

**SUPPLEMENTARY INFORMATION**

1. Site Details

Site Name:	Land Adjacent to Hyde Garden Shop	Site Address:	Land Adjacent to Hyde Garden Shop, Fordingbridge, Hampshire, SP6 2QF
National Grid Reference:	416969, 112207		
Site Ref Number:	33917	Site Type: <sup>1</sup>	Macro

2. Pre Application Check List

**Site Selection (for New Sites only)**

(Would not generally apply to upgrades/alterations to existing site including redevelopment or replacement of an existing site to facilitate an upgrade or sharing with another operator)

Was a local planning authority mast register available to check for suitable sites by the operator or the local planning authority?	Yes	<b>No</b>
If no explain why:  Other sources checked		
Were industry site databases checked for suitable sites by the operator:	<b>Yes</b>	No
If no explain why:  N/A		

**Site Specific Pre-application consultation with local planning authority**

Was there pre-application contact:	No
Date of pre-application contact:	N/A
Name of contact:	N/A
Summary of outcome/Main issues raised:  This is an application for the retention of a temporary emergency electronic communications base station for a further 18 months until a permanent solution is found. As such, no pre application consultation has been undertaken with the local planning authority.	

**Community Consultation**

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<sup>1</sup> Macro or Micro

Rating of Site under Traffic Light Model:	Red	Amber	Green
Outline of consultation carried out:			
As above, no formal consultation undertaken as this a temporary installation. Notification letters however were sent out to local residents, the parish council and the local ward councillor, informing our intention to submit a planning application for the retention of this temporary installation for a further 18 months.			
Summary of outcome/main issues raised (include copies of relevant correspondence):			
No direct responses were received.			

### School/College

Location of site in relation to school/college (include name of school/college):
N/A
Outline of consultation carried out with school/college (include evidence of consultation):
As above, no formal consultation undertaken as this a temporary installation.
Summary of outcome/main issues raised (include copies of main correspondence):
N/A

### Civil Aviation Authority/Secretary of State for Defence/Aerodrome Operator consultation (only required for an application for prior approval)

Will the structure be within 3km of an aerodrome or airfield?	Yes	<b>No</b>
Has the Civil Aviation Authority/Secretary of State for Defence/Aerodrome Operator been notified?	Yes	<b>No</b>
Details of response:		
N/A - Full Planning Application		

### Developer's Notice

Copy of Developer's Notice enclosed?	<b>Yes</b>	No
Date served:	N/A – Full planning application	

### 3. Proposed Development

The proposed site:

3.1 The application site is located by Hyde Farm and Garden Shop, on the northern side sited between two of the farm shop buildings. The site is situated to the southern fringe of the parish of Hyde, within the Western Escarpment Conservation Area and on the inner edge of the New Forest National Park. The site currently hosts a temporary emergency electronic communications installation which provides continuous network coverage until a permanent solution is integrated into the network.

