

3. FULL APPLICATION - INSTALLATION OF POLE-MOUNTED TELECOMMUNICATIONS AERIAL AND ANCILLARY EQUIPMENT, LAND AT COLDHARBOUR MOOR, A57 SNAKE ROAD, CHARLESWORTH (NP/HPK/0509/0413, P.10253, 26.05.2009, 0870 9292/KW)

APPLICANT: AIRWAVE SOLUTIONS LTD

Proposal

Erection of a 3.2 m high pole with a single antenna 0.75m high. The pole would be attached to an existing road sign on the southern side of the A57 about 135m to the west of the Snake Pass Summit (taken as the point where the Pennine Way crosses the A57). The second element of the proposal comprises the installation of an underground diesel powered generator, diesel storage tank, and radio equipment on the moorland edge adjacent to the informal, gravelled roadside parking area on the northern side of the A57, again about 121m west of the Snake Pass Summit.

The site for the underground chamber is now proposed on the land between the existing fence line enclosing the moorland and the roadside edge. The site would be linked to the pole-mounted antenna by a cable running under the road surface. The site would be serviced by the informal lay-by area that stretches along the northern side of the road.

Key Issues

1. The need for mast.
2. The effect of the proposal upon the character and appearance of the surrounding landscape.

History

January 2007 – Refusal of 6.4m high pole mounted antenna, cabinet and lay-by adjacent the verge and a generator building and LPG tank situated within the roadside embankment 60m west of the mast. Grounds were insufficient information, landscape and highway concerns and lack of an ecological method statement.

May 2007 – Revised application for a 4.45m high pole mounted antenna with equipment cabin generator and lay-by within the roadside embankment 60m west of the mast. This scheme provided details of the screening of the equipment building/generator, which comprised of screen walls constructed of gabion baskets with planting over. The application was withdrawn prior to being referred to the July Planning Committee with a recommendation of refusal on the basis that insufficient exceptional circumstances had been advanced for development in the Natural Zone on landscape grounds, and that it was not the least obtrusive or damaging. Further reasons were the absence of details to enable proper consideration of the ecological impact and highway reasons.

December 2007 – Refusal of consent of the revised submission of the application withdrawn in May 2007. Whilst the technical need for the telecommunications mast was acknowledged, the landscape impact of the mast, together with the associated apparatus, layby and groundworks was considered to be detrimental to the special landscape character of the surrounding moorland landscape. The scheme also raised highway objections, the new layby raising highway safety concerns and wider concerns that it would be used for parking by members of the public as well as for servicing the mast. An appeal against this refusal was lodged in June 2008.

September 2008 – Recommendation of approval for the mast and the underground equipment chamber. The underground equipment chamber was recommended for approval in its originally submitted position just within the fence line enclosing the moorland. Members will recall that strong objections to this siting were raised by Natural England were raised as an appropriate ecological assessment of the site had not been undertaken as required by the Habitat

Regulations. Furthermore, they considered that the ecological report submitted with the application still lacked sufficient detail to enable a proper judgement to be made on the impact of the proposal on the core SAC habitat. Additionally, following discussions on site with the applicants, Natural England and your officers, an alternative site had been suggested in the more disturbed land between the existing fence line and the roadside. This site was considered to be more favourable. Since the recommendation of approval at the September 2008 Planning Committee, this application has been held in abeyance following strong concerns from Natural England that the proposal had not been considered in accordance with the Habitat Regulations. The applicants will withdraw this application if the present application for the preferred site is recommended for approval.

Consultations

Highway Authority – From a highway safety perspective, there would appear to be little difference between this and the previous submission. The main issue is the passive safety of the proposed installation. No objections, subject to confirmation from the applicant that a risk assessment has been carried out and appropriate apparatus is to be used.

Borough Council – No reply to date.

Parish Council – no reply to date.

Natural England – The proposed location of this enclosure, although still within the Dark Peak SSSI boundary, and hence the SAC and SPA, is now a short distance to the east of that proposed in the previous application, to which Natural England objected because of the likely impact upon these designated sites. The current proposal does have the potential to affect the interest of the SAC through the damage to blanket bog habitat. The damage would arise through the loss of habitat and through the disturbance to surrounding blanket bog from factors arising from the development. The Ecological and Hydrological assessment which now accompanies the application indicates there will be some loss of peat material and blanket bog vegetation. However, given that part of the area to be excavated for the development supports peat which has previously been disturbed in the process of road construction, Natural England consider that the effect of disturbance on the remaining intact peat will be *de minimus*. There is now, therefore, no objection to the application in principle.

