

**ERPINGHAM – PF/22/2650 - Installation of 30m slim-line lattice tower supporting 3no antennas and 2no 0.6 metre diameter transmission dishes, 3no equipment cabinets, 1no meter cabinet and ancillary development thereto located within a compound at Land North Of Manor Farm, The Street, Erpingham, Norwich, NR11 7QD for Cornerstone**

### **Minor Development**

**Target Date:** 28 March 2023

**Extension of Time:** 17 Nov 2023

**Case Officer:** Rob Arguile

**Full planning application**

### **RELEVANT SITE CONSTRAINTS**

Countryside LDF

Conservation Area

Internal Drainage Boards Boundary SFRA

Areas Susceptible to Groundwater SFRA

Landscape Character Area – River Valleys (RV2)

### **RELEVANT PLANNING HISTORY**

(W) = Withdrawn

**IB/21/2031** (W) (29.04.2022)

Proposed 30m lattice tower, base station installation and 1.8m fence

**PF/21/2483** (W) (10.11.2021)

Installation of base station; 30m slim-line lattice tower supporting 3 no. antennas and 2 no. 0.6 metre diameter transmission dishes, 3 no. equipment cabinets, 1 no. meter cabinet and ancillary development within new compound

### **THE APPLICATION**

The application seeks planning permission to erect a 30m tall slim-line lattice tower supporting 3no antennas and 2no 0.6 metre diameter transmission dishes, 3no equipment cabinets, 1no meter cabinet and ancillary development thereto located within a compound. The mast will provide up to 5G data and improved phone signal in surrounding area.

### **REASONS FOR REFERRAL TO COMMITTEE**

The application has been called in by Cllr John Toye owing to its impact upon the Conservation Area and the wider landscape.

### **PARISH COUNCIL**

**Alby with Thwaite Parish Council - Objection.** Would be visually intrusive in a wooded area that is part of a conservation locality. There are better alternative sites that do not appear to have been considered. A more preferable location could produce a unanimous agreement with all interested parties.

**Erpingham with Calthorpe Parish Council - No Objection.** Information regarding tree height is inconsistent, not convinced that the arboricultural report has been completed competently as tree species identified may be incorrect. Location is adjacent to a wildlife area.

The application has not provided an assessment of other locations or a rationale for this location. There are other sites that may be appropriate such as the church tower or on high points in the landscape with existing commercial buildings. The proposed location appears to be on low ground and therefore requires a higher mast which would appear to be an inefficient choice. Other countries appear to be good at making masts look like other things, mainly trees.

## **CONSULTATIONS**

**Conservation and Design Officer - Objection.** The following points were raised:

- The submitted Heritage Statement is not considered compliant under para 200 of the NPPF as it, a) fails to describe the significance of the Mannington & Wolterton Conservation Area and b) does not recognise the presence of the Grade II Listed Erpingham House. It therefore does not assess its impact upon these areas in a sufficient manner.
- By virtue of its height and overall appearance it would not make a positive visual appearance to the area. It would present an incongruous intrusion into the landscape given its equipment and impact upon the surrounding Conservation Area and would fail to preserve the existing heritage assets.
- The Mannington & Wolterton Conservation Area is an area which derives its significance from property and land holdings. It is a rural designation and consists of agricultural and pasture land framed with copse of mature woodland.
- The mast would be set back from The Street within one of the copse of trees and would benefit from natural screening from the north, east and would be against a backdrop of trees from the west. Seasonally the views would comprise of a mix of filtered, partial or contextual. On this basis the level of harm is identified as the lower half of 'less than substantial' in relation to the NPPF.
- Erpingham House is located within 100m of the proposal site and therefore there is potential for the proposal to impact this house. However, the impact is likely to be modest given the houses principal elevation faces away from the mast, the northern elevation would face the mast at an angle and would be interrupted by trees, the mast would not impinge upon important views of the listed building, except with a possible exception of the southern end of the curtilage. With this in mind it is difficult to imagine the house and mast view together.
- It has previously been stated that the trees were due to be felled under a previous application. As the tree cover falls outside the control of the applicant any alteration to trees such as the removal would result in a great visibility on the skyline. The level of harm would be influenced by the level of tree cover at any time.
- The application would not be considered a sympathetic form of development by virtue of its size and location, however, would benefit from a degree of natural screening to mitigate this harm. To be acceptable, it would need to be considered that the public benefit accruing from the proposal would outweigh the 'less than the substantial harm' identified.

