

5. FULL APPLICATION: THE PROPOSED INSTALLATION OF A 25M LATTICE MAST, SUPPORTING 3 NO ANTENNA, 2 NO 600MM DISHES, TOGETHER WITH 3 NO GROUND BASED EQUIPMENT CABINETS CONTAINED WITHIN A FOUL WEATHER ENCLOSURE, SATELLITE DISH AND ANCILLARY DEVELOPMENT THERETO INCLUDING A PERMANENT GENERATOR, HOUSED WITHIN A SECURE COMPOUND ON LAND ADJACENT TO HOWDEN RESERVOIR, UPPER DERWENT, HOPE VALLEY NP/HPK/1120/1041, JK

APPLICANT: The Secretary of State for the Home Department.

1. **Summary**

2. The application site lies within an area of deciduous woodland on the west valley side adjacent to Howden reservoir.
3. The proposal is to erect a 25m high telecoms mast together a ground level equipment compound including a permanent generator together with a separate smaller satellite compound, served by a new entrance and tarmac road up from Derwent Lane.
4. Plans show the mast would project approx. 6.5m above the tree canopy and in longer views from the north and the south east it would skyline making it a prominent and intrusive feature causing harm to this unspoilt landscape.
5. The proposed tarmacadam access, road and its associated concrete retaining wall together with the proposed close boarded fencing to the compound would add prominent and inappropriate features out of keeping within this landscape which would further harm valued landscape character.
6. Insufficient detail has been provided as to the proposed permanent generator which has the potential to cause serious harm to the tranquillity and quite enjoyment of the valley and impact adversely upon the residential amenity of the nearby dwelling.
7. The surrounding trees which would provide essential screening were any mast to be approved are excluded from the application site. Being outside the control of the applicant, no long term planning control including appropriate management to maintain the tree cover can be secured.
8. Several trees are to be removed but these and the impacts on those remaining have not been assessed by an appropriate tree report. Furthermore the ecological implications have not been progressed past the desk based report stage as recommended.
9. Whilst our policies provide support in principle for telecoms infrastructure to deliver this essential emergency service, this is provided the valued characteristics of the National Park Landscape are not harmed. This proposal would introduce a mast, new access road and a permanent generator which would cause unacceptable harm to the valued character, appearance and tranquillity of this part of the Upper Derwent Valley. For the above reasons we therefore recommend that permission is refused.

10. **Site and Surroundings**

11. The site is located within the 'West Cable Tip Plantation' on the west side of Howden Reservoir in the Upper Derwent Valley some 215m to the north of Howden Dam, a Grade II Listed structure.

12. The application site area comprises a section of the wooded valley side which stretches up steeply from the inside of a rising bend on Derwent Lane up to a boundary wall between the trees and the open moorland approx. 124m to the west. The woodland comprises a stand of mainly sycamore on the lower slopes transitioning to oak and coniferous species on the higher slope next to the moorland boundary. There is an adjacent block of plantation conifers immediately to the north which appear to be in poor condition with a number of fallen as well as apparently dying trees.
13. The moorland to the west of the boundary wall continues to rise and is Natural Zone and part of the Dark Peak SSSI as well as the South Pennine Moors Special Area of Conservation (SAC) and Peak District Moors Special Protection Area (SPA). The moorland and the plantation are also designated CROW access land.
14. The application site and the woodland around including the reservoirs are owned and managed by Severn Trent Water Ltd primarily for the catchment and storage of drinking water but also for their amenity value in connection with the areas high volume recreational use.
15. **Background**
16. The Emergency Services Mobile Communications Programme (ESMCP) is the Home Office led programme responsible for the new Emergency Services Network (ESN). It aims to provide a 4G integrated voice and broadband data communications service for the blue light emergency services. ESN has initially been deployed by enhancing an existing commercial network configured to give the three emergency services priority over other users.
17. This proposal is for the Extended Area Services (EAS). This is to provide additional infrastructure to extend the ESN into primarily remote and commercially unviable areas where little or no mobile network coverage exists.
18. **Proposal**
19. The construction of new telecommunications site with 25m (overall height 26.3m to top of antenna) galvanised lattice mast sited within a fenced compound housing the ground level equipment cabinet and separate permanent generator. A separate smaller compound much further up the hillside would house a satellite dish and both would be accessed via a new entrance and tarmac access track off Derwent Lane with pathway up to the satellite dish. Plans also show a traffic mirror on the opposite side of the lane from the access which would be outside of the application site area.
20. The application is supported by the following documents/reports;
21.
 - i) A desk based ecological assessment.
 - ii) Further explanatory information/justification statement
 - vi) Detailed plans
 - vii) A safety compliance certificate declaring conformity with public radio wave exposure safety guidelines
22. **RECOMMENDATION:**

