

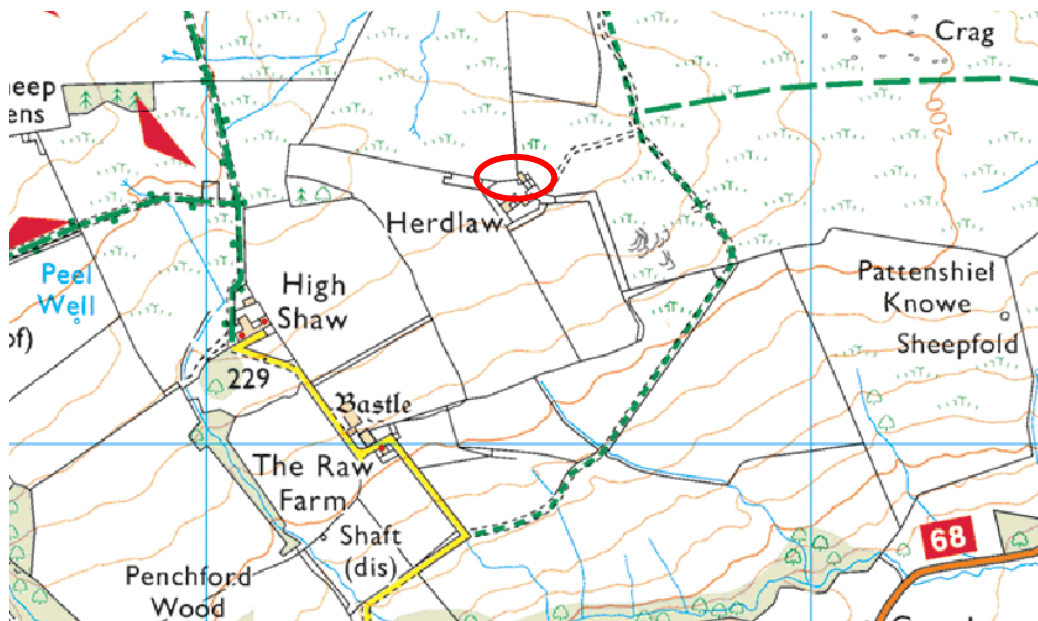


DELEGATED DECISION REPORT

Application Reference Number	18NP0022
Description / Site Address	Installation of a 10m high lattice mast on a concrete base accommodating 3no. antennas and 2no. 600mm transmission dishes and associated ground based equipment including 1no. generator and 1no. 1200mm satellite dish on a 2.6m high support pole. Installation of a 3m wide, compacted stone access track between the existing farm access track and the proposed site location on land at Herdlaw Farm, Elsdon, Northumberland, NE19 1EN
Expiry date of publicity / consultations	14 May 2018
Last date for decision	29 May 2018

Details of Proposal

Planning permission is sought for the proposed installation of a 10m high lattice mast incorporating antennas and transmission dishes (total height 11.3m) and associated ground based development including an equipment compound and 3m wide access track on land at Herdlaw Farm, Elsdon.