**Landscape Officer - Objection.** The Landscape Officer has objected to the proposal and raises the following points:

- The site lies within the River Valley Landscape Type (RV2 River Bure) as defined in the North Norfolk Landscape Character Assessment (2021 SPD). This designation features strong biodiversity, small fields and historic parklands. The introduction of a telecommunication mast can cause visual intrusion and erosion of the rural character of this Type.
- The site is located on low ground (25 AOD) within a grassed paddock and part of a collection of fields. The proposal is sited within the corner of the field; however, no details have been provided on the access to the corner of the site.
- The small valley of the wider landscape also includes Thwaite Common, a Country Wildlife site. Given the low-lying open access of this designation it is considered that the tall structure will incur significant adverse impacts. Valued features of the RV2 Type include an isolated and rural character. The submitted Local and Visual Appraisal (LVA) fails to acknowledge the impact and give weight to Thwaite Common to the north. The submission also assesses incorrectly that the sensitivity to change of the RV2 Type is Medium rather than High, given its emphasis on intimate rural character and high biodiversity levels.
- In relation to the Visual Effects, the LVA concludes a Moderate Adverse Effect upon the Thwaite Hill (Weavers Way) only, with lesser effects at VP 6, 7 and 10 reducing to Minor Adverse and Negligible at VP 2,3,4,5,8 and 11. The viewpoints demonstrate that the upper portion of the 30m tall lattice structure will rise above the surrounding vegetation and be apparent from close and long-range views at many of the viewpoints. Some of the viewpoints (e.g. VP3, 6 and 8) conveniently place intervening vegetation in the view to reduce the visual effect. The views of the development travelling east along The Street from VP8 towards the site will be very prominent and have not been properly assessed.
- The assessment also fails to assess and account for the numerous glimpsed views that will be gained by receptors (car users and walkers) moving through the surrounding landscape (e.g. along the A140, Thwaite Hill, High Noon Road, Goose Lane and Eagle Road and the surrounding PROW). It also fails to account for the open access land of Thwaite Common where visitors are not confined to the PROW. The visual effects have been under-assessed. There is also reliance on Tree Group G1, 8no. Willow to provide partial screening of the structures and so reduce the visual effects. These trees are assessed as being mature to fully mature and cannot be relied on to provide long-term screening of the development.
- As set out above, the incongruous and utilitarian nature of the proposed development comprising a 30m tall lattice structure with antennae and dishes, associated security fencing, cabinets, apparatus and a service track sited in a grass paddock apart from any other built form would incur harm to the sensitive and intimate surrounding River Valley landscape that is valued for its ecology (Thwaite Common) and heritage (Mannington and Wolterton Conservation Area). No landscape mitigation is included, although given the tall height of the structure this could not effectively address the identified impacts.
- The landscape officers met with the landowner on site and the application was discussed. It was noted that approximately 20 mature poplar trees, situated in the east of the compartment associated with the felling licence 017/2841/2020 were in the process of being removed and the timber extracted. It was confirmed the remaining 4 or 5 poplar trees were due to be removed when the operator could return to site. This stand of trees is located immediately east of the proposed mast location and is assessed within the Arboricultural Impact Assessment submitted with the application (ACS, July 2022) as '*a woodland of high quality and value within the landscape*' (Appendix A, p 1) and given an A1/2 category rating.

