

DARTMOOR NATIONAL PARK AUTHORITY  
DEVELOPMENT MANAGEMENT COMMITTEE

3 December 2021

**Applications to be Determined by the Committee**

Report of the Head of Development Management

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<u>Item No.</u>	<u>Description</u>	<u>Pg. No.</u>
1.	<b>0572/21</b> Installation of 30m lattice tower on concrete base upon which will be attached 3 no. antennas and 2 no. 0.6m transmission dishes along with associated ancillary 'MHA' units and cabling <b>Land at Lakeland Hill, Bellever</b>	20



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Application No: **0572/21** District/Borough: **West Devon**  
Application Type: **Full Planning Permission** Parish: **Dartmoor Forest**  
Grid ref: **SX65377795** Officer: **Phil Twamley**  
Proposal: **Installation of 30m lattice tower on concrete base upon which will be attached 3 no. antennas and 2 no. 0.6m transmission dishes along with associated ancillary 'MHA' units and cabling**  
Location: **Land at Lakeland Hill, Bellever**  
Applicant: **The Home Office**  
Recommendation: **That, subject to the consideration of any further comments from statutory consultees, permission be REFUSED**

**REASONS:**

1. The proposed development, by reason of its size, appearance, and siting, would cause substantial harm to the character of the moorland landscape and the special qualities of this part of Dartmoor National Park. The proposal is therefore contrary to policies COR1, COR3, COR11, DMD1a, DMD1b, DMD3, DMD4, DMD5, and DMD20 of the Dartmoor National Park Development Plan, policies 1.1 (2), 1.2 (3), 2.1 (2), 2.4 (2) and 4.7 (3) of the emerging Local Plan, to the advice contained in the Dartmoor National Park Design Guide, the English National Parks and the Broads UK Government Vision and Circular 2010 and National Planning Policy Framework 2021
2. The proposed development, by reason of its size, appearance and siting, would have a detrimental impact on the cultural heritage of this part of Dartmoor National Park. The development is therefore considered contrary to policies COR1, COR3, COR5, COR6, DMD1a, DMD1b, DMD13 of the Dartmoor National Park Development Plan, policies 1.1 (2), 1.2 (3), 2.4 (2), 2.7 (3) and 4.7 (3) of the emerging Local Plan, to the advice contained in the Dartmoor National Park Design Guide, the English National Parks and the Broads UK Government Vision and Circular 2010 and National Planning Policy Framework 2021.
- 3.T he proposed development, by reason of its size, appearance and siting, would have a detrimental impact on the natural environment, biodiversity and geodiversity of this part of Dartmoor National Park. The development is therefore considered contrary to policies COR1, COR3, COR7, DMD1a, DMD1b, DMD4, DMD6, and DMD14 of the Dartmoor National Park Development Plan, policies 1.1 (2), 1.2 (3), 2.2 (3), 2.3 (3), 2.4 (2) and 4.7 (3) of the emerging Local Plan, to the advice contained in the Dartmoor National Park Design Guide, the English National Parks and the Broads UK Government Vision and Circular 2010 and National Planning Policy Framework 2021.

## 1 INTRODUCTION

- 1.1 The proposal relates to development of the site to accommodate the communications apparatus needs of the new Emergency Services Network (ESN), being in this instance part of the Extended Area Service (EAS) managed by the Home Office. The proposed redevelopment meets the new network's technical requirements.
- 1.2 The development proposed includes the installation of a 30m lattice tower on a concrete base upon which will be attached three antennas and two 0.6m transmission dishes along with associated ancillary units and cabling. At ground level and within a compound measuring 10m x 10m there will be built a Foul Weather Enclosure (FWE) accommodating the Home Office equipment cabinets with electronic apparatus, electrical meter cabinet, generator and a 1200mm satellite dish on a 2.6m high support pole, enclosed within a 1.8m high mesh fence around the 10 x 10 sq.m compound with barbed wire top.
- 1.3 The access route to the site is to be upgraded with a new access track 3.0m wide and around 290m long facilitating safe vehicular access for essential repairs and maintenance of the site, the entire track is proposed to be made up with type 1 'MOT' (usually crushed granite or limestone) and 'grass seeded'. There will be a turning area adjacent to the site at around 8.0m x 10m to facilitate safe vehicular access/egress to/from the site.
- 1.4 The mast site is located on the edge of managed woodland between Postbridge and Bellever with access track from the Postbridge to Bellever road.
- 1.5 The application is presented to the committee in view of its impact and the implications of the development for the community of Dartmoor.

