Appeal Statement

Submitted by

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5 Allen Road
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Reference: 39453

North Somerset Council Reference: 24/P/2145/TEA
Site: Purn Farm Grainstore, Accommodation Road, Bleadon, Weston on Supermare, Somerset, BS24 0AP
(Easting: 333008 Northing: 157132)

Proposal: The installation of a 20m high 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.

Contents

1.0 Introduction

Qualifications & Experience

My name is Jamaal Hafiz, a RTPI qualified Town Planner with over 9 years' experience in the telecommunications sector. I am currently employed in the position of Town Planner with Telent, a leading technology company and specialists in the design, build, support and management of the UK's critical digital infrastructure and planning consultancy, offering specialist advice to the telecommunications industry. My current position requires me to provide guidance and support to the business and clients overseeing telecommunications delivery through planning across the UK.

The Appeal

This submission is an independent expert view of the planning matters relating to the proposal based on the information provided by third parties. All technical and background information, which forms part of this submission, is assumed to be factually correct and accurate.

Telent has been instructed by EE Ltd (the Appellant) to appeal against the refusal of an application made to North Somerset Council as to whether the Prior Approval of the council was required for the siting and appearance of the proposal for the installation of a 20m high 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 by North Somerset Council ("the Council"). The planning application (LPA ref: 24/P/2145/TEA) was validated by the Council on the 17th of October 2024 and subsequently refused on the 2nd of December 2024, with the following reasons stated:

1. *The proposed development, by reason of its siting, scale, proportions and design would be incongruous, visually intrusive, and dominant feature which would be visually harmful to the rural character and appearance of the area. The proposal is therefore contrary to Policies CS5 and CS12 of the North Somerset Core Strategy, Policies DM10 and DM32 of the Sites and Policies Plan Part 1, Landscape Character Assessment SPD and guidance set out in the Code of Practice for Wireless Network Development in England.*

This appeal is lodged against the decision of the Council. This statement will set out a brief outline of our case comprising a number of interrelated sections which will:

- Describe the appeal site and surroundings in respect of visual character of the area (Section 2),
- Provide a background to the EE network requirement for the appeal proposal and general statement in respect of health and safety issues (Section 3),
- Address alternative sites which have been considered as part of the appraisal (Section 4),
- Describe the planning policy framework, in relation to the proposal, in terms of both the national and local policy framework (Section 4),
- Focus on the grounds of appeal and the Council's reason for refusal (Section 5), and
- Submit our conclusion (Section 6).

Reference will be made to the background papers that comprise the application and further information attached as appendices to this statement, and it may expand on the documentation to support an opinion.

It is considered that the main issue for this appeal is in relation to consideration that the proposals siting, scale, proportions and design would be incongruous, visually intrusive, and dominant feature which would be visually harmful to the rural character and appearance of the area, weighed against the support for the development of good quality communications networks and the special operational and technical requirements of telecommunications development (see section 5). Furthermore, It has been shown that other locations were considered, however due to various technical constraints, the location that relates to this appeal was the only suitable option.

2.0 Application Proposals and Appeal Site Description

Application Proposals

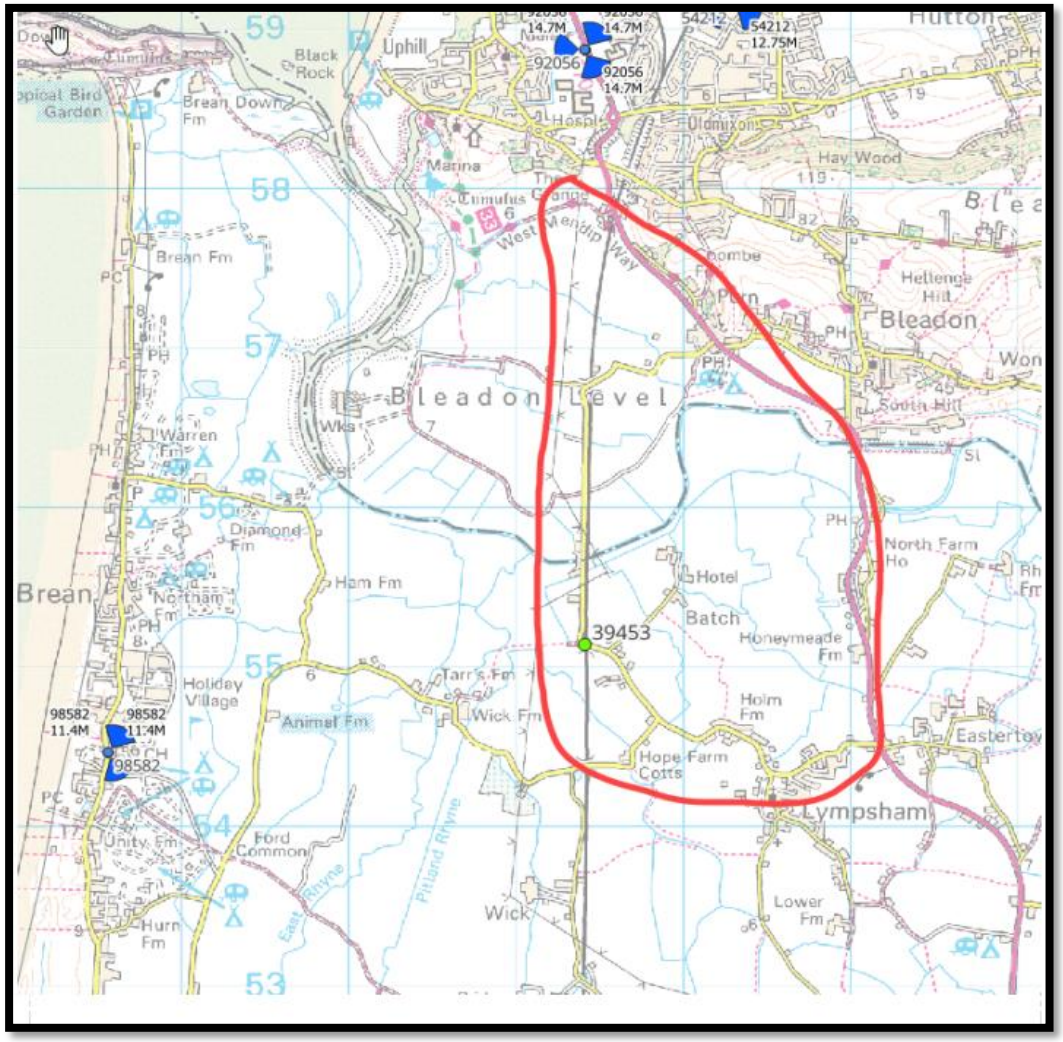
The application proposed the erection of telecommunications apparatus, comprising the following components:

The installation of a 20m high 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.

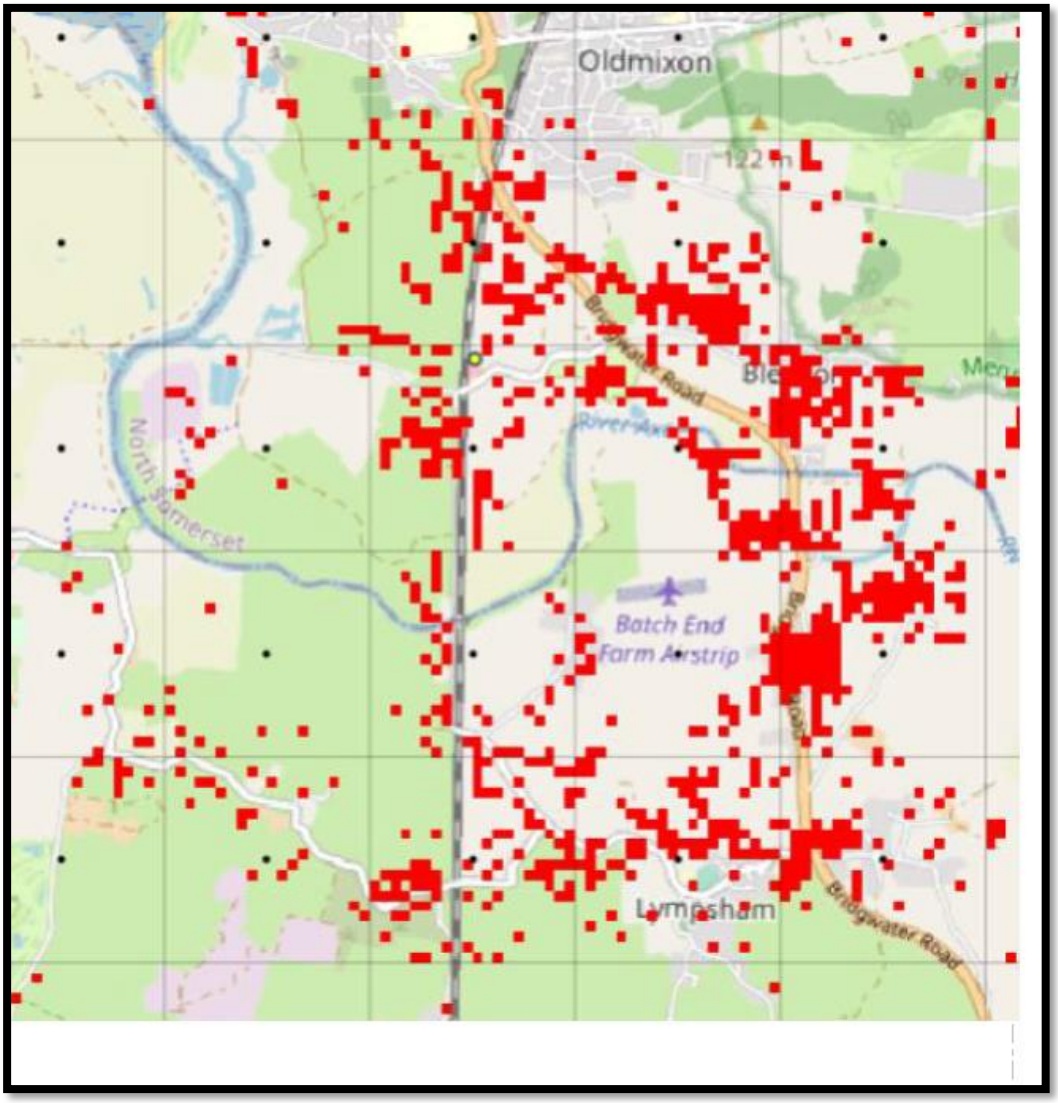
In this land designation, permitted development rights extend to 30m in height for the installation of telecommunications equipment. This gives an in-principal planning permission for the proposal. The associated ground-based equipment cabinets will be located next to the lattice tower to minimise their visual impact, all of which would be located against a backdrop of trees. The equipment will require maintenance consisting of approximately one site visit by engineers once every 3-6 months.

The apparatus is specifically required to maintain and enhance mobile network availability in the area. The proposal forms part of a specific project within EE to improve mobile coverage and connectivity following the main issue as numerous residents have complained about a distinct lack of coverage/capacity within the area and there are extensive dropped calls in the area. The enhanced coverage will be provided to EE's network in this area for residents, visitors, and businesses.

