

DELEGATED DECISION REPORT

DET/2021/0025
Valid 10/06/2021

LAND AT ELLASTONE
ROAD
CAULDON LOW

PROPOSED 20.0M PHASE 8
MONOPOLE C/W
WRAPROUND CABINET AT
BASE AND ASSOCIATED
ANCILLARY WORKS.

(TELECOMMUNICATIONS
DETERMINATION)

MAIN ISSUES

- Whether or not the mast can be built under “permitted development” without requiring a full planning application, via a Notification of Prior Approval application and if so,
- The siting and appearance of the development

DESCRIPTION OF SITE

The site is in the countryside a short distance to the east of the hamlet of Cotton, about 1.5 miles to the north-east of Oakamoor village and about half a mile south of Cauldon Low village. The site is next to the junction of B5417, Ellastone Road and Ribden Road which are C class roads. It is an exposed location on top of a ridge (roughly along Ellastone Road) with long-range views across the rural landscape towards the west and east. The site itself is immediately to the west of the junction, on a road-verge area at the start of Ellastone Road and a traditional stone boundary wall runs along the west edge of the verge with the road to the east. To the south and west is the access to a farm track with farm access road leading towards the north-west down a slope leading to a farm 250m from the site. The site is surrounded by open land, largely fields. Other than the nearby farm, there are also two dwellings approx. 70 metres to the south on the east side of B5417. The next nearest cluster of buildings to the site is a farm about 500 to the north-east.

PROPOSAL

This is a Notification of Prior Approval application for a 20.0 metre high phone mast and associated equipment cabinets at the base. The mast would be in the form of a metal monopole with antennas at the top. The applicant's agents explain the following in their submission:

There is now a requirement to upgrade the CK Hutchison Networks (UK) Ltd (Three) network to provide improved coverage and capacity, most notably in relation to 5G services. As with all 5G cells this is an extremely constrained cell search area. Options are extremely limited and the only viable solution that minimises amenity issues has been put forward. Three are in the process of building out the UK's fastest 5G network.

To bring this new technology to the people CK Hutchison Networks (UK) Ltd will need to provide a mix of upgrades to existing sites and the building of new sites. New sites will be needed for many reasons, including that the higher radio frequencies used for 5G do not travel as far as those frequencies currently in use and that sometimes not all existing sites can be upgraded. In this area there is an acute need for a new mast to deliver the above.

It should be noted however, that the nature of 5G and the network services it provides, means the equipment and antennas required are quite different to the previous, and existing, service requirements. In particular, the nature of the antennas, and the separation required from other items of associated equipment, is such that it cannot utilise some existing structures that provide an installation for another operator, most notably in a street works or highways environment. The site selection process has also been influenced by the numerous vertical elements of street furniture distributed around the vicinity of the site including street lighting columns. The height of the pole has been kept down to the absolute minimum capable of providing the required essential new 5G coverage.

There is an extremely small, constrained search area for this cell. Often the proposal has been pulled marginally outside of the cell search area due to residential amenity, pavement width, underground services and planning issues. The mast must be in a position where it can be physically constructed. Existing underground services continue to be a significant obstacle to the deployment of this roll out. The optimum solution from a planning and radio coverage perspective has been put forward.

The proposal is required due to acute capacity issues and will facilitate significantly improved 5G in areas that have started to gain this service and newly introduce it to the areas that have not gained this level of connectivity yet.

The 5G antennas are some 3 times as heavy as previous antennas, while the associated Remote Radio Units also now need to be placed at the top of the pole, thus many street works designs are no longer structurally capable of hosting all the equipment of 2 operators. It should be noted that the alternative option that could accommodate two operators would be a more traditional 'greenfield' mast, with an open headframe and more bulky design, which would be inappropriate in a street scene location. There is no such location in this cell search area where a greenfield mast could be housed and thus site sharing is not a viable proposition.

The site is required to provide new 5G coverage for CK Hutchison Networks (UK) Ltd in order to improve coverage in the area of Cauldon Lowe. The cell search areas for 5G are extremely constrained with a typical cell radius of approximately 50m meaning that it would not be feasible to site the column outside of this locale.

The agent also explains that the location has been chosen to give coverage to the area required and not to interfere with the adjoining CK Hutchison Networks (UK) Ltd sites. A map was provided showing two base stations a couple of miles to the south and south-east of the site.

The agent also provides details of eight other locations considered for the base station within an approx. 1.5 mile radius from the site and all located between the

application site and the centre of Oakamoor village, two of which were put forward as options and the other six discounted, together with brief reasons for discounting the sites which include:

Would be an imposing feature at this location for the adjacent yurt and caravan site, too far from cell centre, situated at a lower elevation and further from the cell centre than the options that have been put forward and issues with overhead power lines and it was also felt that a monopole would be seen as too visually intrusive at this location.

The reasons for not proceeding with the other two option sites (one of which is adjacent to the application site) was given as “discounted as it is less robust from a planning perspective than the proposed location.”

There are no details in either of the drawings or statements regarding the materials and colour of the mast or antennas. The cabinets are described as “grey”.