- The cricket willows were discussed, situated in the west of the compartment, it was explained that these were also due to be harvested soon. It was noted that one willow was fallen, one was standing dead, and a further individual had significant die back in the upper canopy leaving approximately 8 further trees. It was confirmed the line of around 7 mature oak trees situated roughly in the centre of the site along a drainage ditch would be retained along with young sycamore trees, hazel and thorn establishing within the site and around the boundary. In line with the approved felling licence, the removal of the poplar and cricket bat willows represent appropriate management of the site and as a forestry crop these trees have reached the end of their rotation.
- The LVA submitted with the application (Axis, Oct 2023) relies heavily on the tree and woodland cover immediately east and north of the mast location to conclude 'minor adverse' effects on the adjacent Landscape Types (Tributary Farmland (TF1) and River Valley (RV2 River Bure) and to mitigate the visual impacts from the selected viewpoints. 7.1.3 of the LVA states: The woodland cover surrounding the Mast is significant and thus would screen the majority of the lower elements of the Mast, particularly the compound, this also reduces the visibility to receptors in the surrounding area. The Mast would be visible to further away receptors, but only the upper parts of the Mast which would be a minor component in the views The baseline is now very different. The removal of these trees has removed most of the canopy cover that was being relied upon to screen the mast and integrate it into the rural landscape setting. The remaining trees on the site are of much lower canopy height than those that have been removed.
- The 30m tall mast would now extend a considerable height above these trees, significantly increasing the landscape and visual impact from both The Street and Thwaite Common and affecting the setting of the Grade II listed Erpingham House located 120m south of the mast (the assessment of this heritage asset is completely omitted from the Heritage Statement, Clarke Telecom, Nov 2021). Due to the significant increase in landscape and visual impact of the proposed development resulting from the recent and imminent tree felling and the detrimental impact on the local landscape, the Landscape section are of the opinion that the development could not be considered to protect, conserve or enhance the special qualities and local distinctiveness of the area as set out in the North Norfolk Landscape Character Assessment (2021 SPD) and therefore conflicts with Local Plan Policy EN2: Protection and Enhancement of Landscape and Settlement Character.

### **Norfolk Rivers Internal Drainage Board Officer - No Objection**

**Environmental Health Officer - No Objection.** Acknowledged that the site lies close to an area of potential contamination however this refers to a low-risk area that the proposed tower will not interact with. Additionally, it is noted that the potential visual intrusion raised by the proposal does not constitute a statutory nuisance' under the Environmental Protection Act 1990 and as such as the development is not expected to result in significant noise, light, odour, dust or fumes it is considered that there is limited potential for statutory nuisance to occur.

### **REPRESENTATIONS:**

59 representations have been made to the proposal raising the following comments (summarised):

#### **In objection to the proposal (28)**

- The mast is too visible in this location

- Potential harm to ecology of the site
- Height of the mast being too tall for this location and impact upon the skyline
- Inappropriate materials
- Further screening required
- Worry that further additions to the mast might occur
- Lack of consultation/engagement from the applicant with local residents
- Impact upon the Conservation Area and Grade II listed building
- Visual impact for residents of the area
- Application reusing misinformation and lack of clarity
- No protection for the screening trees
- Urbanisation of the countryside
- Impact upon mental health and wellbeing of the residents
- Adverse health effects of 5G
- Reduction in biodiversity on site
- Other sites could be used instead of the current proposal

### **In support of the proposal (31)**

- The lack of mobile signal places residents at an economic disadvantage
- Smart meters require constant signal and allow for residents to change tariffs
- The benefits of the connectivity would outweigh the visual harm
- Increase connectivity for residents, useful in emergencies
- Support for copper lines removed in 2025

### **HUMAN RIGHTS IMPLICATIONS**

It is considered that the proposed development may raise issues relevant to Article 8: The Right to respect for private and family life.

Article 1 of the First Protocol: The right to peaceful enjoyment of possessions.

Having considered the likely impact on an individual's Human Rights, and the general interest of the public, refusal of this application as recommended is considered to be justified, proportionate and in accordance with planning law.