Since their inception, mobile networks have evolved from First Generation (1G) to Fifth Generation (5G) technologies that make increasingly efficient use of available radio spectrum. With this in mind, the below diagram demonstrates the existing spatial mapping of EE antenna within the general locale, highlighting the distinct lack of infrastructure around Bleadon and specifically the areas to the south in what is a very rural area, that is capable of handling the network capacity requirement in the area.



As a result of a large number of customer complaints surrounding poor mobile phone coverage and signal (as a result of insufficient network capacity) within the general locale of the proposed application site, there is a requirement for a new mast to be sited within the area so as to ensure that customers and residents can be best serviced and well connected. The below map highlights the number of complaints and dropped calls that occur on a regular basis, as you can see a large portion are within Bleadon & the adjacent A-road down to the northern parts of Lympsham. The red squares highlight the aforementioned.



This is confirmed with the fairly inaccurate online coverage checker tool that informs that 5G is not available in this area, both 4G and 2G are present outside but poor indoors.

With this in mind, the application site was chosen to provide coverage to these areas by being situated away from the mainstay of residential properties but in enough proximity that the coverage can be provided.

The application site was chosen to provide coverage and capacity by being positioned centrally between the operator existing sites which are not able to solve the coverage and mainly capacity issues.

Appeal Site Description

The proposed 20m mast with associated cabinets will be located on private land within Purn Farm. This location is believed to be largely away from residential properties other than those immediately adjoining the site which are owned by the landowner. It is acknowledged that the Holiday Village to the south will likely have some limited views of the proposal but equally will find this of great benefit for customers. The site is also away from statutory land designations and there is a good level of existing vegetation in the locale which would provide a degree of screening as well as a backdrop against which any mast would be set against and therefore reduce any visual prominence as far as is practicable. In addition, there is further context provided by the agricultural setting which features large steel-clad buildings, silos etc and there is an existing telecommunications site in this general area already which provides further context.

Through a considerate site selection process, the siting and appearance of the installation has been given heavy weight, the proposed, whilst having moderate-minimal visual impact, has been placed as such to mitigate any impact on the character and appearance of the area, insofar as is practicable. Whilst there will be some visibility of the structure from some vantage points as demonstrated in the photomontage report included within the appeal documents, The photomontages and site analysis confirm that the tower will not be a dominant or visually harmful feature. Instead, it integrates into the landscape through its proximity to existing infrastructure, natural screening, and design. An installation of this design is not uncommon in rural locations such as this combined with its see through nature There is also a significant amount of semi-mature trees that rise to 11m, that will provide an element of screening and context within which the equipment will be viewed again this has been demonstrated within the photomontage report.

A total of 22 sites (including the appeal site) were considered for this proposal at application stage, with 21 being discounted for a variety of reasons. Following the submission of this appeal the site search has been expanded to 30 total discounted and thus further demonstrating the appeal site is the sequential most prefferable location.

The current site has been choosen as it is the most technically and visually feasable. For the site to be fit for purpose, the antennas must have a clear line of sight, so the site has been designed to a height so as to provide the

necessary coverage with a clear view for the antennas to provide uninterrupted signal.

Aerial photograph of the proposed location

The black arrow shows the proposed location.

Photograph of Site Location

The site is not set within any designated area or article 2 (3) land. The actual location of the appeal site is indicated in the drawings forming part of this appeal and as submitted to the Council accompanying the Prior Approval application.

Relevant Application History

There is precedent of telecommunications development being acceptable within the locale under the following applications:

- 98/0003/TEL - Approved
- 15/P/0117/F – Approved
- 23/P/2408/TEN – Approved

3.0 Background to EE Ltd Requirements: Need for the Site; Alternative Sites Evaluation, and Health & Safety Issues.

Need for the site

As a result of a large number of customer complaints surrounding poor mobile phone coverage and signal (as a result of insufficient network capacity) within the general locale of the proposed application site, there is a requirement for a new mast to be sited within the area so as to ensure that customers and residents can be best serviced and well connected.

The requirement for a mobile phone base station in the area is predominantly to address a gap in EE coverage and network capacity to the area of Fishponds whereby the existing indoor & outdoor coverage is poor. Enhanced coverage and network capacity will be provided to EE's network in this area including residents, visitors, and businesses. EE's Radio Engineer has confirmed that there are no similar structures to locate to or optimise in order to provide the required coverage within this area and as such a new cell is required to fill the coverage gap and improve upon the available network capacity. Additionally, this site will also form part of the new 4G Emergency Services Network ("ESN") that will replace the existing Airwave TETRA radio service used by the emergency services (including the Police, Fire & Rescue and Ambulance services) to communicate.

Emergency Services Network Requirement (ESN):

In 2015 EE Ltd. won the contract from the UK Government to deliver a mobile network specifically for all blue-light emergency services across the country to provide a seamless 4G mobile service. The communications system will be critical in improving response times and improving communications between all of the blue-light services and providing critical infrastructure across the length and width of the United Kingdom. EE have committed to adding over 500 new 4G sites to accommodate this commitment in that will eventually replace the existing Airwave TETRA radio system.

This EE proposal will form part of the new 4G emergency services network and should be considered critical infrastructure within the UK to support the local community in perpetuity.

Shared Access – The Benefits of Mobile Technology

Mobile phones and other similar communication devices are ubiquitous both for business and personal use. Mobile connectivity is now about fast, secure access to the internet anywhere. People and businesses are increasingly choosing to access the internet using a mobile device, and the numbers doing so are growing, as ownership of internet-enabled devices rises.

Smartphones are integral to people's lives as mobile devices supporting a growing range of functions from communication to navigation, to use as principal sources of news media, cameras, diaries and numerous other functions.

Overall, 94% of adults personally own/use a mobile phone with 52.4 million 4G mobile subscriptions. The proportion of adults in the UK with a smartphone has now reached 76% (as of 2017), with 18% of adults living in a mobile phone only home. Increasing coverage and take-up of higher speed 4G services is driving data use. The average volume of data consumed per subscriber per month is now 1.9GB.

Economic Benefits

Modern communications in all of their different and emerging forms, including mobile communications, help maintain and stable levels of economic growth and employment. Hence, the UK Government's continued commitment to the growth and development of modern electronic communications. These benefits include:

- Improve the ability of local businesses to operate and compete effectively through access to modern communications thereby helping to maintain and increase local employment opportunities.
- The contribution to the national economy is also significant where all businesses, from large to small, benefit from modern communications that helps them maintain and attract new business and service contracts in a responsive and competitive manner.
- Improve coverage over transport and infrastructure networks which improves the ability to work on the move and improve economic efficiency

Environmental Benefits

Modern communications, including mobile communications, provide effective protection of the environment by helping reduce the need to travel by enabling modern working practices such as greater home working. Such practices alleviate the pressure for new commercial development such as offices, through more efficient and flexible use of existing accommodation. For the same reasons, modern communications, including mobile communications, help ensure the prudent use of natural resources.

Social Benefits

Modern communications, including mobile communications, aid social progress, which recognises the needs of everyone. These improvements manifest themselves in a number of ways as illustrated by the following examples:

- People are now more likely to access the internet using a mobile connection than they are to have just a landline or to access the web through a fixed connection.
- Connecting to the Internet via a mobile device allows people to access a wide range of central and local government services; to do research for a school projects or apply to university; to manage their bank account and pay bills; to apply for a job; or to buy groceries.
- Most local authorities' services are now available online, and many councils have recognised the growth of smartphone use and introduced mobile phone applications to provide instant access to services, or to allow residents to report litter, dumped rubbish, pot holes and road repairs, or anti-social behaviour.
- Mobile devices enable flexible forms of working that provide opportunities to working parents or carers and help them achieve a better work life balance with both family and community benefits. By providing means of communication that improve convenience and enhance personal safety and security. This is especially important to vulnerable groups who may otherwise feel unable to participate in certain activities.

Discounted Options & Reason

Given the extent of the search area in this instance, along with the identified constraints, as previously stated 30 options have been considered and discounted for reasons below.

Discounted Options	
D1 Name	Hatches Lane
NGR	332380, 155150
Comments	This location is believed to be too far to provide the required coverage and thus is discounted due to the distance from Bleadon but equally because there is little screening or context here & so discounted from both a coverage and planning POV. Due to the distance, it is likely we would require additional masts in the area which would be unfavourable from a planning perspective.
D2 Name	Batch Lane
NGR	332598, 155162
Comments	Private residential yard area, lack of context in the immediate area. Considered to be a worse option than the proposed from a planning perspective. It also suffers from the above issues with D1. Due to the distance, it is likely we would require additional masts in the area which would be unfavourable from a planning perspective.
D3 Name	Rectory Way
NGR	333473, 154556
Comments	Area is predominately residential; the proposed location is situated directly behind gardens. It is believed that the LPA is likely to refuse due to negative visual impact on residential properties. Especially when compared to the proposal.
D4 Name	1 Lympsham Sports Club

NGR	333638, 154460
Comments	Similar to D3. Area is predominately residential; the proposed location is situated directly behind gardens. It is believed that the LPA is likely to refuse due to negative visual impact on residential properties. Especially when compared to the proposal.
D5 Name	Lympsham Road
NGR	333835, 154740
Comments	Similar to D1. This location is believed to be too far to provide the required coverage and thus is discounted due to the distance from Bleadon but equally because there is little screening or context here & so discounted from both a coverage and planning POV. Due to the distance, it is likely we would require additional masts in the area which would be unfavourable from a planning perspective.
D6 Name	Bridgwater Road 1
NGR	334207, 154386
Comments	This location is believed to be too far to provide the required coverage and thus is discounted due to the distance from Bleadon but equally because there is little screening or context here & so discounted from both a coverage and planning POV.
D7 Name	Boat Lane 1
NGR	334177, 155197
Comments	Considered to be very open to the adjacent land & properties without any context provided. In addition, the proposal is some distance from the coverage area. Thus, discounted on both grounds.
D8 Name	Boat Lane 2
NGR	334112, 155776
Comments	Too close to residential properties with a limited amount of screening or context. Discounted from a planning perspective.

