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Town Planning Statement

Electronic Communications Base Station

At the Existing Cellnex UK Site

**Isles of Scilly
Arqiva Site
Halangy Downs
St Mary's
Isles of Scilly
TR21 0NS**

Site Reference NCO-0009664

CELLNEX UK

23rd April 2024

1. INTRODUCTION

- 1.1 This statement is submitted in support of an application for planning permission for a minor upgrade to an existing mast located at Isles of Scilly, Arqiva Site, Halangy Downs, St Mary's, Isles of Scilly, TR21 0NS, in order to facilitate connectivity for existing and future mobile services on the Isles of Scilly. The application site is operated by Cellnex UK, a radio site infrastructure provider. The application includes:
- 1.2 The application includes:
- A description of the site and surrounding area
 - A description of the proposal
 - A statement of community engagement
 - A review of planning policy considerations
 - A review of design and access considerations
- 1.3 A number of other accompanying documents have been submitted in support of the application and these are referred to and should be read in conjunction with this statement.

2. THE SITE AND SURROUNDING AREA

2.1 The proposal is for the upgrading on an existing free-standing Arqiva Mast at Halangy Downs, St Mary's, Isles of Scilly, TR21 0NS. The site comprises of a 76.2m mast with telecommunications equipment located throughout. The mast is located in the Isles of Scilly – Area of Outstanding Natural Beauty as shown in Figure 2.2 and near a scheduled monument - Entrance graves, standing stones, field systems, settlements and post-medieval breastwork, kelp pit and stone pits on Halangy and Carn Morval Downs, St Mary's (1013273) as shown in Figure 2.1. As such, care and attention have been taken to the proposed siting of our telecommunication installation and ancillary equipment.

2.2 The mast is located within a predominately rural setting on St Mary's Island, with residential properties to the east and agricultural land surrounding the site. It is considered that the least visually intrusive solution has been put forward via the upgrading of an existing site rather than the introduction of an entirely new ground-based or rooftop installation. It is important to note that in addition to being the sequentially preferable solution, by utilising an existing telecommunication mast this will fit in within the existing network configuration thereby eliminating the need to introduce additional base stations within the cell search area.

2.3 Furthermore, the existing network configuration located on the Isles of Scilly does benefit from a height advantage as the as the works outlined in Section 3 will be conducted at 41m therefore, it will have an almost non-existent visual effect when viewed at ground level.

2.4 Please see Section 5.4 – 5.15 for a heritage statement which emphasises the minimum impact the proposed works will have on the Isles of Scilly Area Outstanding Natural Beauty and the scheduled monument.