### **CRIME AND DISORDER ACT 1998 - SECTION 17**

The application raises no significant crime and disorder issues.

### **RELEVANT POLICIES**

#### **North Norfolk Core Strategy (September 2008):**

Policy SS 1 - Spatial Strategy for North Norfolk

Policy SS 2 - Development in the Countryside

Policy SS 5 - Economy

Policy SS 6 - Access and Infrastructure

Policy EN 2 - Protection and Enhancement of Landscape and Settlement Character

Policy EN 4 - Design

Policy EN 8 - Protecting and Enhancing the Historic Environment

Policy EN 9 - Biodiversity & Geology

Policy EN 13 - Pollution and Hazard Prevention and Minimisation

Policy CT 4 - Telecommunications

Material Considerations:

#### **Supplementary Planning Documents**

**National Planning Policy Framework (December 2023):**

Chapter 2 - Achieving sustainable development  
Chapter 4 - Decision making  
Chapter 12 - Achieving well-designed places  
Chapter 10 - Supporting high quality communications  
Chapter 15 - Conserving and enhancing the natural environment  
Chapter 16 - Conserving and enhancing the historic environment

**OFFICER ASSESSMENT**

**Main issues for consideration:**

1. **Principle**
2. **Design**
3. **Heritage**
4. **Landscape**
5. **Ecology**
6. **Environment**
7. **Telecommunications**
8. **Planning balance / Conclusion**

**1. Principle (Policy SS 1 and Policy SS 2)**

The application site lies within the village of Erpingham which is designated as 'Countryside' under Policy SS 1 of the adopted North Norfolk Core Strategy. It is noted that the siting of the application is actually within the parish of Alby with Thwaite and directly borders the parish boundary of Erpingham. For this reason, both parish councils have been notified.

Policy SS 2 sets out the type of developments that will be permitted in the countryside policy area. This includes 'development by statutory undertakers or public utility providers'. As this proposal will be providing telecommunications for the local area it is considered that the proposal falls under this type of development permissible in principle under Policy SS 2.

With this in mind it is considered that the proposal is acceptable in principle under Policy SS 1 and Policy SS 2 of the North Norfolk Core Strategy subject to compliance with other relevant Development Plan policies.

**2. Design (Policy EN 4 and NPPF (Section 12))**

The design of the mast reflects a standard lattice tower telecommunications mast which will be 30m in height (to the top of the proposed antennas). The proposal includes two small dishes part way down and three antennas all remaining under 30m. The base will be a concrete pad of 5.85 square metres and will be enclosed by a 1.8m high mesh fence.

Originally submitted plans indicate that the existing treeline screening the proposal is approximately 27m in height so is expected to act as a visual barrier to the mast itself. Since submission of the application, tree removals have occurred as set out below.

Officers recognise that the installation of a modern telecommunication mast in a rural setting is likely to have some impacts, albeit that a lattice tower is expected to offer some degree of visual permeability as compared with a solid mast

Officers consider that appropriate location and siting of masts can significantly reduce their impact in the landscape, especially where carefully sited so as to use existing vegetation cover to partially screen the development against the skyline and / or reduce visibility from longer distant views and /or from visible views from public vantage points across the wider landscape.

In considering telecommunication proposals, regard needs to be given to permitted development rights for the construction of telecommunication masts. The heights of these masts are limited to 30m on non-designated land, and 25m on designated land (article 2(3) land). As this proposal is 30m high within designated article 2(3) land (Conservation Area) it requires planning permission.

In relation to Policy EN 4 it is required that proposals must be suitably designed for the context in which they are set and designed to a high quality so as to preserve or enhance the local character and quality of the area.