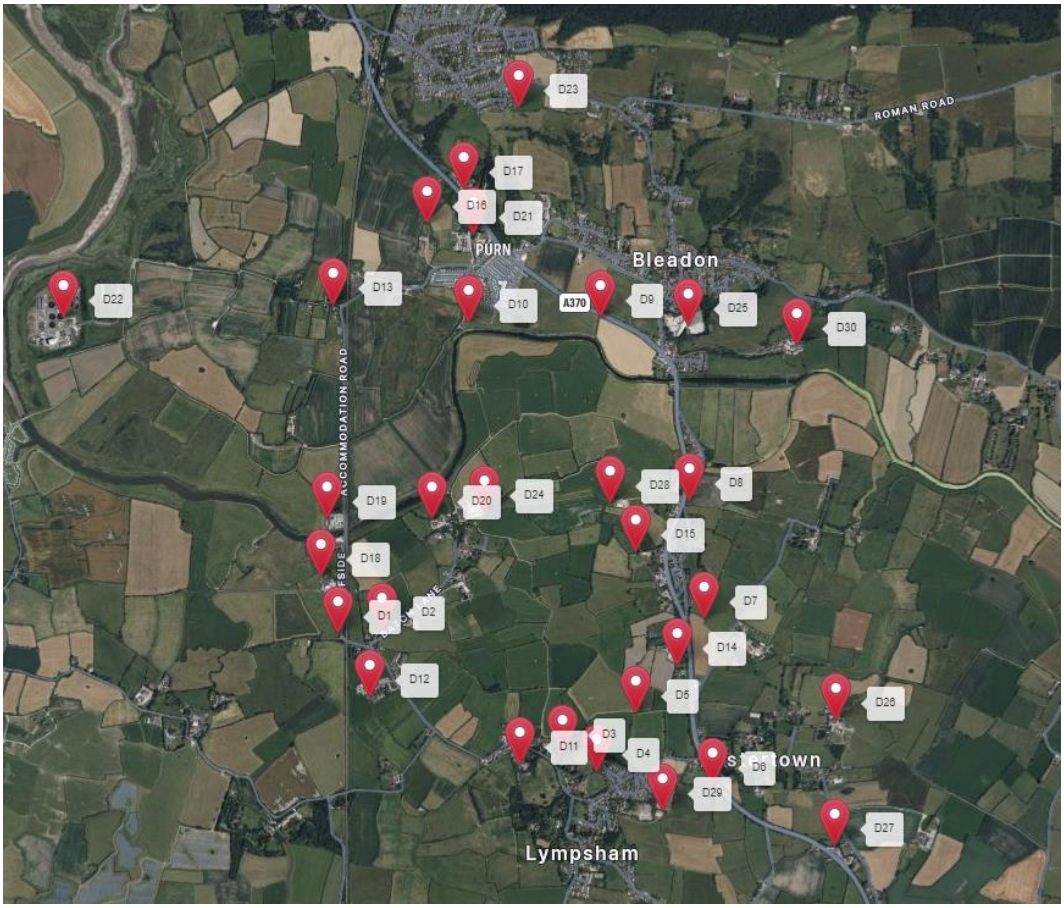
D9 Name	2 New Rhyne
NGR	333690, 156681
Comments	Very open area with no screening or context. Therefore, discounted from a planning perspective.
D10 Name	3 Riverside Holiday Village, West Country Parks
NGR	333038, 156663
Comments	Close proximity to the proposed location but it is believed that our location is better from a planning point of view due to contextual setting. Therefore, discounted in favour of the proposal.
D11 Name	Rectory Farm
NGR	333264, 154499
Comments	Good location from a planning perspective but Radio have confirmed this is too far to provide the required coverage & therefore needs to be discounted as any site here would effectively be redundant as would need another north to provide the coverage. It is likely we would require additional masts in the area which would be unfavourable from a planning perspective.
D12 Name	Hope Farm
NGR	332529, 154837
Comments	Good location from a planning perspective but Radio have confirmed this is too far to provide the required coverage & therefore needs to be discounted as any site here would effectively be redundant as would need another north to provide the coverage. It is likely we would require additional masts in the area which would be unfavourable from a planning perspective.
D13 Name	Wayacre Drove
NGR	332377, 156756
Comments	This location is closer to the nature reserve and in an area that is largely undeveloped. There are however residential

	properties in this location which would be likely impacted by the proposal. There is no context at this location unlike the proposed location.
D14 Name	Bridgwater Road 2
NGR	334041, 154970
Comments	Good location from a planning perspective but Radio have confirmed this is too far to provide the required coverage & therefore needs to be discounted as any site here would effectively be redundant as would need another north to provide the coverage. It is likely we would require additional masts in the area which would be unfavourable from a planning perspective.
D15 Name	Mores Building Yard Area
NGR	333845, 155528
Comments	This location has no real context provided for the any apparatus. There is minimal screening between this location and the residential properties on Bridgewater Road. Therefore, it is believed it would be too visually incongruous.
D16 Name	North Ryne
NGR	332843, 157147
Comments	Similar principles to our proposal but believed to have less context and close to the nature reserve again. Therefore, discounted in favour of our current proposal.
D17 Name	Purn Lane
NGR	333026, 157316
Comments	This location has no context and is largely a residential road. Therefore, any apparatus here would be out of keeping & incongruous on the residential properties.
D18 Name	Wharfside
NGR	332301, 155429

Comments	A good location from a planning pov but is less than ideal from a coverage perspective as it is further from Bleadon. Therefore, it is discounted. In addition, there appears to be a lot of overhead cables running across the property which is highly restrictive during installation.
D19 Name	4 Lympsham Wharf Business Park
NGR	332335, 155713
Comments	Good location from a planning perspective but Radio have confirmed this is too far to provide the required coverage & therefore needs to be discounted as any site here would effectively be redundant as would need another north to provide the coverage. It is likely we would require additional masts in the area which would be unfavourable from a planning perspective.
D20 Name	Batch Rhyne
NGR	332848, 155705
Comments	This location was reviewed as potentially viable but believed to be worse than the current proposal as this location is close to Batch Country House and other heritage assets but equally is very close to the Batch Airfield Strip which we should actively avoid. A combination of these factors has led to the belief that the proposed location is better.
D21 Name	Vodafone 705: PURN FARM
NGR	333070, 157095
Comments	This existing Vodafone site is situated in close proximity to our proposal. Under NPPF, it would be preferred to share this apparatus but due to the older design of the proposal then it appears to not have sufficient load capacity to host two operators with 5G equipment. Therefore, we cannot share this structure without significant health and safety risks as it currently stands. It is therefore suggested that a newer mast such as our proposal would be a better option for other operators.
D22 Name	Wayacre Drove STW

NGR	331052, 156713
Comments	This location is situated too far west to provide the coverage. Therefore, discounted.
D23 Name	Land Near Southridge Heights
NGR	333297, 157710
Comments	This location has fantastic topography, but any proposal here would be in very close proximity to residential properties. Therefore, this location is discounted on the basis that it would be too visually intrusive. In addition, this area is just outside of the search area.
D24 Name	Land Near Batch Lane
NGR	333104, 155732
Comments	Similar to D20. This location was reviewed as potentially viable but believed to be worse than the current proposal as this location is close to Batch Country House and other heritage assets but equally is very close to the Batch Airfield Strip which we should actively avoid. A combination of these factors has led to the belief that the proposed location is better.
D25 Name	Land East of Bridge Road
NGR	334118, 156631
Comments	This land appears to be being redeveloped for residential properties. Therefore, not a viable option from a siting and appearance perspective.
D26 Name	Land Near North Road
NGR	334814, 154694
Comments	This location is a good location from a planning perspective despite some residential in the area but is too far to provide the required coverage from a radio perspective. Therefore, this location would be redundant and likely require additional masts in the area which would be unfavourable from a planning perspective.

D27 Name	Carbase Lympsham
NGR	334805, 154078
Comments	This location is too far south to provide the required coverage. Therefore, discounted on that basis.
D28 Name	Land Near Batch Farm Airstrip
NGR	333724, 155768
Comments	Too close to a used airfield. Therefore, discounted.
D29 Name	Land South of Worthy Crescent
NGR	333962, 154265
Comments	This location is too far south to provide the coverage. Therefore, must be discounted.
D30 Name	Farms near Shiplate Road
NGR	334650, 156529
Comments	This location is outside of the search area & therefore would not be feasible. Therefore, discounted on this basis.



The proposed design is that of a lattice tower at the lowest operational height at 20m, chosen to support the operators equipment with its see through nature of a design which is not uncommon in such an area and of less than substantial harm, minimised as so far practicable. This is considered consistent with the aims of the NPPF in respect of appearance, whereby para 120 states that ‘equipment should be sympathetically designed and camouflaged where appropriate’. This is looked at in more detail under Section 5 of this appeal statement.

Site Summary

In summary, the site search has been extensively undertaken to establish the optimum siting and design for a base station to provide coverage to the area being within the technical limits of the operator but also aiming to minimise visual impact and appearance. This siting and design have been achieved and amended whilst respecting the nature and character of the area and minimising environmental impact, as far as practicable as the technical and operational requirements would allow. The following section will outline the local and national policy context against which the appeal proposal should be assessed. This assessment is contained in section 5 of this statement.

4.0 Planning Policy Framework

The consideration of this proposal should be made against both the national planning policy guidance within the National Planning Policy Framework (NPPF) and the local planning policy for Somerset Council.

There is not a dedicated policy relating to telecommunications development in relation to local policy, as such the development should therefore be measured against the provisions within the NPPF, and considerable weight should be afforded.

National Planning Guidance

Planning policy is provided at the national level by the National Planning Policy Framework (NPPF). It is a material consideration in planning decisions. The NPPF is pro – development with a 'presumption in favour of sustainable development' seen as a golden thread, running through both plan making and decision taking'. The thrust of this guidance is positive and a reminder to LPAs that we need to build the requisite infrastructure to enable economic growth.

In this regard the Framework can be summarised as follows:

- Government policy is to support high quality communications infrastructure and systems as essential for sustainable economic growth;

- Government policy is to keep the inevitable environmental impact associated with electronic communications development to a minimum;

- The best way to minimise environmental impact is to avoid the unnecessary proliferation of new radio masts and sites;

- The starting point for planning new networks or the expansion of existing networks is therefore to use existing electronic communications sites as and when applicable;

- The emphasis on minimising environmental impact is greater per the sensitivity of the site. The emphasis on exploring and utilising site sharing opportunities is consequently higher in these circumstances;

- Great weight should be given to conserving landscape and scenic beauty in certain specified designated landscapes, e.g. National Parks, Areas of Outstanding Natural Beauty, Conservation Areas, etc.;

The NPPF as a whole is aimed at encouraging a more positive approach to town planning. While the NPPF builds environmental protection into the definition of sustainable development, there is also a very clear emphasis that local planning authorities should be looking for ways to help development come forward and not reject applications simply on environmental grounds. This is emphasised in paragraph 10 of the NPPF, which states that in order that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development. The NPPF recognises that this is especially relevant where a development might have other significantly important benefits such as being essential to meet, for example, enhancement and improvement to existing communications infrastructure.

Paragraph 11 of the NPPF state that for 'decision-making', the presumption in favour of sustainable development means approving development proposals that accord with an up-to-date development plan **without delay**; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. *the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*

ii. *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

As such, development proposals that accord with the provisions of the local plan and NPPF and thus should be approved without delay. In respect of this guidance, the following sections of this statement demonstrate that the proposed development accords fully will all relevant local and NPPF policies and, therefore, the appeal should be allowed.

The importance of the proposed development in providing the upgrading and expansion of the existing communications network is clearly an

important material planning consideration as it directly supports sustainability and is also precisely the type of new digital infrastructure that the NPPF is seeking to support. The development proposed is comparatively small scale, sited where the principle of telecommunications development has been long established and therefore accepted, designed in a way that is predominately consistent with the existing infrastructure setup and so should be acceptable in every respect.

However, for completeness we still highlight some of the key points within the NPPF as they help demonstrate why the application should be permitted:

Paragraph 7 advises that the purpose of the planning system is to contribute to the achievement of sustainable development. It then states that: "*At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs." [our emphasis]*;

Paragraph 20 and 86 advises that strategic policies should "*make sufficient provision for…….telecommunications" and that it should "be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances*"

Paragraph 39, on "decision-making" states that authorities should "*work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible*".

