



18th July 2016

Mrs Runacre
Planning Section
Dover District Council
White Cliffs Business Park
Dover
CT16 3PJ

Dear Mrs Runacre,

Application: DOV/16/00044: Site at former Richborough Power Station, Ramsgate Road, Sandwich, CT13 9NL

Erection of a guyed steel lattice mast (322m in height) with 9 anchor points, installation of telecommunications and associated equipment, site compound, secure fencing, single storey equipment structure, access track, ground mounted solar panels within compound and associated works.

Justification

CPRE Kent believes that the applicant has not demonstrated that other technologies are not available to meet communications needs. Establishing the need for the mast will be important during evaluation of the planning balance when determining the application. An identified harm would be more difficult to justify if there are different ways of meeting the same communications objective. A mast of this size should not be permitted anywhere in East Kent unless it is demonstrably in the public interest, and the least harmful site has been identified. The case has not been made.

There are clear planning objections to this particular site (see landscape, heritage and ecology impacts below). It is therefore relevant and necessary to consider whether there are more appropriate sites elsewhere. Although Chapter 4 of the Environmental Statement (project description and alternatives) mentions consideration of alternatives, it is not clear which alternatives were considered and why they were discarded.

It is broadly accepted that availability and suitability of alternative sites is a material consideration where the development would cause harm and where the need for the development is submitted as a material consideration that should weigh in favour of development. This is necessarily relevant to the decision since the adverse effects of the proposal would be so conspicuous. Further it would be inappropriate to consider two rival applications in isolation – this would not be reasonable given the potential harm.

The following High Court decision summarises current case law: *Westerleigh Group Ltd, R (on the application of) v Aylesbury Vale District Council* [2015] EWHC 885 (Admin) (30 March 2015)

The Kent Branch of the Campaign to Protect Rural England exists to promote the beauty, tranquillity and diversity of rural England by encouraging the sustainable use of land and other natural resources in town and country.

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It is the view of CPRE that the applicant has not demonstrated that the proposal, by necessity, should be sited in the location proposed. It is essential that a scheme of this size should make every effort to minimise its impact and site choice must of course be relevant.

The Planning Statement sets out site selection criteria at section 5. It is of particular note that the search selection criteria did not include avoiding significant harm to important heritage assets, sensitive landscapes, habitats and species of principal importance, and designated habitats. Section 4.6 of the Environmental Statement sets out slightly different criteria, but there is little evidence of a proactive search for a site that avoided conflict with nationally/internationally significant heritage and ecological assets. The EIA Statement should include the following:

“A description of the reasonable alternatives (for example in terms of project design, technology, location, size and scale) studied by the developer, which are relevant to the proposed project and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects” (Annex IV (2), Directive 2014/52/EU).

We have discussed earlier that alternative sites are reasonably a material consideration in proposals such as these where harm is so significant and conspicuous. Weighing public benefits against that harm (in the planning balance) would be inappropriate if that harm can be reduced on an alternative site.

Mast Sharing

It is not clear whether the applicant has discussed mast sharing with New Line Network, who have recently submitted a similar application nearby. It is essential that this discussion takes place and that the second mast is considered in the cumulative effects section of the Environmental Statement.

This point is key. It has not been demonstrated that there is a need for two masts of this scale. The proliferation of masts of this size should clearly be avoided where possible and that is in the public interest.

Landscape and visual impact

The Ash Levels Landscape Character Assessment makes the following notable statement: *‘There is little built development, creating a predominantly horizontal landscape with little to interrupt the view or focus the eye’*. The mast will not protect or enhance the local and wider landscape character of this open and horizontal landscape. The Landscape, Heritage and Visual Impact assessment understands the importance of topography to the potential visual impact of the mast and recognises that the mast may be visible over long distances, including at night time. CPRE is of the view that this impact will be significant and far-reaching.