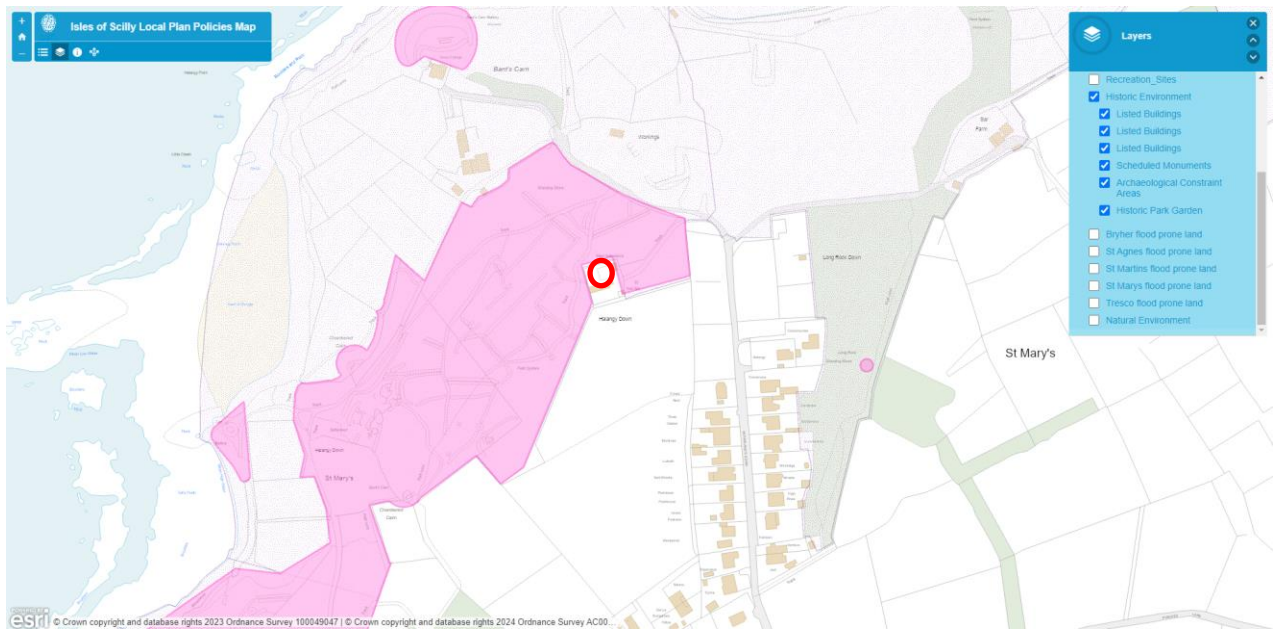


Figure 2.1 – Extract taken from the Isles of Scilly Local Plan Policies Map showing the site is within close proximity to a schedule monument.

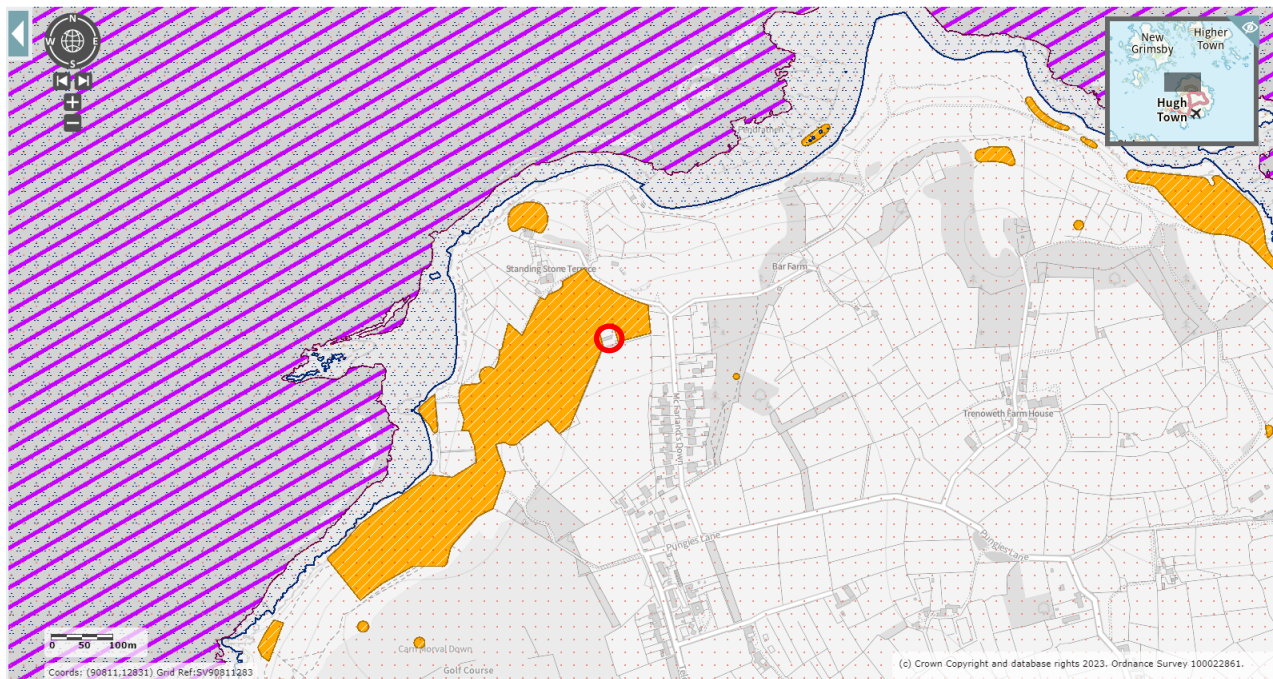


Figure 2.2 – Extract from MAGIC Maps showing the site is within an Area of Outstanding Natural Beauty.