The NPPF builds on the aspiration to build a strong, competitive economy. Paragraph 85 states: *'Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking in to account both local business needs and wider opportunities for development. The approach taken, should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation[44]'*...

Footnote 44 of the NPPF states: *'The Government's Industrial Strategy sets out a vision to drive productivity improvements across the UK, identifies a number of Grand Challenges facing all nations, and sets out a delivery programme to make the UK a leader in four of these: artificial intelligence and big data; clean growth; future mobility and catering for an ageing society. HM Government (2017) Industrial Strategy: Building a Britain fit for the future'*.

As highlighted previously, the NPPF (2024) directly addresses the need for enhanced wireless communication services, first mentioned in paragraph 20, which states that an LPA's strategic policies must make sufficient provision for:

"b) *infrastructure for transport, telecommunications (our emphasis), security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat)"*

Leading on from this, paragraph 119 states that "*Advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections. Policies should set out how high-quality digital infrastructure, providing access to services from a range of providers, is expected to be delivered and upgraded over time……*"

While supported, paragraph 120 of the NPPF retains the requirement to minimise the number of installations consistent with the efficient operation of the network but also includes being consistent with the needs of consumers and providing reasonable capacity for future expansion.

Paragraph 123 retains the guidance set out in previous versions of the NPPF version and states that "Local planning authorities must determine applications on planning grounds only. They should not seek to prevent competition between different operators, question the need for an electronic communications system, or set health safeguards different from the International Commission guidelines for public exposure".

The NPPF clearly acknowledges the benefits of modern electronic communications and seeks to encourage such development as being

essential due to their role in supporting a modern economy, contributing to sustainable objectives, and enhancing local community access to a range of goods and services. Local planning authorities are advised to respond positively to proposals for electronic communications development and this must include an understanding of the associated special problems and technical needs of developing communications networks.

In considering the above, the requirement for a mobile phone base station in this area is predominantly to address the large number of customer complaints surrounding poor mobile phone coverage and signal (as a result of insufficient network capacity as previously stated). If the appeal is to be dismissed it would result in a continuous cycle of customers being left without the required level of coverage and capacity and being unable to use their handheld devices for the purpose they are intended for, as such enhancing the coverage in EE's network for residents, visitors and businesses. Furthermore, this site will also form part of the new 4G Emergency Services Network ("ESN") used by the emergency services (including the Police, Fire & Rescue and Ambulance services) to communicate.

Moreover, the continued public benefits, including provision uninterrupted emergency services coverage, that the proposal will bring to commuters, residents and businesses in the area through 2G/3G/4G coverage is unquestionable from an economic, social and environmental perspective. This will not be achieved if this appeal is dismissed and the Council's decision to refuse is upheld.

The Appellants consider that even taking into account the specific technical and operational needs of this type of development it is of a scale, siting and form that would now be considered as being appropriate to this location. There is a need for this new equipment in order to ensure the efficient operation of the appellants network, and consistent with the need for consumers as highlighted previously. There is no option to share any existing masts, nor locate the equipment on the roof of any building which in itself could be carried out as permitted development (subject to the height of any such equipment). The need is therefore justified in this instance.

Local Planning Policy

In terms of Local Plan Policies, by virtue of Section 70 of the Town & Country Planning Act 1990 [further enshrined in section 38(6) of the Planning and Compulsory Purchase Act 2004], development should be in accordance with development plan policies, unless material considerations indicate otherwise.

Prior Approval has been sought in this instance as the development falls within permitted development rights under Class A, Part 16 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

In this instance the appropriate Development Plan comprises of:

- North Somerset Core Strategy (2011)
- Site and Policies Plan Part 1 (2018)
- Landscape Character Assessment SPD

North Somerset Core Strategy (2011)

The following policies are of relevance to the appeal site:

CS5: Landscape and the historic environment

Landscape

The character, distinctiveness, diversity and quality of North Somerset's landscape and townscape will be protected and enhanced by the careful, sensitive management and design of development. Close regard will be paid to the character of National Character Areas in North Somerset and particularly that of the 11 landscape types and 31 landscape character areas identified in the North Somerset Landscape Character Assessment. The Mendip Hills Area of Outstanding Natural Beauty (AONB) will be protected by ensuring that development proposals conserve and enhance its natural beauty and respect its character, taking into account the economic and social well-being of the area.

Historic environment

The council will conserve the historic environment of North Somerset, having regard to the significance of heritage assets such as conservation

areas, listed buildings, buildings of local significance, scheduled monuments, other archaeological sites, registered and other historic parks and gardens. Particular attention will be given to aspects of the historic environment which contribute to the distinctive character of North Somerset, such as the Victorian townscapes and seafronts in Weston and Clevedon.

This policy contributes towards meeting the objectives of Planning Policy Statement 7: Sustainable Development in Rural Areas and Planning Policy Statement 5 Planning for the Historic Environment

CS12: Achieving high quality design and place-making

Well designed buildings and places

North Somerset Council is committed to achieving high quality buildings and places across all of North Somerset, in particular to support comprehensive regeneration at Weston-super-Mare. High quality architecture and urban design will be sought from development demonstrating a robust design process to generate solutions that have clearly considered the existing context, and contribute to social, economic and environmental sustainability. As part of a comprehensive place-making strategy new development should function well, supporting sustainable land uses and seek to improve the image of the area. Poor design standards in individual buildings and larger schemes are not acceptable.

Proposals of all scales will be required to demonstrate sensitivity to the existing local character already established in an area and should take the opportunity to enhance the sense of place and local identity through a well thought out design. Where the existing design characteristics are not considered of a high quality, new development should actively aim to enhance the area through good design. Schemes must be based on a thorough site appraisal.

In particular the following aspects of North Somerset's character should be maintained and enhanced in addition to the heritage aspects identified through Policy CS5.

- The historic built environment, for example the Victorian residential areas located throughout the district but focussed in the main towns;
- Coastal areas including key buildings and public spaces that contribute to the character and experience of the place;
- The historic rural settlements, particularly those in the Green Belt.

Design priorities include supporting town centre regeneration at Weston-super-Mare and the approaches into the town, delivering high quality new communities that exhibit best practice in place-making, and consolidating the individual character of settlements across the district informed by site/settlement character appraisals.

Development proposals should demonstrate a commitment to designing out crime through the creation of safe environments (both private and public) that benefit from natural surveillance, visible streets and open spaces, lighting and other security measures. Achieving Secured by Design certification will help to demonstrate how designing out crime has been taken into account.

Further detail will be set out in other Development Plan Documents alongside this strategic policy direction to guide development proposals and decision making. Developments should benefit from a rigorous design process in discussion with the local community and the council where appropriate making use of masterplanning, design frameworks and other delivery mechanisms to guide development.

This policy contributes towards meeting the objectives of Planning Policy Statement 1: Delivering Sustainable Development.

Site and Policies Plan Part 1 (2015)

Policy DM10:

All development proposals should:

- Not adversely affect the designated landscape character of the district and respond to the distinctive qualities of the landscape including both the nationally registered and unregistered Historic Parks and Gardens in North Somerset
- Be carefully integrated into the natural, built and historic environment, aiming to establish a strong sense of place, respond to local character, and reflect the identity of local surroundings, whilst minimising landscape impact.
- Where appropriate respect the tranquillity of an area.
- Include appropriate landscaping and boundary treatments in the scheme. • Conserve and enhance natural or semi-natural vegetation characteristic of the area.
- Respect the character of the historic landscape including features such as field patterns, watercourses, drainage ditches, stone walls and hedgerows. • Where outdoor lighting is proposed adopt a lighting scheme which minimises obtrusive light and where dark skies are an important feature of the area.

Where some harm to the local landscape character is unavoidable, but a development is otherwise deemed beneficial, then positive mitigation measures should be secured by a landscape condition or planning agreement (Section 106), involving works on or off-site as necessary

Policy DM32:

The design of new development should contribute to the creation of high quality, distinctive, functional and sustainable places.

The design and planning of development proposals should demonstrate sensitivity to the local character, including the setting, and enhance the area taking into consideration any specific opportunities present. Design solutions should seek to enhance local distinctiveness and contribute to the creation of a sense of place and identity.

Proposals that reflect community aspirations and values will be encouraged. Proposals which cause unacceptable harm to the character or appearance of the area will not be permitted. The council will seek to maximise the economic use of current or former publicly-owned land.

In determining whether the design is acceptable account will be taken of whether:

- the siting, soft and hard landscaping, levels, density, form, scale, height, massing, detailing, colour and materials are appropriate and respect the characteristics of the site and surroundings and are appropriate to its use and position within the landscape and/or townscape; and
- the site integrates with the surrounding fabric including streets, paths and cycle ways, continuing successful local development patterns and creating an interconnected public realm; and
- the design and layout should not prejudice the living conditions for the occupiers of the proposal or that of adjoining occupiers through loss of privacy, overlooking, overshadowing or overbearing impact; and
- the design helps to reduce water and energy consumption; and
- the design facilitates inclusive access to all and the need to deter crime and enhance security; and
- where relevant, recommendations of a Design Review Panel have been taken into consideration. The following will also apply as appropriate:
- where part of a wider proposed development, the design should take into account the future development potential of adjoining sites that are identified for development and not prejudice the comprehensive and coordinated development of a larger site of which it forms part;
- on developments of 100+ dwellings, the layout should use landmarks, focal points, views, clear routes, lighting, public art and signage in order to assist people to navigate throughout the proposed development. This will be supported by the production of masterplans and design coding;
- the proposal should not prejudice the retention of private amenity space and should include private amenity space for any new separately occupied dwelling. Private amenity space should be appropriate for the type of development and the character of the area;

- private areas should create defensible spaces, allowing exclusive access providing areas for personal use and storage;
- account is taken of potential adverse weather conditions particularly in relation to the likely impacts of future climate change;
- provision is made for the storage of waste and recycling materials in locations that would not harm local amenity and that enable collection from the public highway;
- management plans should be submitted for the long-term maintenance of all shared public and private spaces and facilities;
- proposals for lighting schemes should not be obtrusive. They should not have a demonstrably harmful impact on the living conditions of neighbours, significantly increase sky glow, cause glare or light trespass or impact on biodiversity

Where relevant development proposals should have regard to the design and other related features set out in Supplementary Planning Documents and other guidance.

Landscape Character Assessment SPD (2018)

The North Somerset Council Landscape Character Assessment (Supplementary Planning Guidance, September 2018) provides a detailed evaluation of the diverse landscapes within the council's jurisdiction. It is intended to guide development planning and ensure that proposals respect and enhance the area's unique landscape characteristics.

Summary in Relation to Telecoms Installation:

Key Landscape Sensitivities:

- The guidance identifies areas of high landscape sensitivity, such as Areas of Outstanding Natural Beauty (AONBs), coastal zones, and historic rural landscapes. Telecoms installations in these areas may face stringent restrictions to preserve visual and environmental quality.
-

Integration with the Landscape:

- Proposals for telecoms infrastructure must demonstrate sensitivity to the local landscape character.

  This includes:
  - Minimizing visual intrusion by selecting appropriate designs, materials, and locations.
  - Using existing structures, such as pylons or buildings, to host equipment where possible, reducing the need for standalone installations.

