Natural Zone. Behind this woodland and some distance to the north and east are areas of access land and land formally classified as SSSI, SPA and SAC. Consequently for planning policy purposes the site itself is considered to lie in the open countryside

**Proposal**

The construction of a mobile base station comprising a 30m high lattice mast carrying 2 transmission antennas and 2 dishes along with an associated ground level equipment cabinet, generator housing and electricity meter cabinet. In addition there would be a low level pole mounted 1.2m dish. The site would be contained within a 1.8m high fenced compound. The mast and all the equipment would be coloured RAL 6009 'fir green' (dark green). The compound would require 6 trees to be removed. 2 more would need to be removed along with 3m of boundary walling to provide access off the existing forestry track. Plans state the steeper section of the existing access track would be re-graded although no details have been submitted.

The site would provide part of the mobile radio voice and broadband communications service for the Emergency Services Network for the three emergency services, police, fire and ambulance (see background section below).

**RECOMMENDATION:**

**That, subject to no further representations being received between the committee date and the 15 March raising material planning considerations contrary to the resolution, and any received being considered by the Director of Conservation and Planning in**

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**consultation with the Chair/Vice Chair of Planning, the application be APPROVED subject to the following conditions:**

- 1. Commence the development within 3 years**
- 2. Carry out in accordance with specified approved plans**
- 3. The mast, antennas, dishes, cabinets and all associated fencing shall all be pre-coloured dark green to RAL 6009 before installation and be permanently so maintained throughout the lifetime of the development.**
- 4. Boundary walling to be rebuilt in accordance with approved plans before development brought into use.**
- 5. New access track to be formed with crushed gritstone only.**
- 6. Full details of the proposed regrading of the existing track to be submitted for written approval before any other works commence**
- 7. Submit and agree details of construction compound for materials, workers parking and welfare facilities before any other development on the site.**
- 8. Remove when no longer required for the mobile telecommunication purposes it was allowed or if the trees within a 100m radius of the mast are clear felled.**
- 9. Retention of removed trees on-site within woodland as deadwood habitat.**

### **Key Issues**

- The principle of the development and whether, having regard to local policy, the proposal represents the least intrusive, technically feasible solution to meet the telecommunications need.
- The effect of the proposal upon the character and appearance of the landscape setting.

### **Planning History**

2003 – Permission allowed on appeal for the existing 9m high Vodafone mast adjacent to the current application site after Planning Committee refusal of consent on grounds of landscape harm and the potential cumulative landscape impact from other sites/operators from the precedent which would be set had this been approved, without a co-ordinated plan for the valley.

### **Nearby relevant mast cases**

2001– Planning permission granted for Airwave sites at Ashopton sawmill (25m mast), Rowlee Farm, (10m mast and stone equipment building), Snake Pass clearing (25m mast) and Snake Pass Summit (Underground equipment housing, antennae hidden within road sign),

2003 – Approval for 25m mast at Dinas Sitch Tor Snake Pass for Vodafone.

2004 - Approval for 18m mast at Doctors Gate Culvert Snake Pass for Vodafone.

### **Consultations**

Derbyshire County Council Highways - No reply to date.

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High Peak Borough Council – No reply to date

Derwent and Hope Woodlands Parish Council – No Reply to date

PDNPA Ecology – No objections but request conditions regarding materials storage, retention of cut timber on site for deadwood habitat and ideally avoidance of the bird breeding season.

### **Representations**

None to date, however the public site notice period does not expire until 15 March, after the Planning Committee meeting. Consequently the committee resolution will need to be subject to no further representations raising new issues being received and in any case, those raised being considered further by the Director of Conservation and Planning in consultation with the Chair of Planning Committee.

### **Main Policies**

#### **National Planning Policy Framework**

Paragraph 17 of the NPPF sets out core planning principles including supporting sustainable economic development and high standards of design taking into account the roles and character of different areas, recognising the intrinsic character and beauty within the countryside and supporting thriving rural communities.

Paragraphs 42 to 46 Sets out the governments support for high quality communications infrastructure which it sees as essential for sustainable economic growth and also for the vital role it plays in enhancing the provision of local community facilities and services. In particular it states that;

43. In preparing Local Plans, local planning authorities should support the expansion of electronic communications networks, including telecommunications and high speed broadband. They should aim to keep the numbers of radio and telecommunications masts and the sites for such installations to a minimum consistent with the efficient operation of the network. Existing masts, buildings and other structures should be used, unless the need for a new site has been justified. Where new sites are required, equipment should be sympathetically designed and camouflaged where appropriate.