In assessing the proposal against Policy EN 4, Officers note that the mast is sited close to a copse of trees to give it a degree of cover. It is also sited away from the villages of Erpingham and Alby so would be visible in the distance rather than being in immediate visual proximity to dwellings. However, following recent land management activity on site, the existing copse of trees has been scheduled for removal under a felling licence. It has been noted by Officers during the period of February 2024 into March 2024 that many of the trees have now been felled or thinned. Rather than serving to partially screen the mast, the removal of trees will now make the mast a very prominent addition to the local landscape and now appearing to rise higher above the existing trees than was the case when the trees were to remain.

With the further removal of screening trees a possibility under the felling license, and with no security that they will not be removed, Officers consider that the prominence and height of the mast following tree removal means that it cannot be considered to be suitably designed for the context in which it is set and the proposal would neither preserve nor enhance the local character of the area. The proposal would fail to accord with the requirements of Core Strategy Policy EN 4 in respect of design and this would weigh against the grant of planning permission.

### **3. Heritage (Policy EN 8 and NPPF (Section 16))**

The site lies within with 'Mannington & Wolterton Conservation Area'. To the south of the site, approximately 130m away is the Grade II listed building 'Erpingham House'. Under para 200 of the NPPF, when determining proposals that have potential to impact heritage assets the applicant is required to:

“describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance”.

The application is supported by a Heritage Statement and a Landscape and Visual Impact Assessment which acknowledge that the site lies within a conservation area.

Under the provisions of sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, special attention must be given to the desirability of preserving or enhancing

the character or appearance and settings of Listed Buildings or any features of special architectural or historic interest, and the character of the Conservation Area.

In considering development proposals affecting heritage assets, Core Strategy Policy EN 8 sets out that development that would have an adverse impact on special historic or architectural interest will not be permitted. However, this element of Core Strategy Policy EN 8 is now not fully consistent with the guidance set out in the National Planning Policy Framework which is more permissive towards allowing development affecting heritage assets, but only where there are clear and convincing public benefits in favour, in accordance with the statutory requirements set out above.

Para 208 of the NPPF, states:

“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”

The applicant's supporting information does not make detailed reference to the potential impact of the mast upon the Mannington & Wolterton Conservation Area and neither document makes reference to the Grade II listed building to the south of the site. The applicant has concluded that the proposal would result in *'less than substantial harm'* on the heritage asset and *'a very limited impact'* upon the conservation area.

In consultation with the Conservation and Design Officer, it is acknowledged that the proposal cannot be compliant with para 200 of the NPPF. This is because the proposal fails to describe the significance of the Mannington & Wolterton Conservation Area in which the site lies, and does not recognise the presence of the Grade II Listed Erpingham House diagonally opposite.

In heritage terms, the 30m high mast with a utilitarian appearance would not make a positive visual contribution to the locality. Despite its visually permeable lattice design, it would nonetheless be considered a bulky structure which would represent a stark and incongruous intrusion into the existing rural landscape. The associated equipment cabinet and weldmesh fence would add to this visual impact at low level, and with the headframe, dishes and antennas doing the same above the tree line, it is concluded that the development would fail to preserve the existing heritage interests. This impact would have, to an extent, been partially mitigated by the presence of existing trees which would have helped to screen this visual impact. However, with the recent removal of a significant number of trees around the site, the harm has elevated to a higher degree.

The Conservation and Design Officer classifies the heritage impact of the proposal as in the lower-middle half of 'less than substantial'.

Officers consider that the proposal has not adequately considered the significance of, or impact upon, designated heritage assets. Given the scale of the proposed development, it has the potential to impact the wider heritage setting including the setting of the Grade II listed building to the south, and the Mannington and Wolterton Conservation Area.

Officers consider that heritage harm would arise and the proposal would fail to accord with the aims of Core Strategy Policy EN 8 nor would it comply with the requirements of paragraphs 200 and 208 of the NPPF (Dec 2023)

On the basis that heritage harm has been identified, public benefits must therefore be identified and must be of sufficient weight to outweigh the identified heritage harm. Public benefits are assessed as part of the planning balance below.