That the application be REFUSED for the following reason;

1. **Visual harm to valued landscape character and appearance especially from the mast top sky-lining in key views from the north and south west across the reservoir.**

2. **Harm to valued landscape character from the tarmac access road and new entrance coupled with the inappropriate fencing to the main compound.**
3. **The use of generator to provide power is unsustainable and contrary to Policy CC1 and in absence of any detailed noise report proving otherwise, generator noise would likely cause harm to the tranquility of area and neighbouring amenity.**
4. **The screening effect provided by the surrounding trees are outside of the applicant's ownership and control. Trees are shown to be removed to accommodate the development however no tree report has been submitted to cover this or to provide a plan for the long term management of the tree cover to maintain screening effect. In the absence of a suitable mechanism to secure control over the long term retention and suitable management/planned replacement of the immediate surrounding tree cover, the proposed mast could become a more intrusive feature, causing further harm to the special quality of the landscape.**
5. **Insufficient information on ecological issues as desk based assessment recommendation of follow up reports have not been carried out so potential harm and a net benefit to biodiversity cannot be established.**
6. **The proposal is therefore contrary to policies GSP1, CC1, GSP3, L1, DMU4, DMC3, DMC11, DMC13, and the NPPF.**

23. **Key Issues**

24. Whether the principle of the proposed development is acceptable.
25. The impact of the development upon the scenic beauty and other valued characteristics of the National Park.
26. Whether the need for the development, notably emergency services cover, outweighs any harm identified and taking into account the economic and social benefits of the development.

27. **Planning History**

28. 2018 – In pre-application discussions an alternative site on the opposite side of the valley was sought and preferred by officers however the applicants determined this did not meet their coverage and buildability requirements. Consequently on balance without prejudice support to apply for this site was given in principle.

29. **Relevant Nearby Mast Planning History**

30. Approval for a tall EE/ESN pole mast on Ladybower Viaduct
31. Approval for an ESN street works style pole mast beside the bridleway on the east side of Ladybower Reservoir

32. **Consultations**

33. Highway Authority: - No objections subject to conditions.

34. In view of the nature of the adjoining lane, which carries a prohibition of driving order and resultant anticipated low vehicle volumes and speeds there are no highway objections in principle to the proposals. However it is recommended that the following conditions and footnotes be appended in any consent granted.(conditions summarised)

1. Provision of construction compound within site curtilage in accordance with details to be agreed in advance.
2. Before any other operations are commenced, form new access and provided with 2.4m x 25m visibility splays in both directions.
3. Access track shall be no steeper than 1 in 14 for the first 10m and measures implemented to prevent the flow of surface water onto the adjacent highway.
4. No gates or other barriers within 5m of the highway boundary

Footnotes re;

- a. prior notification regarding access works within the highway.
- b. The first 5m of the driveway should not be surfaced with a loose material.
- c. measures to prevent surface water run-off from within the site
- d. steps shall be taken to keep road clear of mud etc. during construction.

35. Derwent and Hope Woodlands Parish Council - object

36. Accepts that communication masts are a necessary part of modern life, in the Upper Derwent Valley it is essential that sites are chosen that disguise the mast as much as possible. The mast would have an adverse impact on this very rural and wild landscape where it would be visible and overbearing. It is to be accessed by a tarmaced road which we also object to. The appearance of such a track is not appropriate in this setting. A gravelled track would be more in keeping.

37. PDNPA Ecologist – Further information is required. Summarised comments below;

38. The ecological report was produced in 2018 and is a desk based assessment. Recommendations for further assessment and site survey work should be followed.

39. Plans focus on the development associated with the reservoir road and the antenna compound. There is an additional track/underground cabling that leads to a 'VSAT' compound located further uphill (c100m), there do not appear to be any detailed plans to show this part of the development or to what extent it affects designated sites. Further plans are required to show this element of the proposal.