44. Local planning authorities should not impose a ban on new telecommunications development in certain areas,

45. Applications for telecommunications development (including for prior approval under Part 24 of the General Permitted Development Order) should be supported by the necessary evidence to justify the proposed development.

46. Local planning authorities must determine applications on planning grounds. They should not seek to prevent competition between different operators, question the need for the telecommunications system, or determine health safeguards if the proposal meets International Commission guidelines for public exposure.

Paragraph 115 in the NPPF states that great weight should be given to conserving landscape and scenic beauty in National Parks along with the conservation of wildlife and cultural heritage.

## Development Plan

Relevant Core Strategy policies: GSP1, GSP3, DS1, and L1

Relevant Local Plan policies: LC4, LUT18

Relevant policies in the Development Plan are consistent with national planning policies in the NPPF because they promote sustainable agricultural development in the Peak District (including proposals for new buildings) where it is consistent with the conservation and enhancement of the National Park's scenic beauty, cultural heritage and wildlife interests.

Policy GSP1 relates back to the Park's statutory purposes and states that applications for major development within the National Park will only be permitted following rigorous consideration of the criteria in national policy. Where a proposal for major development can demonstrate a significant net benefit, every effort to mitigate potential localised harm and compensate for any residual harm would be expected to be secured. Policy GSP2 builds upon this by stating that opportunities should be taken to enhance the valued characteristics of the National Park and, (in part D) specific opportunities should be taken to remove undesirable features or buildings. This is expanded in policy L1 which relates directly to enhancement of landscape character, and policy L3 relating to the conservation and enhancement of features of archaeological, architectural, artistic or historic significance.

Policy GSP3 refers to development management principles. Relevant criteria listed in this policy relate to appropriate scale of development in relation to the character and appearance of the National Park, impact on access and traffic, and impact on living conditions of communities.

Policy GSP4 recommends the use of conditions and legal agreements to ensure that benefits and enhancement are achieved

## **Summary of Applicants Background briefing Note**

The three emergency services (3ES) – Police, Fire and Ambulance currently use a mobile radio system (Airwave) to communicate within and between the three emergency services but this needs replacement. Currently Airwave delivers a secure and resilient critical voice communications network with high levels of coverage and availability, but the technology cannot deliver broadband data services, it is very expensive and contracts are beginning to expire. The Home Office will not be extending the contracts for Airwave beyond those necessary to achieve an efficient transition to the new service, which is to be known as the Emergency Services Network or ESN.

The Emergency Services Mobile Communications Programme (ESMCP) is the Home Office led programme responsible for replacing Airwave. ESMCP aims to provide an integrated critical voice and broadband data communications service for the 3ES based on enhancing a commercial 4G network, configured to give the 3ES priority over other users.

The Emergency Services Network (ESN) will be delivered across England, Scotland and Wales using a mix of existing and new sites. The ESN is required to be in place so that the 3ES can transition when Airwave contracts expire between 2017 and 2019. Throughout transition there will be interoperability between the two systems. A key requirement of ESN is to deliver coverage to major and minor roads which will require additional infrastructure to be provided by i) the Mobile Network Operator (EE) from which they will also offer a commercial service to mobile customers, and ii) Extended Area Services (EAS).

The EAS project will extend the coverage provided by EE and requires telecoms infrastructure to be secured in defined but primarily rural, remote and commercially unviable areas where little or no Mobile Network Operator coverage exists. The Home Office (HO) will be acting as the prime contractor to contract with suppliers for EAS sites. Sharing existing sites will be negotiated where possible but EAS coverage needs will mainly require new sites that the HO will then own and operate and from which it hopes to offer a commercial service. EE will install their active equipment and connect this to their core network. All sites will be retained by HO for use by the follow-on Mobile Services supplier. Positive relationships with stakeholders such as Local Planning Authorities, National Parks and potential landowners will therefore be vital to the successful delivery of ESN. The EAS team are also undertaking site acquisition for communications to emergency services aircraft above 500ft which is anticipated can be delivered through site sharing arrangements.