3. THE PROPOSAL

- 3.1 The development proposed is shown in detail in the drawings submitted and in Figure 3.1 and consists of a series of modest upgrades to an existing base station. As such, the application site is likely to carry different mobile connectivity services in parallel, with high data uses operating through the telecommunications network apparatus subject of this application.
- 3.2 The principal elements of the proposed development at the application site reflect these various siting and design factors within the technical support document):
- Installation of 6No antennas at 41m height on the existing frame
 - Installation of 6No RRUs at 41m height behind the proposed antennas
 - Installation of 1No cabinet at ground level
 - Installation of a ground-based generator on a new concrete plinth
 - Installation of ancillary equipment
- 3.3 Paragraphs 16 & 17 of the Code of Practice for Wireless Network Development in England, published in March 2022, explains how mobile networks operate. In the annual network rollout information supplied, the operators will have explained their network requirements and the anticipated use of existing sites, including those owned by site infrastructure providers like Cellnex UK.
- 3.4 The application site has been selected by the operator as this will provide connectivity for existing and future mobile services within the Isles of Scilly, whilst properly meeting national town planning policy objectives for the shared use of existing electronic communications masts and sites, in this case operated by Cellnex UK

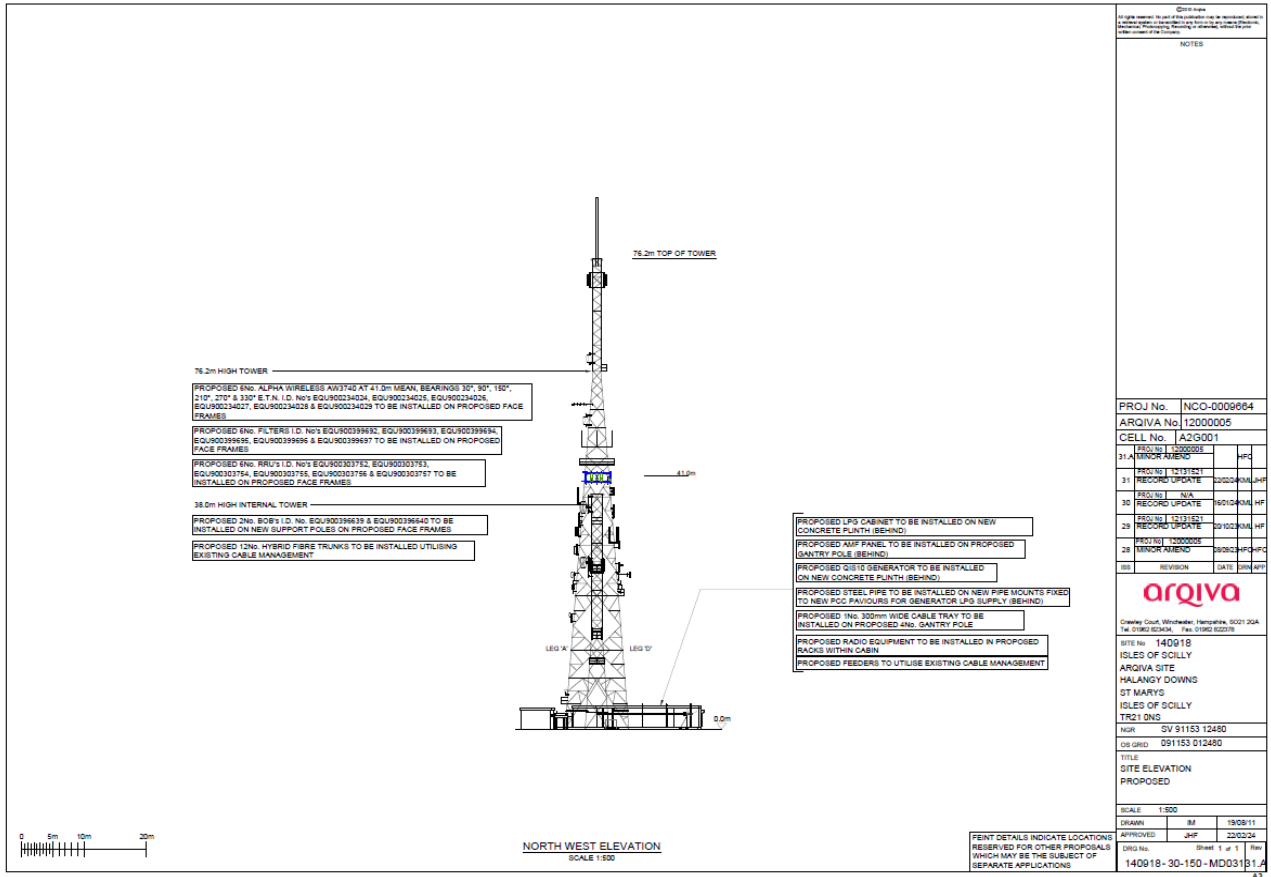


Figure 3.1 Extract of from 140918-30-150- MD03131 (Planning Drawings) showing the proposed elevation.

4. PRIOR ENGAGEMENT

- 4.1 The recently revised National Planning Policy Framework (NPPF) and the Code of Practice for Wireless Network Development in England require a consultative approach to network development with the planning authority and local community, reflecting the particular sensitivities of any given site. The proposal received an 'Amber' grading when assessed against the traffic light rating model, as referenced in the Code of Practice.
- 4.2 In our engagement letter we sought to agree with you the appropriate traffic light rating and associated engagement requirements with the local community and obtain your comments on the siting and design of the development.
- 4.3 The proposed works were given a Traffic Light Rating of Amber due to the proximity of the residential dwellings, close proximity to one scheduled monument and as the site is within the Isles of Scilly Area of Outstanding Natural Beauty. Although the proposed upgrade is modest, it has been given an Amber rating as a precautionary measure.