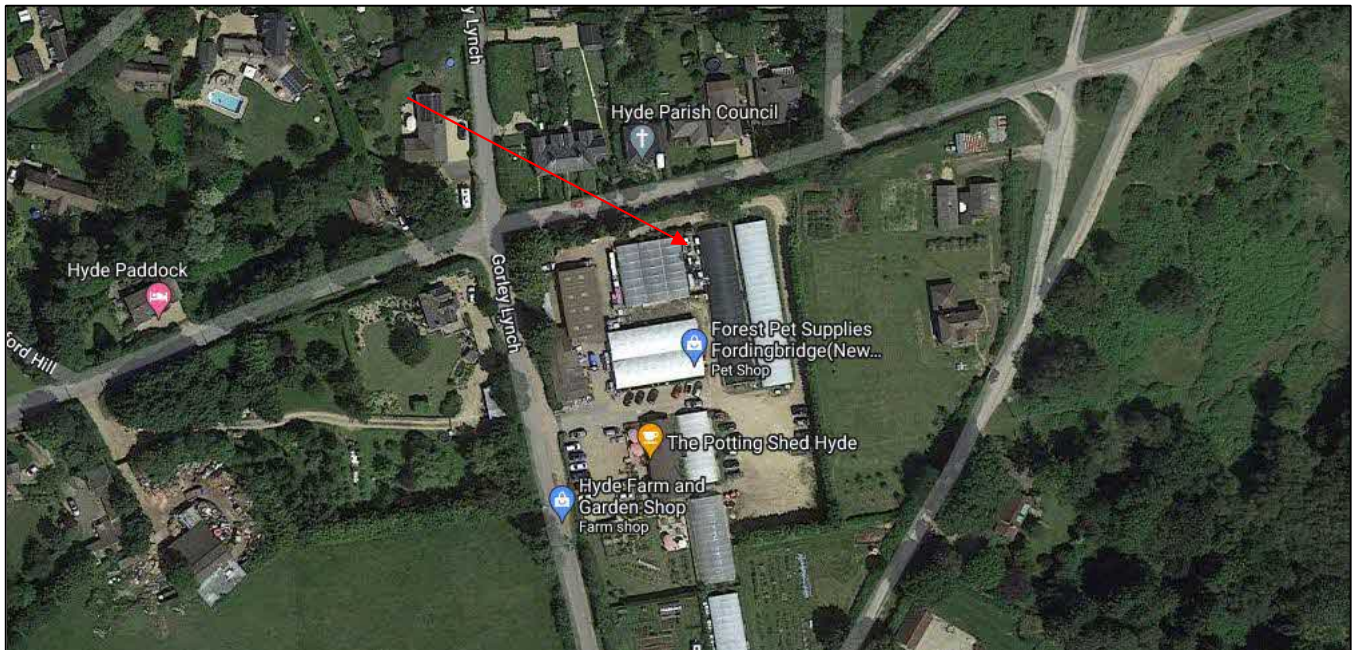


Figure 1: Aerial view of application site, application site shown by red arrow (Source: Google maps)

3.2 This temporary installation benefits from permitted development rights by Class A(b) of Part 16 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), and an Emergency Notice was sent to the LPA on 04/12/2020. These permitted development rights allow the provision of such emergency electronic communications equipment to be installed for 18 months. The 18 month period is approaching its end, and a permanent solution has not yet been secured. As such the applicant is looked to retain the apparatus for a further period of 18 months, in order to prevent any loss of coverage and to allow time for a permanent solution to be secured.

3.3 There was a previous MBNL site serving the local area located at Ashley View, Hyde Fordingbridge, Hampshire, SP6 2QE (NGR: E 417083, N112411), which was decommissioned. A temporary installation was deployed under emergency powers at Land off Gorley Lynch, Hyde, Fordingbridge Hampshire, SP6 2QE, (NGR: E 417135, N 112367) following the decommissioning of the site at Ashley View, to ensure that there was no loss of services in the area. Whilst this temporary installation was in situ, works were undertaken to secure a permanent solution.

3.4 An application for a permanent installation at Land Adjacent to Hyde Garden Shop under application reference 20/00683 was refused in November 2020, due to detrimental impact on the National Park and the Conservation Area. At this time, the emergency temporary

installation at Land off Gorley Lynch was due to be removed, and following this refusal, a new temporary installation was deployed under emergency powers in December 2020, again to ensure there was no loss of services whilst a permanent solution was found.

3.5 A second application for a permanent solution at Loaders Field (“Harry’s Field”), Abbotswell Rd was refused prior approval in November 2021 under application reference 21/00725, again due to detrimental impact on the National Park and the Conservation Area. Following this, investigations are being undertaken for a third permanent option. In the meantime, the current application proposes to retain the temporary mast at Hyde Farm and Garden Shop, to ensure there is no loss of services to the local area.

Type of Structure (e.g. tower, mast, etc):	
Description:	
The retention of existing temporary telecommunications base station consisting of 1No. 16.00m mast, 6No. antennas and 1No. 600mm dish mounted to headframe, 6No. equipment housing cabinets, a generator and ancillary development thereto.	
Overall Height:	16m
Height of existing building (where applicable):	N/A
Equipment Housing:	Please refer to submitted plans
Length:	
Width:	
Height:	
Materials (as applicable):	
Tower/mast etc – type of material and external colour:	Steel - galvanized
Equipment housing – type of material and external colour:	Steel – galvanized

Reasons for choice of design, making reference to pre-application responses:
<p>3.6 The equipment’s design is based on the principle of meeting operational requirements of the mobile operators EE and H3G, in this case providing temporary replacement coverage for the site lost at Ashley View, whilst a permanent solution is sought, whilst minimising impact on the surrounding area as far as technically possible.</p> <p>3.7 The objective of this site is to ensure coverage to the area is temporarily replaced, and disruption to the wider network is not caused. When a site is decommissioned, the obvious impact felt is the loss of coverage that that site provided however, it can also cause greater disruption to the wider network. This is because each site connects to another, that one to another and so on, so if one is decommissioned the impact can reach far further than the immediate consumers. As outlined in previous sections of this document, a permanent solution to replace the loss of services from Ashley View has not yet been secured. Works are underway to secure a permanent solution, but given there is no operational permanent site, there is requirement for the temporary site to be operational for an extended period of time, for the next 18 months. The objective, and need, for a replacement site in this area is henceforth established and justified.</p>