#### **4. Landscape (Policy EN 2)**

Core Strategy Policy EN 2 sets out that proposals for development should be informed by, and be sympathetic to, the distinctive character areas identified in the North Norfolk Landscape Character Assessment and features identified in relevant settlement character studies. Development proposals should demonstrate that their location, scale, design and materials will protect, conserve and, where possible, enhance.

The site lies within the River Valley Landscape Type (RV2 River Bure) as defined in the North Norfolk Landscape Character Assessment (2021 SPD). This designation typically features strong biodiversity, small fields, intimate, contained rural character, scenic views and historic parklands.

Following consultation with the Landscape Officer and through visiting the site, Officers consider that the main issue affecting assessment on the landscape is the recent removal of trees (and scheduled further removal of trees, with approx. 20 poplar trees having been removed to the east, with the remaining 4 or 5 also scheduled to be removed). As a result of the loss of these trees, the visual impact of the mast is considered to be very prominent in the wider landscape.

The Landscape Visual Assessment (LVA) submitted with the application (Axis, Oct 2023) relied heavily on the tree and woodland cover immediately east and north of the mast location to conclude 'minor' impacts.

The removal of the majority of these trees has had the effect of removing most of the canopy cover that was being relied upon to screen the mast and integrate it into the rural landscape setting.

The remaining trees on the site are of much lower canopy height than those that have been removed. The 30m tall mast would now extend a considerable height above these trees, significantly increasing the landscape and visual impact from both The Street and Thwaite Common

In response, the agent has supplied updated photomontages superimposing the proposed mast, including new images taken from a far wider context, their conclusion being that the removal of the trees that has occurred has made little, if any, difference to the appearance of the proposed mast in the wider landscape. Officers do not agree with the applicant's conclusions.

There is now clear disagreement on this matter as outlined above, with Officers concluding that the mast, particularly the top portion, will be highly visible to the detriment of the wider landscape - this is evidenced in the newly provided photomontages.

Due to the significant increase in landscape and visual impact of the proposed development resulting from the recent and imminent tree felling it is considered that the development would fail to protect, conserve or enhance the special qualities and local distinctiveness of the area as set out in the North Norfolk Landscape Character Assessment (2021 SPD). Officers consider that the proposal is contrary to the aims of Core Strategy Policy EN 2.

#### **5. Ecology (Policy EN 9 and NPPF (Section 15))**

The site lies close to a 'County Wildlife Site' however is not within any statutory designated ecological area. Given the rural nature of the site an Extended Phase 1 Habitat Survey was completed and submitted as part of the application. The report identified that there was no

presence of Great Crested Newts (GCN) in close proximity to the site (nearby pond) however records exist within 250m of the site area. The report concluded that the site itself is sub-optimal for this species and that it is unlikely that they exist on the site. In the event of an approval, a Construction Environmental Management Plan (CEMP) has been requested by the Ecology Officer in order to ensure that works follow Reasonable Avoidance Measures (RAMS) in order to mitigate the risk of any incidental newt presence. The CEMP would also set out the RAMs for avoiding impacts upon amphibians, including GCN, and specifications for sensitive lighting design.

The Landscape Officer (Ecology) has no objection to the proposal providing that a CEMP is undertaken and that two bird boxes and two bat boxes are installed on nearby trees. Whilst no mitigation measures are proposed the recommended mitigation would be sufficient to demonstrate a net gain in biodiversity. The agent has agreed to a pre-commencement condition that would ensure this net gain is delivered and that a CEMP is in place prior to the start of works to the satisfaction of the Local Planning Authority.

Subject to the imposition of conditions to secure necessary mitigation, the proposal would accord with the aims of Core Strategy Policy EN 9.

## **6. Environment (Policy EN 13 and NPPF (Section 15))**

The site lies near to an area of potentially contaminated land, which has been identified as a pit associated with a former surveyor's allotment. The site is considered low-risk as the tower and footings are not intended to interact with this. Therefore, there are no concerns in relation to land contamination. It is further noted that the any potential visual intrusion by the tower is not covered by Environmental Health legislation and cannot be considered a material planning consideration. Given the distance between the pit and tower the proposal is considered acceptable in environmental impact terms.