The key messages set out in the application are:

- ESN is providing critical national infrastructure to enable communications and interoperability for the police, fire and ambulance services in England, Scotland and Wales (including extension into remote areas) to help them cut crime, fight fires and save lives. ESN will provide the same capability as Airwave as well as an integrated 4G mobile broadband data service using the latest generation of mobile technology.
- Government has provided £1bn of investment to build and operate ESN but your support for the locating of new or enhanced equipment in rural locations will be vital to delivering the network by 2017, thereby improving public safety and reducing cost to the tax payer.
- In addition to the 3ES, ESN may offer a 4G mobile service to local EE customers, providing access to digital services that are increasingly essential to everyday life and business, and a 999 service to all mobile users. Other MNOs will have access to upgrade the new infrastructure should they wish to install their own equipment and offer services in future.
- Satellite solutions for backhaul are being considered where more cost-effective or timely.

## **Officer Assessment**

### **Principle of Development**

The application site lies in the open countryside outside the 'Natural Zone' and comprises part of an established area of coniferous forestry planting on the slopes of the A57 Snake Road Valley. The site itself is not subject to any special conservation designations and is sufficiently far away from such sites as to cause no effect upon them.

Core Strategy policy DS1 states that in the open countryside, outside the Natural Zone, utilities infrastructure development will be acceptable in principle.

The Authority's specific policy on telecommunications infrastructure is set out in saved Local Plan Policy LU5 follows the supportive stance of the NPPF and is similarly positively worded in permitting the principle of new mobile radio base stations and associated equipment in the open countryside, outside of the Natural Zone. This is however subject to the proviso that the landscape, built heritage or other valued characteristics of the National Park are not harmed; and it is not feasible to locate the development outside the National Park where it would have less impact; and the least obtrusive or damaging, technically practicable location, size, design and colouring of the structure and any ancillary equipment, together with appropriate landscaping, can be secured. Furthermore the policy states that wherever possible equipment should be mounted on existing masts, buildings and structures.

In this case the supporting documents and radio plot maps demonstrate the clear need for a mast both in this location and at this height to provide the necessary coverage of the main

A57 road. It is therefore clear that locating the mast outside the Park would not be feasible as it would not give the required coverage because of the intervening landform of the Snake Pass summit. The height needed for the antennas to cover the required area also rules out shared use of the existing Vodafone base station close by as that mast is only 9m high. The site at Rowlee Farm to the north is also ruled out on height grounds being a minimal structure on an existing building in full public view. There are no tall buildings nearby which could be used. The application therefore demonstrates to officer's satisfaction that a new mast is required in this location.

Consequently the development of a mobile radio base station at the site to meet the needs of the Emergency Services Network ESN is therefore acceptable in principle under National and local planning policy. The main issue is therefore whether the development in terms of its landscape and visual impact is acceptable in this location together with its impact upon any other valued characteristics.

### **Landscape considerations**

The application site is located within the 'Moorland Slopes & Cloughs' area of the 'Dark Peak Landscape character type in the Authority's Landscape Character Assessment. A key characteristic of the area are its steep slopes and cloughs which rise to the moorland plateau above. It recognises that localised 20th century conifer plantations occur in this landscape character type, alongside more interesting relict areas of oak-birch woodland. Typically there are numerous springs and flushes arising on slopes and clough sides.

The application site sits on the side of the hill and wholly within later coniferous forestry planting which is fairly dense with trees generally around 19-20m high. Consequently, these trees provide an effective screen for most of the mast apart from the top 10m which would project above the tree cover immediately surrounding the site. However, due to the sloping hillside trees on the higher ground above (east) of the site will provide a much higher backdrop. The nearest public access points are from the Hagg Farm drive and the bridleway rising up through the Haggtor Coppice to the east of the site. From this right of way the trees, along with the landform provide a dense and effective total screen to the development. Public views from the distant bridleway across the A57 valley to the west are nearly a kilometre away and given this distance, provided the top of the mast is coloured dark green as proposed, it would not be a noticeable feature amongst the backdrop of trees.

Glimpsed public views of the woodland from the A57 are possible but given the nature of the road, these are fleeting views over relatively short distances. Travelling north on the A57 officers consider there may be an opportunity for a very minor glimpse of the mast top but this will be acceptable given the distance, scale together with the intervening trees and backdrop tree cover. Travelling south, in the vicinity of Hagg Farm officers consider there may be a short stretch of A57 where gaps between the roadside trees may afford views of the top of the mast against the skyline. Again however, the view would be over a short distance and given this and the dark colouring any view would not be considered to be prominent or intrusive in the wider landscape setting.