- 3.8 There are three main elements to a radio base station; the cabinets which contain the equipment used to generate the radio signals, the supporting structure that holds the antennas in the air and the antennas themselves, which emit the radio signals (along with any necessary amplifier or receiver units). Other elements necessary for the base station to function are the links into the network either by fibre cabling or by dish antennas, power source (meter cabinet), feeder cables that link the equipment housing to the antennas and the various fixings, often referred to in general terms as “development ancillary to” the base station.
- 3.9 The type of technology being deployed determines the type of equipment and antennas required, which in turn impacts upon the type of support structure and design methods than can be employed on an aesthetic level. In order for the base station to effectively provide coverage to the desired areas and fit in with the established network pattern, specific antenna orientations and heights, determined by the radio planners, must be achieved.
- 3.10 The applicant gives due regard in designing all new sites to limit the visual impact through good design. In this instance the proposed installation is subject to technical and build constraints. That notwithstanding, it is submitted that the appropriate siting and design put forth mitigate any potential impact on the site and its surroundings to an acceptable level. The base-station has been designed to accommodate replacement apparatus, allowing provision of 2G, 3G and 4G mobile connections to the surrounding area to continue.
- 3.11 To achieve the required replacement coverage and network improvement for both EE and H3G, 6No. antennas, and 1No. 600mm dish are required. The number and scale of proposed antennas and dishes is informed by the number of communication services being provided and the fact that the base-station will be multi-operator meaning that both EE and Three require apparatus. The antennas and dish are mounted onto a 16m temporary mast.
- 3.12 The antenna height is determined by a specialist network radio engineer using specialist software which factors in the area that coverage is required, the relationship between the selected site location and existing cell sites in the linked network and variances in land levels and elements such as nearby trees or buildings, which can block or weaken signals. The antennas must be allowed to unrestrictedly emit a radio signal meaning they need to be sited at a high position, on the 16m temporary mast to help the radio signal clear surrounding structures, such as buildings and trees, with the aim of avoiding signal interference. The height of the antennas is the lowest possible to provide the required level of replacement coverage and would also ensure compliance with ICNIRP guidelines.
- 3.13 Radio signals are generated within radio equipment housing cabinets and in this case, 6No. equipment cabinets are required to provide this temporary replacement coverage. The proposed antennas must connect to the proposed equipment housing cabinets by electrical cable feeders. The equipment cabinets form an essential component of the base-station and must be located as close to the antennas as possible in order to minimise electrical power losses during operation. The cabinets are located next to the temporary mast, on timber sleepers. All equipment is sited within temporary security fence.

3.14 Due consideration has been given to the process and this proposal both achieves the technical requirements and does not bring unacceptable harm to the character of the area. The guidance given by the Government on the balance Local Authorities must take between these two factors – technical achievements of telecommunications developments and visual harm – will be clarified in section 5 of this document under ‘Policy’.

3.15 There is very limited scope to alter the design in order to meet the technical requirements, nonetheless it is considered the proposal now put forward is appropriate to the site and its surroundings and avoids any unacceptable level of impact.

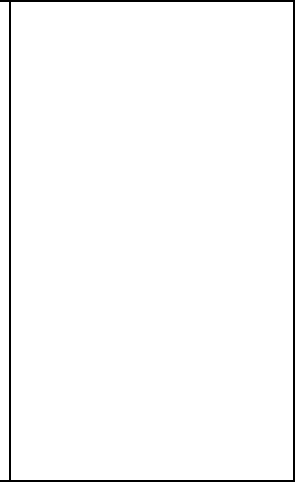
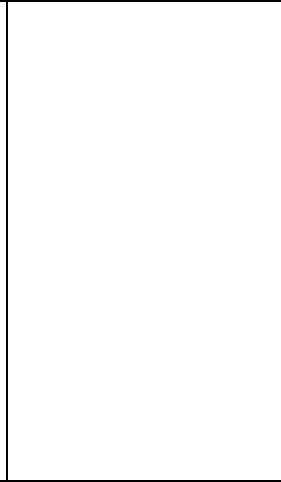
3.16 This application purely seeks the retention of this existing temporary installation for a further 18 months, until a permanent solution is secured. As such, it should be acknowledged that any impact will only be temporary, as this installation will be removed within 18 months, once a permanent solution has been secured.

### Technical Information

International Commission on Non-Ionizing Radiation Protection Declaration attached (see below)	<b>Yes</b>	<b>No</b>
<p>International Commission on Non-Ionizing Radiation Protection public compliance is determined by mathematical calculation and implemented by careful location of antennas, access restrictions and/or barriers and signage as necessary. Members of the public cannot unknowingly enter areas close to the antennas where exposure may exceed the relevant guidelines.</p> <p>When determining compliance the emissions from all mobile phone network operators on or near to the site are taken into account.</p> <p>In order to minimise interference within its own network and with other radio networks, EE and H3G operates its network in such a way the radio frequency power outputs are kept to the lowest levels commensurate with effective service provision</p> <p>As part of EE and H3G’s network, the radio base station that is the subject of this application will be configured to operate in this way.</p> <p>All operators of radio transmitters are under a legal obligation to operate those transmitters in accordance with the conditions of their licence. Operation of the transmitter in accordance with the conditions of the licence fulfils the legal obligations in respect of interference to other radio systems, other electrical equipment, instrumentation or air traffic systems. The</p>		

conditions of the licence are mandated by Ofcom, an agency of national government, who are responsible for the regulation of the civilian radio spectrum. The remit of Ofcom also includes investigation and remedy of any reported significant interference.