- 4.4 The Pre-application engagement started on 29th August 2023 for a consultation period between the below stakeholders. However, unfortunately the site was put on hold, so a further 7-day pre-consultation took place on the 16th April 2024. To the best of our knowledge there were no issues raised during the consultation. The Pre-consultation information consisted of the upgrade drawings, Pre-consultation Site Details Sheet and a letter describing the proposed works.

The Pre-consultation information was sent to the following:

- Isles of Scilly Council Planning Department
- Derek Thomas MP
- St Mary's Airport
- Civil Aviation Authority
- Isles of Scilly Area of Outstanding Natural Beauty - Isles of Scilly National Landscape
- Natural England
- Ward Councillors for Isles of Scilly:
 - Councillor Andrew Guy

- Councillor Avril Mumford
- Councillor Euan Rodger
- Councillor Robert Francis
- Councillor Joel Williams
- Councillor Fran Grottick
- Councillor Steve Sims
- Councillor Anita Bedford
- Councillor Dan Marcus
- Councillor Tim Dean
- Councillor John Peacock
- Councillor Steve Watt

5. PLANNING POLICY

5.1 The relevant planning policy and best practice framework is found principally within:

- The Isles of Scilly Local Plan (2015 to 2030) and the Isles of Scilly Area of Outstanding Natural Beauty Management Plan (2021-2025)
- National Policy, especially the National Planning Policy Framework (NPPF)
- Heritage Statement
-
- The Code of Practice for Wireless Network Development in England.

5.2 From these documents can be discerned the general policy background that exists for electronic communications development, site specific policies and the key considerations relevant to the siting and design of appropriate electronic communications development. As planning authority, you will be familiar with this framework and so in the interests of brevity, we do not rehearse it back to you in detail but address instead the principal themes to demonstrate that the application accords with them.

Local Policy Considerations

5.3 At local level, the proposal has been considered against the Isles of Scilly Local Plan (2015 to 2030). Within the local development plan there is no mention of telecommunications infrastructure however, in general the planning authority are supportive of technology and the roll out of critical services.

“Policy SS5 Physical Infrastructure

Development proposals, where they comply with other relevant policies within this Local Plan, will be supported where they are:

1) evidenced by the necessary existing or planned physical infrastructure to enable its delivery; or

2) for new physical infrastructure where this makes a positive contribution to the sustainability of the islands.”