On this basis the proposal is considered acceptable under Policy EN 13 and para 189 of the NPPF.

## **7. Telecommunications (Policy CT 4 and NPPF (Section 10))**

Core Strategy Policy CT 4 states:

“Proposals for telecommunications development (including radio masts), equipment and installations will only be permitted provided that:

- there is a justifiable need for the development in terms of contributing to the operator's national network;
- no reasonable possibilities exist to share existing telecommunication facilities;
- existing buildings and structures are used where possible to site new antennas rather than erection of new masts;
- the development is sited and designed so as to minimise impact on the open character of the North Norfolk landscape and respect the character and appearance of the surrounding townscape”.

Paragraph 118 of the NPPF 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...”

Paragraph 119 of the NPPF states:

"The number of radio and electronic communications masts, and the sites for such installations, should be kept to a minimum consistent with the needs of consumers, the efficient operation of the network and providing reasonable capacity for future expansion. Use of existing masts, buildings and other structures for new electronic communications capability (including wireless) should be encouraged. Where new sites are required (such as for new 5G networks, or for connected transport and smart city applications), equipment should be sympathetically designed and camouflaged where appropriate."

In support of the “need” for their application, the applicant has provided a document called - ‘SMIP Planning Plots CSR 8695502 SMIP Techs G9 & U9Plus LTE’. Within that document the applicant has identified that levels of 2G/3G and 4G are very low in the surrounding areas and that the proposal would be providing these services to the local community. The benefits stated include at a minimum full 4G coverage through Erpingham, most of Calthorpe, Wickmere and Aldborough.

Many of the letters in support of the proposal identify concerns about the poor quality of existing networks in the area.

Officers consider that the provision of a new 5G mast would provide considerable public benefits for existing users of the network. An improved 5G network would also provide improved economic opportunities for existing business, help with the establishment of new businesses and home businesses together with offering improved network performance for those wishing to work from home using the mobile network. Officers consider that these benefits attract significant weight in support of the proposal, especially given the access to economic opportunities that connected rural communities can have, without the need to travel.

In support of their proposal, the applicant has taken steps to consider alternative sites for the mast, which would deliver similar infrastructure results. A total of eight alternative sites were considered by the applicant but these sites were discounted for a variety of reasons. The examples given for these sites not being suitable included a lack of screening vegetation (as this would take many years to establish), lack of space to safely install a radio base, being too close to residential properties and it being greatly out of context with no other tall features surrounding it in the landscape. Two notable examples proposed were St Mary’s Parish Church and land at Erpingham Village Hall. It has been stated that the operators engineer confirmed the church was too small to accommodate the equipment needed in the area it was proposed. Secondly the land to the rear of the Village Hall was not considered suitable for a range of reasons, although this was only for a 20m mast in this instance. It was advised at the time that alternative sites, such as using existing buildings, should be considered.

Officers consider that the applicant has adequately demonstrated that there is a need for the 5G mast. The construction of the mast is therefore acknowledged as being required to address current poor signal and there are no reasonable possibilities to share existing telecommunication facilities.

Following the request and searching for alternative sites the current site has been determined by the applicant as the best location for the application whereby it would maximise signal and also attempt to be concealed. Officers acknowledge that previous locations have been looked into and not deemed suitable as described above. It is also acknowledged that the NPPF is clear in supporting telecommunications infrastructure where appropriate. Other than the consideration of the possible siting of new infrastructure on existing buildings/structures, it is worth noting that there is no specific policy requirement for a sequential approach for new site consideration and accordingly, the application must be judged upon its own merits.