CPRE believes that this harm to the character and appearance of the landscape is a significant impact, reinforced by its relevance to nearby nationally important heritage assets, and Richborough Fort (and associated features) in particular. Indeed the Wantsum Channel itself is a landscape of historic, cultural and archaeological importance in its own right and it is inappropriate to assume that the harm to this landscape area is only relevant insofar as it relates to the cultural contribution of the landscape to the understanding of nearby heritage assets.

Impact on the views from Richborough Castle are also harmful and significant. CPRE disagrees with the following conclusion (para D8.7) in the Environmental Statement:

“The mast will be perceived as a structure in the distance, part of the larger group of manmade structures near the former power station site. It is slender and lightweight, and its height may be perceived by some visitors as forming a positive contrast of modern engineering with the 2,000 year old engineering of the Roman fort.”

The proposed mast would clearly disrupt important views across this heritage landscape. Whilst the site proposed will mean that the mast is seen in the context of other man-made structures, it is clear that the dramatic scale of the mast would mean that it would still be incongruous in these views. The open nature of the landscape is important and the development would represent a substantial and unpleasant feature, notably harming the quality of views. The visibility of other buildings and infrastructure does not limit the significance of the harm to the setting of the fort. It

is the view of CPRE that the mast, by virtue of its height and location, would have significant and harmful landscape impact over a wide area.

As such, the proposal fails to satisfy Policy DM 16 (Landscape Character) of the Core Strategy, which states:

“Development that would harm the character of the landscape, as identified through the process of landscape character assessment will only be permitted if:

- i. It is in accordance with allocations made in Development Plan Documents and incorporates any necessary avoidance and mitigation measures; or*
- ii. It can be sited to avoid or reduce the harm and/or incorporate design measures to mitigate the impacts to an acceptable level”.*

This case cannot be made for this proposal. The impact is unacceptably harmful and it has not been justified. Other proposed vertical features, such as the Richborough Connection, would further compound this impact.

Heritage assets

The proposed development is likely to have a significant and detrimental effect on the setting of the Roman site at Richborough. The site is designated as a Scheduled Ancient Monument and includes the Grade 1 listed Richborough Castle. The harm is likely to be detrimental to the significance of the site and the NPPF (para 132) agrees it should be wholly exceptional.

There are, of course, other historic landscape features in the locality, most notably the former Wantsum Channel which forms part of the setting of Richborough Fort. Views of this channel are prominent from the castle and are important in the understanding of the strategic siting of the castle. Correspondingly the mast will be visible from the Scheduled Monument and the listed Richborough Castle and would be clearly detrimental to the experience of visitors to the site and the interpretation of the landscape setting in particular. The harm to the setting of the fort, and the ability to appreciate it would be significant. The applicant has not demonstrated that this harm is necessary and consideration of alternative sites must be relevant to this.

Furthermore, it is the view of CPRE that the Wantsum Channel is a heritage asset of value. It forms part of a historic and cultural landscape that makes a significant contribution to the understanding of the pattern of development in East Kent. The impact of the scheme on the landscape character of this area, which forms part of the setting of numerous heritage assets, would be substantial and harmful to its evidential, historic and aesthetic value and thereby its significance.

Ecological assets

The site is designated as a Local Wildlife Site with notable bird, invertebrate, mammal and reptile species. Golden Plover (an SPA species) is relevant, but there are numerous other Species of Principal Importance or otherwise notable. The risk of bird impacts is a significant concern of CPRE and this issue should be discussed in detail with Natural England, Kent Wildlife Trust and RSPB. An alternative site might lower this risk and this should be relevant to the alternative site assessment. Of course the lack of experience of this height of mast must make the impact on birds uncertain, and this is an important concern due the valuable migratory species overwintering in East Kent.

CPRE Kent must object to this application and submit that it is essential that the need for the mast is established, that the alternative site assessment is made available, that the two applications should not be considered in isolation, and that significant weight be given to the heritage, landscape and ecological harm likely to result from the development.

Yours sincerely,

Jillian Barr
Planner
CPRE Kent