



NORTH SOMERSET COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

APPEAL BY

EE LIMITED AGAINST THE REFUSAL OF PRIOR APPROVAL APPLICATION TO DETERMINE IF PRIOR APPROVAL IS REQUIRED FOR THE PROPOSED 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 AT LAND AT PURN FARM ACCOMODATION ROAD BLEADON BS24 0AP

PLANNING INSPECTORATE REFERENCE NUMBER:

APP/D0121/W/25/3359734

NORTH SOMERSET COUNCIL REFERENCE NUMBER:

24/P/2145/TEA

MARCH 2025

APPEAL STATEMENT

INTRODUCTION

1. This statement focusses on highlighting the key points within the LPAs case and it responds to matters raised by in the appellants appeal statement. The statement should be read in conjunction with the decision notice, the officers report, and policies in the refusal reason, all of which have previously been sent to PINS.

COMMENTS ON THE APPELLANT'S GROUNDS OF APPEAL

2. Section 10 of the NPPF supports the development of advance, high quality communications infrastructure. Paragraph 120 requires that *“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.”* And *“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”*
3. Paragraph 122 of the NPPF requires a sequential site approach. Operators should use existing masts, buildings and other structures first.
4. The site selection process by the appellant appears to be very limited. There is an existing telecommunication mast within the appeal site which belongs to Vodafone (Referred to as D21 on appeal statement). The existing Vodafone mast has been discounted because *‘it appears to not have sufficient load capacity to host two operators with 5G equipment’*. However, the appellant has not provided any evidence to demonstrate that they have investigated whether it does have sufficient load capacity.
5. Similarly, there is an existing telecommunication mast located circa 650m to the north west of the site. This mast is set at a lower level and screened by trees which reduces the visual impact. There is no evidence that the appellant has considered this site.
6. The appellant has suggested that there is poor mobile phone coverage in the area. Having viewed Ofcoms mobile and broadband availability checker, it appears that other mobile phone operators have good mobile coverage of the area both indoors and outdoors. This demonstrates that there are other masts in the area that provide good coverage and therefore the appellant should consider mast sharing with other providers in accordance with section 10 of the NPPF. Details of the existing coverage is attached as Appendix 1.
7. Regarding the alternative sites, the appellant has listed a number of alternative sites but has discounted them because they have *‘no context’* or *‘inadequate screening’*. However, the appellant has not provided any photos of the discounted sites to support these arguments.
8. In this respect, insufficient information has been provided to support the appellants statement that *‘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’.

9. In light of the foregoing, it is considered that the appellant has not assessed any of these existing masts or considered alternative options. This is contrary to paragraph 122 of the NPPF which states that *‘Applications for electronic communications development (including applications for prior approval under the General Permitted Development Order) should be supported by the necessary evidence to justify the proposed development’.*

c) for a new mast or base station, evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure’

10. The lack of consideration of alternative sites does not justify the siting of the mast on this site. The LPA consider that the mast could be sited elsewhere or the appellant could consider site sharing alongside existing telecommunications development or upgrading existing base stations.
11. It is noted that the appellant has advised that they sought pre application advice and that a response was not received from the LPA. The LPA are unable to find any record that the appellants have contacted North Somerset Council or local Ward Councillor to discuss the proposal prior to submitting the application. This conflicts with paragraph 122 (a) of the NPPF.

Character and appearance

12. The site is located within a designated Landscape Character Area – A5: Bleadon Moor as set out in the North Somerset Landscape Character Area SPD.
13. Policy CS5 recognises the importance of North Somerset’s landscape, and the need to protect and enhance its diversity, distinctiveness and quality and states, *‘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’.*
14. The Landscape Character Area SPD states, *‘The condition of the landscape in the Bleadon Moor area is variable with overall condition declining. To the south of Summerways Bridge the traditional grazed landscape has been replaced with arable, which with the large scale regular fields with flailed thorn hedgerows and few hedgerow trees and visually dominant pylons contrasts strongly with the pastoral landscape with ecologically rich hedgerows found elsewhere in the area and throughout the Moors landscape type.’*
15. The SPD highlights *‘visually dominant pylons’* as a feature that contributes to the decline of the character of the area. Although the proposed telecommunication tower is at a lower height than the pylons, the location of the tower and associated equipment within an open agricultural field will result in a visually intrusive feature within the rural landscape.

16. The appellant (Page 8 Appeal statement) has claimed that the proposal will have *'moderate-minimal visual impact'* and 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.'*
17. The existing buildings on site are related to agriculture with the exception of the existing telecommunications mast. Agricultural land and buildings form part of the rural landscape. The proposed tower will be located in an open agricultural field and over 20m from the nearest structure (existing silos) which measure 15m in height.
18. Although there are existing trees on the boundary, the tallest trees only measure circa 11m in height and a number of the trees are deciduous.
19. Consequently, the proposal would be discordant with the rural character and appearance of the area and appear jarringly out of place in the locality. Given the above combination of factors, the siting and appearance of the development on a main road would be an incongruous, visually intrusive and dominant feature when viewed from public viewpoints which would be visually harmful to the character and appearance of the attractive rural landscape.
20. Photos of the site from surrounding areas are attached as Appendix 2.

CONCLUSIONS

21. The LPA considers that the site selection has not satisfactorily considered alternative sites and ones with less visual impact and as such the proposal is considered to be contrary to guidance set out in Section 10 of the NPPF. The benefits of the scheme are not considered to outweigh the harm when considering the limited site selection process and the harm to the character of the area.
22. The proposal would be an 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.
23. Given the above, it is respectfully requested that the appeal is dismissed.

OTHER MATTERS

24. The appellant has referred to a number of appeal decisions in their appeal statement. However, these are not supported by plans or other information and therefore carry very little weight.

SUGGESTED CONDITIONS

25. If the Inspector is minded to allow the appeal and grant prior approval, it is respectfully requested, without prejudice, that the conditions suggested in Appendix 3 are imposed.

APPENDICIES

Appendix 1 – Details of other masts and coverage

Appendix 2 – Photos of appeal site

Appendix 3 – Suggested conditions