40. The ecological surveys and assessment should consider the design in its entirety, including the working construction footprint and all infrastructure. The report should clearly set out any impacts on ecological receptors and protected sites and include maps at an appropriate scale. Any Habitats Regulations Assessment should consider alternatives to the proposal including the 'do nothing' scenario. The final report and any associated CEMP should seek to minimise impacts and provide suitable and appropriate mitigation and compensation, as well as proposals to demonstrate biodiversity net gain

41. Natural England

42. Reply awaited.
43. Representations
44. 5 representations have been received all objecting to the development and raising the following grounds including lengthy letters from the CPRE and National Trust;
45. CPRE Agree justification meets Policy DMU4 B.
46. Note there would be space for additional antennae and dishes. Unless mobile phone technology for public use is supplied alongside that for the emergency services, there is little point in having the mast in place.
47. Site for the proposed mast would be largely screened in distant views by the backdrop of conifers further up the slope. In close views from the road the mast would be seen through the sycamore trees particularly in winter against the sky.
48. The generator and access track would draw attention to the development and have a profound and unacceptable impact on the special qualities of this part of the National Park.
49. Use of a generator is unsustainable and contrary to CC1. No details about the generator except its size, so we do not know the noise levels it would create or the fuel it would use. Where noise is likely to be detrimental to neighbouring uses or to the tranquillity of the wider landscape, a noise impact assessment is required (Development Management Policies, 2019, para 3.132). The failure to provide such a survey means the application does not meet Development Management Policy DMU4A.
50. The mast would stand within an area of extraordinary tranquillity, a special quality which is sought by visitors to the Upper Derwent. The road north of Fairholmes is closed to vehicles on Sundays, is only lightly trafficked during the week and is well used every day by cyclists and walkers – 500,000 visitors annually are drawn to this honeypot in the Park. Undeveloped places of tranquillity is one of the 7 special qualities of the Peak District National Park and is key to the health and well-being of the nation.
51. There is no electricity supply north of Fairholmes but the future of all energy supplies is electric. To propose a 24-hour generator that may require regular journeys by lorry to deliver fossil fuel would be unsustainable and thereby unacceptable. It therefore fails policy CC1 (which applies to all developments) both in relation to use low carbon and renewable energy and achieving the highest possible standards of carbon reduction (CC1 criteria 2 and 4).
52. Alternative solutions, both standard and bespoke, for off-grid power do exist – has the applicant investigated the options? Two properties located between Howden and Derwent dams also need to be electrified. This planning application needs to take a long-term view of sustainable development and find a quiet/silent green power solution for the long-term or put in an electricity cable from Fairholmes, preferably to be undergrounded (as per policy DMU2 B) or – if as overhead line - the route will need to be carefully selected as to minimise visual intrusion.
53. The tarmac track up a steep bank, with concrete blocks is also out of keeping with the character of the area. The soakaways are also likely to be inadequate. The forestry access track ascending from Westend to Alport Castles has an equally steep ascent but is constructed of graded stone with wooden run-off channels. It has weathered and re-vegetated, and would minimise run-off, unlike tarmac. Such a track should be substituted for the proposed new access.

54. The impact of the generator and of the tarmac access road contravenes Core Strategy Policy GS3 'Development must respect, conserve and enhance all valued characteristics of the site and buildings that are subject to the development proposal;' Policy DMC14 A(ii) Pollution and disturbance, as they adversely impact on the amenity, tranquillity, biodiversity or other valued characteristics of the area; and Policy DMU4 C as the landscape and other valued characteristics of the National Park would be harmed. The development should therefore be refused in its present form.
55. On the application form, the applicant has answered 'No' to any trees on site and to any trees influencing the development, which is contrary to information given in other documents -- the compound would be located in a mature sycamore stand.
56. The Desk Based Ecological Assessment para 3.13 states some tree clearance will be required to facilitate construction and that the remote compound will be connected to the proposed mast site by underground cables. As some vegetation clearance will be required for this element of the works, effects on protected or priority habitats are likely to result from the proposals at this location'. Para 4.10 states 'As the proposals will fall within 15m of the stem of any tree and some tree loss will be necessary.'
57. Which, and how many, trees would actually be removed? The Proposed Access Track drawing 109, the Vision Splay Exiting Site drawing 113 and the Existing Ground Levels drawing 110, indicate the removal of 5 trees around the compound and of 5 trees for the access track. However, cable would be laid to the additional remote compound which lies 105 m uphill and within the conifers. What tree clearance would be required for this?
58. Concern about the location of the additional remote compound. Given that the SPA, SAC and SSSI designations lie west and uphill does this compound actually lie within them? For this reason and as the remainder of the development lies within the Impact Risk Zones for all of these designations, Natural England needs to comment on this application.
59. National Trust - "holding objection" pending submission of further information on landscape and visual impacts, sound levels and associated impact on tranquillity, and any adjustments to the design required to minimise these impacts, and makes the following summarised comments;
60. Recognises need so do not object to the principle of the development.
61. Unclear whether a pole rather than a lattice mast would be sufficient to support the required infrastructure but consider a pole would be preferable due to the lesser visual impact.
62. Location allows for the mast to be partly screened by surrounding woodland. Drawings show indicative height of trees in relation to mast but no accurate measurement of the trees is given.
63. There is also no assessment of how visible the mast will be from locations in the surrounding area including Public Rights of Way. We therefore request that the drawings are amended to clearly show the height of the surrounding trees in relation to the mast, along with further information about the likely landscape and visual impacts (e.g. photomontages from all directions).
64. A planning condition is used to secure dark green colouring for the mast and structures.
65. If track is to be used only intermittently suggest that a stoned track or tramlines would be preferable – having a softer appearance that is more in keeping with the local landscape and informal tracks in the area.