An ICNIRP certificate has been submitted with application to confirm compliance with radiation emissions restrictions.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan (adopted 9th September 2020)

SS10 Other Rural Areas Strategy

SS11 Churnet Valley Strategy

DC1 Design Considerations

DC3 Landscape and Settlement Setting

National Planning Policy Framework (July 2021)

Section 10 (Supporting High Quality Communications) and 12 (Achieving Good Design).

The paragraphs below in Section 10 are particularly relevant:

Paragraph 114: “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. Policies should set out how high-quality digital infrastructure, providing access to services from a range of providers, is expected to be delivered and upgraded over time; and should prioritise full fibre connections to existing and new developments (as these connections will, in almost all cases, provide the optimum solution).”

Paragraph 115: “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.”

Paragraph 118. *Local planning authorities must determine applications on planning grounds only. They should not seek to prevent competition between different operators, question the need for an electronic communications system, or set health safeguards different from the International Commission guidelines for public exposure.*

Local Plan Supporting Evidence Documents:

Landscape and Settlement Character Assessment (2008)

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None on the application site but decisions on phone mast applications have been made recently in nearby areas as follows:

DET/2021/0021: 15.0m (reduced from 18.0m) mast in Uttoxeter Road, Alton. Refused. This was submitted by the same operator as this current application (i.e. “3”).

DET/2020/0059: 20.0m mast at Rue Hill Quarry, 1400m to the north-east of the application site. Approved.

SMD/2017/0521: Removal of the existing 10m monopole and the installation of a replacement 12.5m monopole. Approved and built. This is 1,200m to the north of the site.

CONSULTATIONS

Publicity

Site Notice expiry date: 4.8.21

Neighbour consultation period ends: 4.8.21

Press Advert: N/A

Public Comments

One letter of objection has been received from the resident of a nearby farm who considers the development would damage a drystone wall and a water meter for cattle troughs which lies immediately to the other side of it. And the associated water pipes to it. Also, the objector is concerned about construction vehicles blocking the nearby access to the farm and considers that the impact on highway safety cannot be accurately assessed as traffic is lower due to covid. The writer mentions several car accidents at the junction which has also caused damage to the access and stone walls.

Churnet Valley Conservation Society

This application seeks to install a 20m high 5G telephone mast in open countryside. There is no possibility of any screening in this location which is in a commanding

position overlooking a huge area of the Churnet Valley. This area is pursuing a bid to gain recognition as an Area of Outstanding Natural Beauty and was mentioned in the Glover report of 2019. The mast will be unacceptably visually intrusive. The applicant has failed to include an expert opinion necessary for the assessment of this mast and the cumulative effect with other built features in the surrounding countryside.

Please reject this application.

Town / Parish Comments

There was general support for this mobile phone mast, as councillors acknowledged that the phone signal was very poor in the area. However, councillors did recommend that there should be some form of substantial protection around the base of the mast as there have been numerous road traffic accidents at the site and the current plastic bollards are inadequate.

Staffordshire County Council Highways

No objection.

Environmental Health Section

"No comment"

Severn Trent Water

No objection.

Churnet Valley Conservation Society

"On the application itself the Society does object to this visually intrusive installation."

OFFICER COMMENTS

Principle of Development

The General Permitted Development Order (GPDO) 2015 (as amended) makes provision for telecoms developments including base stations with phone masts (including some up to a max height of 25.0 metres within certain defined limits) to be erected as "permitted development" (i.e. not requiring full planning permission) under Part 16 of Schedule 2 to the GPDO, subject to a process of prior notification by which the developer must apply to the LPA for a determination as to whether prior approval will be required. If the LPA resolves that prior approval is required the determination of whether or not this should be granted is limited to a consideration of matters of siting and appearance only. Within these grounds it is open to the LPA to approve or refuse the application.

The particular proposal including masts and cabinets, due to their dimensions, would be deemed to be development permitted under Part 16 of the GPDO and can be applied for under the “Prior Approval” application process.

Therefore, the Council must determine the impact of the proposal in terms of its siting and appearance and assess whether this is acceptable.

The proposed mast would be in an exposed location on high ground on a ridge or plateau and with very limited screening. There is tree belt a short distance to the south, a 20 metre high mast would be taller than this and the trees are on lower ground. From the site there are far reaching views across the landscape to the east but in particular to the west and the whole village of Oakamoor, 1.5 miles to the south-west is easily visible. There are no other similar structures in the vicinity and the nearest existing phone mast is 1.2 kilometres to the north but 12.5 metres in height. A 20.0 metre mast has been approved 1.4 km to the north-east but would be partly screened by its location within a quarry and would also be partly screened by trees to the west. Despite the agent stating there are similar streetworks structures in the vicinity of the site such as tall lamp-posts often seen at main road junctions, there are no such structures here. The tallest structures around the junction appear to be road-signs which would not exceed a height of 3.0 metres.

The phone mast would have a typical metallic industrial phone mast appearance comprising a metal pole and visible unshrouded antennas which widen the structure near the top and increase its prominence. Although over time the presence of phone masts has become more familiar, this particular structure due to its height and design would appear as an alien feature in this area. The other mast further to the north at a waterworks site is considerably lower and benefits from a decent general level of screening.

