

Appeal Decision

Site visit made on 11 November 2020

by Matthew Jones BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 December 2020

Appeal Ref: APP/D1265/W/20/3256704

A35 Long Bredy Streetworks, A35 Dorchester Road, Litton Cheney, Dorset DT2 9AA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 16, Class A of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by EE Limited against the decision of Dorset Council.
 - The application Ref WD/D/19/003166, dated 24 December 2019, was refused by notice dated 28 January 2020.
 - The development proposed is the erection of 12m monopole mast.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appeal is accompanied by revised drawings which show the mast with a height reduced from 12m to almost 11m. This would logically lead the proposal to have less effect on the Dorset Area of Outstanding Natural Beauty (the AONB). Given such, I accepted the revised drawings and had regard to them in my assessment without prejudice to any party.

Main Issue

3. The main issue is the effect of the siting and appearance of the proposed development on the landscape and scenic beauty of the AONB.

Reasons

4. The site is a grass verge aside a layby along the westbound carriageway of the elevated A35, within the AONB. As the land drops away to the south it provides open, sweeping views of the Bride Valley area of the AONB. There is a layby on the opposite side of the A35, and a Public Right of Way (PROW) comes from the north, passing close to the site on its way down to Litton Cheney village. Despite the sight and sound of the A35 and the presence of modest structures around it, such as SOS telephones and signage, it is the largely unobscured, panoramic qualities of the Bride Valley vista that prevail in these public areas.
5. Regardless of its final colour, the mast would be prominently sited and, given its height and manmade vertical form, would sit incongruously within the foreground of the vista. Whilst the mast would be more distant from the PROWs around Litton Cheney, it would pierce the skyline, conflicting with the strong horizontal landform of the escarpment upon which the A35 is built. This would be particularly apparent along PROW S28 41. The proposal would break

from the perceptible visual and landscape quality of the AONB in this location to such an extent that the AONB's landscape and scenic beauty would be harmed to a significant degree¹.

6. It is also evident that there is a candidate site for a mast nearby, a little down the escarpment and to the south west, closer to the village, in an area which appeared from my observations to benefit from greater screening. Whilst this site may be less desirable in practical terms, I understand that it has not been ruled it out, and indeed the situation is or has progressed towards the site's submission to the Council. As such, on the evidence before me, I am unable to rule out that a potentially less harmful siting may exist.
7. The National Planning Policy Framework (the Framework) explains that high quality and reliable communications infrastructure is essential for economic growth and social well-being, and this is expressed in detail in the evidence². The Framework also identifies that great weight should be given to conserving and enhancing landscape and scenic beauty in AONBs, which have the highest status of protection in these regards. Given the circumstances of this case, the benefits of the proposal would be outweighed by the harm to the AONB.
8. I therefore conclude that the siting and appearance of the proposed development would have an unacceptable effect on the landscape and scenic beauty of the AONB. Insofar as they are a material consideration, the proposal would be contrary to the aims of Policies ENV1, ENV10 and COM10 of the West Dorset, Weymouth and Portland Local Plan 2011-2031 (adopted 2015), the cited aims of the AONB Management Plan 2019-24 and the Framework.

Conclusion

9. For the reasons outlined above, and taking all other matters raised into account, I conclude that the appeal should be dismissed.

Matthew Jones

INSPECTOR

¹ Taking into account the Landscape and Visual Impact Assessment by Lizard Landscape Design and Ecology, 2020

² Home Office - Emergency Services Network (ESN) – Briefing Note (2016)