The Isles of Scilly Local Plan (2015 to 2030) seeks to promote sustainable developments within the island and aims to protect the character of heritage assets. As the works outlined in Section 3 involve the addition of antennas and RUUs at 41m with additional ground-based equipment on the existing 76m free-standing tower it will have a minimal impact on any of heritage assets in Figure 2.1 and 2.2. The gap in coverage on St Mary is not sustainable, and without the works proposed then this will be in direct contrast to Policy SS5.

“Policy OE1 - Protecting and enhancing the landscape and seascape

1) Development will only be permitted where it aligns with the statutory purpose of Areas of Outstanding Natural Beauty (AONB), and therefore conserves and enhances the islands’ landscape, seascape and scenic beauty. Development must take into account and respect:

a) the distinctive character, quality, scenic beauty and sensitivity of the landscape and seascape.

b) the undeveloped and special character of the Heritage Coast.

c) other qualities, such as important features and views, dark skies and tranquillity, and having regard to the AONB Management Plan; and

d) the Isles of Scilly Landscape Character Study and any successor or associated documents.

2) Development will not be supported on the uninhabited islands.”

Policy OE1 looks to protect the Isles of Scilly Area of Outstanding Natural Beauty, and only developments that do not harm the AONB will be permitted. It should be reiterated that the mast is already existing, and due to the overall size and presence of the base station, the works should have a modest visual impact. Using an existing mast instead of erecting a new mast on the Isles of Scilly presents a sustainable solution. By utilising existing infrastructure, to accommodate multiple telecommunication apparatus, the landscape is preserved while ensuring enhanced connectivity for both residents and visitors.

5.4 Additionally, the Isles of Scilly Area of Outstanding Natural Beauty Management Plan 2021 – 2025 was assessed, and similarly to the local development plan there is an emphasis of protecting natural and heritage assets whilst promoting essential infrastructure within the Isle of Scilly Area of Outstanding Natural Beauty.

“Tourism continues and is likely to continue to be the main driver of the island’s economy into the future. This has been the message from past Local and Strategic Economic Plans. Diversification of the economy is also a continuing theme which was highlighted in the 2014 Islands Futures Strategic Economic Plan and most recently in the current Destination Management Plan as being necessary to make the islands economy more resilient.”

Section 5.2 of the management plan discusses socio-economic issues and looks to promote the tourism industry. Telecommunications plays a pivotal role in transforming tourism, by facilitating seamless communication between travellers and service providers. Ensuring connectivity is a cornerstone for tourism and without this critical infrastructure it can negatively affect the visitor’s experience.

National Support for Modern Communications

5.5 There is significant UK Government support for the delivery of connectivity throughout all aspects of daily life, particularly as the proposed works will be a step change from earlier versions and will allow users to expand network capacity to additional spectrum in neighbouring bands. It is essential that the planning system looks to support and facilitate upgrades to existing installations such as that proposed to meet the Government’s Digital Strategy. In addition, modern connectivity, such as the proposed works, will be essential to help the providing increased connectivity for existing and future mobile services.

The Need to Conserve the Historic Environment

5.6 In this case the site falls within the Isles of Scilly Area of Outstanding natural Beauty and within close proximity to the below scheduled monument as shown in Figure 2.1 and 2.2.