Notwithstanding the clear need for the mast and that alternative sites have been explored and discounted, the applicant has failed to demonstrate that the development is sited and designed so as to minimise impact on the open character of the North Norfolk landscape, nor has it been adequately demonstrated that the proposal would respect the character and appearance of the surrounding townscape/area.

As set out within the report, heritage harm has been identified along with harm to the character and appearance of the landscape as a result of the proposed mast and exacerbated by recent felling of trees which acted to partially screen the development. The proposal would therefore fail to accord with the aims of Core Strategy Policy CT 4 and this would weigh against the grant of planning permission

## **8. Planning balance / Conclusion**

Planning law requires that decision makers must have regard to Section 38(6) of the Planning and Compulsory Purchase Act 2004, which requires that proposals be determined in accordance with the Development Plan unless material considerations indicate otherwise.

In this case, whilst the applicant has demonstrated a clear need for a 5G mast in order to address poor network coverage in the area and has suitably demonstrated consideration of and discounting of alternative sites, the proposal will result in harm to landscape character and would fail to protect, conserve or enhance the special qualities and local distinctiveness of the area.

In addition, the proposal would result in heritage harm to the character and appearance of the Mannington & Wolterton Conservation Area and harm to the setting of the Grade II Listed Erpingham House diagonally opposite. Whilst this harm would amount to "less than substantial" this harm must weighed against the public benefits of the proposal.

The harm to heritage assets and landscape character has increased as a result of existing trees which previously acted as a partial screen of the proposed mast.

Whilst officers consider that the provision of a new 5G mast would provide considerable public benefits including from improved economic opportunities in the rural area as a result of improved network connectivity, these benefits do not outweigh the identified harm to heritage assets nor do they outweigh the identified conflict with Development Plan policies including Core Strategy Policies EN 2, EN 4, EN 8 and CT 4.

As a footnote - given the reduction in tree screening that has taken place, Officers consider it may be possible for the applicant to realise the public benefits of the proposal without the need for a 30m high mast.

## **RECOMMENDATION:**

### **REFUSE for the following reasons:**

The District Council adopted the North Norfolk Core Strategy on 24 September 2008, and subsequently adopted Policy HO 9 on 23 February 2011, for all planning purposes. The following policy statements are considered relevant to the proposed development.

Policy EN 2: Protection and Enhancement of Landscape and Settlement Character

Policy EN 4: Design

Policy EN 8: Protecting and Enhancing the Historic Environment

Policy CT 4: Telecommunications

National Planning Policy Framework (NPPF) – Paragraphs 200 and 208

North Norfolk Landscape Character Assessment SPD (2021)

1. It is considered that the proposed development, owing to its siting, design and overall height, would have a stark detrimental visual impact upon the character and appearance of the immediate and wider landscape, negatively impacting upon the local distinctiveness of the area as set out in the North Norfolk Landscape Character Assessment (2021 SPD) and accordingly, conflicts with Policies CT 4, EN 2 and EN 4 of the adopted North Norfolk Core Strategy.
2. The application has failed to describe the significance of the Mannington & Wolterton Conservation Area in which the site lies, and does not recognise the presence of the Grade II Listed Erpingham House diagonally opposite. Accordingly, the impact of the proposed development upon designated heritage assets has not been properly considered by the applicant and accordingly, the proposed development fails to comply with Policy EN 8 of the adopted North Norfolk Core Strategy and paragraph 200 of the NPPF.
3. Furthermore, notwithstanding the above, it is considered that, owing to its design and overall height representing a stark and incongruous intrusion, that the proposed development would fail to preserve the setting of existing heritage assets (Grade II Listed Erpingham House and the Mannington and Wolterton Conservation Area) and would result in less than substantial harm. Whilst the public benefits of the proposal have been fully taken into account, it is considered that the identified harm would not be sufficiently outweighed by identified public benefits. Accordingly, the proposed development is contrary to Policy EN 8 of the adopted North Norfolk Core Strategy and paragraph 208 of the NPPF.

**Final precise wording to be delegated to the Assistant Director - Planning**