Height and Scale Considerations:

- The guidance emphasizes that the height and scale of telecoms masts should align with the surrounding environment. Larger installations in open or highly visible areas may be deemed unsuitable.

Cumulative Impact:

- Particular attention is given to preventing cumulative visual impacts from multiple installations within the same area, especially in landscapes with limited capacity for change.

Mitigation Measures:

- Proposed developments must include robust mitigation measures, such as planting native vegetation to screen installations or ensuring that access roads and ancillary structures blend with the environment.
-

Policy Alignment:

- Telecoms proposals must align with broader local and national planning policies, including preserving natural beauty, cultural heritage, and biodiversity.

5.0 Grounds of Appeal

The appeal proposal constitutes permitted development, where its siting and appearance has been assessed by the planning authority through an application for their prior approval. In this instance the Council advised their prior approval was required. It was then duly refused for the siting and appearance of the telecommunications installation.

The Council's reason for refusing the prior approval application focuses on the consideration that

'The proposed development, by reason of its siting, scale, proportions and design would be incongruous, visually intrusive, and dominant feature which would be visually harmful to the rural character and appearance of the area. The proposal is therefore contrary to Policies CS5 and CS12 of the North Somerset Core Strategy, Policies DM10 and DM32 of the Sites and Policies Plan Part 1, Landscape Character Assessment SPD and guidance set out in the Code of Practice for Wireless Network Development in England.'

As introduced above, the main issues for appeal are therefore the extent of consideration that the proposals siting, scale, proportions and design would be incongruous, visually intrusive, and dominant feature which would be visually harmful to the rural character and appearance of the area, weighed against the support for the development of good quality communications networks and the special operational and technical requirements of telecommunications development.

The grounds of appeal rest on three matters:

1. The proposal in terms of scale would be acceptable and not appear incongruous to the rural character and appearance of the area.
2. The proposed location to which this appeal relates would be acceptable and that it has been adequately demonstrated that there are no less detrimental alternatives than the appeal site.
3. That the impacts from the proposal are, in any event, acceptable. If harm is identified, it is outweighed by the significant social and economic benefits associated with the proposal and the operational and technological constraints (very special circumstances).

1 Impact upon the rural character and appearance of the area

In terms of siting, scale, proportions and design the council deem the proposal would be a dominant feature and visually harmful to the rural character and appearance of the area.

Elaborating on their decision within the delegated report the Council have made reference to the appeal site stating:

'the proposed lattice tower would be highly conspicuous and visible from numerous public viewpoints, and it would appear discordant with the character and appearance of the area and appear jarringly out of place in the locality'

In relation to this there is no mention of which specific public vantage points as any form of development will be visible to some extent but this has not been elaborated upon by the officer, nor whether this would have any significant detrimental or demonstrable impact on the visual amenity of the surrounding locale that, when considering the public benefits, would outweigh these benefits. The existing mast is clearly visible above the tree line yet considered acceptable. Furthermore, the Council did not take into consideration the fact that the equipment has to be a certain height for technical reasons an in order to ensure line of site can be achieved, otherwise the equipment would be redundant.

As such a photomontage report has been included as part of the appeal documents. This report evaluates the visual and environmental impact of a proposed 20m lattice tower at Purn Farm Grainstore, Bleadon, North Somerset. The assessment focuses on whether the tower would dominate or visually harm the rural character and appearance of the area.

Assessment of Visual Impact:

Viewpoint Analysis:

Viewpoint 1 (Accommodation Road, 227m south):
The proposed tower is visible but blends into the agricultural landscape. The existing telecommunication pole in the vicinity further helps assimilate the structure into the setting. The photomontage suggests that the lattice design minimises visual intrusion.

Viewpoint 2 (Summerways Bridge, 661m southwest):
The tower is not visible from this location due to intervening vegetation and topography. This indicates limited visual impact at medium distances.

Viewpoint 3 (Wayacre Drove, 902m southwest):
Similarly, the tower is not visible from this viewpoint due to natural screening by vegetation. This supports the argument that the tower's placement is context-sensitive.

Viewpoint 4 (Footpath off Wayacre Drove, 1.33km west):
The tower is obscured by distance and vegetation. This demonstrates its minimal visibility from public rights of way in the area.

Viewpoint 5 (Accommodation Road, 188m south):
From this closer viewpoint, the tower is visible but harmonises with the existing rural and agricultural character. The photomontage shows it is seen in conjunction with other infrastructure, reducing its prominence.

Viewpoint 6 (Bridgewater Road, 1.08km east):
The tower is not visible due to distance and intervening built and natural features. This demonstrates that the proposed siting avoids significant impacts on nearby residential clusters.

Viewpoint 7 (Bridgewater Road, 310m east):
Vegetation and existing structures obscure the view, reinforcing the lack of intrusion into local vistas.

Viewpoint 8 (Land off Bridgewater Road, 138m north):
Visibility is limited to winter months due to deciduous vegetation. Even then, the tower integrates with the surrounding agricultural/industrial setting.

Viewpoint 9 (Land off Bridgewater Road, 597m northwest):
The proposal is not visible from this location, further highlighting effective siting.

Viewpoint 10 (Purn Lane, 604m north):
The tower is visible but appears as an insignificant feature due to the distance and the wide rural landscape.

The photomontages and site analysis confirm that the tower will not be a dominant or visually harmful feature. Instead, it integrates into the

landscape through its proximity to existing infrastructure, natural screening, and design. The location is not within in any designated land areas and is not located near any listed buildings. The proposed location is ideal for the purpose of the equipment. The equipment is to be situated on a large section of unused area away from residential properties amongst mature vegetation & in a contextual setting.

In line with the requirements of NPPF, there are no existing telecommunications installations for the operator to share that are viable, that would provide the necessary coverage to the target coverage area. Similarly, there are no buildings which are suitable and available that the operator could utilise to operate and host their equipment.

It is accepted that the height of the proposed installation is taller than other pieces of surrounding structures and some vegetation, but this in itself is not a valid reason to conclude that it is not appropriate at a specific location. Indeed, Inspectors at appeal have noted that by their very nature to be effective masts are required to be taller than surrounding structures.

Furthermore, it is clear that the Government places significant importance on reliable communications and as such the Planning Inspectorate gives significant weight to the public benefit arising from local service provision. The issue of benefits and planning balance is considered in Appeal Ref: APP/L1765/W/18/3197522 (Land at the junction of Andover Road and Athelsan Road, Winchester for the erection of a 17.5m street works pole).

The Inspector found at Paragraph 9 *'The Government places a high priority on the provision of high-quality communications. The National Planning Policy Framework (the Framework) at Paragraph 112 states, "Advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections". In this instance, the proposal is not so much seeking to provide significantly higher standards but to maintain recent local provision of 2G, 3G and 4G services as a result of a notice to quit from a nearby site that was providing these services. The Council has commented that service provision would be 'adequate' without the proposal, but the appellant has an obligation to provide not only appropriate coverage but also capacity for the network. I attach significant weight to the public benefit arising from the continuation of local service provision'.*

In terms of height and design of the lattice tower as expressed throughout this statement the height at 20m is the absolute technical minimum in order to provide meaningful coverage and capacity whilst reducing visual impact and allow the proposal to better assimilate into landscape and not appear incongruous.

The proposed height of 20m is the necessary height to fulfil technical and operational requirements.

These requirements are provided below:

Coverage: Essential to achieve the coverage footprint of the existing rooftop site and fit in with the established network pattern, as determined by the network radio planners;

Clutter: the height of the proposed lattice tower enables the antennas to surmount the surrounding urban ‘clutter’ to avoid interference and impact on mobile signal quality. Feature of the surrounding environment, especially trees in this location, must be cleared so the antenna can ‘see over’ any obstructions so they do not block the signals from the antennas.

ICNIRP Compliance: Ensures compliance with site-and-technology-specific ICNIRP public exposure certifications; and

5G technologies: New 5G radio technologies operate in higher frequency bands than older technologies. Since it operates at higher frequencies where attenuation of the radio signal is naturally higher, and the effects of clutter are greater it will normally require a higher structure to achieve the same coverage footprint. Furthermore, to increase capacity and data speeds for users, the antenna will normally need to be mounted higher than conventional antennae. These factors drive a requirement for an increase in antenna height in 5G.

In terms of design:

The proposed lattice tower design is not uncommon in a semi-rural setting and provides structural benefit for the infrastructure provider which can support all the required technologies for the operator on a single structure. As such is transparent to an extent that allows light to pass through and promotes reduction in visual impact given the benefit from the backdrop of

mature trees that rise to from 11m. If the lattice tower was any lower in height, it would require another installation, this would lead to the proliferation of masts contrary to planning policy. The lattice tower will be galvanised, with the aim of blending with the often grey skyline.

As such, in accordance with the NPPF and Policies CS5 and CS12 of the North Somerset Core Strategy, Policies DM10 and DM32 of the Sites and Policies Plan Part 1, Landscape Character Assessment SPD, the proposed design has been elected to minimise visual impact upon the areas landscape and not appear visually intrusive, incongruous or dominant within the rural character of the area. It is accepted that the from certain vantage points the lattice tower will be of partial visibility however this would be of less than substantial harm and would not cause detrimental harm to the character and appearance of the area nor would it appear incongruous within its setting, which for note has no sensitive landscape setting.

The context of the application site is sited next to trees that are 11m, in a break of the residential nature of the area set back from the main carriageway of the public highway on private land. These existing trees would act as a screening to mitigate any perceived impact, so far as is practicable, and ensure this is therefore minimised. Combined with the lattice towers design and see through nature it would not appear incongruous or disproportionate allowing the installation to seemingly assimilate into the character of the area.

As such any harm (less than substantial) would be significantly outweighed by the social and economic benefits the appeal site would provide.

Improving the 3G, 4G, and providing future 5G coverage in the area will bring with it many economic and social benefits. As such, the benefits of the proposal greatly outweigh any harm. As an example, in October 2018 the decision of Winchester City Council to refuse prior approval for the installation of a 17.5m high monopole and associated equipment housing, required to replace an established site being lost from Vodafone's network, was overturned by the Planning Inspectorate (CTIL and Vodafone Vs Winchester City Council, appeal reference APP/L1765/W/18/3197522). Within the decision notice, the Inspector stated that:

> *"I attach significant weight to the public benefit arising from the continuation of local service provision… Having regard to all relevant considerations… my findings are that the proposal's public benefit in*

maintaining and enhancing local telecommunication coverage and capacity would outweigh the limited harm arising to the character and appearance of the area".

Additionally, in June 2021, the decision of Sheffield City Council to refuse their Prior Approval for the installation of a 20-metre-high monopole and associated cabinets was overturned by the Planning Inspectorate (MBNL Limited Vs Sheffield City Council, appeal reference APP/J4423/W/21/3268791). Within the decision notice, the Inspector stated that:

"Paragraph 80 of the Framework advises that significant weight should be attached to the economic benefits of providing and enhancing electronic communications infrastructure. Paragraph 112 advises that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being, and that the expansion of electronic communications networks, including next generation mobile technology, such as 5G, should be supported.