The site location is within a “Gritstone Highland Fringe” landscape character area as outlined in the Council’s Landscape Character Assessment and is ranked ‘high value’ (level 4 on the 5-point county-wide scale where 5 is highest). It is also judged to be of ‘highest sensitivity’ to landscape change.

Policy SS10 aims to protect the character and appearance of the countryside, amongst other things. Policy SS11 is particularly protective of the rural landscape in the Churnet Valley. This area is flagged for consideration as an AONB and was referenced in the Glover Review (2019).

It is considered that on the basis of the details and level of information given in the application, the proposal, due to the siting, height and design would lead to harm to the character and appearance of the area and the surrounding landscape in general.

The Council is aware of the need for telecoms base stations and to achieve a complete coverage of a cell service and such masts are generally supported in the NPPF. It is understood that the new 5G service will require many more masts which are more frequently spaced, much more so than with previous mast and phone technology eras. It is also understood that whilst base station sharing and the use of the existing buildings is preferable to the creation of a new ground-based mast, it is accepted there are no other buildings in the area of sufficient height which could be

used and from the application statement, the new technology renders mast sharing as not possible.

However, the information regarding the insufficient coverage area/cell area is not clear. An aerial plan of the area has been provided showing other masts to the south but does not clearly show the confines of the area targeted for better 5G '3' coverage.

Details of eight over possible locations have been given, with the reasons for discounting these options. Seven of those locations are on lower ground to the south-east stretching as far as the middle of Oakamoor village.

Reasons include "adjacent to yurt and caravan site", "too far from cell centre" "overhead power lines" which appear to be acceptable reasons for discounting but other reasons such as "too visually intrusive at this location" and "discounted as it is less robust from a planning perspective than the proposed location" are not backed up by any further explanation or reasoning. As the other options were on lower ground it would have been good to have had some justification as to why a location higher up on a ridge on exposed higher ground with limited screening i.e. the application site, would have been deemed to be less visually intrusive.

Despite the application site being on high ground, there is no justification for why a 20.0 metre high structure is required in order to provide the coverage sought. The nearest phone mast in operation to the site, 1200 metres away, is 12.5 metres.

There is no information to suggest why better screened locations in the area such as the large quarries a short distance to the east or the nearer to the woodland or tree belt areas (which can provide screening) could not have been investigated.

Due to the location of the site and proposed height of the structure, it is considered the visual impact would need to be assessed professionally in landscape and visual impact terms, including "visuals" and photo's. It is considered this should also include the cumulative impact of this mast with others existing or currently planned in the area. However, no such information has been submitted.

It is also considered that this information should include the potential for impact and harm to built environment heritage by reference to landscape setting of nearby heritage assets. These include Ribden Farm House (Grade II) 330m to the east/north east and Cotton College, St Wilfrid's Church, St John's Church and Hall Farm and Elm Farm house, a cluster of 5 Listed Buildings all Grade II within a radius of 900m to the South-west of the site. Also included should be the potential for the mast to be seen in conjunction with views of this historic buildings cluster particularly as seen from the valley side and ridge walks through Cotton which include one of the promoted 'Staffordshire Moorlands Walks'.

The equipment cabinets on the ground are not considered to result in any harm to the appearance of the area due to their scale and siting. There is an existing green cabinet in the same location.

It is not considered the proposal would harm the residential amenities of the nearest dwellings, which lie to the south, due to the distance of those dwellings from the site and also the presence of a significant tree belt between the site and those dwellings which provides some visual screening of the mast when viewed from those properties.

With regard to the letter of objection, the proposal would be entirely in the highway verge and would not obstruct any part of the carriageway. The local highways authority do not consider the proposal would lead to any highway safety harms regardless of the level of traffic using the adjacent roads. Any damage caused to the wall, underground pipes or other property is a civil or legal matter and not a planning consideration. Any obstruction caused to a private access by construction vehicles is also a separate legal/civil matter that cannot form the basis of a planning refusal.

CONCLUSION / PLANNING BALANCE

The proposal would result in a high and technical/industrial looking structure in an elevated, open and exposed ridge-like location that would be highly prominent in the landscape and incongruous with the rural character and appearance of the area. Although it is accepted that phone masts are required in order to provide a good quality telecommunications coverage and the significant social, economic and environmental benefits of this, due to the level of information provided, it cannot be assessed if these benefits outweigh the predicted level of harm to the landscape caused by the proposed mast, which is deemed to be a high value landscape within the Churnet Valley and highly sensitive to landscape change. There is insufficient information to justify the height and siting of the mast. Due to the harm to the character and appearance of the area, the siting and appearance of the development is deemed to be unacceptable and the application should therefore be refused. Accordingly it is considered that prior approval for the siting and appearance of the proposals is required, and following an assessment of the submitted plans the details should be refused for the above reasons.

OFFICER RECOMMENDATION : REFUSE

Case Officer: Chris Johnston
Recommendation Date: 5.8.21

X 

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council

