
Appeal Decision

Site visit made on 30 August 2020

by N Holdsworth MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21st October 2020

Appeal Ref: APP/Y9507/W/20/3250176

Ecclesden Farm, Water Lane, Angmering, BN16 4ER

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr R Green of Zoom Internet Limited against the decision of South Downs National Park Authority.
 - The application Ref SDNP/19/03349/FUL, dated 6 July 2019, was refused by notice dated 2 October 2019.
 - The development proposed was originally described as new mast to house internet broadband equipment and antenna to include for a security fence and access gate.
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Decision

1. The appeal is dismissed.

Main Issue

2. The effect on the character and appearance of the area, which falls within the South Downs National Park.

Reasons

3. This partially built mast sits on the side of a hill, within a landscape characterised by large open fields and pockets of woodland. The triangular pole and associated plant would have a utilitarian, primarily metal appearance, more commonly associated with commercial or industrial development. It would therefore draw attention away from other features of the rural landscape, such as trees, hills and hedgerows. Consequently, the proposal would appear as an alien structure that has a harmful, urbanising effect on this area of countryside.
4. No significant attempt has been made to camouflage the structure. Given that it rises above the adjacent tree line, painting it would not be effective. Planting could eventually disguise the structure at ground level, but its upper parts would remain visible. Antennas and various other structures would be attached to it at this level, drawing the eye and increasing its prominence. The public would notice this structure and the harm it creates, when using the adjacent popular footpath.
5. The proposal would therefore result in harm to the character and appearance of the area, also failing to conserve and enhance the natural beauty of the South Downs National Park. It conflicts with policies SD1, SD4, SD5, and SD44 (b, c and d) of the South Downs Local Plan (2019), which require, amongst other things, that new telecommunications infrastructure is of an appropriate design

which does not have an adverse impact on the special qualities of the National Park. I attach substantial weight to the harm that would arise, in consequence.

Planning Balance

6. It is suggested that there are no suitable alternative sites given the technological requirements of the appellant. However, the operating area for this provider is large, and there are other areas of high ground within it, some of which are likely to comprise existing structures that may be more suitable for the proposed equipment. The evidence refers in general terms to search areas rather than identifying, pursuing and then discounting specific sites and providing robust reasons for doing so. It is unconvincing and attracts little weight.
7. The proposal would provide a good quality, fast internet connection in rural areas where there is little or no provision at present and would improve the range of choice for others. This is supported by other policies in the South Downs Local Plan, particularly policy SD34. Improved connectivity clearly has the potential to promote health and well-being, particularly in the current COVID-19 pandemic. Economic and social benefits would accrue, to the rural community. However, this does not overcome the harm to the character and appearance of the area. The proposal also conflicts with the National Planning Policy Framework, which says that the number of communications masts should be kept to a minimum and equipment should be sympathetically designed and camouflaged. These aims would not be achieved here.

Other Matters

8. The Council also refer to the site falling within the setting of the Scheduled Ancient Monument at Highdown Hill, a hill-top enclosure with Bronze Age origins. However, given the separation distance, the proposal would not result in harm to the setting of this designated heritage asset. This is a neutral matter. It has no bearing on the outcome of this appeal.
9. There are other masts within the South Downs National Park and across the countryside more generally. However, these are not precedents that should inevitably be followed, where harm would arise.

Conclusion

10. The proposal conflicts with the development plan and there are no other considerations that outweigh this finding. The appeal should be dismissed.

Neil Holdsworth

INSPECTOR