The proposal would reinstate 2G, 3G and 4G coverage within the area as well as providing 5G coverage, services would collectively increase network capacity and provide ultra-fast and more reliable mobile connectivity, capable of handling ever-increasing data requirements. The development would provide extensive social and economic benefits to individuals, businesses, and public services, including education and healthcare. The Council does not question the social and economic benefits that would result from the proposal but concludes that they do not outweigh the harm found. However, as no suitable alternative sites have been identified, I attach substantial weight to the benefits that would result from the proposal.

In weighing all the above matters, although I have found that the siting and appearance of the proposal would significantly harm the character and appearance of the area, I consider the substantial social and economic benefits of the proposal outweigh the harm identified"

It is clear in this instance that any consideration in terms of potential impacts on the locale would not provide any significant cause for concern given the scale of the proposal. However, if it was considered there was a degree of

harm would be less than substantial, whereby the National Planning Policy sets out that any such harm should be weighed against the public benefits of the proposal. In this respect, the public benefits are not in question. As highlighted previously, the purpose of this site is to provide EE Ltd customers new 3G, 4G and future 5G coverage and capacity. It is therefore considered that the proposal would support businesses, residents and visitors in the local area.

The Government places significant importance on reliable communications and as such the Planning Inspectorate gives significant weight to the public benefit arising from local service provision. The issue of benefits and planning balance is considered in Appeal Ref: APP/L1765/W/18/3197522 (Land at the junction of Andover Road and Athelsan Road, Winchester for the erection of a 17.5m street works pole).

> The Inspector found at Paragraph 9 *'The Government places a high priority on the provision of high-quality communications. The National Planning Policy Framework (the Framework) at Paragraph 112 states, "Advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections". In this instance, the proposal is not so much seeking to provide significantly higher standards but to maintain recent local provision of 2G, 3G and 4G services as a result of a notice to quit from a nearby site that was providing these services. The Council has commented that service provision would be 'adequate' without the proposal, but the appellant has an obligation to provide not only appropriate coverage but also capacity for the network. I attach significant weight to the public benefit arising from the continuation of local service provision'*.

In addition to the above, this issue of public benefit and planning balance was also considered in Appeal Ref: APP/X5990/W/3162918 (55-59 Oxford Street). In this case, the Inspector found at Paragraph 20:

> *'Whilst I have paid special attention to the desirability of preserving or enhancing the character or appearance of the conservation area, the above factors lead me to conclude that there is less than substantial harm to the character and appearance of the existing*

building and the SCA. Therefore, whilst there is some conflict with WCP and UDP policies, the less than substantial harm that I have identified is outweighed by the clear public benefits of the proposal in maintaining and improving vital communications infrastructure at an important location'.

In line with the requirements of NPPF, there are no existing telecommunications installations for the operator to share, that would provide the necessary coverage to the target coverage area of Bleadon. Similarly, there are no buildings which are suitable and available that the operator could utilise to operate and host their equipment.

2 Impact minimised

The antennas need to be located at a height so as to ensure that the radio signal is not interrupted by buildings, vegetation, other infrastructure, and rises a sufficient amount above nearby urban/rural clutter. Bearing this in mind, the design takes the form of the lowest impact ground-based mast design offered by the Mobile Network Operators (MNOs). The height proposed is the minimum height required to achieve adequate coverage.

In terms of siting, the chosen location best minimises impacts. 21 discounted options were provided as part of the application and since further expanded to include a total of 30 discounts. As such this demonstrates a robust site search approach has been conducted with the proposed location representing the best location in this instance.

The council in their reason of refusal state:

"It has not been sufficiently demonstrated by robust evidence that alternative, more appropriate sites have been considered. It has not been demonstrated that the equipment is designed to be compatible with requirements of legislation and policy to preserve the character or appearance of the building or local area."

The Council did not mention the discounted options within their refusal notice however have made reference within the officer's report stating:

'Out of the 21 sites reviewed, 9 were dismissed because they are too far away, and 8 sites were dismissed because they were in Report template 24/P/2145/TEA Page 5 of 8 residential areas. The applicant has not provided any information as to why these sites were considered as part of the site selection process or whether they have considered sites that offer more screening or potentially installation on existing building or structures. Consequently, all the sites have been dismissed without any thorough assessment. Overall, it is considered the site selection has not been extensive enough'

The 21 discounted options as part of the application and further expanded

to 30 demonstrates that many factors were took into consideration in regard to siting, design and safety, and have ultimately delivered the best location. The Council have failed to take into consideration the impact of discounted options. The council has questioned the discounted options in this instance, robust justification or firm evidence as to why other sites are not considered to be appropriate. However, a full comprehensive discounted options list was provided within the design and access statement also reiterated within this appeal statement, with each option having been investigated and individual reasoning provided as to why it was discounted. For the local planning authority to consider this not to be robust or of firm evidence is wholly inappropriate (with emphasis) as there is a total disregard of technical elements and steps taken to review each of the 21 options at application stage.

Following the expanded site search of a total of 30 options there are no other suitable tall buildings, or structures within the target coverage area that would fit the fixed coverage requirements, consideration was given to the siting of a new free-standing mast. It was duly considered that a proposed lattice tower design would be the most appropriate to minimise the visual and environmental impact of the proposal and ensuring there would be minimal impact in terms of the character of the surrounding area. The height of the tower is limited to the technical and operational requirements of the development. The proposed option is considered the best available from both a technological prospective and a town planning stance.

In consideration of the relevant local policies as well as the NPPF, it is our belief that the development proposal meets the requirements of both local and national policy whilst having regard to technical and operational factors and providing the necessary level of coverage to the surrounding area and any harm identified would be outweighed by the significant social and economic benefits.

Acceptable Impact

Since the advent of mobile phone technology, the infrastructure to support it has been being deployed across the UK – there is now between 30,00 and 40,000 base stations across the UK. These have increased in recent years as the demand for data has increased after the rollout of 4G services, the advent of personal devices such as the iPhone and iPad and the rise of social networks such as Facebook, Twitter and Instagram. In other words, telecommunications masts are now common features of the UK's rural and urban landscapes.

The design proposed is the lowest impact designs of mast available to the appellant being at the absolute minimum at 20m. Bearing in mind that the function of antennas requires a clear path to their target area the height is the absolute minimum required to provide coverage to Bleadon.

The backdrop to communications is changing and evolving dramatically, with the arrival of 4G and now, the move to 5G. Social networks and the increased computing power in handsets and other portable electronic devices have driven demand for data.

Connected Nations Report (2023)

The Connected Nations 2023 was published in May 2023. This is the first interim update to their Connected Nations 2022 report. It is based on mobile coverage and fixed broadband availability across the UK as of January 2023. Ofcom is a measure mobile coverage in a way that reflects the likely experience of people using their mobile phones. The report acknowledges that there has not been a significant increase in coverage since the December 2022, but the industry continues to develop its coverage footprint.

"4G: Coverage of 4G mobile networks across the UK has not seen significant changes over the last reporting periods. Around 92% of the UK landmass is predicted to have good outdoor 4G coverage from at least one operator, and this area includes nearly all of the premises in the UK. This is expected to rise to 95% by end of 2025 as a result of the SRN.

4G not-spots: The UK has both geographic and road not-spots (that is, areas where good 4G services are not available from any mobile operator). Geographic not-spots have remained the same since our December 2022 report at 8%. Road coverage remains largely the same with just 4% of all roads estimated to be an in-vehicle not-spot. This varies significantly across individual nations, particularly in Scotland and also in Wales. Wales has benefited by a percentage point drop in geographic not spots since our December report.

Calls and text coverage: As with 4G, predicted coverage for calls and text services remains largely unchanged over the previous reporting periods. The range of predicted coverage by MNOs varies from 85-93% of the UK landmass, depending upon operator. In addition, 99% of all UK premises are predicted to have coverage for outdoor voice calls from all MNOs.

Calls/text not-spots: Areas where people are unable to make a call or send a text from any operator (not-spots) is similarly unchanged, with around 4% of the UK geography estimated as a not-spot, and around 2% of the UK's roads estimated to be a not-spot for calls and texts made or received in vehicle.

As with 4G, there are marked variations for individual nations; for example, geographic notspots across Scotland remain higher than for the rest of the UK, at around 10%.

5G: We continue to report on 5G coverage (outdoors premises) from 'All MNOs' and from 'At least one MNO', with coverage confidence levels ranging from high to very high. Coverage from 'At least one MNO' now ranges from 73% (very high confidence) to 82% (high confidence) of premises outdoors, up from 67% and 78% respectively when we reported in our December 2022 report"

UK Wireless Infrastructure Strategy (2023)

In April 2023, the UK Government published the 'UK Wireless Infrastructure Strategy'], a plan for delivering world-class digital infrastructure which the government identifies as an essential enabler for its 5 priorities of building a better, more secure, more prosperous future for the UK, including growing the economy, and creating better- paid jobs and opportunity right across the country. In her foreword, the Rt Hon Michelle Donelan MP, Secretary of State for Department for Science, Innovation and Technology, provides

context for the strategy:

"5G will be the cornerstone of our digital economy. With higher capacity and lower latency, standalone 5G will drive growth in the industries of today and tomorrow, including in emerging sectors like artificial intelligence where Britain leads the world.

Just take smart ports, where 5G-enabled remote operation can help us to move containers more quickly, efficiently, and safely, boosting our international competitiveness. 5G can improve our public services, too, in everything from education to social care. In transport, for example, we can use 5G to power forward progress in everything from real time travel information to augmented reality navigation and self-driving buses and taxis…. This is an incredible opportunity; widespread adoption of 5G could see £159 billion in productivity benefits by 2035".

The Future Telecoms Infrastructure Review, 2018 sets out the ambition of the Government for the UK to become a world leader in 5G technology and ensuring world class connectivity for all. This ambition was reaffirmed in the 'UK Wireless Infrastructure Strategy', published in April 2023 which states in the Executive Summary:

"The next decade will see seismic changes both in terms of what wireless connectivity can deliver and how we can use it. The economic and social benefits from these changes promise to be vast, from supercharging growth to accelerating our transition to net zero. But these benefits can only be achieved with concerted action from government, industry, and others".

The Foreword of the 'UK Wireless Infrastructure Strategy' by Julia Lopez MP 'Minister of State for Department for Science, Innovation and Technology' states inter-alia:

"The more our lives are conducted online, the more access to the internet becomes critical for social and economic opportunity.

This is why delivering world-class digital infrastructure to all Britons is a fundamental mission of this government - and our efforts to build it the modern equivalent in scale and ambition to the Victorians' construction of the railways. Our plan is for every corner of our country to get lightning fast connectivity, not only to give people real choices about where to live and work today but so they will not be left out of future technological revolutions

because of poor infrastructure.

It is this sense of purpose that underpins Project Gigabit, our flagship £5 billion programme to reach hard-to-reach communities across the UK with gigabit-capable broadband. It is complemented by a staggering competition now underway between commercial suppliers to supply Britons with great connectivity.

Extraordinary progress is being made on coverage. When I began my role in September 2021, gigabit coverage was just over 50%. Now, it stands at almost 75%.

With £1bn of Project Gigabit's funding now available to suppliers, our contracts are not just delivering better internet but skilled jobs everywhere from Blandford to Berwick. By the end of next year, we hope to have every part of our country under contract.