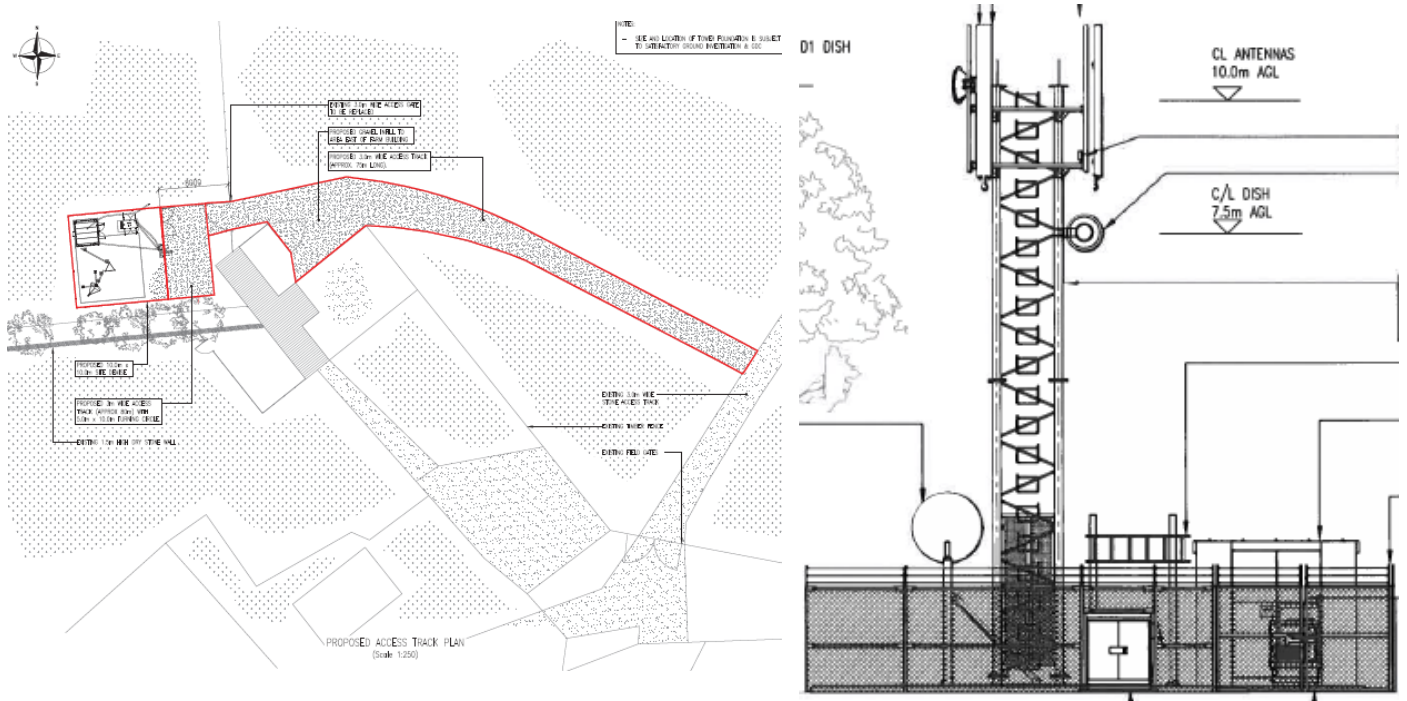
Approximate location of application site

The application site is located in the open countryside to the north of Herdlaw Farm, which forms part of the MOD Otterburn Army Training Estate. The proposed mast and associated features would be located directly west of an existing farm building on the site and would be some 5km north of Elsdon, with properties at High Shaw and The Raw located approx. 450m to the south west.

The mast is proposed by Mono Consultants Ltd on behalf of the Home Office as part of a national government upgrade programme to replace the existing Airwave blue-light communications network with a new 4G platform, which is required as part of the Extended Area Services network. The



proposed mast would provide emergency services coverage to the B6341 between Hepple, Billsmoor Park and Elsdon and all surrounding minor roads.



Proposed site plan including new track and elevation including compound



View facing north west towards existing farm building and application site

Planning Policy & Guidance

National Policies

National Planning Policy Framework (NPPF) (2012)

National Planning Practice Guidance



Local Policies

Northumberland National Park Authority Core Strategy and Development Policies Document (Core Strategy) (2009)

Policy 1	<i>Delivering Sustainable Development</i>
Policy 3	<i>General Development Principles</i>
Policy 4	<i>Major Development within the National Park</i>
Policy 5	<i>General Location of New Development</i>
Policy 17	<i>Biodiversity and Geodiversity</i>
Policy 18	<i>Cultural Heritage</i>
Policy 19	<i>Tranquillity</i>
Policy 20	<i>Landscape Quality and Character</i>
Policy 25	<i>Renewable Energy and Energy Efficiency</i>
Policy 28	<i>Utilities and Infrastructure</i>

Supplementary Planning Guidance

NNPA Landscape Supplementary Planning Document (Landscape SPD)

Relevant Planning History

None relevant to this application

Consultation/Representations

Hepple Parish Council: No objections

NNPA Landscape and Forestry Officer: No objections. *The considered choice of location for this proposed mast is welcomed and it is noted that various other sites were considered and subsequently discounted. The reduction in height from the 20m mast discussed prior to submission of this application is also welcomed, as this will significantly reduce the likely impact on landscape character and views.*

The application site is located adjacent to the existing MOD buildings at Herdlaw and a small barn which stands at approx. 3m high; in addition, nearby mature trees standing at 10m in height will aid in screening the mast from nearby receptor sites but also provide a backdrop for the mast when viewed from the east. Due to its location on the southern edge of the Otterburn Training Area, publicly accessible receptor sites would be limited to views from east through south, as public access is excluded from sites to the west and north and directly to the east [and south]. Notwithstanding this visibility, the proposed mast would not have a significant effect upon the landscape character or views in this part of the Park due to the distances involved, wide open landscape, careful site location and proposed mitigation measures and therefore no objections are raised, subject to conditions in respect of site remediation and external lighting.