The telecommunications infrastructure the subject of this application accords with all relevant legislation and as such will not cause significant and irremediable interference with other electrical equipment, air traffic services or instrumentation operated in the national interest.



#### 4. Technical Justification

Reason(s) why site required e.g. coverage, upgrade, capacity

- 4.1 The application site is required to continue operation as a replacement base station until the permanent replacement base station is operational. This solution means that an additional base station is not required for the area, and there will be no loss of coverage. EE and H3G (known as the operator 'Three') did have a radio base station located at Ashley View, which has now been decommissioned and removed, and the application site, a temporary installation now provides network coverage to the surrounding area. To ensure that network coverage is not lost from the wider area, a new permanent location for a replacement base station must be identified, and once operational will satisfy the technical needs of the network and ensure continued, and improved, provision of mobile services within this area. As detailed in section 3 above, a thorough search has been undertaken for a permanent solution, with several options refused by the local planning authority. Works are underway to secure a permanent solution for the loss of services. In the meantime, the temporary installation must be retained, for a further 18 months, in order to continue network coverage.
- 4.2 Base stations use radio signals to connect mobile devices and phones to the network, enabling people to send and receive calls, texts, emails, pictures, TV and downloads. The base stations are connected to each other (by cables or wireless technology) to create a network. The area each base station covers is called a cell. Each cell overlaps with its neighbouring cells to create a continuous network. There are several variables that determine the size and shape of each cell.
- 4.3 As base stations are low-powered radio transmitters they each have a limited range, meaning that they generally need to be located close to (or within) the target area which requires coverage. If a base station is moved too far away from the target area, then it is likely that some sections of the target area will remain without the network services they previously enjoyed.
- 4.4 When an existing site is lost from the network, as is the case with the scenario, it will result in a very specific "coverage gap" and an alternative site needs to be identified to ensure that this gap is filled. The consequence of not filling this coverage gap is that users of the networks find that the services they previously had access to are either limited or removed.
- 4.5 High-quality communications infrastructure is essential for sustainable economic growth and that high-speed broadband technology and other communications networks can also play a vital role in enhancing the provision of local community facilities and services.
- 4.6 The UK Government recognises the benefits to commerce, industry and the public in general, and so places great emphasis on the benefits of mobile telecommunications to modern life and this is promoted throughout the planning system. The very high level of mobile phone use and ownership within the UK population is a very clear indication of the public's overwhelming acceptance of the benefits of mobile communications, which requires the installation and maintenance of base stations to provide the necessary connection between the mobile phones and the UK telecommunications network.
- 4.7 The Planning Inspectorate too has in recent years continually recognised the importance of this issue and cited it in appeal decisions that have overturned the decisions of local



authorities across the UK where there has been a failure to apply due weight to the value of connectivity to social and economic prosperity in the assessment of applications made for telecommunications development, even in protected or sensitive areas. As an example, in October 2018 the decision of Winchester City Council to refuse prior approval for the installation of a 17.5m high monopole and associated equipment housing, required to replace an established site being lost from Vodafone's network, was overturned by the Planning Inspectorate (CTIL and Vodafone Vs Winchester City Council, appeal reference APP/L1765/W/18/31975). Within the decision notice, the Inspector stated that:

*"I attach significant weight to the public benefit arising from the continuation of local service provision.... Having regard to all relevant considerations... my findings are that the proposal's public benefit in maintaining and enhancing local telecommunication coverage and capacity would outweigh the limited harm arising to the character and appearance of the area".*

4.8 A similar circumstance exists in this case, with the application proposal required to prevent the loss of services on two networks, a matter certainly in the public interest.

### Public Benefits

4.9 High-quality communications infrastructure is essential for sustainable economic growth and that high-speed broadband technology and other communications networks can also play a vital role in enhancing the provision of local community facilities and services.

4.10 Ofcom's 2018 Communications Market Research Report<sup>2</sup> shows that smartphones are owned by four of every five UK consumers. While take-up of fixed broadband has plateaued at 80%, accessing the internet on a mobile phone continues to grow, from 66% in 2017 to 72% in 2018. Demand for data continues to grow rapidly for UK consumers, with 1.9GB consumed by an average mobile subscription per month in 2017, (up from 1.3 GB the previous year). The report found that more than seven in ten now use their mobile to access the internet.

