



Appeal Decision

Site visit made on 1 May 2018

by Ken Barton BSc(Hons) DipArch DipArb RIBA FCI Arb

an Inspector appointed by the Secretary of State

Decision date: 21 May 2018

Appeal Ref: APP/N1215/W/17/3191083

**Land at Steepton Bill Farm, Catherines Well, Milton Abbas, Dorset
DT11 0AT**

- The appeal is made under section 78 of the *Town and Country Planning Act 1990* against a refusal to grant planning permission.
 - The appeal is made by Vodafone UK against the decision of North Dorset District Council.
 - The application Ref 2/2017/1054/FUL, dated 28 June 2017, was refused by notice dated 8 September 2017.
 - The development proposed is the installation of a 25 metre lattice mast complete with 3 antennas, 2 dish antennas and associated radio equipment cabinets with a fenced compound.
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Preliminary Matters

1. Subsequent to the application subject of this appeal, a revised application (2/2017/1737/FUL) was submitted for a 25 metre monopole, rather than a lattice, mast. After the initial application Milton Abbas Parish Council (MAPC) had concerns about assessment of alternative locations, and about whether the impact on the landscape had been clearly demonstrated. Consequentially, the Parish Council produced its own Impact Assessment for the later monopole proposal. The two designs would have very similar impacts and therefore the MAPC's Impact Assessment has also been considered in respect of the lattice mast.

Decision

2. The appeal is allowed and planning permission is granted for the installation of a 25 metre lattice mast complete with 3 antennas, 2 dish antennas and associated radio equipment cabinets with a fenced compound on land at Steepton Bill Farm, Catherines Well, Milton Abbas, Dorset DT11 0AT in accordance with the terms of the application, Ref 2/2017/1054/FUL, dated 28 June 2017, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 100B, 200B, 201C, 300B, and 301C.

Effect on the Character and Appearance of the Landscape in the Area of Outstanding Natural Beauty

3. The appeal site lies within the Chalk Valley and Downland Landscape Character Type where the planning guideline is to "Ensure pylons, masts and other

vertical elements are carefully sited and the number restricted to avoid visual clutter and further interruption of important skylines". The specific character area in which the site is located is the Upper Milborne Valley which is noted as having a strong landscape character and a "Distinctive chalk landscape dominated by Milton Abbey and its designed eighteenth century parkland setting". It is the quality and number of heritage assets considered as a whole that gives the location its significance.

4. The site also lies in the Dorset Area of Outstanding Natural Beauty (AONB) which the *National Planning Policy Framework* (NPPF) identifies as having the highest status of protection in relation to landscape and scenic beauty. However, the NPPF makes clear that there can be no blanket ban on masts and similar apparatus in designated landscapes.
5. The AONB Management Plan 2014-2019 states: "Communications and energy infrastructure Communications networks are vital to support businesses and provide essential services for communities; however connectivity can be poor, especially in the more rural and remote parts of the AONB, resulting in demand for new and more efficient infrastructure. Communications infrastructure can often have a negative impact within the historic settlements and rural landscapes of the AONB, in particular tall vertical structures such as radio and telecommunications masts and poles supporting overhead cables have a significant visual impact in elevated and open locations".
6. However, the proposed location is not in an elevated position but is sheltered from view by surrounding trees, which also mask the view from the surrounding rural landscape. The mast would not be seen from Milton Abbey as the Council maintain. Indeed, the nearest spot from which it would be visible would be around 400 metres from the Abbey. The very top of the mast would be visible from parts of the Hilton Road but at distances of a kilometre or more would have little impact on views.
7. The mast would also be seen from the permissive path between Catherines Well and the Abbey grounds. A car park has been designed to fit here in the landscape. However, a car park amongst trees would clearly be visible whilst a mast with antennas 25 metres above the ground would be less intrusive.