Overall it is concluded that despite the mast top projecting 10m above the immediate trees, it would not be generally visible from public vantage points because of the dense trees around and above the site. Any glimpsed views would be essentially only during the winter months, and along this very busy and winding road would in any case be minimal and, on balance, acceptable. This is especially so when balanced against the need and significant public benefit from this improved communications network. It should be remembered that whilst primarily the base station would support the 3ES, it would also bring improved mobile 4g coverage for the local community and of course the general public using the A57 and thus further enhance safety and community benefits.

The construction of the compound for the base station and its access spur off the existing forest track will result in the need to fell 8 trees. These are all conifers and most are not great specimens, being either stunted because of being planted too close to their neighbours or leaning. There are however a few which are in reasonable condition and whilst their loss is unfortunate, in the context of the surrounding plantation their loss will cause no adverse landscape impact outside the immediate site or from any public vantage points. Furthermore the impact on the immediate landscape setting is offset to a large extent by the benefits to existing retained trees from the space created and by the enhancement from the rebuilding of a 17m section of derelict drystone boundary walling beside the site. Furthermore the application proposes that all the development will be coloured dark green (RAL6009) which is appropriate for this setting.

On this basis officers therefore conclude that the proposed mast and associated development can be satisfactorily accommodated within this woodland without harm to the landscape.

### **Other material considerations**

#### **Access issues**

There are no changes proposed to the Hagg Farm Drive which is a short single track metalled lane from the A57 Snake Road. This provides access to the Hagg Farm Outdoor Centre and for the first 100m or so also carries the popular bridleway leading from Ladybower which crosses the A57 at this point. The bridleway shares the Hagg Farm drive to just past the forest track gateway before it turns off and heads up the hillside through Haggtor Coppice over to Lockerbrook and Derwent. A standard timber gate gives access off Hagg Farm Drive to the development site via the existing forest track which is formed from hardcore and 'armoured' on the more sloping section with larger pieces of gritstone. Due to the needle drop from trees the track has currently largely 'greened' over. Whilst the application stated the steeper section was to be re-graded this is understood to simply mean that new material will be brought in to smooth and provide a better surface for vehicles using the track during the construction period. Provided any new material is conditioned to be natural gritstone there are no objections to what could normally be regarded as repair and maintenance of the track. The short new section of access way off the forest track through the boundary wall to the Base Station compound also needs to be formed in the same material and conditioned accordingly.

#### **Amenity Issues**

During construction there is potential for some disturbance to the operators of Hagg Farm and walkers/cyclists using the lane, however with careful access management by the contractor and liaison with the neighbour this should have little impact on their amenity. Once commissioned the site will operate without any adverse impacts and would only require minimal maintenance visits by an engineer.

#### **Ecological considerations.**

The site sits within plantation woodland although there are some scattered broadleaved trees. The Authority's Ecologist raises no objections but comments that removed trees should be retained within the woodland as deadwood habitat which is reasonable and can be covered by a planning condition. The concerns about construction impacts upon any broadleaved trees is already covered by a suggested condition requiring agreement over the construction compound and materials storage. The main issue was the request for the works to avoid the bird breeding season. In this case the installation, subject to this committee's approval, needs to be in place July 2017 to enable transfer of service so in this case it is not possible to avoid the bird breeding season. In this case any impact would be quite localised and within a relatively dense coniferous

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plantation of lesser importance than the other semi-ancient woodland nearby of significantly higher ecological value. On balance it is therefore considered appropriate that the works go ahead on the basis that the need for the development and the very significant public benefits it brings outweigh potential harm to breeding birds.

### **Conclusion**

The proposed development is required to meet a national need for the mobile emergency services network. The equipment cannot be located outside the Park and must be close to the road in this location to meet the required need for the coverage along the A57. The chosen application site together with the scale and dark colouring of the equipment is considered to make best use of the existing tree cover and thereby ensure the installation would cause no harm to the landscape or other valued characteristics of the area.

The proposed development is therefore considered to be in accordance with relevant policies in the development plan in terms of the main issues of need and landscape impact (policies DS1, LU5 and L1). The proposed development would not have any adverse impact upon highway safety (policy LT18) or the amenity of the nearby neighbouring properties (policy LC4). Whilst there will be some localised loss of trees and disturbance during construction, these impacts will be temporary and mitigated for within the suggested conditions.

Therefore, in the absence of any further material considerations, it is considered that the proposed development is in accordance with the development plan and accordingly, the proposal is recommended for approval subject to the conditions outlined in this report.

### **Human Rights**

Any human rights issues have been considered and addressed in the preparation of this report.

### **List of Background Papers** (not previously published)

Nil