4.11 The UK Government recognise the benefits to commerce, industry and the public in general, and so places great emphasis on the benefits of mobile telecommunications to modern life and this is promoted throughout the planning system. Paragraph 114 of the NPPF (2021) states that *"Advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology ..."*

4.12 The NPPF takes account of the growth of the industry and technology, of the new social and economic demands for communications, and of the Government's environmental policies. This proposal, to enable EE and Three to provide improved network services and capacity to the surrounding area, will assist in achieving these objectives within this area.

4.13 The very high level of mobile phone use and ownership within the UK population is a very clear indication of the public's overwhelming acceptance of the benefits of mobile communications, which requires the upgrading of base stations to provide the necessary connection between the mobile phones and the UK telecommunications network.

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<sup>2</sup> [https://www.ofcom.org.uk/data/assets/pdf\\_file/0022/117256/CMR-2018-narrative-report.pdf](https://www.ofcom.org.uk/data/assets/pdf_file/0022/117256/CMR-2018-narrative-report.pdf)

4.14 This support for the improvement to the mobile communications network including 5G services was also set out in “Collaborating for Digital Connectivity” of March 2019<sup>3</sup>. The Government acknowledges that such infrastructure is essential for communities to benefit from faster economic growth and greater social inclusion. Ministers stated: ‘...We would also like the UK to be a world leader in 5G, with the majority of the population covered by a 5G signal by 2027’.

4.15 The second most recent amendment to Part 16 of Schedule 2 to the General Permitted Development Order (England) came into force in 2016, increasing the permitted development rights for installation of communications apparatus, demonstrating the importance that the Government attributes to delivering critical mobile digital infrastructure. In April 2021, the Government launched a consultation entitled ‘Changes to permitted development rights for electronic communications infrastructure: technical consultation’<sup>4</sup> which looks at how to implement the proposals that were consulted on in August 2019, demonstrating sustained commitment for Government to enable the smooth rollout of the latest digital technology. The Minister for Digital Infrastructure, Matt Warman MP, outlines in this consultation:

***‘Digital connectivity is – now, more than ever – vital to enable people to stay connected and businesses to grow. The demand for mobile data in the United Kingdom is increasing rapidly, and the COVID-19 pandemic has highlighted how important it is that we all have access to reliable, high quality mobile connectivity.’***

4.16 Following this consultation, proposed changes to the permitted development rights for electronic communications infrastructure have been approved and these amendments came into force on 4th April 2022. These amendments build on the expanded permitted development rights for communications infrastructure, further demonstrating the significance of critical mobile digital infrastructure to the public interest and highlighting the importance of delivering 5G services in particular, and furthermore the importance of digital connectivity to the economic and social objectives of government.

4.17 This consultation is relevant to the application, as not only does it highlight the crucial need for the proposal but also, the Government’s continued support and commitment to improving digital connectivity in England. Enhancing the mobile networks is of vital national importance in the short term, and it is significant that telecoms has been designated as “critical work” during this time, but it is anticipated that the current shift towards homeworking and online services will persist, to a lesser degree, in the future. It is vital that this critical infrastructure is in place throughout the UK to meet this demand.

4.18 The benefit of having a strong and resilient network has been highlighted over the past year, following the sudden shift in the network requirements due to the COVID-19 pandemic. The Government Minister of Digital Infrastructure, Matt Warman, stated during a Keynote speech, at a Connected Britain Event in September 2020<sup>5</sup>:

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<sup>3</sup> Collaborating for Digital Connectivity 2019: <http://democracy.epsom-ewell.gov.uk/documents/s17211/Telecommunications%20Equipment%20Wells%20Road%20Appendix%203.pdf>

<sup>4</sup> Permitted Development rights - Open Consultation April 2021: <https://www.gov.uk/government/consultations/changes-to-permitted-development-rights-for-electronic-communications-infrastructure-technical-consultation/changes-to-permitted-development-rights-for-electronic-communications-infrastructure-technical-consultation>

<sup>5</sup> Connected Britain 2020: <https://www.gov.uk/government/speeches/matt-warman-keynote-speech-at-connected-britain-2020>

*“The world is in the middle of a digital revolution. **COVID has accelerated this process, digitising almost every part of our everyday lives and making the infrastructure that connects us more important than ever.** That’s why it is at the top of the government’s agenda...*

*We are taking forward legislative reforms to make it easier for you to deploy broadband in blocks of flats and to deploy or upgrade mobile phone masts.” (emphasis added)*