Effect on the Settings of Designated Heritage Structures

8. There are a number of designated heritage structures in the area including the Grade II* listed Milton Abbey Park and Garden designed by Capability Brown, Milton Abbas Conservation Area, and the historic Middleton village, now a scheduled ancient monument (SAM). Milton Abbas, a replacement for Middleton, is an early model village, possibly the first example of a planned village in the country. There are also a number of listed buildings including Abbey House, Abbey Church, and St Catherines Chapel that are all listed Grade I, and the Church of St James and houses in the historic village that are listed Grade II.
9. A 360 degree view has been captured from a drone flying at 25 metres above the ground, the height of the proposed mast. This demonstrates that the mast would not be visible from the vast majority of the registered park and garden or Conservation Area. Two areas in the Park and Conservation Area from which it might be seen are privately owned with no public access and views would be blocked by trees. The mast would be visible from the western edge

of the modern part of the village at Catherines Well and the track running from it towards the Abbey. The very tip of the mast would be seen from a small section of the Milton Abbas to Hilton Road. In terms of the SAM the only area from which the mast might be seen is one of the privately owned areas with no public access where trees on the edge of the lake would screen most of the view.

10. In respect of the Grade I Milton Abbey School, the mast would not be seen from the main buildings, nor from Lady Milton's Walk or the folly due to trees around those two latter locations. Similarly, tree cover and/or topography would prevent the mast being seen from the Grade I St. Catherines Chapel and the Abbey Church. Nor would it be visible from the Grade II Church of St James or the houses in the historic village. Even where the mast would be visible it would predominantly be against a backdrop of trees or from a considerable distance away. I agree with MAPC that in most views the effect would be 'none' or 'slight' and only in the views from the village to the Abbey Road would there be a 'moderate' effect. Consequentially the proposal would lead to less than substantial harm to the significance of the designated heritage assets and their settings.

Other Matters

11. The NPPF states that Councils should not question the need for telecommunications systems. In this case, coverage would be for Vodafone, and possibly O2, centred on Milton Abbas but would also improve coverage to Hilton in the west and the wider surrounding area, including Catherines Well where coverage is poor. Ofcom has a list of "not spots" that need to receive coverage but which limit the number of viable sites as they need to "see" into valleys. The Council acknowledges "There would potentially be a large number of benefits to local people including residents, children of the school, motorists and visitors.
12. In the light of local knowledge MAPC requested information on four alternative sites. Fishmore Hill Farm is south of the village on low lying ground and so would not provide the necessary coverage. In any event, the mast would be more prominent than the proposal. Luccombe Farm is unsuitable due to the topography and dense tree coverage leading to the need for a very high mast. A mast on the ridge south of the village would also need to be at least 10 metres taller than the surrounding trees and so would be clearly visible from the historic villages as well as much of the surrounding landscape. Finally, a mast could be sited on open ground alongside the track between St Catherines Chapel and St Catherines Well. This would be further away from the historic landscape but would be highly visible as there is little screening available.
13. Benefits of a mobile phone signal include, safety for lone agricultural workers, riders, walkers and cyclists. In addition, there would be benefits in terms of, business, visitors, Government gateways, internet banking, smart meters, and health appointments. Whilst the application did not include specialist assessments, this did not prevent the Council from making its own judgement, as did MAPC, albeit in response to the later monopole scheme.
14. Great weight must be given to the location of the appeal site in the AONB, as required by NPPF paragraph 115. Notwithstanding this, I conclude that the benefits of the proposed mast would outweigh the minimal localised adverse impact which would not be significantly detrimental to the character and

appearance of the AONB. The proposal would meet the objectives of Policies 4, 13 and 24 of the *North Dorset Local Plan Part 1* (LP) and Policies L1a, L1c, L2c and PH1g of the AONB Management Plan.

15. In respect of the heritage assets, not only would the proposal cause less than substantial harm but it would be towards the lowest end of less than substantial. The proposal would conform with the aims of LP Policies 5 and 24 and NPPF paragraphs 131, and 132.
16. Even when the harm caused to the AONB and the heritage structures are considered together it would be outweighed by the public benefits of allowing the proposal.

Conditions

17. I therefore intend to allow the appeal and turn to any conditions that should be allowed. In addition to the normal time condition the Council has only suggested a condition setting out the approved drawings. This condition should be attached in the interests of clarity and good planning. I do not consider that any other conditions are necessary.

Ken Barton

Inspector