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Erection of a radio transmission mast

Report Item No  
A7

Summit Bardon Hill Copt Oak Road Markfield Coalville  
Leicestershire LE67 9PJ

Application Reference  
15/00257/FUL

Applicant:  
Hermitage FM

Date Registered  
13 March 2015

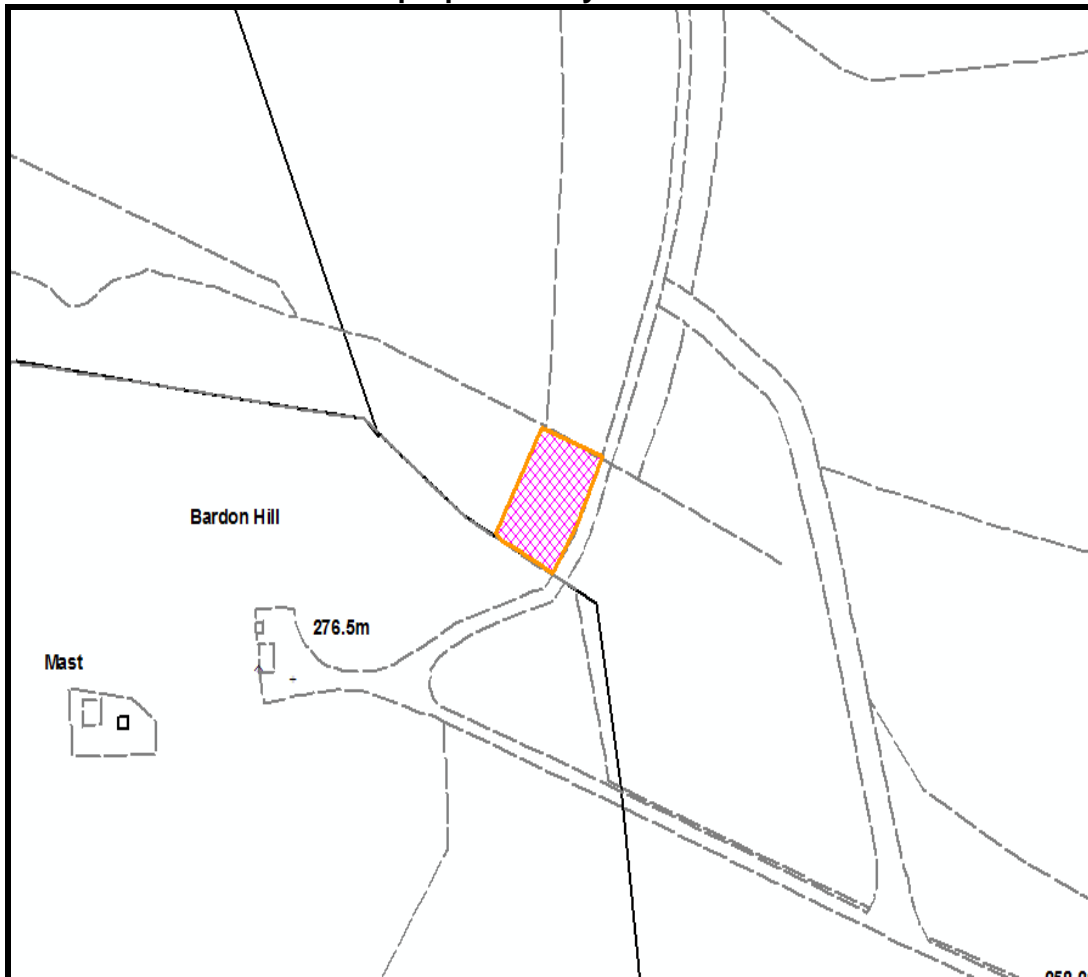
Case Officer:  
James Mattley

Target Decision Date  
8 May 2015

Recommendation:  
PERMIT

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Site Location - Plan for indicative purposes only



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## **EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION**

### **Proposal**

Planning permission is sought for the erection of a radio transmission mast and associated equipment near to the summit of Bardon Hill. The application is submitted by Hermitage FM.

### **Consultations**

Members will see from the report below that no objections have been received in relation to the application.

### **Planning Policy**

The application site lies outside the limits to development although Local Plan Policy S3 does allow development in the countryside for operational reasons. Also material to the determination of the application is the advice in the National Planning Policy Framework (NPPF).

### **Conclusion**

There is no objection in principle to the siting of a mast in this location. The proposal would not have any impacts upon residential amenity, would not be significantly detrimental to visual amenity or result in harm to ecology. There are no other material considerations that indicate planning permission should not be granted. It is therefore recommended that planning permission be granted.

## **RECOMMENDATION:- PERMIT, SUBJECT TO THE IMPOSITION OF CONDITIONS**

**Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommended conditions, and Members are advised that this summary should be read in conjunction with the detailed report.**

## MAIN REPORT

### 1. Proposals and Background

Planning permission is sought for the erection of a radio transmission mast and associated equipment near to the summit of Bardon Hill. The application site is located outside of the limits to development and outside of the Bardon Hill Site of Special Scientific Interest (SSSI). The application is submitted by Hermitage FM.

The proposed mast would be 10 metres in height and would also include for the erection of a 4 square metre concrete base, container measuring 2 square metres and 1.5 metres in height and the erection of fencing of 2.5 metres in height.

### 2. Publicity

No neighbours have been notified.

Site Notice displayed 26 March 2015

### 3. Consultations

Natural England  
County Archaeologist  
LCC ecology  
County Planning Authority  
Airport Safeguarding

### 4. Summary of Representations Received Statutory Consultees

County Ecologist has no objections to this development in this location.

Natural England has no objection subject to the inclusion of a condition.

East Midlands Safeguarding raises no objection.