## 2 PLANNING HISTORY

- 2.1 None

## 3 CONSULTATIONS

- |     |  |  |
|-----|--|--|
| 3.1 | <b>West Devon Borough Council</b>        | Does not wish to comment               |
| 3.2 | <b>Environment Agency</b>                | Flood Zone 1 - Standing Advice applies |
| 3.3 | <b>EEC Directorate</b>                   | Comments awaited                       |
| 3.4 | <b>Dartmoor Preservation Association</b> | Comments awaited                       |
| 3.5 | <b>Trees &amp; Landscape:</b>            | Object                                 |
- 3.5.1 The woodland is a mature conifer plantation, there is evidence of windthrow within the plantation and with the prediction of more intensive storms there is an increased likelihood of further windthrow in the future. It is not clear what the management objectives are for the woodland or whether there are plans to fell the wood in the near future. Considering previous management of the wood it is highly unlikely that a continuous cover management system can be adopted in this woodland and a traditional clear fell and replant management system will be used. There is strong possibility that the plantation will be felled, possibly in the near future, but certainly within the life expectancy of the tower. Officers estimate that it

would take about 40 years to achieve the same maturity of tree cover once the plantation is felled.

- 3.5.2 The open moorland is open access land with free public access. A track runs from a minor road to the northern part of the woodland. Vehicle damage is evident on part of the moorland where a local landowner is driving from the road to a field immediately to the south of the site for the tower.

### **Landscape Character Type - Upland Moorland with Tors**

- 3.5.3 The proposed tower is located in a conifer plantation with a track running across open moorland. This is a dramatic, rolling, large scale moorland landscape interspersed with large conifer plantations. These plantations create dark block with hard edges contrasting with the smoother open moorland. The small settlements of Bellever and Postbridge lie on lower ground adjacent to roads. The open moorland is grazed with cattle, sheep and ponies. Distant granite tors are a feature of the landscape. Public rights of way run across the open moorland. This is a tranquil landscape with low levels of light pollution. There are no obvious vertical structures, similar to the proposed tower, in the immediate area.
- 3.5.4 The Landscape character Assessment lists valued attributes for this landscape type as;
- Dramatic moorland landscape, with wide open spaces, panoramic views and a strong sense of tranquillity.
  - Traditional upland farming communities with the moorland grazed by Dartmoor ponies and native hill breeds of sheep and cattle.
  - Valued wildlife habitats including blanket bogs, mires and heather moorland – home to rare upland birds.
  - Hill tops dominated by granite tors and other geological features.
  - Rich archaeological heritage with numerous archaeological remains.
  - Unifying granite local vernacular displayed in farmhouses, bridges, stone walls and settlements linked by deep lanes.
  - Valued area for recreation, with large tracts of open access land.
- 3.5.5 The proposed development will have an impact on local landscape character. Towers of the type proposed are not found in this immediate landscape and the proposed tower will have a detrimental impact on the character of this landscape. The track will have an impact on the open moorland which will change the character of the open land. Considering the proximity of the existing track there will also be a cumulative impact.
- 3.5.6 Local plan policy DMD5 sets out how Dartmoor's internationally renowned landscape should be protected. It is recognized that landscapes change, but the emphasis is on protecting the character and special qualities of Dartmoor's landscape. The policy states that:
- 3.5.7 Development proposals should conserve and/or enhance the character and special qualities of the Dartmoor landscape by:
- respecting the valued attributes of landscape character types identified in the Dartmoor National Park Landscape Character Assessment;

- ensuring that location, site layout, scale and design conserves and/or enhances what is special or locally distinctive about landscape character;
- retaining, integrating or enhancing distinctive local natural, semi-natural or cultural features;
- avoiding unsympathetic development that will harm the wider landscape or introduce or increase light pollution;
- respecting the tranquillity and sense of remoteness of Dartmoor.

