



Appeal Decision

Site visit made on 23 May 2025

by **B Phillips BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 4TH July 2025

Appeal Ref: APP/D0121/W/25/3359734

Purn Farm Grainstore, Accommodation Road, Bleadon, Somerset BS24 0AP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by EE LIMITED against the decision of North Somerset Council.
 - The application Ref is 24/P/2145/TEA.
 - The development proposed is the installation of a 20m high FLI ATS1301 lattice tower, 3No. antennas, 2No. 0.6m dishes, 1No. GPS Node, and 2No. ground-based equipment cabinets and ancillary development thereto. To be situated within an 8x8m compound with 3m steel palisade fence.
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Decision

1. The appeal is allowed and approval is granted under the provisions of Article 3(1) and Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the siting and appearance of the installation of a 20m high FLI ATS1301 lattice tower, 3No. antennas, 2No. 0.6m dishes, 1No. GPS Node, and 2No. ground-based equipment cabinets and ancillary development thereto. To be situated within an 8x8m compound with 3m steel palisade fence at land at Purn Farm Grainstore, Accommodation Road, Bleadon, Somerset BS24 0AP in accordance with the terms of the application Ref 24/P/2145/TEA, and the plans submitted with it.

Preliminary Matters

2. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (GPDO 2015), under Article 3(1) and Schedule 2, Part 16, Class A, Paragraph A.3(4) require the local planning authority to assess the proposed development solely on the basis of its siting and appearance, taking into account any representations received. My determination of this appeal has been made on the same basis.
3. The provisions of Schedule 2, Part 16, Class A of the GPDO 2015 do not require regard be had to the development plan. I have had regard to the policies of the development plan and any related guidance and the National Planning Policy Framework (Framework) only in so far as they are a material consideration relevant to matters of siting and appearance.
4. A photo montage illustrating the visual effect of the proposal from differing public viewpoints has been submitted with the appeal. This does not alter the proposal in any way, and all parties have had opportunity to comment on their contents. As such, natural justice is not prejudiced by my consideration of this document.

5. The Council set out that this appeal site falls within 3km of the perimeter of Batch End Farm Airstrip. However, both main parties are agreed that the airstrip is not an identified civil safeguarding area nor a defence safeguarding area. I have no information before me to contradict this. As such, it is not necessary to notify the Civic Aviation Authority in accordance with the requirements of Part 16 of the GDPO, Paragraph A.3 5 (d).

Main Issues

6. The main issue is the effect of the siting and appearance of the proposed installation on the character and appearance of the area.

Reasons

7. The appeal site consists of a farmyard, made up of numerous structures of varying size and height, some substantial in size including taller grain stores. There is also an existing mast sited in close proximity. Whilst there are some open fields surrounding the site, there are commercial buildings immediately adjacent, with some residential, and a caravan park on the opposite side of Accommodation Road. The surroundings are therefore varied in character, with some rural elements, such as open agricultural fields and tree cover, with more built form around the A370.
8. The site is located within the identified Bleadon Moor character area as set out in the North Somerset Landscape Character Area Supplementary Planning Document (SPD). The SPD describes this area as *'predominantly pastoral with sheep grazing in large rectangular fields and with hedgerow trees and hedgerows that are largely intact and richer in species than the part of the area to the west, with willow, oak, sycamore, elm, field maple and ash'*.
9. The mixed character of the appeal site and immediate surroundings means that it has little positive contribution to this identified character.
10. The proposal would be of functional appearance, typical of telecommunications equipment generally. Its 20m height means that it would be taller than the surrounding built form and trees, and whilst a slimline design, the mast would have thicker elements at its top, drawing attention to its height.
11. Nevertheless, whilst sited in currently a mostly open field, which I observed was used partly for storage, it would be located in the corner with tree cover on two sides. It would also be seen in the context of the immediately adjacent structures, grain stores and mast.
12. It would be close enough to the existing tall structures on the site to appear part of the wider farm site, rather than extending built form into the open countryside. I observed that from the closest possible views, including from Accommodation Road further to the west (illustrated as in the submitted photo montage as VP1), its visual impact would be limited by the adjacent structures and surrounding tree cover. It is also some distance from the highway. In times of limited leaf cover, it would still be seen in the same context as the surrounding vertical elements of the trees and existing structures on site. Consequently, it would not appear incongruous from these directions.

13. Viewed from the access to the farm from Accommodation Road (viewpoint VP5) it would only just be visible over the farmyard structure closest to the road. As such, again, it would also not be conspicuous or incongruous from this direction.
14. Given the surrounding tree cover, I observed that, at the time of my site visit, the mast would not likely be visible from the A370, however even at times of limited leaf cover, the submitted photo montage illustrates that even from Purn Lane (VP8) to the east, the mast would again be viewed in context of the street lampposts and existing mast nearby. It would not consequently appear visually dominant from this viewpoint.
15. Any further views or glimpses of the mast would be from significant distance where it would be seen in the context of the surrounding mixed built form. It would not intrude into the surrounding pastoral landscape and would not harm the identified qualities of the designated Landscape Character Area.
16. As such, I conclude that the proposal would not have a harmful visual effect on the character and appearance of the area. Insofar as they are a material consideration, the proposal would comply with Policies CS5 and CS12 of the North Somerset Core Strategy (2017) and Policies DM10 and DM32 of the Sites and Policies Plan (Part 1) (2016), which, amongst other things, seek to ensure high-quality design that protects the quality and designated character of the landscape.

Other Considerations

17. As I have found the proposal to be acceptable it is not necessary for me to address the merits of alternative sites, including existing masts in the vicinity.
18. Concerns have been raised about potential effects on health. However, the appellant has provided a certificate to confirm that the proposal has been designed to comply with the guidelines published by the International Commission on Non-Ionizing Radiation Protection (ICNIRP). In these circumstances, the NPPF advises that health safeguards are not something which a decision-maker should determine. No sufficiently authoritative evidence has been provided to indicate that the ICNIRP guidelines would not be complied with or that a departure from national policy would be justified.
19. The submitted ecological impact assessment¹ sets out that there is negligible potential for protected species to be affected by the development. Based on what I observed on site and from the information before me I have no reason to dispute these findings, and it is noteworthy that the Council's ecologist has no objection to the proposal. There is no conflict therefore with the protection of protected species requirements of the Framework, in addition to the Habitats Regulations.
20. Matters relating to energy consumption are not for consideration under this prior approval proposal, which is restricted to considerations of siting and appearance. There is no evidence before me that the consultation process was not undertaken in accordance with the regulations.

Conditions

21. Whilst conditions relating to ecology and flooding are suggested, the Order does not provide any specific authority for imposing additional conditions beyond the

¹ By Lizard Landscape Design & Ecology, 17/6/2024

deemed conditions for development by electronic communications code operators contained within it. These specify that the development must be carried out in accordance with the details submitted with the application, begin within 5 years of the date of the approval and be removed as soon as reasonably practicable after it is no longer required for electronic communications purposes and the land restored to its condition before the development took place.

Conclusion

22. For the reasons given above, I conclude that the appeal should be allowed and prior approval should be granted.

B Phillips

INSPECTOR