Heritage Statement

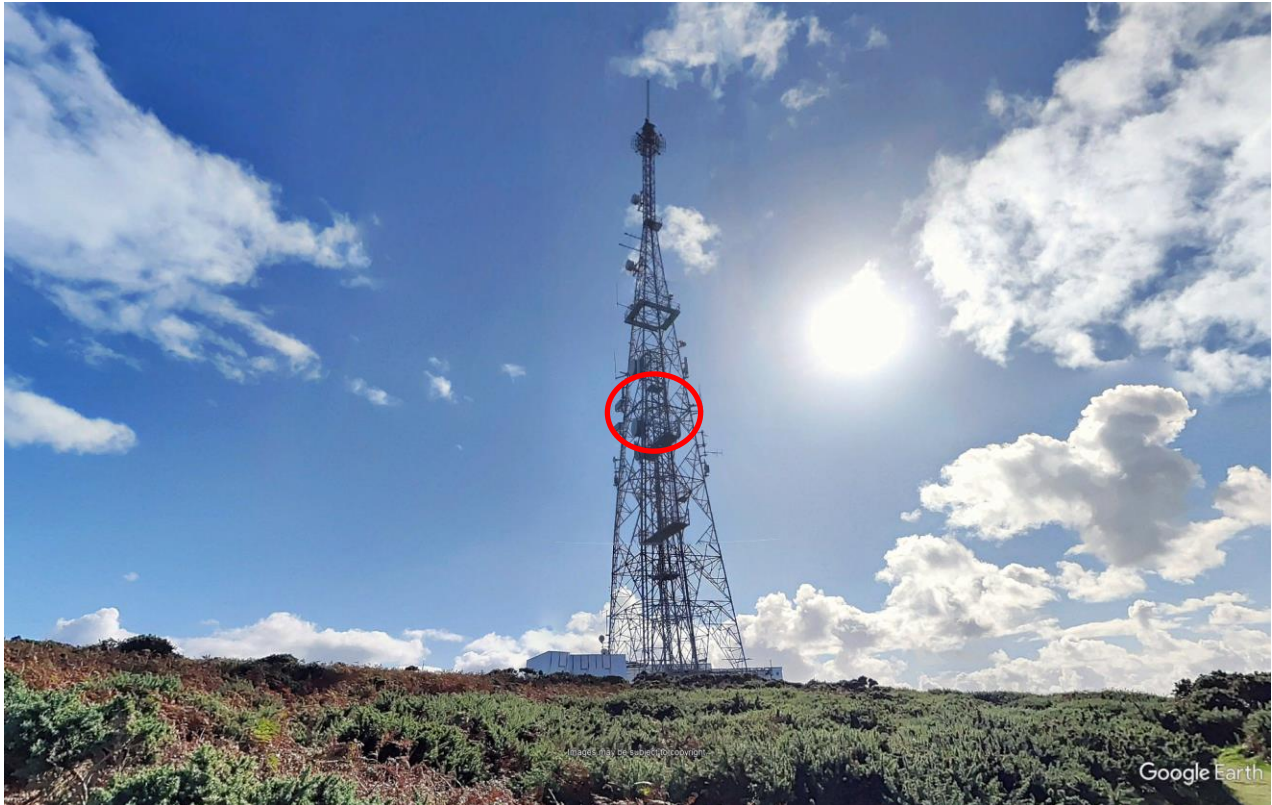


Figure 5.1 – Extract from Google Earth of the existing telecommunications site in relation to the surrounding environment

5.7 Understanding the importance of heritage within the Isles of Scilly is important to our client and hence we have included a section within the planning statement to discuss any potential impact the proposed works would have on the mentioned heritage assets:

- Entrance graves, standing stones, field systems, settlements and post-medieval breastwork, kelp pit and stone pits on Halangy and Carn Morval Downs, St Mary's (1013273)

- 5.8 The Isles of Scilly is the smallest AONB designation in the UK. However, the Islands poses diverse natural features such as panoramas of sea and sky are punctuated by lenses of low-lying land. The archipelago combines rugged granite cliffs and headlands, hidden coves, shifting dunes and saline lagoons. When all of the above is considered, it can be seen in Figure 5.1 that, although the mast has a significant height of 76m, the works outlined will be conducted at 41m therefore, this should not have an adverse visual impact on the key characteristics within the Isles of Scilly Area of Outstanding Natural Beauty.
- 5.9 Regarding the scheduled monument, it includes contiguous prehistoric to Roman period regular and irregular field systems, laid out over several phases and extending along the coastal slopes of Halangy Down and Carn Morval Down on northwest St Mary's in the Isles of Scilly. The scheduled monument does hold historically significant however, it should be reiterated that the works proposed are to an existing site and when viewed from ground level it will have a modest visual change. The principle of the telecommunication development in the vicinity of the scheduled monument and AONB has already been assessed and found to be acceptable by the grant of planning permission to the existing site.
- 5.10 The general presumption in favour of allowing development for modern communications, and the special operational and technical factors that require siting of base stations within the AONB, is balanced by the need to conserve or enhance their heritage qualities.
- 5.11 However, there is now far greater emphasis that visual impact should not override significant radio planning requirements to achieve mobile coverage to a particular area, particularly with the need to support the massively growing and intensifying demand for mobile communications across the UK. Indeed, in terms of looking to meet operational needs, the NPPF now applies a reduced policy test compared to previous guidance. This helps clarify than an operator is only required to satisfy the normal test of acceptability having regard to all material planning circumstances, rather than looking for the 'optimum' solution as required under the former PPG8.
- 5.12 In balancing these requirements, the starting point for planning new networks or the expansion of existing networks is to use existing electronic communications sites owned by other operators or radio site management companies, such as Cellnex UK. This policy objective is backed with the statutory obligation placed upon operators to share apparatus,