66. A Tree Survey may be required to support this application, given the wooded location and potential to impact on trees or tree roots.
67. The Supplementary Information states that 'Mature trees will form a back drop to the compound from all public vantage points'. While this has not been demonstrated by visualisations, it is nevertheless evident that the application will rely on the surrounding forestry woodland to provide a partial screen. This assumes that the woodland will be retained. However, clear felling as part of a forestry regime could result in a very stark view of the lattice tower. We therefore request that a planning condition is used if possible to secure the future management of this woodland and prevent clear felling.
68. Request the Authority considers whether there is any need for additional understorey planting to mitigate for any tree losses as well as helping for screening.
69. It would be helpful to understand the sound level that will be generated, whether this will be continual or intermittent, and at what distance this will be perceptible above background noise at a level that would impact on the character and tranquillity of the area. If necessary noise mitigation should be incorporated into the design.
70. The four individual representations raised similar grounds;
71. Serious impact on the visual amenity of the Upper Derwent Valley - the structure would tower above the trees on the prominent forested hillside.
72. Contrary to the application form, where the applicant states that the site cannot be seen from a public road, public footpath, bridleway or other public land, visual inspection shows this to be untrue.
73. On the application form, the applicant erroneously states that there are no trees on the development site. Policy DMU4 states: "Development will not be permitted if applicants fail to provide adequate or accurate detailed information to show the effect on the landscape or other valued characteristics of the National Park".
74. Questions why the applicant "wish to avoid pre-commencement conditions wherever possible."
75. Providing radio and broadband communication to an extra 4 or so miles of a (very) minor road, which has seen very few incidents over the years, is a very weak justification for despoiling the landscape. How far ahead is the Home Office looking? Satellites will soon render ground-based communications obsolete.
76. Unsustainable installation of a fossil fuel generator, the fuel delivery and consumption that will be necessary for the life of the installation, and the noise impact of a generator.
77. The construction of a new access track using a concrete block retaining wall and bitumen surfacing, neither of which are in keeping with other access tracks in the valley,
78. The location is one of the most popular spots in the Upper Derwent Valley. Ornithologists sit for hours precisely at that road corner to take in the commanding views of the hills and valleys that this location uniquely offers. Visitors stopping for picnics on their walks & cycles frequently rest at this spot too for similar reasons. The visual impact of the access track and its concrete block retaining wall, and the noise impact of a generator, while not desirable anywhere, will be significantly more impactful set at this otherwise tranquil and highly popular location.

