



Appeal Decision

Site visit made on 1 March 2022

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 March 2022

Appeal Ref: APP/M9496/W/21/3282211

Newfield Farm, Sheen, Buxton, Derbyshire SK17 0HW

- 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 EE Limited against the decision of Peak District National Park Authority.
 - The application Ref NP/SM/0221/0158, dated 29 January 2021, was refused by notice dated 14 April 2021.
 - The development proposed is installation of a 10.97m high alpha pole equipped with 3No antenna & 2No 0.3m dishes.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the development on the character and appearance of the area, with specific emphasis on the National Park (the NP)

Reasons

3. The appeal site is located in the open countryside and is rural in character. An existing mast is located approximately 50m away from the site.
4. The appellants state that the installation is required for the Emergency Service Network (ESN) and would address a "hole" in the coverage of the area.
5. The scale of the mast is considerably less than many of the "traditional" fifth generation masts that are rolled out across the country, but is close to an existing mast, and the appeal proposal would be extremely prominent both in its own countryside setting, and when seen in the context of the existing mast, which is significantly taller. It would, individually, be of a strident appearance that would look more in place within an industrial or commercial area. It would appear dominant within its surroundings individually and as a "pair" with the existing mast and be harmful to the character and appearance of the area.
6. Paragraph 114 of the National Planning Policy Framework (the Framework) states that such telecommunications development is essential, and the expansion of electronic networks should be supported, including the next generation of mobile phone technology. Based on the guidance in the Framework, there would be public benefits from the proposal.
7. Paragraph 117 of the Framework states that evidence must be supplied to demonstrate that alternatives have been taken into consideration. Additions to

an existing mast or base station are excluded. As the proposal is a new siting, alternative siting's must be assessed. Information has been supplied as evidence to show that this has been carried out but given the prominent location I am not convinced that it has been carried out to an acceptable level.

8. On the evidence before me, the development would comply with the guidelines published by the International Commission on Non-Ionizing Radiation Protection (ICNIRP). As such, the Framework advises that health safeguards are not something which a decision-maker should determine. No substantive evidence is before me to indicate that the ICNIRP guidelines would not be complied with or that a departure from national policy would be justified. I also note that the Council did not object to the development for these reasons.
9. The Framework recognises that planning decisions should support the expansion of electronic communications networks and the appellant has provided evidence to justify the proposed development. However, I have found the siting of the development would result in harm to the character and appearance of the area, which is not outweighed by these other considerations.
10. I have taken into account the economic and social benefits of the proposal, and the supporting documentation provided that demonstrate the merits of an effective communications network. Nonetheless, I do not find these benefits outweigh the harm that would be generated by the siting of the mast and associated works in such a prominent exposed location.
11. I do not consider that the public benefits of the installation in terms of the enhancement of the telecommunications network, its contribution to economic growth and the operational and locational needs of the operators outweigh the significant harm that I have identified to the character and appearance of the area.

Other Matters

12. I have noted the appeal decision given in support of this appeal. I do not have full details of the context or site circumstances of this other appeal, and in any event, I have to assess the current appeal on its own merits.

Conclusion

13. For the reasons given above, I conclude the appeal should be dismissed.

Paul Cooper

INSPECTOR