Which is why the time is right to turn our sights to mobile connectivity, where the same sense of mission is needed to deliver the kind of wireless infrastructure that will transform how we live our lives and run our economy. This is not simply a matter of improving download speeds as people browse the internet on their phones or dial into work calls. It is far more transformative than that'.

The UK Wireless Strategy states that '4G technology revolutionised the way people use their mobile phones. What today is considered normal, a decade ago was ground-breaking. We have seen the growth of streaming services, like Netflix and Spotify, and gained constant access to high-quality, user-produced content for free on platforms like YouTube, transformed the way we shop online, travel around cities through access to apps like Uber and Bolt and use public services, such as booking NHS appointments through apps'.

The UK Government in the UK Wireless Infrastructure Strategy' recognises that 'growth in the digital sector is nearly 6 times faster than across the economy is a whole.

Levelling Up the United Kingdom White Paper'

The Department for Levelling Up, Housing and Communities (DLUHC) published the 'Levelling Up the United Kingdom White Paper' on 02

February 2022. Levelling up is a moral, social and economic programme for the whole of government. The Levelling Up White Paper sets out how the Government spread opportunity more equally across the UK.

The 'Levelling Up the United Kingdom White Paper' champions that 'the United Kingdom is an unparalleled success story – a multi-cultural, multi-national, multi-ethnic state with the world's best broadcaster; a vibrantly creative arts sector; a National Health Service which guarantees care for every citizen; charities and voluntary groups which perform a million acts of kindness daily; globally renowned scientists extending the boundaries of knowledge every year; entrepreneurs developing the products and services which bring joy and jobs to so many; and millions of citizens whose kindness and compassion has been so powerfully displayed during the COVID-19 pandemic.

But not everyone shares equally in the UK's success. While talent is spread equally across our country, opportunity is not. Levelling up is a mission to challenge, and change, that unfairness. Levelling up means giving everyone the opportunity to flourish. It means people everywhere living longer and more fulfilling lives, and benefitting from sustained rises in living standards and well-being.

This requires us to end the geographical inequality which is such a striking feature of the UK. It needs to begin by improving economic dynamism and innovation to drive growth across the whole country, unleashing the power of the private sector to unlock jobs and opportunity for all. While there are world-leading and enterprising businesses and innovators right across the UK, economic growth and the higher productivity which drives it has been over-concentrated in specific areas, particularly the South East of England. A long tail of low-productivity businesses and places explain why UK productivity growth is too low compared to competitors. It is vital that we preserve and enhance the economic, academic and cultural success stories of the UK's most productive counties, towns and cities. But it is equally critical that we improve productivity, boost economic growth, encourage innovation, create good jobs, enhance educational attainment and renovate the social and cultural fabric of those parts of the UK that have stalled and not – so far – shared equally in our nation's success'.

The 'Levelling Up the United Kingdom White Paper' states that:

'The UK Government has made progress towards spreading opportunity

around the country since 2019, alongside mitigating the worst effects of the pandemic, with:

- £5bn for Project Gigabit to bring gigabit-capable broadband to 85% of the UK by 2025, and the £1bn Shared Rural Network deal with mobile operators delivering 4G coverage to 95% of the UK by the end of 2025;
- five-year consolidated transport settlements amounting to £5.7bn in eight city regions outside London, £5bn of funding for buses and active travel over this Parliament; and £96bn for the Integrated Rail Plan delivering faster, more frequent and more reliable journeys across the North of England and the Midlands; Levelling up is not about making every part of the UK the same or pitting one part of the country against another. Nor does it mean dampening down the success of more prosperous areas. Indeed, by extending opportunity across the UK we can relieve pressures on public services, housing and green fields in the South East. And levelling up can improve well-being in the South East by improving productivity in the North and Midlands. So, it is about the success of the whole country: realising the potential of every place and every person across the UK, building on their unique strengths, spreading opportunities for individuals and businesses, and celebrating every single city, town and village's culture. This will make the economy stronger, more equal and more resilient, and lengthen and improve people's lives. The economic prize from levelling up is potentially enormous. If underperforming places were levelled up towards the UK average, unlocking their potential, this could boost aggregate UK GDP by tens of billions of pounds each year. Levelling up skills, health, education and wellbeing would deliver similarly-sized benefits. Accumulated over time, those gains could easily surpass annual UK GDP. Success in levelling up is about growing the economic pie, everywhere and for everyone, not re-slicing it.

The United Kingdom's Geographical Disparities: Drivers and Potential Policy Approaches What does the economic and social geography of the United Kingdom look like? The UK has larger geographical differences than many other developed countries on multiple measures, including productivity, pay, educational attainment and health. Urban areas and coastal towns suffer disproportionately from crime, while places with particularly high levels of deprivation, such as former mining communities, outlying urban estates and seaside towns have the highest levels of community need and poor opportunities for the people who grow up there. These disparities are often larger within towns, counties or regions than between them. They are hyper-local and pockets of affluence and

deprivation may exist in the same district. Indeed, many of the worst areas of deprivation are found in the UK's most successful cities. While change is possible, in some cases, these differences have persisted for much of the last century.

And some of the UK's most successful cities – such as Birmingham, Manchester, Leeds, Glasgow and Cardiff – lag behind their international comparators when it comes to productivity and incomes. What are the current and future drivers of geographical disparities? Over the past century, many trends have combined to create the spatial patterns seen across the UK today. Globalisation, technological progress, advances in transport, logistics and power, and the shift from heavy industry to knowledge-intensive sectors, as well as the rise of foreign holidays and shift from technical training to university education, have had a large and lasting impact on the economic geography of the UK. These dynamics of the global economy have benefited the UK overall, improving productivity, increasing wealth and driving up living standards through more innovation and competition. These dynamics, however, have not had the same positive economic and social impacts across the UK. While London and much of the South East have benefited economically, former industrial centres and many coastal communities have suffered. This has left deep and lasting scars in many of these places, damaging skills, jobs, innovation, pride in place, health and wellbeing. What are the factors that will help drive levelling up? Levelling up requires a focused, long-term plan of action and a clear framework to identify and act upon the drivers of spatial disparity. Evidence from a range of disciplines tells us these drivers can be encapsulated in six "capitals".

- Physical capital – infrastructure, machines and housing.
- Human capital – the skills, health and experience of the workforce.
- Intangible capital – innovation, ideas and patents.
- Financial capital – resources supporting the financing of companies.
- Social capital – the strength of communities, relationships and trust.
- Institutional capital – local leadership, capacity and capability

This White Paper sets out that the new policy regime is based on five mutually reinforcing pillars. Firstly, the UK Government is setting clear and ambitious medium-term missions to provide consistency and clarity over levelling up policy objectives. These missions will serve as an anchor for policy across government, as well as catalysing innovation and action by the private and civil society sectors. These missions are ambitions that the

UK Government has for all parts of the UK. Delivering on them, while being fully respectful of the devolution settlements, will require close and collaborative work with the devolved administrations. The missions are rolling decade-long endeavours and will be reviewed periodically by the UK Government. One mission relates to:

“Digital Connectivity

Mission: By 2030, the UK will have nationwide gigabit-capable broadband and 4G coverage, with 5G coverage for the majority of the population” (my emphasis.

The White Paper notes the pivotal role that ‘Digital Connectivity’ has in boosting productivity, pay, jobs, and living standards by ‘Growing the Private Sector’.

To help drive these improvements, the UK Government is setting four core missions, spanning living standards; research and development (R&D); transport infrastructure; and digital connectivity.

Para. 3.2.4 of the White Paper states ‘By 2030, the UK will have nationwide gigabit-capable broadband and 4G coverage, with 5G coverage for the majority of the population. This mission is focused on improving digital connectivity’.

The case for ‘Digital Connectivity’ action states:

‘The COVID-19 pandemic demonstrated the importance of digital infrastructure right across society, from ensuring business continuity to reducing isolation.

Improved digital connectivity has the potential to drive growth and productivity across the UK and widen job opportunities through remote working. However, there are significant spatial disparities in the quality of broadband and mobile networks, with rural areas likely to experience worse digital connectivity than urban areas. Infrastructure is only part of the picture: economic benefits will only materialise if businesses and workers have the skills to take advantage of improved infrastructure.

More broadly, high quality digital infrastructure can deepen local labour markets through remote working, making it more attractive for both workers

and companies to locate regionally. It also allows for the development of high-value sectoral clusters, which can drive growth and jobs in new areas. Existing specialisms in the UK regions have the potential to generate strong tech clusters, such as fintech in Scotland and Wales, e-Commerce in the North West and Northern Ireland, and Agri-Tech in Yorkshire and the Humber. The sector also provides opportunities for raising living standards – median earnings for the sector are 50% higher than the UK average.

The policy programme for 'Digital Connectivity' states:

'In 2020, the UK Government published the National Infrastructure Strategy, committing to providing £5bn in public funding to roll out gigabit broadband to at least 85% of the country by 2025, and subsequently to as close to 100% as possible, working with the private sector. Public investment will target premises that are hardest to reach and which would otherwise not be provided for by the private sector, ensuring no areas are left behind. Gigabit coverage has increased from 10% to over 60% in less than two years. Since 2019, coverage has improved across the UK, and the UK Government anticipates the following additional improvements to be delivered as a minimum by 2025.

The UK Government has also agreed a £1bn deal with mobile operators to deliver the Shared Rural Network programme. This will see operators collectively increase 4G coverage to 95% by 2025. As a result of this collaboration, the vast majority of the UK will soon benefit from improvements to digital connectivity.

5G has the potential to radically change the way people live and make businesses more productive and competitive. The UK Government's ambition is for the majority of the population to have access to a 5G signal by 2027. Since 2017, the UK Government has provided £200m in funding for 5G Testbeds and Trials, supporting over 200 startups and SMEs across a range of sectors – including healthcare, manufacturing, Agri-Tech and creative industries – to better understand how to use the technology to develop new solutions and services (emphasis added).

In 2022, the UK Government will publish the Wireless Infrastructure Strategy. This will review how far the private sector will go to deliver wireless infrastructure – including 5G – across the country, and determine whether there are any market failures in places that need to be addressed, and how the UK Government could tackle these.

The West Midlands 5G (WM5G) Testbed started in 2018 with the mission of testing and proving the benefits of 5G to public and private sector productivity, creating jobs and boosting growth. The UK Government has invested £21m over three years, alongside investment from local government and the private sector. By working with local authorities and Mobile Network Operators (MNOs), WM5G has accelerated 5G deployment by over six months, resulting in the West Midlands being amongst the best connected places for 5G in the UK. In addition, WM5G has delivered a number of UK firsts, including a 5G road sensor network, 5G connected ambulance and capsule endoscopy trials, and a 5G application accelerator programme called 5prinG, which has already upskilled over 400 organisations on the benefits of 5G and allowed over 60 startups to develop new 5G products and services. We must ensure that people have sufficient digital skills to reap the benefits and prosperity arising from the digital economy. In 2020, the UK Government introduced a new digital skills entitlement, giving adults with low or no digital skills in England free access to new digital skills qualifications based on employer-supported national standards. The UK Government continues to work with local leaders to develop Local Digital Skills Partnerships. These collaborative partnerships are now operating in seven regions across England, with an eighth formally launching in Hull and East Yorkshire in early March. The UK Government will work with devolved administrations to consider how best to share the insights and evaluation of the programme to help build digital skills capability across the UK'.