79. The generator is in an elevated position and noise will carry; currently a quiet engine can be heard hundreds of meters away in what is often a traffic free location.
80. The Howden Hydro Electric scheme was constructed in recent years a few hundred meters away (and, at the time, excavation was carried out all along the access track to it, presumably to lay in cables). What consideration has been given to siting the mast on the East side of the valley using this sustainable power source / infrastructure? Why has this been ruled out (or if not considered, why not)?
81. This application will set a long term precedent for communication infrastructure in the Upper Derwent Valley and any installation needs to be sustainable and in keeping with the nature of the area. A fossil fuel generator and bitumen surfaced access track with concrete block retaining wall are clearly not that. The site chosen is a very popular one with visitors seeking to quietly enjoy the national park and the proposed scheme at this location will have a significant detrimental impact
82. Residents were previously notified of the planning application for emergency services mast to be installed on land below Ashes Farm, Derwent where there is mains electricity. Why is it now deemed more feasible to site it above Howden reservoir where there is no mains electricity? Will it allow mobile phone coverage lower down the valley? How can it be environmentally acceptable or cost effective to have a generator running 24 hours a day? Has anyone considered this?
83. **National Planning Policy Framework (NPPF)**
84. National Park designation is the highest level of landscape designation in the UK. The Environment Act 1995 sets out two statutory purposes for national parks in England and Wales: Which are; to conserve and enhance the natural beauty, wildlife and cultural heritage and promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public. When national parks carry out these purposes they also have the duty to; seek to foster the economic and social well-being of local communities within the National Parks.
85. The National Planning Policy Framework (NPPF) has been revised (2019). The Government's intention is that the document should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In particular Paragraph 172 states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, which have the highest status of protection in relation to these issues.
86. In relation to telecommunications development, Paragraph 112 of the framework document sets out the objectives of the Communications Infrastructure. It states that 'advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being'. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections.
87. Paragraph 113 of NPPF states: "The number of radio and electronic communications masts, and the sites for such installations, should be kept to a minimum consistent with the needs of consumers, the efficient operation of the network and providing reasonable capacity for future expansion. Use of existing masts, buildings and other structures for new electronic communications capability (including wireless) should be encouraged. Where new sites are required (such as for new 5G networks, or for connected transport and smart city applications), equipment should be sympathetically designed and camouflaged where appropriate".

88. In the National Park, the development plan comprises the Authority's Core Strategy 2011 and the Development Management Policies (DMP), adopted May 2019. These Development Plan Policies provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. In this case, it is considered there are no significant conflicts between prevailing policies in the Development Plan and government guidance in the NPPF.

89. **Main Development Plan Policies**

90. **Core Strategy**

91. GSP1, GSP2 - *Securing National Park Purposes and sustainable development & Enhancing the National Park*. These policies jointly seek to secure national park legal purposes and duties through the conversion and enhancement of the National Park's landscape and its natural and heritage assets.

92. GSP3 - *Development Management Principles*. Requires that particular attention is paid to the impact on the character and setting of buildings and that the design is in accord with the Authority's Design Guide and development is appropriate to the character and appearance of the National Park.

93. DS1 - *Development Strategy*. Sets out that most new development will be directed into named settlements.

94. L1 - *Landscape character and valued characteristics*. Seeks to ensure that all development conserves and enhances valued landscape character and sites, features and species of biodiversity importance.

95. L3 - Core Strategy policy L3 requires that development must conserve and where appropriate enhance or reveal significance of archaeological, artistic or historic asset and their setting, including statutory designation and other heritage assets of international, national, regional or local importance or special interest.

96. Policy CC1 states that development must make the most efficient and sustainable use of land, buildings and natural resources.

97. **Development Management Policies**

98. The supporting text in the Development Management DPD includes a section on telecommunications development. This states:

99. *10.18 The nature of the landscapes of the National Park makes the assimilation of telecommunications infrastructure and associated equipment very difficult without visual harm.*

100. *10.19 Modern telecommunications networks are useful in reducing the need to travel, by allowing for home working. They can be a vital aid to business and to emergency services and the management of traffic. However, as with other utility company development, the National Park Authority must carefully avoid harmful impacts arising from this type of development, including that needed to improve services within the National Park itself. Telecommunications development proposed within the National Park to meet an external national need, rather than to improve services within it, may well be of a scale which would cause significant and damaging visual harm and in such circumstances alternative less damaging locations should be sought.*

101. 10.20 *In exceptional circumstances where it can be demonstrated that telecommunications infrastructure is essential, rather than desirable to the industry, the National Park Authority will seek to achieve the least environmentally damaging but operationally acceptable location. It will request that the full range of technical information is supplied by the company regarding the siting, size and design of the equipment proposed to facilitate evaluation of the least obtrusive but technically feasible development in line with guidance in the NPPF.*