The Assessment makes a number of recommendations in respect of the construction phase of the works, which are designated to ensure that this aspect of the proposals do not adversely affect the special interests of the SSSI or the SAC. Natural England fully support these recommendations and provided they are adhered to in full, there should be no adverse impacts upon the designated sites. These recommendations should be attached as planning conditions. More general conditions relating to the construction phase are also suggested.

In conclusion, Natural England confirm that:

- for the Peak District (South Pennine) Moors SAC and SPA there is not likely to be a significant effect and therefore an Appropriate Assessment is not required., and
- for the Dark Peak SSSI, in accordance with section 28H of the Wildlife and Countryside Act 1981, Natural England advises that operations should not cause significant damage to the special interest of the SSSI, and the Authority therefore do not need to wait 28 days from the date of the notice before deciding whether to give permission.

There are no concerns raised in respect of protected species that could be affected by the development and Natural England have no comments to make on landscape issues.

PDNPA Ecology Service Manager – Supports NE comments and agrees that there is unlikely to be a significant effect provided that suitable conditions ensure that the recommendations in the Ecological and Hydrological assessment are adhered to.

Main Policies

Relevant EMRP (Regional Spatial Strategy) policies include: 1, 8, 26, 29, 31, 32, 35A, 43

Relevant Local Plan policies include: LC1, LC4, LC17, LC19, LC21, LC22

Comment

1. The need for the mast.

As previously reported, this is a proposed Airwave booster mast, required to remedy a problem that has been experienced with the operation of the existing Airwave network on the A57 road east of Glossop. The Airwave Service is the radio communications service that is utilised by all police forces in Great Britain. The Airwave network for Derbyshire was commissioned in 2002-03 and includes three sites along the A57 on the eastern side of the Snake Pass summit, together with a site outside the National Park in Glossop (Higher Dinting), which serves the western side of the summit in the region of Coldharbour Moor. These sites give the coverage, which was planned for all but a very short section of the top of the Snake Pass. Since becoming operational however the Derbyshire Police Force experiences problems when a patrol car is driving east to west. As the patrol car crosses the Snake Pass summit, the radio picks up signals from a very wide area, including the signal from other masts in Greater Manchester, Cheshire, Lancashire and on occasions North Wales. Consequently the Derbyshire Police radios are unable to find the Derbyshire network as quickly as is desirable as the “hand-over” from one Derbyshire site to another is interrupted by these other signals. The police have therefore requested Airwave resolve this problem and their solution is this booster antenna which is designed to “capture” the signal before a patrol car picks up a signal from another force area and to lock into the Derbyshire network before it hands over to the Higher Dinting base station.

Airwave have advised that there is no suitable technical solution involving new equipment to solve the problem. The current proposal is considered to be the only technically viable option. The agent recognises that the site lies within the Natural Zone, but considers that the needs of the police for improved signal strength in this location, in the interests of public safety, amounts to “exceptional circumstances”. He quotes other similar exceptional cases that were accepted such as when the three sites to the east of the Snake Pass summit were accepted in 2001 and at the Cat and Fiddle (2001) and Bowstonegate Farm (2003), with the latter two sites being in the Natural Zone.

In response, officers comment that the sites east of the summit were only accepted by members after receiving clear assurances from Airwave that they represented the least number of sites to provide the required radio coverage of the pass and acknowledged that there would be a small gap in service. The Cat and Fiddle site was also an existing mast site.

Whilst the public safety issue is acknowledged, it is still considered that this problem relates only to a short section of the A57 and thus only a short interruption in service. According to Airwave’s radio plots submitted with the previous applications there is coverage over the A57 for all but a 0.5-0.75km section immediately west of Doctor’s Gate Culvert. The plots show the mast will provide coverage to close the gap and give an enhanced signal over the summit. In contrast, whilst the agents supporting letter states the gap is “a very short section at the top of Snake Pass”, the police supporting statement states they have no radio communications at all for some 2-3km. When members considered the previous refused application, the technical need for the mast was acknowledged. However, it was considered that this need did not amount to

exceptional circumstances that would warrant setting aside the policy or landscape objections to development within the Natural Zone in the manner proposed by this previous scheme.

