

Our ref: BRS.1526/13729

23rd February 2026

Mr. Chris Harrison
Cumberland Council (Copeland Area)
Planning and Development

E-mail: Development.Control3@cumberland.gov.uk

BY EMAIL ONLY

Dear Mr Harrison,

Arqiva Limited
Objection to Planning Application Reference 4/26/2026/O51, Adamgill Farm, Moresby

Pegasus Group act on behalf of Arqiva Limited in respect of town planning matters throughout the UK. We write to object to the above planning application for a proposed 20 metre to hub wind turbine at Adamgill Farm with a stated output of 15kW, which is currently pending determination.

Arqiva Limited owns and operates the existing communications mast and associated equipment on the application site, which the submitted proposals indicate would be removed. Arqiva object to the application on the basis that the principle of development has not been established; the application fails to assess or address the loss of operational communications infrastructure; and the supporting material is deficient when assessed against national and local planning policy requirements to the point where it is not possible for the Local Planning Authority to discharge their obligations in respect of decision making under The Town and Country Planning (Development Management Procedure) (England) Order 2015 (the "DMPO").

Arqiva Limited operate critical broadcast and digital communications infrastructure from the telecommunications installation and have done so for many years. The infrastructure at this site forms part of that operational network including digital television, smart metering, mobile digital communications on behalf of EE, H3G UK, O2 and Vodafone and communications linkages for the Royal National Lifeboat Institution.

The existing installation is an established, long-serving base station forming part of the wider telecoms network. Having been in place for a significant period, the digital broadcast and telecommunications network that serves the surrounding areas of Whitehaven, and the west coast of Cumbria more generally, has been developed around this installation being in place. In other words, the site performs a wider network function beyond the broadcast equipment fixed at the site.

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Principle of development and policy context

National planning policy affords significant weight to the protection of existing communications infrastructure. Paragraph 121 (b) of the National Planning Policy Framework requires Cumberland Council to ensure that new development does not cause significant and irremediable interference with broadcast and electronic communications services. This is of crucial importance, without the physical infrastructure upon which it depends, advanced high-quality communications in the public interest cannot be delivered throughout the UK.

The existing installation is precisely the sort of installation which is envisaged as part of the communications network under NPPF paragraph 120. Multiple digital communications operators as well as Arqiva have equipment fixed to the mast which is configured in a site sharing arrangement which reduced the pressure for additional masts in the surrounds and delivers on the Government objective to avoid the over proliferation of masts. This should be evident to the Council from the separate letter of objection to the application already lodged by Vodafone UK Ltd.

The proposed development would result in the removal of an operational communications mast and associated equipment. The application provides no assessment of the impact of that removal on existing services for any existing operator, no explanation of whether coverage would be lost or degraded, and no mitigation strategy to secure continuity of service. In the absence of such information, it has not been demonstrated that the proposal would avoid significant harm to existing broadcast communications infrastructure, nor that any harm could be mitigated and the application should be refused planning permission on this basis.

The Planning, Design and Access Statement is entirely silent on the existence and function of the mast, its role within the wider network, or the consequences of its removal. This omission is fundamental. Without an assessment of service impact, the local planning authority cannot properly apply the NPPF or undertake a lawful planning balance.

Local planning policy similarly supports the continued provision and resilience of digital infrastructure. Strategic Policy CO1 of the Copeland Local Plan (2021–2039) seeks to support infrastructure that extends and improves digital connectivity across the borough. The proposed removal of operational infrastructure, without justification or mitigation, would conflict with that policy objective and would result in a net degradation of digital connectivity for Arqiva as well as Mobile Network Operators with equipment fixed to the site. No material considerations have been advanced to justify that outcome.

Failure to assess alternatives and coexistence

The application does not consider whether the proposed wind turbine could be sited, designed or configured to coexist with the existing communications infrastructure. There is nothing in the submission documentation which explains why the application site is required for the development or why the significant amount of land elsewhere within the ownership of the applicant (as indicated by the blue line area included on the site location plan) cannot be utilised for the development. Planning policy and established practice expect developers of wind energy schemes to



demonstrate that interference risks have been assessed and that reasonable mitigation, including micro-siting or layout alternatives, has been explored.

No such assessment has been undertaken. The proposal is presented as a *fait accompli* that assumes removal of the mast, rather than demonstrating why coexistence is not possible or explaining how the proposal will preserve digital connectivity across the borough as required by national and local planning policy. This failure further undermines the acceptability of the proposal in principle.

Application deficiencies and inability to assess impacts

Arqiva have reviewed the documentation available via the Council's public access system, alongside the Council's validation requirements and Planning Practice Guidance. The submitted information contains deficiencies that prevent a proper assessment of planning impacts, including:

- No site location plan that clearly and consistently identifies the full extent of the application site, access arrangements and all land required to carry out the development, contrary to validation requirements.
- Inconsistencies in the red line boundary across submitted drawings, including differing shapes and extents, creating uncertainty as to what land is included within the application.
- A stated site area of 20 m² that does not appear to include all existing cabins proposed for removal, nor land required for access and works, calling into question the accuracy of the application description and fee calculation. Without inclusion of the cabins within the red line area, the applicant is incapable of carrying out the development described on the Planning Application Forms submitted.
- An assertion that the proposal is exempt from Biodiversity Net Gain requirements on area grounds, which appears incorrect and unsupported by evidence.
- The absence of existing and proposed elevation drawings, preventing any meaningful assessment of the turbine's relationship with existing infrastructure, visual impacts, or potential interference effects.

Taken together, these deficiencies mean the local planning authority does not have sufficient information to assess the impacts of the proposal on communications infrastructure or the wider planning considerations, the application is deficient with specific regard to Part 3 Article 7 of the DMPO which sets out general requirements for planning permission.

Certificate and notification concerns

The applicant has completed Certificate A, despite the uncertainty regarding the extent of the application site and Arqiva's occupation of the land. If notices have not been correctly served, the application may be legally defective, this being a common ground for Judicial Review. This further supports the need for clarification before the application can be lawfully determined.



Pre-application advice

Section 5 of the application forms indicates that pre-application advice was issued by the Local Planning Authority on 24th April 2024. Arqiva request disclosure of that advice, as it may be material to understanding how the proposal has been framed and whether impacts on communications infrastructure were previously identified. As the Council will be aware, the LPA are obliged to disclose information relating to pre-application enquiries under the Freedom of Information Act 2000.

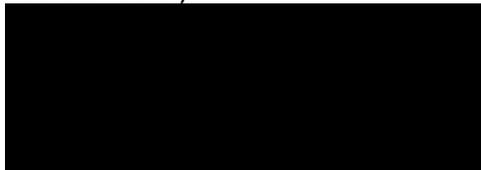
Conclusion

The application fails to establish the acceptability of the proposal in principle. It does not assess or address the loss of operational communications infrastructure, does not demonstrate compliance with national or local planning policy, and does not provide sufficient information to enable a lawful planning balance to be undertaken.

In these circumstances, the application should be refused. At a minimum, it should not be determined until comprehensive information has been submitted addressing service impacts, alternatives, mitigation, and compliance with planning policy.

Arqiva reserve the right to make further representations should additional information be submitted. I would be glad to provide further technical detail on the relevant point made within this letter upon request.

Yours sincerely



Richard Morison
Planning Director

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Telephone: [redacted]

(for and on behalf of Arqiva Limited)