102. 10.21 *New equipment should always be mounted on an existing structure if technically possible and development should be located at the least obtrusive site. Particular care is needed to avoid damaging the sense of remoteness of the higher hills, moorlands, edges or other prominent and skyline sites. Upland or elevated agricultural buildings, which are not uncommon in the National Park, may provide a suitable alternative to new structures in the landscape. If necessary, the National Park Authority will seek expert advice to help assess and minimise the impact of the design and siting of telecommunications infrastructure. Evidence will be required to demonstrate that telecommunications infrastructure will not cause significant and irremediable interference with other electrical equipment, air traffic services or instrumentation operated in the national interest. Fixed line Code Operators should refer to the Code of Practice for Cabinet siting and Pole siting, June 2013.*

103. Policy DMU4 Telecommunications infrastructure

- a. Development will not be permitted if applicants fail to provide adequate or accurate detailed information to show the effect on the landscape or other valued characteristics of the National Park.
- b. Development proposals for radio and telecommunications must be supported by evidence to justify the proposed development.
- c. Telecommunications infrastructure will be permitted provided that:
 - i. the landscape, built heritage or other valued characteristics of the National Park are not harmed;
 - ii. it is not feasible to locate the development outside the National Park where it would have less impact; and
 - iii. 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.
- d. Wherever possible, and where a reduction in the overall impact on the National Park can be achieved, telecommunications equipment should be mounted on existing masts, buildings and structures. Telecommunications equipment that extends above the roofline of a building on which it is mounted will only be allowed where it is the least damaging alternative.
- e. Substantial new development such as a mast or building for the remote operation and monitoring of equipment or plant not part of the code-system operators' network will not be permitted.

104. The Code of Best Practice on Mobile Network Development in England (2016)

105. The Code of Best Practice provides guidance to mobile network operators, their agents and contractors and equally to all local planning authorities in England.

106. **Assessment**

107. Principle of Development

108. Proposed is the installation of a new telecommunications site with a lattice mast to carry antennae and dishes to deliver mobile communications and infill a current gap in service along Derwent Lane on the west side of Howden and Derwent reservoirs and the immediate surrounding valley for the benefit of the emergency services network (ESN).
109. Relevant policies in the Development Plan offer support in principle for the erection of new telecommunications infrastructure provided that the development does not harm the valued characteristics of the National Park and where it is not feasible to site the development outside the National Park. The Authority's policies are consistent with the National Planning Policy Framework which is supportive of the development of communication networks where justified but also states that great weight should be given to conserving National Park landscapes.
110. The essential need for coverage of the immediate local roads proves the need for a new mast to be in this location to provide the necessary service and meet policy. There are therefore no objections in principle to the development and it is considered that the main issue is the impact of the proposed development upon the valued characteristics and landscape of the National Park and whether the visual, acoustic and ecological impacts of the installation would be outweighed by the public benefits.
111. **Design and Appearance**
112. The telecommunications site would comprise the erection of a 25m high galvanised lattice mast, supporting three antenna taking the overall height to 26.3m along with two 600mm dishes. The proposed mast is a lightweight tapered lattice style, typical for these installations and an appropriate design for this context provided the mast and all associated antenna and dishes along with supporting brackets etc. are pre-coloured dark green with a matt finish to minimise its visual impact.
113. A ground level equipment cabinet 2.25m wide by 2.75m deep x 2.45m high would house the smaller cabinets and together with a permanent generator 2.2m wide x 3.7m deep x 1.2m high. These would be sited within a 9m x 11m secure compound bounded by a 1.8m high close boarded fence. The cabinets would be coloured 'Holly Green'. The close boarded fencing is not a normal specification for these sites and would not be an appropriate fencing detail in this location. We presume it has been specified by the developer to mitigate noise from the proposed generator? However in the absence of a detailed noise report we do not know. In normal circumstances were the development to be approved we would have suggested a condition omitting this in favour of a lightweight metal mesh fence coloured dark green.
114. A separate smaller satellite dish compound is also proposed to enclose a pole mounted 1.2m satellite dish (unspecified height above ground). This would be sited on higher land to the west some 108m away and 12.5m higher than the main compound and linked to it via a 1.5m wide access track and by underground cables. The compound would be a 2m x 2m x 2m high timber boarded compound located next to existing stone wall which is around 1.5-8m high bounding the woodland from the open moorland. The ground slopes steeply down the hillside only a short distance from the wall and officers consider the submitted plans showing land built up by around 450mm to level the site to be optimistic. We also consider the compound should be amended to a simple dark green fenced enclosure. Provided the dish and all mountings are coloured dark matt green there are no objections to the design subject to clarification over detail reserved by condition in the event of any approval.
115. Access to the compound would be via a new 3m tarmac access road with a gate set 6-7m back from the entrance created off the road running around the reservoir. This