2. The effect of the proposal upon the character and appearance of the surrounding landscape.

This current proposal, although closer to the Snake Pass summit, is much more sympathetic to the special landscape character of the area. Firstly, it requires no new separate pole mast, the pole for the mast being attached to the pole of an existing traffic sign. The existing road sign is 3.2m high. The existing sign would be replaced with a proposed combined galvanised steel sign post and antenna support pole painted to match the existing. The antenna support post would need to be slightly taller (3.32m high) in order to achieve the optimum height to provide the required coverage and also to comply with health and safety requirements. A slender 600mm tall antenna would then be fitted to the top of the antenna support pole. The submitted drawings show that the overall height of the pole and antenna would be 3.8m, which is 600mm taller than the height of the existing sign. The previously submitted scheme proposed two slender 76mm diameter poles to match the appearance of the existing road sign. A single 140mm diameter pole is now proposed to comply with the highway safety standards relating to road signs. The agent has confirmed that this change to the pole design has been generated following an appropriate risk assessment being undertaken in accordance with the advice given by the Highway Authority. It is considered, therefore that this design solution now represents the least obtrusive or damaging, technically practicable location for the mast in compliance with policy LU5 of the Local Plan. It also satisfies Local Plan policy LU5 (b), which states that, wherever, possible, and where a reduction in the overall impact on the national park can be achieved, telecommunications equipment should be mounted on existing structures.

In respect of the underground equipment chamber, this has been relocated about 14m to the east of the previously submitted site on land between the present fence line enclosing the moorland and the roadside verge. This site is more or less level and contains rough grasses and sedges. The equipment would be housed in a concrete 5.9m x 3.6m chamber that would be underground with a minimal upstand. The chamber would be accessed via hatches; the concrete hatch covers being painted a dark recessive colour to reduce their visual impact. There are three inspection hatches, the largest measuring 1.83m x 1.22m, and the other two 0.915m x 0.915m. There would also be a two small ventilation cowls about 500mm diameter x 500mm high. The chamber would be sited within a small fenced enclosure (8m x 5.2m). The existing roadside fence would be extended along the roadside to meet the site of the underground chamber and then would return at right-angles to meet the main fence enclosing the moorland. Post and wire fencing would be used to match the adjacent fencing. The diesel generator would operate intermittently to provide power to a bank of batteries. Any noise would be contained within the underground chamber and would not impinge upon the quiet enjoyment of the area.

Although the site is located fairly close to the roadside edge and the surrounding moorland is public access land, the main pedestrian thoroughfare is the Pennine Way route, which crosses the A57 some 121m to the east. Due to the distance involved and the topography, it is not considered that the inspection hatches and the top of the underground chamber would be visible from the Pennine Way, once the tall grasses and sedges had re-established themselves in the vegetated margins that are to be retained within the fenced compound. The landscape impact could also be further mitigated by the painting of the exposed surface of the concrete chamber, inspection hatches and cowls, a dark recessive colour. It is considered that the scheme for the underground chamber minimises the landscape impact and represents the least obtrusive or damaging, technically practicable location for the mast in compliance with policy LU5 of the Local Plan. Whilst being acceptable in physical landscape terms, the construction of the underground chamber will inevitably result in significant localised disturbance of the moorland edge. The moorland is a SSSI and, therefore, Natural England have been consulted to assess whether the proposal would have any significant ecological impact and to ascertain whether an Appropriate Assessment would be required in accordance with the Habitat Regulations.

The application is now accompanied by detailed assessments of the ecological and hydrological impacts of the proposal and appropriate construction methods designed to minimise the impact of the development on the features of ecological interest. It is also acknowledged that this site is of less ecological interest than the previously submitted site. Natural England have given a detailed response to the revised siting (see Consultations section above) and given that they now have no objections to the scheme, subject to the attaching of appropriate conditions and appropriate methods of working, it is considered that the application should be approved.

In respect of highway issues, the Highway Authority has no objections. Service vehicles visiting the site would use the existing informal roadside parking area at the Snake Summit itself. At the time of your officers site visit, when weather conditions were poor, there were about 4-5 vehicles parked at this location. In landscape terms, this is the most ideal solution as no additional, formalised parking area is required. It is acknowledged that this existing roadside parking area is not ideal in highway terms, as it is not easy for vehicles to turn around easily without manoeuvring on the adjacent A57. Visibility for vehicles entering and leaving this parking area is, however, good and significantly better than the previously proposed site. The use of this established roadside parking area is acceptable, given the small number of maintenance visits generated by the facility.

Human Rights

Any human rights issues have been considered and addressed in the preparation of this report.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

- 1. Minor design conditions, including painting specification for exposed sections of concrete chamber and ventilation cowls.**
- 2. Carry out construction works in accordance with the submitted Hydrological and Ecological Assessment.**
- 3. Natural England conditions.**
- 4. Submit and agree landscaping scheme.**
- 5. Highway conditions.**
- 6. Remove antenna pole, antenna and equipment, when no longer required for telecommunications purposes.**

List of Background Papers (not previously published)

Nil