- 4.19 More recently, as part of the Levelling Up White Paper<sup>6</sup> released by the government in February 2022, one of the 12 ‘missions’ of the paper, highlighting the importance of providing high quality communications infrastructure, states “*By 2030, the UK will have nationwide gigabit-capable broadband and 4G coverage, with 5G coverage for most of the population.*”, allowing for strong business performance, growth and jobs in new sectors and raised living standards:

*“The COVID-19 pandemic demonstrated the importance of digital infrastructure right across society, from ensuring business continuity to reducing isolation. Improved digital connectivity has the potential to drive growth and productivity across the UK and widen job opportunities through remote working...*

*More broadly, high quality digital infrastructure can deepen local labour markets through remote working, making it more attractive for both workers and companies to locate regionally. It also allows for the development of high-value sectoral clusters, which can drive growth and jobs in new areas.*

*The sector also provides opportunities for raising living standards – median earnings for the sector are 50% higher than the UK average.”*

- 4.20 On a wider scale, the proposal would contribute towards the country’s connectivity and digital economy future. Mobile telecommunications are vital for the UK’s economic competitiveness and in promoting social inclusion, and, on a local scale, it is important to ensure the improvement of telecommunications networks in this area.

- 4.21 In addition, EE (UK) Ltd will be supporting the communications requirements of Emergency Services where further rollout and improvements in the 4G signal is currently being progressed.

## 5. Site Selection Process

Alternative sites considered and not chosen (not generally required for **upgrades/alterations to existing sites** including redevelopment of an existing site to facilitate an upgrade or sharing with another operator)

Site Type	Site name and address	National Grid Reference	Reason for not choosing site
N/A	N/A	N/A	N/A

If no alternative site options have been investigated, please explain why:

5.1 This application refers to the retention of a temporary telecommunications base station for a further 18 months. As this installation will be removed and replaced with a permanent solution in due course, no other sites have been investigated.

Additional relevant information (include planning policy and material considerations):

### **Environmental Information:**

5.2 A check of the Environment Agency website has confirmed the site is not within a Flood Zone area. There is no evidence of protected species at this location. The proposal will subsequently not have any potential negative impacts on any sensitive habitats or species.

5.3 The application site is located within the New Forest National Park Boundary and Conservation Area, however, it falls outside of designations such as New Forest SSSI and SAC.

5.4 As far as practicable the proposed development has been designed to keep to a minimum the impact on amenity and the bespoke design of the development ensures there would be only a limited impact which would not be sufficient to harm visual or residential amenity.

### **Land use planning designations:**

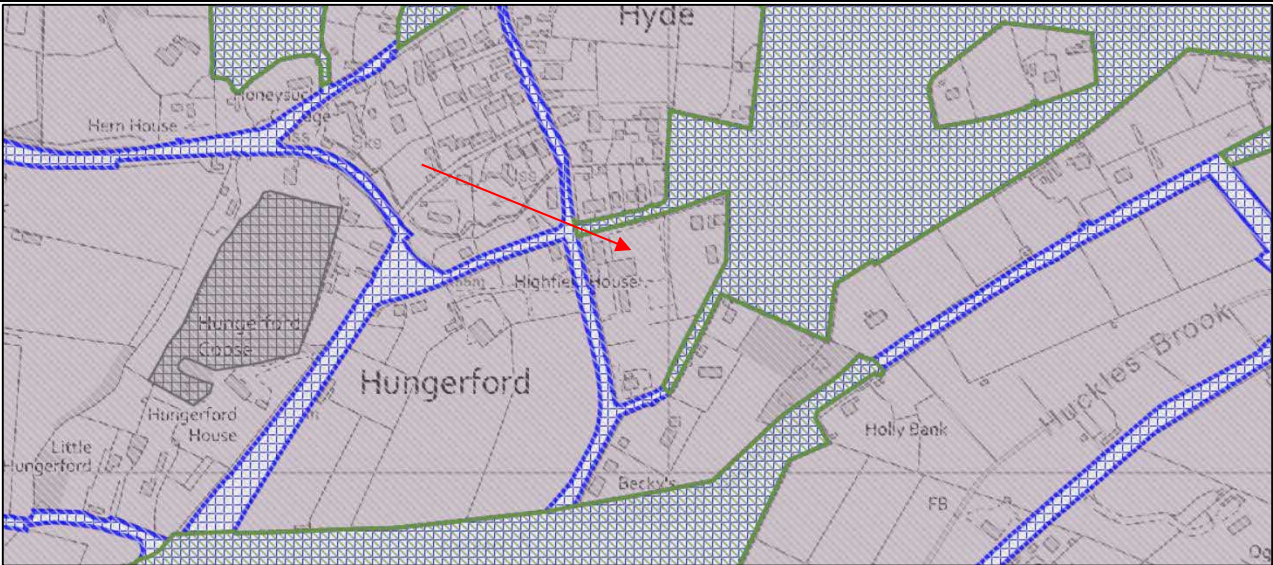


Figure 2: Extract from New Forest Proposals Map, application site shown by red arrow

5.5 As previously outlined and can be seen from Figure 2 above, the site is located within the New Forest National Park Boundary, and within the Western Escarpment Conservation Area.