MOD Otterburn: No response received

No representations received in response to a site notice displayed on 23.04.2018 on the Public Right of Way close to The Raw, which passes to the south and east of the site. No neighbour notification letters were required to be issued in association with this application.



Assessment

The main issues to be taken into consideration in the assessment of this application are:

- The principle of the development;
- Design and amenity;
- Impact upon National Park special qualities;
- Renewable energy considerations; and
- Any other matters

The principle of the development

The National Planning Policy Framework (NPPF) makes clear that a presumption in favour of sustainable development is at the heart of decision making. Core Strategy policy 1 seeks to ensure that development proposals will conserve or enhance the special qualities of the National Park, the effects upon which are discussed in more detail later in this report.

Major development considerations

The application site comprises an area of 0.06ha and therefore falls outside of the definition of major development set out within the Town and County Planning (Development Management Procedure) (England) Order 2015 (development carried out on a site of 1ha or more).

Core Strategy policy 4 provides a definition of major development to be applied to proposals within Northumberland National Park, identifying that development is classed as major “*when its characteristics and specific impacts are likely to have a significant impact on the special qualities of the National Park*”. It is considered that the characteristics and impacts of the proposed development would not impact significantly upon the Park’s biodiversity and geodiversity, cultural heritage, tranquillity or landscape character. Accordingly, the scheme would not constitute major development and policy 4 would not be applicable to this proposal.

Core Strategy policy 28 states that “*utilities and infrastructure developments which are to serve wider than local needs will be regarded as major development*”. The proposed mast is purposed to serve the national emergency services network and would to a lesser degree serve the local community in terms of the emergency services coverage provided to the nearby road network, although would not provide mobile telecommunications coverage for local people. Notwithstanding this, this part of policy 28 does not accord with guidance contained within the NPPF and consequently this does not constitute a relevant consideration in the assessment of this scheme.

Location of new development

The application site is located within the open countryside whereby Core Strategy policy 5 limits development to the reuse of existing buildings, with new buildings only permitted where it can be demonstrated that:

- a) *The development cannot take place within an identified Local Centre, Smaller Village or through the reuse of an existing building; and*



- i. It will conserve or enhance the special qualities of the National Park; and*
- ii. It will provide opportunities for the public to understand and enjoy the special qualities whilst not negatively impacting upon them; or*
- b) It is replacing an existing building and the new building is not materially larger than the building it replaces*

Due to the nature of and requirement for the proposed development within this location it is accepted that this could not be facilitated through the reuse of an existing building or within an identified settlement. The proposed scheme would not directly enhance the special qualities of the National Park however would not detrimentally impact upon these and would bring clear communication benefits in respect of necessary emergency services coverage. The development would not be in conflict with the aims and objectives of policy 5 in this respect.

Utilities and infrastructure development

NPPF Chapter 5 (paras. 42-46) advises of the need for advanced, high quality communications infrastructure and its essential role in both sustainable economic growth and enhancing the provision of local community facilities and services.

Core Strategy policy 28 advises that utilities and infrastructure projects which serve local community and business needs will be supported where specific criteria can be met. As the proposed mast would serve both the national emergency services network and would additionally be of some benefit to the local community in terms of the emergency services coverage (although would not provide mobile telecommunications coverage for local people), it is considered that the criteria of policy 28 are relevant in the consideration of this application. The criteria of policy 28 are therefore assessed in turn below:

- a) The proposal does not have an unacceptable impact upon the landscape quality or character, either individually or in combination with other proposals;*
- b) The siting and appearance of the proposed development seeks to minimise impact upon the special qualities of the National Park;*

The proposed development would not have a detrimental impact upon landscape character or views of this part of the National Park, as assessed within the subsequent sections of this report and advised in detailed comments from NNPA's Landscape and Forestry Officer. The information submitted to support the application includes an appraisal of the scheme including the ways in which its design and siting seek to minimise impact upon the special qualities of the National Park, which as assessed in more detail below, the impact upon which is found to be acceptable. The proposals therefore meet with the requirements of policy 28 parts a) and b).

- c) Where electricity distribution lines are required they are undergrounded or, where the Authority is satisfied that this is not feasible, they follow a route of least impact;*

N/A: electricity supply for the proposed mast is to be via generator.