3.5.8 The policy is very clear that development should conserve and/or enhance the character of Dartmoor's landscape. The tower, infrastructure and access road will have a detrimental impact on the character of the area. The landscape has a strong sense of place and remoteness, and the introduction of a modern vertical structure will have a detrimental impact on the character of the local landscape.

### **Visual amenity**

3.5.9 The tower will be located on the boundary of a plantation. The tower, compound and equipment will be very visible from the open moorland. There are no structures of this type in this part of Dartmoor the tower will be visually intrusive, even though from some receptor points on the open moor it will be seen against the backdrop of the conifer trees. Of particular concern is the potential for the loss of the conifer plantation, which is already showing signs of windthrow. If the plantation is felled the tower will be highly visible and very intrusive. In my view it would take 40 years for the plantation to reach a height where it provides the same level of screening as the present tree crop.

3.5.10 The track will be very visible from the open moorland and the minor road that runs to the west of the site. The track will be visually intrusive in the landscape.

3.5.11 The open moorland is heavily used for recreation, with many people visiting the area to experience the spectacular views of the surrounding landscape. From the various receptor points the tower, equipment and track will be incongruous features in the landscape and will be visually intrusive.

### **Mitigation**

3.5.12 No mitigation is proposed.

### **Conclusion**

3.5.13 The proposed tower and equipment will be incongruous in the landscape and visually intrusive. The track will also be visually intrusive and have a detrimental impact on the character of this open moorland landscape.

3.5.14 The development will be contrary to policy COR 1 in that it does not respect or enhance the character, quality or tranquillity of the local landscape. It is contrary to policy COR 3 in that the development does not conserve or enhance the characteristic landscapes and features that contribute to Dartmoor's special environmental qualities. The development is also contrary to DMD5 because it does not conserve/or enhance the character and special qualities of the Dartmoor landscape because it is an unsympathetic development that will harm the wider landscape and it does not respect the tranquillity and sense of remoteness of this part of Dartmoor.

3.5.15 The development does not enhance what is special or locally distinctive about the landscape character, and it is an unsympathetic development that will harm the local landscape.

**3.6 DNP – Archaeology:** Object

3.6.1 The landscape around Bellever and Postbridge, as across much of Dartmoor, incorporates or is underlain by extensive archaeological landscapes deriving from earlier periods. The north-east slope of Lakehead Hill, between the Bellever-Postbridge road and the East Dart contains cairns, barrows and hut circles of prehistoric, probably Bronze Age date as well as the remains of a field system most which most likely originates in a similar period. In planning terms, these features, individually and as a whole have sufficient evidential and historic value to be considered undesignated heritage assets and there is an elevated potential for the presence of unknown, buried, heritage assets which have no current surface expression.

3.6.2 In addition, the line of the access track shown on the supplied documentation appears problematic as it cuts through a relic boundary of the prehistoric field system. As such, it neither conserves or enhances the historic environment of the National Park and officers would not be able to support it unless an alternative route, which avoids damaging upstanding archaeological features, could be found.

3.6.3 There is also the issue of the status of the forestry within which the proposed mast is to be situated. If this were to be felled at some point in the future, leaving the mast exposed there would be a negative effect on the setting and therefore the archaeological significance of the remains in the area which would need to be considered.

3.6.4 The proposal fails to conserve or enhance Dartmoor's cultural heritage and officers therefore cannot support it based on its impact on upstanding archaeology (a probably prehistoric field system). If permission for the proposal is granted, an archaeological watching brief is strongly recommended on installation of the mast, its hardstanding, the access track and power supply.

**3.7 DNP - Ecology & Wildlife:** Object

3.7.1 An ecological assessment (TEP, May 2021) and national vegetation classification survey (TEP, Sept 2021) have been submitted. The survey methods, presentation of results and recommendations are satisfactory, although some further clarification and details are required as set out below.

**Compound and mast location**

3.7.2 The Authority's Ecologist has no objections on ecology grounds to the location of the lattice tower and its compound. A pre-commencement condition to approve a construction and environmental management plan (CEMP) would ensure implementation of the recommendations in the ecological assessment.