where practicable out under General Condition 3(4) of the Electronic Communications Code (Conditions and Restrictions) Regulations 2003, as amended.

- 5.13 In this instance, the installation of apparatus at this existing site is managed by Cellnex UK, where there are existing operations, aligns with this longstanding policy.
- 5.14 Nonetheless, any potential harm the apparatus would cause to the designated heritage asset must be assessed, as set out in NPPF paragraph 201 and how to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal. In this case, all reasonable steps have been taken, through careful siting at an existing Cellnex UK site, to moderate the visual impact of the development, having regard to technical and operational factors. Accordingly, the proposal looks to conserve the heritage asset.
- 5.15 In so far as there may be any perceived harm, the development proposal will have less than substantial harm to the significance of a designated heritage asset and as such, this harm has to be weighed against the public benefits of the proposal (paragraph 208). In this respect the base station is required as part of a national mobile communications network, necessary to extend and improve mobile connectivity to the local area and has wider public interests. As explained, the target coverage area falls within the designated area and the special operational and technical requirements necessitate siting of new apparatus within it.

The Need to Protect the Special Qualities of Designated Areas

5.16 The special operational and technical factors that require specific siting of base stations should be balanced by the need to minimise environmental and visual impact, and the special qualities of nationally important landscapes such as the Isles of Scilly AONB.

5.17 Although the upgrades outlined in Section 3 is not major development, it is relevant that it nonetheless satisfies the criteria that apply to such greater development under paragraph 183 of the NPPF. This advises that planning permission for major developments in an AONB should be refused except in exceptional circumstances where it can be demonstrated that they are in the wider public interest. Having regard to the three criteria listed:

- The base station is required as part of a national mobile communications network, necessary to extend and improve mobile connectivity to the local area.
- As explained, the target coverage area falls within the Isles of Scilly AONB and the special operational and technical requirements necessitate siting a mast within it.
- All reasonable steps have been taken, through careful siting at an existing Cellnex UK communications site, to moderate the visual impact of the development, having regard to technical and operational factors.
- The proposal to share this existing communication site, through the installation of antennas, RRUs, and ground based equipment looks to present an acceptable solution, particularly when compared with the alternative of erecting a new base station elsewhere and the development of an associated compound on a site nearby and with it the associated additional resources in developing a new site within the designated area.

5.18 As a matter of principle, the development proposed is in accordance with the relevant policy framework and should therefore be acceptable. In the next section, the Design Considerations are reviewed to demonstrate that the detail of the development is also acceptable and that in accordance with the presumption in favour, planning permission should be granted.

5.19 The proposed development is therefore considered to strike the best balance between meeting the specific network requirements for the operator and minimising environmental impact.

6. DESIGN CONSIDERATIONS

6.1 The development proposed is exempt from the requirement to provide a design and access statement under Article 9 of The Town and Country Planning (Development Management Procedure) (England) Order 2015. However, to assist your consideration of the detail, this section provides a description of the process adopted in the design of the proposals and explains the access considerations. Due regard has been given to the factors addressed from Paragraph 20 of the Code of Practice.

Physical Context

6.2 The proposed upgrade site has been carefully selected in a position capable of providing the required coverage. The scale of the upgraded equipment will be minor in comparison to the overall bulk of the 76m mast and the equipment has been positioned near the middle of mast, minimising the visual impact. The visual effects have been further mitigated by keeping the antennas and other associated equipment similar to the existing installation.