- d) Where the proposal relates to telecommunications development:*
 - i. The need for the development should be demonstrated in terms of the operator's network;*



- ii. *If proposing a new mast, applicants should demonstrate that they have explored the sites outside the National Park, and if this is not possible, they have looked at the possibility of erecting apparatus on existing buildings, masts or other structures;*
- iii. *Where new apparatus are required, it must be sensitively designed in order to minimise the impact of the development on the special qualities of the National Park*

The Supplementary Information report states that the development is required as part of an essential emergency services network upgrade in order to provide uninterrupted and high quality coverage to the road network within this specific part of the National Park. The essential need for the development can therefore be demonstrated through the clear requirement for this service upgrade as dictated by the Home Office and absence of any mast which fulfils this necessary requirement at present, in accordance with part d) i).

The nature of the proposed development in terms of the provision of network coverage in this part of the Park is such that this could not reasonably be sited elsewhere (see sections 3 and 5 of the Supplementary Information report). Section 6 of the report sets out details of alternative sites that were reviewed in place of the proposed site and their reasons for being discounted, the justification for which are considered to be reasonable. Having regard for the justification submitted the application meets with policy 28 part d) ii) and NPPF para. 43, which guides that existing masts should be used unless the need for a new site has been justified.

The Supplementary report details how the proposed development would be sited and designed, having taken into regard the presence of nearby trees and buildings in the choice of location, in order to reduce its impacts upon the National Park. The information submitted has been reviewed by NNPA's Landscape Officer who has raised no objections, considering this to be acceptable in terms of impact upon the Park's tranquillity and landscape character. Having regard for the justification submitted, it is considered that the application meets with policy 28 part d) iii).

Design and amenity

Design, visual amenity and impact upon landscape character

The NPPF highlights the importance of good design principles within planning. This is echoed by Core Strategy policy 3 which requires the design and construction of proposals to protect and enhance local character. NPPF paragraph 43 also identifies that new communications infrastructure equipment should be sympathetically designed and camouflaged where appropriate. Core Strategy policy 20 seeks to protect the landscape quality and character of the National Park through the assessment of all proposals in terms of their impact upon landscape character and sensitivity.

The proposed mast would be of a lattice style measuring to a height of 10m and would be constructed on a concrete base from galvanised steel, dulling to a dark grey over time. The mast would accommodate 3no. antennas and 2no. transmission dishes, resulting in a total mast height of 11.3m. The proposed mast and associated ground-based development including foul weather enclosure and generator would be contained within a 10m x 10m 1.8m high compound, with the equipment housing proposed to be coloured dark green in order to minimise visual contrast with the surrounding environment. The scheme would necessitate the installation of a 3m wide 80m long compacted stone access track which would provide vehicular access to the site from an existing



track which provides access to the MOD buildings at Herdlaw; this track would also then serve the agricultural building adjacent to the application site.

The application site is located around 25m north east of the existing MOD buildings at Herdlaw. The proposed compound area would be bordered along the southern side by mature trees and vegetation at a height of 8-10m, with an existing agricultural building and associated fenced enclosures positioned directly to the west and south west respectively.



View facing south west towards application site

The proposed development as a new mast structure is acknowledged to be a somewhat undesirable addition within this open countryside location. Notwithstanding this, the clearly established requirement for the development as part of the emergency services communications network upgrade, as evidenced through the application, is recognised, and it is therefore considered that, in this instance and on balance, this clear need outweighs the impacts upon the visual amenity of the surrounding area which would result from the scheme.

With reference to this particular site, it is accepted that the proposed location of the mast stems from a requirement to provide emergency services coverage to specific parts of the surrounding area, with other sites having been explored and subsequently discounted, as set out within the Supplementary Report. As further detailed in the report, it is accepted that the proposed height of this mast is necessary in order to ensure that the proposed antennas have sufficient height to provide coverage to the road network close to the site, in order to meet emergency services operational requirements for this area.

The proposed scheme has sought to reduce the impact of the development upon the wider area through the use of a slim lattice mast which would allow light to pass through the structure, thus minimising its visual mass. Discussions prior to the submission of the application, as referenced within the Supplementary Report and by the Landscape Officer, have also secured the proposed use of a 10m mast in place of a 20m structure, which would aid in reducing the visual impact of the development. The proposed use of green coloured equipment cabinets is also noted, in order to reduce contrast with the surrounding environment. The presence of nearby buildings and vegetation would further assist in providing screening for the mast and would ensure that this would not be



viewed as a totally isolated feature from within the surrounding landscape and would reduce the visual impact of new development on this site. The proposed ground based development raises no concerns in terms of impact upon visual amenity due to its relatively low height, dark green colour and surrounding screening provided by existing buildings and vegetation. The proposed track similarly raises no concerns when taking into account the presence of the nearby track and other development and its relatively minimal width and ground-based nature.