### **Access track - construction**

- 3.7.3 The access track crosses land leased and managed by Devon Wildlife Trust as a nature reserve and is designated a county wildlife site (Believer Newtake, ref SX67/041). The access track could result in the permanent loss of UK priority wet heath / mire habitat, and indirect adverse impact to a larger area of priority habitat may occur for example as a result of changes to hydrology and drainage. This would be contrary to local and national planning policy.
- 3.7.4 The ecological assessment and NVC survey recommend that:
- “a seeded access track should be utilised to compensate for the loss of existing habitat. The seed mix and substrate should reflect those in adjoining habitats and use locally sourced material where available.”*
- 3.7.5 Ecological justification and/or practical evidence is required to convince the Authority that a (presumed) stone track substrate would allow the desired vegetation to establish. ‘Grass seeded’ (ref site specific supplementary information doc) may help with visual impact but will not necessarily mitigate for loss of a priority habitat types with very specific soil and hydrology requirements. The Authority requires sufficient assurance that this could work in order to judge whether the proposals are feasible and that the development is not contrary to national and local planning policy. As part of this we would also seek assurance that the leaseholder Devon Wildlife Trust responsible for the CWS is supportive of this approach. It is likely we would still require more detailed specification such as type of stone and seed mix to be agreed as part of a pre-commencement condition.

### **Access track - route**

- 3.7.6 In the pre-application advice included above, it was recommended that the applicant should give greater emphasis to justifying or adjusting the line of permanent access route to benefit both the operators of the antenna and the local farmers / land managers, through the zone most affected by past traffic. A well-constructed track (seeded or otherwise) could help avoid future rutting and soil damage resulting from all site users by localising the traffic. This would be of benefit in allowing other areas of habitat to be restored or recover naturally, possibly at least in part compensating for the permanent loss from the stone track bed.

### **Biodiversity Net Gain**

- 3.7.7 Section 5.4 of the ecology assessment discusses biodiversity net gain and recommends that the applicant clarify position with us. In line with our emerging policy in the new local plan, I would urge that a development of this prominence, especially one directly affecting priority habitats and a local wildlife site might consider enhancements. The BNG metric would be a positive way for the applicant to determine what might be delivered.
- 3.7.8 Based on the submitted documents there is not enough information to demonstrate that County Wildlife Site and priority habitat are protected and that impacts can be avoided, mitigated or compensated. The Authority's Ecologist therefore objects to the proposed development (as submitted) due to it being contrary to current and emerging local plan policies which protect priority habitats and local designated sites.



3.7.9 This ecology objection could be overcome if the applicant was able to identify and justify a less damaging route for the access track and provide more details and justification that a stone track could be vegetated and mitigate the loss of priority habitat.

#### **4 Parish/Town Council Comments**

4.1 Dartmoor Forest PC: The Parish Council has advised they will provide comments following the Council meeting on 23 November 2021

#### **5 Relevant Development Plan Policies**

COR1 - Sustainable Development Principles

COR3 - Protection of Dartmoor's special environmental qualities

COR4 - Design and sustainable development principles

COR5 - Protecting the historic built environment

COR6 - Protecting Dartmoor's Archaeology

COR7 - Protecting Dartmoor's Biodiversity and Geodiversity

COR11 - Protecting Dartmoor's Tranquillity

COR12 - Meeting the need for local infrastructure, community facilities and public services

DMD1a - Presumption in favour of sustainable development

DMD1b - Delivering National Park purposes and protecting Dartmoor National Park's special qualities

DMD3 – Sustaining the quality of places in Dartmoor National Park

DMD4 – Protecting Local Amenity

DMD5 – National Park Landscape

DMD6 – Dartmoor's Moorland and Woodland

DMD13 - Archaeology

DMD14 - Biodiversity and geological conservation

DMD20 - Telecommunications development

#### **Emerging Local Plan Policies**

1.1 (2) – Delivering National Park purposes and protecting Dartmoor's Special Qualities

1.2 (3) – Sustainable development in Dartmoor National Park

2.1 (2) – Protecting the character of Dartmoor's landscape

2.2 (3) – Conserving and enhancing Dartmoor's biodiversity and geodiversity

2.3 (3) – Biodiversity Net Gain

2.4 (2) – Conserving and enhancing Dartmoor’s moorland, heathland and woodland

2.7 (3) - Conserving and enhancing heritage assets

4.7 (3) - Telecommunications Development

## **6 Representations**

6.1 Any representations that are received will be reported at the meeting.

## **7 Observations**

### **7.1 THE PROPOSAL**

7.1.1 The proposal relates to the Emergency Service Network, a national upgrade scheme for emergency services communications.