Amount, Design, Layout and Scale of the Development

6.3 The scale, layout and design of the proposed installations has been guided by the operational factors affecting the need to improve connectivity between telecommunication sites. Having regard to the need to minimise visual impact and reduce the proliferation of installations within the area, whilst delivering the vital connectivity on the Isles of Scilly. With regard to the main component elements of the development proposed:

- Alternative designs like shareable tree masts have been considered, but they cannot accommodate the amount of apparatus necessary to support the proposed equipment. Even if a tree mast could be designed to support such apparatus, it would still amount to an engineering solution unlikely to replicate the natural features and character of a tree and would appear as a prominent and incongruous feature in the wider landscape.

Antenna Array

- The number of dishes and their size has been kept to the minimum necessary to provide wireless connectivity for existing and future services. The design of these features is very much driven by operational and technical factors.

Access Considerations

- 6.4 Access to the site will be provided from the existing track that's runs from McFarland's Downs. The existing route does not require any amendment as part of the development proposed.
- 6.5 Once constructed, the development will be unmanned requiring only periodic visits, typically once every two to three months for routine maintenance and servicing.
- 6.6 In accordance with all relevant health and safety legislation and guidelines, access to the site will be restricted to authorised personnel and the routine maintenance and servicing of the apparatus will only be carried out by properly trained and qualified staff. Electronic communications base stations are specifically designed to prevent unauthorised access by members of the public and, therefore, there is no requirement to incorporate inclusive access arrangements into the proposed layout and design of the development.

Landscaping

- 6.7 The proposed siting of the development has been very carefully chosen to minimise environmental impact. The overall, height of the mast will not be altered, and the works proposed will be conducted 41m therefore, not have an adverse visual effect when viewing the landscape.

Appearance

- 6.8 The sensitive approach to siting and design should minimise the appearance of the development proposed. Insofar as the apparatus may be visible, they should look straight forward in appearance and reflect its function. To that extent they should in time become



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accepted features of the local environment as with other forms of communications networks and essentially public utility infrastructure, such as roads and railways.

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7. HEALTH AND SAFETY

- 7.1 The ICNIRP guidelines seek to protect against the well-known thermal effects of radio emissions and include a significant precautionary factor. These guidelines apply to all forms of electronic communications and mobile technology is one of the lowest powered of these.
- 7.2 National planning policy remains clear, provided an application is certified as ICNIRP compliant, local planning authorities should not seek to effectively set different guidelines through the refusal of planning permission.

8. SUMMARY AND CONCLUSIONS

- 8.1 In summary, the application is in respect of electronic communications base station necessary to improve a vital network that provides public services.
- 8.2 The public interest of the system is clear from the considerable benefits that will flow, and it makes a significant and major contribution towards sustainable objectives.
- 8.3 The operator's requirement is in the context increasing connectivity for existing and future mobile services, these impose particular locational and siting requirements. The technical justification clearly demonstrates the need for this apparatus proposed within the context of the operator's surrounding network.
- 8.4 The operator has followed national and local planning policy and best practice guidance in the siting and design of its apparatus in recognition of the need to minimise visual impact. This has included:
- Network planning based upon existing sites, including those controlled by Radio Site Management companies like Cellnex UK.
 - Siting at an existing electronic communications site to minimise new sites and help avoid the unnecessary proliferation of new radio masts and sites for them.
 - Engagement in accordance with the Code of Practice procedures.
 - An examination of design options to try and minimise potential visual impact.
- 8.5 The proposed antennas will comply with all relevant health and safety requirements and will be compliant with the ICNIRP guidelines. There are no exceptional circumstances in this case and therefore no need to consider health effects and related concerns such as the perception of risk further.
- 8.6 Since the application site falls within the Isles of Scilly Area of Outstanding Natural Beauty and in close proximity to one scheduled monument, this has been a key consideration and treated with high concern. However, it should be re-emphasised that due to the modest upgrade proposed this will have a marginal visual impact upon the surrounding area.

- 8.7. This statement and the other accompanying material have demonstrated that the proposal is in accordance with local Development Plan policy and national policy set out in particular within the NPPF. In particular, it is a form of development that is specifically encouraged as a matter of principle and in its detail complies with the policy objective of minimising potential environmental impact.
- 8.8. In conclusion, the application is for sustainable development, acceptable as a matter of principle and appropriate in its detail and so one which the presumption in favour of granting approval applies.