Whilst potentially visible from within the surrounding area at a distance, taking into account the above it is considered that, on balance, the proposed development would not have such a significant or detrimental impact upon the visual amenity of the surrounding area so as to warrant refusal and is therefore considered to be acceptable in accordance with Core Strategy policy 3 and the NPPF.

The proposed mast would be located at a height of approx. 230m above sea level (MASL) within an area of land which gently rises to the west, with land levels falling more steeply to meet the B6341 road network to the south, east and north east of the site approximately 1-3km away, for which coverage would be provided by the proposed mast. Owing to its location within the MOD Training Estate (which maintains restricted entry to land around Herdlaw Farm and more extensively to the west and north), publically accessible receptor points for the proposed development would be very limited to areas to the south and east from a distance of around 2.5km.

The NNPA Landscape and Forestry Officer has reviewed the information submitted to support the application and has raised no objections to the proposed scheme, identifying that, whilst visible from a limited number of publicly accessible receptor points, the proposed mast would not have a significant effect upon the landscape character or views in this part of the Park due to the distances involved, wide open landscape, careful site location (including the presence of surrounding trees and buildings which would act as both screening and a backdrop) and proposed mitigation measures. The Landscape Officer has however recommended conditions in respect of the removal of the mast and remediation of the site, should the development become redundant, and external lighting (as discussed separately below), which are considered to be reasonable.

Based on the above assessment, taking into the account the design and siting of the proposed development, mitigation measures proposed and subject to the conditions recommended above, the proposed development is, on balance, considered to be acceptable in terms of impact upon visual amenity and landscape character, in accordance with Core Strategy policies 3 and 20 and the NPPF.

Impact upon residential amenity

The proposed mast site is located around 450m to the north east from residential properties at High Shaw and The Raw. Whilst potentially visible from these properties due to the distances involved it is considered that the proposed development would not have a detrimental impact upon their amenity, in accordance with Core Strategy policy 3 and the NPPF.



Impact upon National Park special qualities

No implications surrounding cultural heritage or biodiversity and geodiversity have been identified in relation to this application.

Core Strategy policy 19 '*Tranquillity*' provides support for development proposals which conserve or enhance the tranquillity of the National Park in terms of noise, traffic and light generated by developments and impacts upon the sense of openness and quiet enjoyment of the Park and landscape.

Whilst visible within the landscape it is not considered that the proposed development would have a detrimental impact upon the sense of openness or quiet enjoyment of the Park when taking into account the distance from which the proposed mast would be visible, its design and proposed mitigation measures.

The proposed mast would be powered by a generator which would be positioned within the site compound. Whilst the operation of the generator would produce some level of noise this would not have a detrimental impact upon the tranquillity of the surrounding area or the amenity of neighbouring properties when taking into account the proximity of these properties from the site and closest point from which the site may be accessed by members of the public.

No external lighting is proposed as part of this application. Due to the remote location of the site and in order to protect the tranquillity and dark skies of the National Park through the installation of inappropriately designed external lighting, a condition would be attached to this approval requiring that details of any external lighting required to be installed in the future in conjunction with the proposed development be submitted to and approved in writing by NNPA prior to installation. Subject to the inclusion of such a condition the proposed development accords with Core Strategy policy 19, NPPF paragraph 125 and guidance contained within the NNPA Landscape SPD.

Renewable energy considerations

Core Strategy policy 25 requires all new developments to minimise the amount of energy used during construction and achieve high energy efficiency, and for all new units of residential, employment, community and tourism development to utilise renewable energy sources in order to offset at least 10% of the predicted energy requirements of the development. NPPF paragraph 96 further advises that new development should comply with Local Plan policies on requirements for decentralised energy, unless it can be demonstrated, having regard for the nature of the development, that this is not feasible or viable.