7.1.2 The ESN development proposed includes the erection of a 30m lattice telecommunications tower with three antennas, two 0.6m dishes, along with associated ancillary units and cabling. At ground level and within a compound measuring 10m x 10m there will be built a Foul Weather Enclosure (FWE) accommodating the Home Office equipment cabinets with electronic apparatus, electrical meter cabinet, generator and a 1200mm satellite dish on a 2.6m high support pole, enclosed within a 1.8m high mesh fence around the 10 x 10 sq.m compound with barbed wire top.

7.1.3 The access route to the site is to be a new access track 3.0m wide and around 290m long facilitating safe vehicular access for essential repairs and maintenance of the site, the entire track is proposed to be made up with type 1 ‘MOT’ (usually crushed granite or limestone) and ‘grass seeded’. There will be a turning area adjacent to the site at around 8.0m x 10m to facilitate safe vehicular access/egress to/from the site.

7.1.4 The key messages of the new Emergency Service Network (ESN), as provided by the applicant, are included below:

- ESN is providing critical national infrastructure to enable communications and interoperability for the police, fire and ambulance services in England, Scotland and Wales (including extension into remote areas) to help them cut crime, fight fires and save lives.
- ESN will provide the same capability as Airwave as well as an integrated 4G mobile broadband data service using the latest generation of mobile technology.
- Government has provided £1bn of investment to build and operate ESN but your support for the locating of new or enhanced equipment in rural locations will be vital to delivering the network by 2017, thereby improving public safety and reducing cost to the taxpayer.
- In addition to the 3ES, ESN may offer a 4G mobile service to local EE customers, providing access to digital services that are increasingly essential to everyday life and business, and a 999 service to all mobile users. Other MNOs will have access to upgrade the new infrastructure should they wish to install their own equipment and offer services in future.

- Satellite solutions for backhaul are being considered where more cost-effective or timely.

## 7.2 PRE-APPLICATION ADVICE

- 7.2.1 The Authority engaged in extensive pre-application discussion in November 2020. Part of that assessment involved a site visit and consideration of other potential locations for a mast site within the defined search area.
- 7.2.2 In their response officers acknowledged the public benefits of the scheme but gave a clear indication that the principle of a high lattice telecommunications tower in this location could not be supported, given its potentially harmful impact in the immediate and wider National Park landscape.
- 7.2.3 The response included detailed commentary from in-house specialists rehearsing the points that are now summarised above. Officers encouraged further consideration of alternative locations, design solutions and questioned the need for a permanent access track. It was stated that any future proposal in this location should be clearly evidenced as the minimum scale necessary to meet the requirement of enhanced ESN coverage.
- 7.2.4 While the applicant requested that the Authority provide alternative options for the installation of the mast, due to the clear technical requirements of the development, officers were not in a position to recommend alternative site options for the installation.

## 8 Assessment of Application Now Presented

### 8.1 PRINCIPLE

- 8.1.1 The National Planning Policy Framework (Framework) sets out that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks. The level of protection is emphasised by the English National Parks and Broads UK Government Vision and Circular 2010 (Circular) which, for example, refers to the Sandford Principle and sets out that the designation confers the highest status of protection. Under Part III, section 62 of the Environment Act 1995, in exercising any functions in relation to, or so as to affect, land in a National Park, relevant authorities are required to have regard to the purposes for which National Parks are designated.
- 8.1.2 These purposes include -
- (a) the conservation and enhancement of the natural beauty, wildlife and cultural heritage of the National Park; and
  - (b) the promotion of opportunities for the understanding and enjoyment of the special qualities of those areas by the public
- 8.1.3 Legislation and policy are clear that if it appears that there is a conflict between the two purposes, any relevant authority shall attach greater weight to the purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the area comprised in the National Park.