Levelling Up the United Kingdom (February 2022)

Digital Connectivity is a focus area and the mission is 'By 2030, the UK will have nationwide gigabit-capable broadband and 4G coverage, with 5G coverage for the majority of the population'. This mission is focused on improving digital connectivity.

Digital connectivity:

<u>The case for action</u>

The COVID-19 pandemic demonstrated the importance of digital infrastructure right across society, from ensuring business continuity to reducing isolation. Improved digital connectivity has the potential to drive growth and productivity across the UK and widen job opportunities through

remote working. However, there are significant spatial disparities in the quality of broadband and mobile networks, with rural areas likely to experience worse digital connectivity than urban areas. Infrastructure is only part of the picture: economic benefits will only materialise if businesses and workers have the skills to take advantage of improved infrastructure.

More broadly, high quality digital infrastructure can deepen local labour markets through remote working, making it more attractive for both workers and companies to locate regionally. It also allows for the development of high-value sectoral clusters, which can drive growth and jobs in new areas. Existing specialisms in the UK regions have the potential to generate strong tech clusters, such as fntech in Scotland and Wales, e-Commerce in the North West and Northern Ireland, and Agri-Tech in Yorkshire and the Humber. The sector also provides opportunities for raising living standards – median earnings for the sector are 50% higher than the UK average.

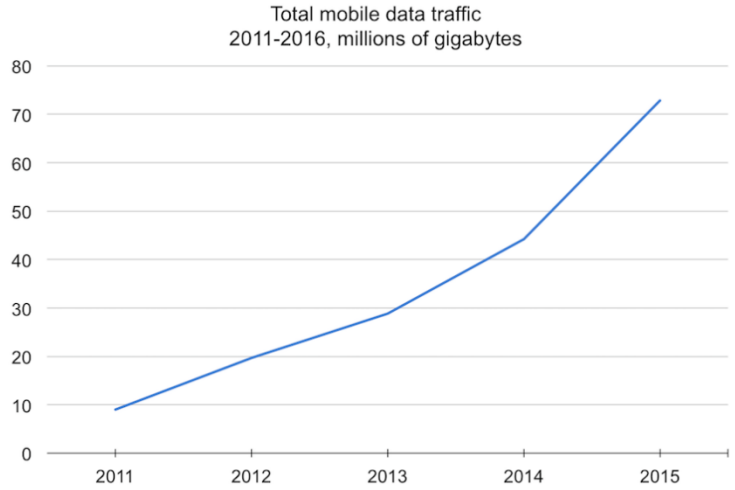
The policy programme

In 2020, the UK Government published the National Infrastructure Strategy, committing to providing £5bn in public funding to roll out gigabit broadband to at least 85% of the country by 2025, and subsequently to as close to 100% as possible, working with the private sector. Public investment will target premises that are hardest to reach and which would otherwise not be provided for by the private sector, ensuring no areas are left behind. Gigabit coverage has increased from 10% to over 60% in less than two years. Since 2019, coverage has improved across the UK, and the UK Government anticipates the following additional improvements to be delivered as a minimum by 2025, as set out below.

In 2022, the UK Government will publish the Wireless Infrastructure Strategy. This will review how far the private sector will go to deliver wireless infrastructure across the country and determine whether there are any market failures in places that need to be addressed, and how the UK Government could tackle these.

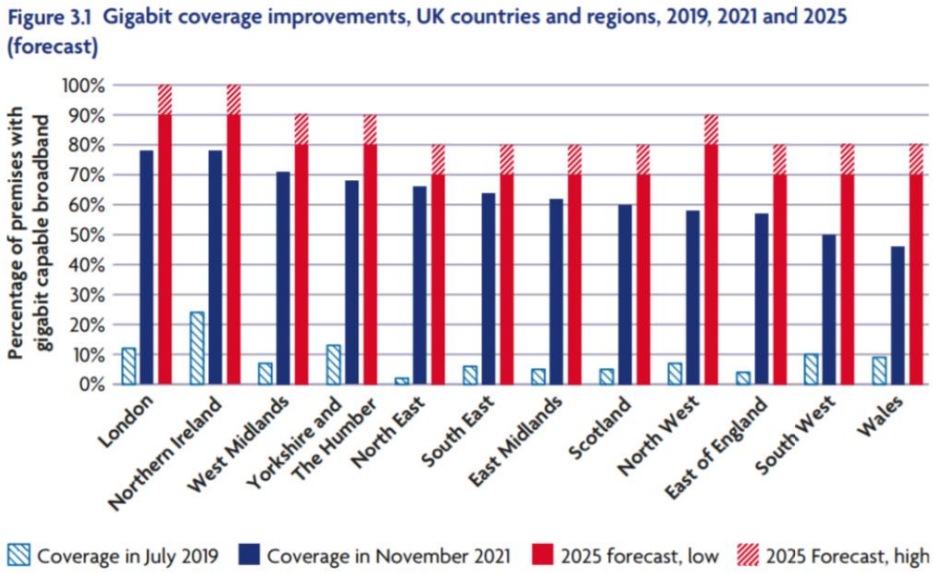
We must ensure that people have sufficient digital skills to reap the benefits and prosperity arising from the digital economy. In 2020, the UK Government introduced a new digital skills entitlement, giving adults with low or no digital skills in England free access to new digital skills qualifications based on employer-supported national standards. The UK Government continues to work with local leaders to develop Local Digital

Skills Partnerships. These collaborative partnerships are now operating in seven regions across England, with an eighth formally launching in Hull and East Yorkshire in early March. The UK Government will work with devolved administrations to consider how best to share the insights and evaluation of the programme to help build digital skills capability across the UK



The above graphic is taken from the UK Digital Strategy 2017[1].

The graphic below shows the predicated growth in coverage improvements



Source: Levelling Up the United Kingdom.

Source: UK Digital Strategy

As can be seen, from the above, gigabit coverage is expected to rise by 2025. This has manifested itself into the more supportive policy backdrop through the NPPF. This demonstrates the importance of connectivity and how it is vital for all members of society to benefit from the benefits this will bring, both social and economic.

Whilst it is acknowledged that the Council, as LPA, have a role to play in preventing inappropriate development that would have any significant harm that would outweigh the benefits of any proposal, it is considered that measures such as amenity designations can be put in place which can help prevent 'change'. No planning policy is in place to protect all areas from 'change'. Mobile telephone is a new technology in relative terms however it has been around for well over two decades with its infrastructure being installed throughout the country as such should be seen as a 4th utility. As such it is commonplace across the UK and within the Council's area and neighbouring Councils to see such infrastructure.

Taken together we consider that the impacts of the proposed mast would not significantly affect the character and/or amenity of the area to a degree enough to warrant a refusal as in this instance. However, should the Inspectorate consider that there is harm visited upon the area from the proposed mast, then it is argued that the requirement for more infrastructure to supply current and future demands and the specific requirement to ensure that this part of Bleadon and surrounding area gets coverage outweighs any such harm. To add to these material considerations would be the lack of a more suitable site or design and the operational and technical requirements of the industry e.g. specific height required by antennas to reach target coverage.

In this case, it is suggested that the application of the balancing method advocated in the NPPF, for the provision of communications and connectivity services, in the public interest, be utilised to balance the need for continued connectivity with the potential impact of the site. It is considered that when this balance test is applied to the proposal, where the need and significant public benefit is balanced against the appearance and level of associated visual impact of the proposed site, that the application proposal is positively in favour and is considered wholly appropriate.

This has been emphasised by the Planning Inspectorate on a number of appeal cases where, the planning inspectorate has ruled in favour of

proposed developments of a similar nature, where this balance was applied. Some recent examples of where this balance was applied by the Planning Inspectorate include appeal cases referenced APP/Q3305/W/18/3206555 and APP/L1765/W/18/3197522. Extracts from these appeal decisions are included below for your convenience:

> *"In considering the need for the proposal, Government policy, as set out in the Framework States that advanced, high-quality and reliable communications infrastructure is essential for economic growth and social well-being. In this respect, I have found that there is a need for the proposal which therefore weighs strongly in its favour. As I have found that the level of harm relating to this second main issue would be low, that identified need would outweigh the harm in this case."*
>
> *"I conclude on this issue that despite the less than substantial harm that would be caused, the public benefits of the proposal would outweigh that harm."*

"9. The Government places a high priority on the provision of high-quality communications. The National Planning Policy Framework (the Framework) at Paragraph 112 states, "Advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections... The Council has commented that service provision would be 'adequate' without the proposal, but the appellant has an obligation to provide not only appropriate coverage but also capacity for the network. I attach significant weight to the public benefit arising from the continuation of local service provision."

"13. Having regard to all relevant considerations, including national planning policy and the potential availability of alternative sites, my findings are that the proposal's public benefit in maintaining and enhancing local telecommunication coverage and capacity would outweigh the limited harm arising to the character and appearance of the area."

Whilst each application needs to be assessed on its own merits, the above appeals (along with a growing number of others) indicate a growing trend, based on national policy and guidance, to favour important utilities and

infrastructure developments in the wider public interest when the potential harm is outweighed by the important and unavoidable public benefits they provide.

The selected siting is considered wholly appropriate. The proposal has been designed and sited specifically to achieve a balance between meeting the technical requirement and avoiding harm to the surrounding area by which telecoms development has already been considered acceptable. Given the height of the proposal, its design and appearance, then any visual impact would be minimised as far as is practicable and, on balance, acceptable in this instance.

On balance, this proposed location is considered to be the optimum location in terms of siting and design, with the limited harm it may impose on the surrounding area being outweighed by the provision of enhanced services to the area in the public interest. As such, equilibrium will be achieved between technical requirements and environmental impact.

6.0 Conclusion

Balancing the requirements of planning considerations and the need for electronic communications networks are issues for central government, local government and operators alike. The necessity to address all the pertinent factors in the consideration of telecommunications proposals is imperative to ensure that the most appropriate decision is reached.

Relevant legislation, government advice and development plan policy must be taken into full account when arriving at a decision. The relevance of the key issues will vary from one proposal to another, and therefore the weight attached to material planning considerations will change in each case.

In terms of this proposal, the benefit of the proposal would be in relation to;

i. the specific coverage required by the appellant and addressing the significant amount of customer complaints received
ii. the vastly increased data demand on mobile devices supporting economic and social requirements
iii. the technical and operational criteria, necessitating the height requirements and the equipment;
iv the lack of suitable and available alternative options in the vicinity and especially the coverage area;
v the use of a sensitive design to minimise the visual impact of the proposal demonstrative through the visual report provided;
vi the identification of the most suitable location for such a design;
vii providing an upgrade in communications infrastructure to an area which hosts significant development in particular of a residential nature
viii the compliance with ICNIRP guidelines in respect of the perceived health and safety issues.

The Inspector is respectfully requested to consider the merits of the appeal proposal based on the evidence provided in support of this appeal and to approve the appeal proposal, thereby ensuring the appellant can continue to provide its customers with the desired level of service in this area.