tarmacadam access would be sited on the inside of the rising bend with a stone surfaced splayed section adjacent. The access road would rise very steeply approx. 13m up the steep bank before turning south onto a flatter area of ground where it would transition to hardcore to meet the site where the main compound would be located. The outside of the final turn in the access road (widened to 3.6m) would be cut into the rising ground and plans show this held back by a concrete block retaining wall 10m long and around 1m high. Officers, having walked the route do have strong concerns about the practicality of the route because it is so steep and experience of other sites at such gradients have required ribbed concrete to provide sufficient grip. Notwithstanding these concerns we also consider it to be wholly impractical to build the proposed track up to the satellite compound because of the steepness of the slope. At best it would have to take a much more circuitous route and incorporate steps most likely to afford reasonable access and not slip or be washed down the hillside. Revised/further detailed information is required for this and how this might impact upon the trees and ecological interest if permission were to be approved.

116. Normally the first few metres of any new access off the highway up to the gate would need to be a hard surfaced to reduce/stop loose material being dragged onto the highway. We consider a full tarmacadam drive would be too formal a treatment in this location and harmful to its valued characteristics. Bearing in mind once commissioned, the traffic to the site would be just occasional maintenance and therefore we consider a suitably designed forest track style drive in gritstone hardcore with appropriate drainage grips would be more appropriate. Amended plans would have been sought/conditioned to this effect in the event of any approval.
117. Subject to the above conditions there are no objections to the design or appearance of the mast or the proposed compounds.
118. The highway Authority requirements for access visibility splays would require some removal of the bankside vegetation on the northern side to accommodate but this would be acceptable. Meeting the 1 in 14 slope requirement over the first 10m would also not be possible without redesign and realignment of the route.
119. **Landscape Impacts**
120. In order to operate the antenna and dishes are required to sit above the canopy of the adjacent trees. The elevation drawing shows that approx. 6.5m will sit above the trees are shown outlined in the background. Unusually no specific measurement for the canopy tops is shown on the drawing. No photomontages or landscape visual assessment has been submitted either which is surprising given the location in a protected landscape. Nevertheless we have assessed the impact of the visible antenna and dishes from the street and from across the valley.
121. Whilst the top of the mast would protrude above the current tree heights, it would be set back and high above the road. If dark coloured in close views along the lane the mast top would not be visible and if glimpsed views through the trees are had to the lower level of the mast the impact would be low and acceptable in summer with the leaves but more noticeable and low to moderate in winter time.
122. In longer views back from directly across the reservoir the mast top would be seen largely against the background tree cover. However bearing in mind this woodland is largely deciduous, if painted an appropriate matt green colour, the mast top would be reasonably well screened in summer when the leaves are out in full. When the leaves are off (which is most of the year) the mast would become clearly visible in winter views where it would begin to detract somewhat from the landscape character and appearance.