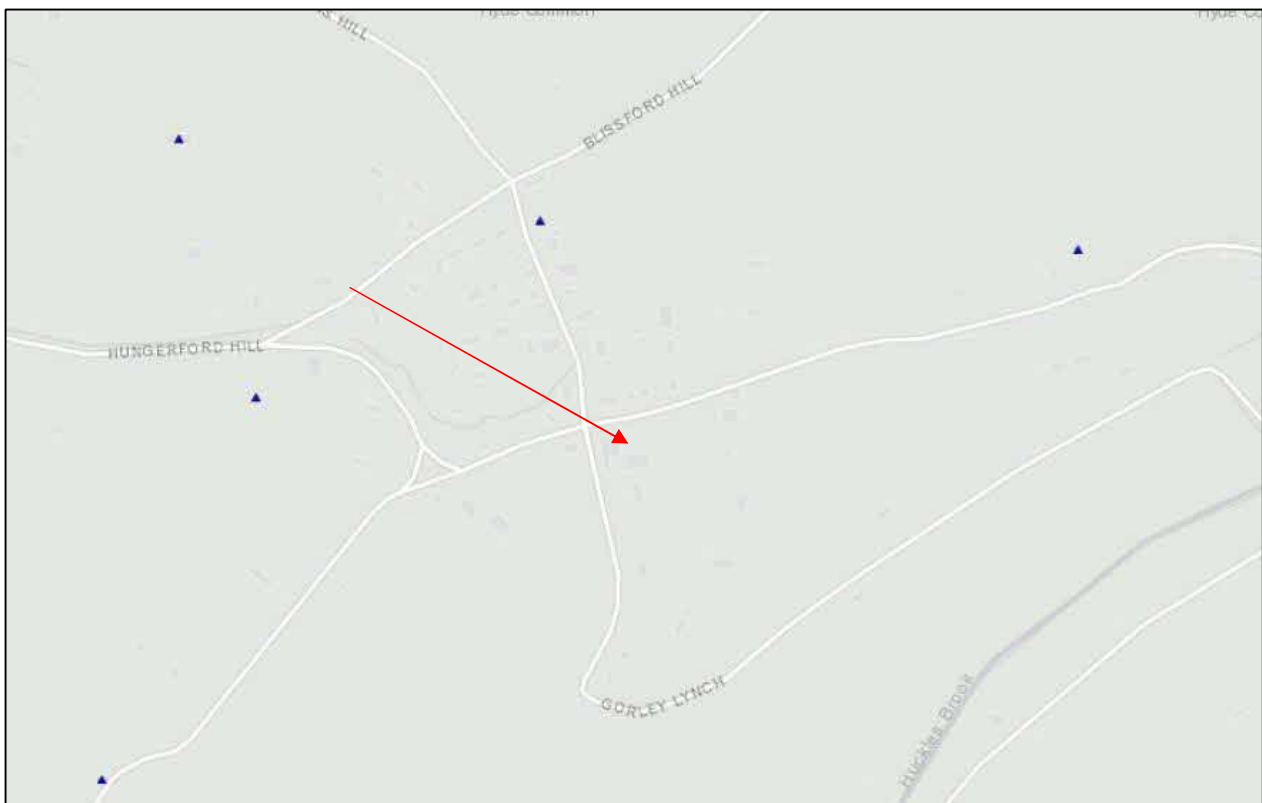


Figure 3: Map showing application site and listed buildings, application site shown by red arrow and listed buildings shown by blue triangles (Source: Historic England)

### Heritage Statement

5.6 While the Applicants do not suggest that the proposal will have no impact, it is considered that when applying the balancing method advocated in the NPPF, the proposal finds itself in favour. It is important to keep the impact of telecommunications development in the area to a minimum and it is considered that the proposed

development achieves this. When considering the benefits of the proposal, the public benefit from retained and wireless communication services is a significant one. Further to this, it is key to remember that this is a temporary installation, proposed to be retained for a further 18 months, and as such any impact is restricted to this temporary period.

5.7 The Applicants consider that any perceived visual impact on the area, or heritage, has been mitigated, as far as practicable, through the best design available within the technical constraints of the site, and that this development will provide excellent public benefits – both in the present, and in the future.

5.8 Paragraph 194 of the National Planning Policy Framework (NPPF) places an onus on those proposing changes to historic assets to include a clear description of the significance of the assets affected. It is noted that the requirement in the NPPF is that *'The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance'*.