The application does not include information to demonstrate how the proposed development would accord with Core Strategy policy 25 or NPPF paragraph 96; however as the proposal does not comprise residential, employment, community or tourism development there is no requirement for 10% of predicted energy requirements to be provided through renewable sources. Furthermore, having regard for the sensitive location of the proposed development, the incorporation of renewable technologies would not be appropriate in this case and may in turn cause harm to the special qualities of the National Park, with the proposed use of a generator considered to be



reasonable in light of the location of the site. The development is considered to be in accordance with Core Strategy policy 25 and the NPPF in this respect.

Any other matters

No response has been received from the MOD at Otterburn on this application. The MOD were however involved in discussions between NNPA and Mono Consultants Ltd prior to the submission of this application and it is understood that they are satisfied with the proposed scheme. The MOD are also the land owners of the application site, on whom notice has been served by the applicant.

The information submitted to support the application details that the proposed mast has the structural capacity to accommodate additional equipment in the future for the purposes of mast sharing. Whilst this is noted and supported in principle, limited weight can be afforded to this capability in the determination of this application as such mast/equipment sharing may not occur in the future. Should an application for planning permission or other relevant consent be required for such mast/equipment sharing, this would be determined on its own merits.

Recommendation & Conditions

It is recommended that conditional planning permission be granted subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission

Reason: To ensure that the development is commenced within a reasonable period of time from the date of this permission, as required by Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004)

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

- Application form, received 21st March 2018
- Site location plan (Dwg. no. 101 Rev. C), received 21st March 2018
- Proposed site plan (Dwg. no. 103 Rev. E), received 21st March 2018
- Proposed site elevation and antenna plan (Dwg. no. 104 Rev. E), received 21st March 2018
- Proposed access track plan (Dwg. no. 110 Rev. A), received 3rd April 2018
- Covering letter (Our ref: EAS0532A) 20 March 2018, received 21st March 2018
- Supplementary Information, received 21st March 2018
- Emergency Services Mobile Communications Programme Supporting Technical Information for EAS0532 Herdlaw Farm, received 21st March 2018

Reason: For the avoidance of doubt, to enable the Local Planning Authority to adequately manage the development and to ensure the proposal accords with policies 1, 3, 4, 5, 17, 18, 19, 20, 25 and 28 of the Northumberland National Park Authority Core Strategy & Development Policies Document (Core Strategy) and the National Planning Policy Framework (NPPF)



3. Prior to the fixing of any external lighting required in association with the development, details of the external lighting shall be submitted to and agreed in writing with the Local Planning Authority. Details should include:

- The specific location of all external lighting units;
- Design of all lighting units;
- Details of beam orientation and lux levels; and
- Any proposed measures such as motion sensors and timers that will be used on lighting units.

The approved lighting scheme shall be installed in accordance with the approved details and shall be maintained as such during the operation of the development, unless removed.

Reason: In order to ensure that there is no harmful impact upon the tranquillity and intrinsically dark character of Northumberland National Park and the Northumberland International Dark Sky Park through excessive light pollution, in accordance with policies 1 and 19 of the Core Strategy and paragraph 125 of the NPPF.

4. Should the development hereby permitted become disused for a period of six consecutive months, it shall be removed in its entirety from the site within the following three months, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenity of the area and to ensure the development is in accordance with Core Strategy policy 20 and the NPPF.

Informative Notes

1. This planning permission is granted in strict accordance with the approved plans. It should be noted however that:
 - a) Any variation from the approved plans following commencement of the development, irrespective of the degree of variation, may constitute unauthorised development and may be liable to enforcement action.
 - b) You, your agent, or any other person responsible for implementing this permission should inform the Local Planning Authority immediately of any proposed variation from the approved plans and ask to be advised as to the best method to resolve the matter. Most proposals for variation to the approved plans will require the submission of a new application.
2. This consent is granted subject to conditions and it is the owner and the person responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond. Some conditions may require work to be carried out, or details to be approved prior to the commencement of the development.

Where pre-commencement conditions are not complied with, the whole of the development could be unauthorised, and you may be liable to enforcement action. In some circumstances,



the only way to rectify the situation may be through the submission of a new application. If any other type of condition is breached then you may be liable to a breach of condition notice.

3. The proposed development lies within an area that has been defined by The Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant). Your attention is drawn to The Coal Authority Policy in relation to new development and mine entries available at:

<https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848. Further information is available on The Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

Background Papers

Application file 18NP0022

EIA Screening Opinion

	Signature	Date
Planning Officer	<u>R Adams</u>	<u>22/05/2018</u>
Head of Development Management	<u>S Buylla</u>	<u>22/05/2018</u>