123. In views from the north and the south west looking up to the site from bridleway down the east side of the Derwent reservoir the mast top would skyline and be a clear visually intrusive feature causing harm to this undeveloped and special landscape. In the view from the south this would also adversely impact upon the setting of the listed Dam.
124. In respect of the developments direct impact upon the individual trees, the plans show 11 need to be removed and along with some low shrubs and overhang for the access visibility splay. 5 or 6 of the trees are large sycamore and officers concern is that their loss will reduce tree screening or open up the site to wind impacts as can be evidenced in the coniferous plantation a few metres to the north. No tree report is included so we do not know/cannot assess the impact of these tree losses. In this respect the proposal is contrary to Policy DMC13.
125. Furthermore the majority of the screening effect is provided by surrounding trees. Had the development been acceptable a means to properly secure the retention and management of the trees would have been necessary to ensure their longevity and the maintenance of the screening cover. This would normally be via inclusion of them within the application site or alternatively via a Planning Obligation. In this case neither is provided for.
126. Whilst we understand the importance of the service to be provided and note our policies support the principle, in applying both the NPPF and our own local planning policies, it is clear that great weight needs to be applied to protection of the special landscape quality of the National Park landscape in difficult cases like this where there is conflict between competing interests.
127. In this case there is clear evidence that as submitted the siting of the mast would result in certain harm to landscape from its skylining in key views and from the proposed road and generator. Furthermore without secure control and management over the retained trees there is a likelihood for more substantial landscape harm although with the deciduous planting it would seem more secure, however we have no information as to the landowners intentions with regard to the trees.
128. **Ecological Impacts**
129. Despite the plans showing 11 trees to be removed along with lane side bushes and overgrow north of the access to make way for the access track and compound the application forms state No to the questions about a) Are there trees or hedges on the proposed development site? And/or: Are there trees or hedges on land adjacent to the proposed development site that could influence the development or might be important as part of the local landscape character?
130. No tree impact report has been provided although the submitted 'Desk Based Ecological Report' states that;
- “Some tree clearance will be required to facilitate construction of the proposed access road, however it is anticipated that no further trees will be removed during construction of the site compound. This is because the proposed mast site is located in an area of relatively sparse tree growth. Furthermore, the additional remote compound is to be installed approximately 105m west, uphill and away from any trees, in order to improve satellite signal. This remote compound will be connected to the proposed mast site by underground cables. As some vegetation clearance will be required for this element of the works, effects on protected or priority habitats are likely to result from the proposals at this location.”*

131. The impact upon tree and ecology cannot be fully assessed nor a net gain for biodiversity established at this present time which is required to be demonstrated for all developments. Given the site visit findings about the potential routing of any pathway up the steep hillside to the satellite dish site amended plans would be required for ecological and tree impact assessments

132. We cannot therefore properly assess the impact upon ecological interests on the site (and adjacent protected sites from noise) or confirm any net biodiversity gain in this proposal which is therefore contrary to DMC11.

133. **Amenity Impact**

134. This area of the Upper Derwent Valley is an extremely popular tourist and recreational destination/resource mainly accessed from the nearby car parks and visitor centre at Fairholmes. The landowner manages these recreational pressures on the area alongside the valley's primarily role for drinking water catchment purposes.

135. Large numbers of visitors walk and cycle around the reservoirs as well as hike over the higher ground of the valley tops and adjacent moorland to enjoy the undeveloped landscape and its tranquillity it provides away from nearby urban centres. Expansive views are available over the reservoir to this site from the north and particularly from the east side as well as closer views through the trees. Although this is a manmade landscape centred around the reservoir construction the area has naturalised and this 'unspoilt' landscape largely free of development away from the dam's themselves is highly prized for its amenity value and sensitive to change.

136. There would be an impact on amenity from the visual intrusion but more so and in a wholly unacceptable way from potential noise from the generator spoiling the tranquil nature of the locality. In addition the nearest dwelling is situated immediately to the south of Howden Dam and whilst the dam would screen any visual impact, amenity harm would occur from any generator noise in this quite locale. Construction traffic and associated activity would also be noticeable in this tranquil area and because of the current lightly trafficked road. Provided this is well managed there would be unlikely to be any adverse impacts, and none post any construction.

137. **Highway Impact**

138. Despite officers concerns about the location of the access on the inside of a bend (which the applicants see a need for the highway visibility mirror) and the overstep access gradients there are no objections in principle from the Highway Authority.

139. Whilst officers would have some concerns about conflicts between construction traffic and the high numbers of non-vehicle based users of the lane this could be mitigated by an appropriate construction management plan. Post construction the level of traffic associated with a telecoms site drops to the occasional maintenance visit.

140. There are therefore no highway concerns over the access and traffic implications in principle, subject to the suggested conditions.

141. **Conclusion**

142. The site would provide essential coverage for the new blue light Emergency Service Network where there is currently a gap in the planned service rollout. The site is not capable of accommodating the mast and base equipment compound without landscape harm.

143. Furthermore the majority of the screening relies upon the surrounding trees which cannot be secured in planning terms or managed. This is because the applicants have no ownership or control over the surrounding land. Whilst we recognise the need for the service this harm to valued landscape coupled with unknown impacts upon trees, ecology and the tranquillity of the area has demonstrated that it fails to represent the least intrusive option for covering this section of the road and valley as required by our telecoms policy. Consequently the officer recommendation is one of refusal as set out above.

144. **Human Rights**

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

146. List of Background Papers (not previously published)

147. Nil

148. Report author: John Keeley – North Area Planning Team Manager.