### Third Party Representations

No letters of representation have been received in relation to this application.

### 5. Relevant Planning Policy

#### National Planning Policy Framework (NPPF) - March 2012

The Department of Communities and Local Government published the National Planning Policy Framework (NPPF) on 27 March 2012. The NPPF brings together Planning Policy Statements, Planning Policy Guidance Notes and some Circulars into a single consolidated document. The NPPF contains a number of references to the presumption in favour of sustainable development. It states that local planning authorities should:

- approve development proposals that accord with statutory plans without delay; and
- grant permission where the plan is absent, silent or where relevant policies are out of date unless:
- 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; or
- specific policies in this Framework indicate development should be restricted.

The NPPF (Para 215) indicates that due weight should be given to relevant policies in existing development plans adopted before 2004 according to their degree of consistency with the Framework. The closer the policies in the development plan to the policies in the Framework, the greater weight they may be given.

The following policies of the North West Leicestershire Local Plan are consistent with the policies in the NPPF and should be afforded weight in the determination of this application:

**North West Leicestershire Local Plan**

Policy S3 - Countryside

Policy E3 - Residential Amenities

Policy E4 - Design

**6. Assessment**

**Principle**

The application site is located outside of the limits to development where the principle of development is only normally considered to be acceptable under the following circumstances:

- (a) Can be shown to be essential for the efficient long-term operation of agriculture and forestry;
- (b) Comprises acceptable farm diversification;
- (c) Is a public service or utility which cannot, for operational reasons, be accommodated within the defined Limits;
- (d) Is for recreation, community facilities, or tourism-related purposes, in accordance with the leisure and tourism policies of this Local Plan;
- (e) Is for Forest-related purposes within the National Forest, in accordance with the National Forest policies of this Local Plan; or
- (f) Involves the re-use, adaptation or conversion of rural buildings, in accordance with Policy E24 of this Local Plan.

The mast is required to be located on particularly high ground for operational purposes and all of the Bardon Hill area is located outside of the limits to development. It is considered that the proposal would comply with criteria (c) of Policy S3. It is also noted that there is an existing mast located at the top of Bardon Hill. Taking all of these issues into account it is considered that the proposed mast would be acceptable in principle.

**Visual Amenity**

At the top of Bardon Hill there is an existing structure that stands at 20 metres in height and provides a number of telecommunication masts and dishes. The existing structure is highly visible from the surrounding area. By contrast, the proposed radio mast would only be 10 metres in height, would be sited at a lower ground level and would be a more slim-line pole with no lattice structure or guide ropes necessary. Although associated works would also be required including a concrete base, fencing and a container these would be sited within an area

of small trees which would help to reduce any visual impacts associated with this associated equipment.

The slim-line mast would be coloured white, the fencing would be coloured green and the container would be clad in timber. The proposed materials and colours are considered to be acceptable in this location.

Overall, having regard to all of the above, it is not considered that the proposal would have a significant impact upon visual amenity and, therefore, the scheme is deemed to be in accordance with Policy E4 of the Local Plan and the advice contained in the NPPF with regard to design.

### **Ecology**

The proposed site avoids impacts on the adjacent SSSI and the nearby heathland and species-rich grassland (candidate Local Wildlife site). The habitat on the application site is recently regenerated oak woodland, but it is considered that the mast and fencing can fit into the site with minimum disturbance. The County Ecologist raises no objections to the proposed scheme and Natural England has no objections subject to a condition requiring power lines and associated service cables being routed along existing trackways.

Therefore, subject to the inclusion of relevant conditions, the proposal would not have any significant impacts upon ecology and the scheme is considered to be acceptable in this regard.

### **Residential Amenity**

No letters of representation have been received from the public as part of the consultation exercise. The proposed mast would be located a significant distance away from any residential properties and would be significantly smaller than the existing mast that is located at the top of Bardon Hill. Having regard to this, it is not considered that the proposed mast would result in overbearing or overshadowing impacts or result in noise and disturbance.

Having regard to all of the above, the scheme is considered to be acceptable in relation to Policy E3 of the Local Plan.

### **Conclusions**

There is no objection in principle to the siting of a mast in this location. The proposal would not have any impacts upon residential amenity, would not be significantly detrimental to visual amenity or result in harm to ecology. There are no other material considerations that indicate planning permission should not be granted. It is therefore recommended that planning permission be granted.

### **RECOMMENDATION - PERMIT, subject to the following conditions;**

- 1 The development shall be begun before the expiration of three years from the date of this permission.

*Reason- to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).*

- 2 The proposed development shall be carried out strictly in accordance with the following plans, unless otherwise required by a condition of this permission:
- \_ Site location plan deposited with the Local Planning Authority on 13 March 2015;
  - \_ Plans showing front and side elevations deposited with the Local Planning Authority on 13 March 2015;
  - \_ Block plan deposited with the Local Planning Authority on 13 March 2015.

*Reason - To determine the scope of this permission.*

- 3 The materials and colour of materials shall be in accordance with the details contained in emails dated 13 May 2015 12:00 as agreed by email dated 13 May 2015 15:57, unless alternative details are first agreed in writing with the Local Planning Authority.

*Reason - To enable the Local Planning Authority to retain control over the external appearance as no details have been submitted.*

- 4 All power lines and other service cables associated with the proposed radio mast shall be sited along existing trackways, unless otherwise agreed in writing with the Local Planning Authority.

*Reason - To ensure that the development would not impact upon the features of special interest for which Bardon Hill SSSI is notified.*

#### **Notes to applicant**

- 1 Planning permission has been granted for this proposal. The Local Planning Authority acted pro-actively through early engagement with the applicant at the pre-application stage which led to improvements to the scheme. The Local Planning Authority has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.