## 8.2 PUBLIC BENEFIT

8.2.1 The proposed mast is a Home office 'EAS' site and is proposed as a component of the ESN, for the Extended Area Services (EAS) which is to provide additional infrastructure to extend the ESN into primarily remote and commercially unviable areas where little or no mobile network coverage exists. Filling in much of the existing network coverage gaps, of which the submitted evidence shows do exist in several places in the locality, the proposed mast would provide improved coverage around the site area. This would enable the emergency services to access information and critical communications in various areas where it is currently not possible for them to do so. There is also the additional benefit from members of the public having improved mobile telephone coverage, both for customers of the network operator and for 999 calls from any mobile network. This provision is acknowledged as a significant public benefit.

## 8.3 LANDSCAPE

8.3.1 The existing woodland provides only partial screening to the proposed 30m lattice tower and compound. The anticipated felling of trees (as they reach maturity) and the location of the tower and compound would result in a highly exposed incongruous utilitarian feature unshielded by tree cover from key vantage points to the west through to the southeast of the site. The uncertainty regarding the future management of the woodland adds to the potential impact of the mast over its lifetime. Once existing woodland is felled, the 30m mast and compound will remain as an isolated utilitarian feature.

8.3.2 The proposed development will be visually intrusive and will have a detrimental impact on the character of this moorland landscape, which is contrary to policy COR 1 (h) and COR 3. The development does not enhance what is special or locally distinctive about the landscape character, and it is an unsympathetic development that will harm the wider landscape. The development is contrary to policy DMD 5 because it does not conserve and/or enhance the character and special qualities of Dartmoor's landscape, because it is an unsympathetic development that will harm the wider landscape and it does not respect the tranquillity and sense of remoteness of this part of Dartmoor.

## 8.4 CULTURAL HERITAGE / ARCHAEOLOGY

8.4.1 The line of the access track shown on the supplied documentation appears problematic as it cuts through a relic boundary of the prehistoric field system. As such, it neither conserves nor enhances the historic environment of the National Park.

8.4.2 The proposal fails to conserve or enhance Dartmoor's cultural heritage with an adverse impact on upstanding archaeology.

## 8.5 ECOLOGY

8.5.1 Based on the submitted documents, there is not enough information to demonstrate that County Wildlife Site and priority habitat are protected and that impacts can be avoided, mitigated or compensated. The proposal is considered contrary to current and emerging local plan policies which protect priority habitats and local designated sites.

8.5.2 Whilst elements of the ecological and archaeological harm identified could be partially mitigated through adjusting the line of the proposed access route, this is not possible under the current application being outside of the defined red line area.

## 8.6 EMERGING LOCAL PLAN

8.6.1 The emerging Local Plan has been in examination for 12 months, having progressed through submission, hearings, the Inspectors post-hearings report, and the track changes modification of the local plan (published 7 June 2021). The emerging Plan is now at the final stages prior to adoption, with policies contained within that Plan having weight of some significance in the determination of applications.

8.6.2 With regard to the application, the policy position with regard to Landscape, Archaeology and Ecology remains consistent with the adopted policy position.

8.6.3 In addition, emerging Policy 4.7 (3) is clear that new telecommunications infrastructure will only be permitted where;

- a) evidence demonstrates the service cannot be delivered less harmfully by installing equipment on existing masts, buildings or other structures;
- b) the equipment is located and designed to minimise its impact; and
- c) the equipment does not cause substantial harm to the character and appearance of the built environment and/or the National Park's Special Qualities, particularly landscape character, heritage significance and tranquillity.

8.6.4 For those reasons outlined, the proposal is considered at odds with the emerging Local Plan for Dartmoor.

## 8.7 CONCLUSION

8.7.1 The Authority remains committed to the principle of finding an appropriate solution to facilitate the delivery of the EE Emergency Services Network in this area. The siting and appearance of the development as currently proposed would however have an unacceptable adverse impact on the natural beauty, wildlife and cultural heritage of the National Park. The proposal is recommended for refusal.

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CHRISTOPHER HART