5.9 In considering the development proposal, a key consideration is the balance of preserving heritage assets while also enabling the economic growth and social needs of the local area to be suitably served by quality electronic communication services, and that these services are not lost whilst a permanent solution is sought. The application site is within a conservation area, and it is important to note that these designations protect large parts of Hyde and the surrounding area.

5.10 As can be seen in Figure 3 above, there are no heritage buildings within 100m from the Application site. The nearest Listed Building is approximately 215m north of the application site, as outlined above and therefore the proposal is unlikely to create any negative visual impact on this heritage asset.

5.11 The application site falls within the Western Escarpment Conservation Area. The Western Escarpment Conservation Area is the largest of the Conservation Areas within the National Park, extending from Hangersley in the south to Hatchet Green in the north.

5.12 It lies on the western boundary of the National Park and is approximately 14 kilometres in length and 2.5 kilometres at the widest point. It covers the parishes of Hale, Woodgreen, Godshill, Hyde and parts of Ellingham, Harbridge & Ibsley, Fordingbridge and Ringwood. The Conservation Area typifies the Forest landscape and includes a variety of buildings of architectural and historic interest.

5.13 The need to respect and protect the historic environment is recognised by the Applicants and the case has already been made that impact has been mitigated as far as practical and that the impact that would occur can be balanced by the positive public benefits brought. The Applications note a requirement for development to make a positive contribution to the historic environment and submit that the continuation and enhancement of mobile network services within the area, would indeed contribute to the character of the area, which is informed by the variety of uses and not simply by the historic or built environment.

5.14 The public benefits of connectivity are well-recognised by the Government, by businesses and by economists. The proposal would remedy the forecasted network

shortfall and ensure connectivity services continue in this area of the National Park, which is clearly in the wider public interest.

5.15 Regarding 'harm', paragraph 202 of the NPPF notes that *'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'*

5.16 The proposal has been positioned away from Listed Buildings within the local area. It is not feasible to position the temporary mast outside of the Conservation Area. Owing to the scale and design of the proposal, coupled with the surrounding mature trees, it is considered that overall, the development would result in a less than substantial harm to the Conservation Area, particularly given this is a temporary installation.

5.17 When weighing up the impact of the development on heritage assets against the public benefits of the proposal, the development would bring about significant public benefits in terms of the provision of continued services to the area for two Operators. Therefore, this significant public benefit would outweigh the less than substantial harm on heritage asset.

5.18 In this case, it is suggested that the application of the balancing method advocated in the NPPF, for the provision of communications and connectivity services, in the public interest, be utilised to balance the need for continued connectivity with the potential impact of the site. It is considered that when this balance test is applied to the proposal, where the need and significant public benefit is balanced against the appearance and level of associated visual impact of the proposed site, that the application proposal is positively in favour and is considered wholly appropriate.

#### **Siting and Appearance:**

5.19 This section should be read in conjunction with the preceding sections of this statement where a description of the application site, technical details and justification for the design and details of the public benefits of the proposal are provided.

5.20 The applicant gives due regard in designing all new sites to limit the visual impact through good design. In this instance the proposed installation is subject to technical and build constraints. That notwithstanding, it is submitted that the appropriate siting and design put forth will mitigate any potential impact on the site and its surroundings to acceptable level. It is considered that the proposal offers the least visually intrusive site and design available to the applicant which also ensures suitable replacement and enhanced mobile coverage can be provided to the wider area.

5.21 It should be recognised that the proposal seeks to temporarily replace an electronic communications installation that has been decommissioned and lost from the network, in anticipation of a permanent replacement base station becoming operational once secured. As such, there will be no net gain of telecommunication installations within the area.

5.22 Further to this, it is considered that the proposal utilises the most suitable design available to meet coverage demands. It is important to keep the impact of telecommunications development in the area to a minimum. The Code Practice for

Mobile Network Development in England (2022) and the NPPF emphasise and encourage the use of existing buildings to improve connectivity where possible. In this case, the temporary technical requirement for this replacement cell cannot be met through utilising an existing building and therefore a temporary ground-based mast has been utilised. As detailed above, this is something that is supported and encouraged within National Planning Policy, as well as the sharing of installations, which this development also proposes. It is therefore considered that the siting of the proposal is wholly appropriate.

5.23 As previously outlined, this temporary mast benefitted from permitted development rights for 18 months, and the applicant is now looking to extend the period of time it is deployed for an extra 18 months in order to stop coverage from being lost while a permanent solution is sought, and as such to maintain public benefits as outlined in previous sections.

5.24 It is considered that the proposal utilises the most suitable design available to meet the technical requirement within the very specific technical constraints. As discussed in Section 3 of this document, this site is required to temporarily replace the coverage that has been lost since the decommissioning of the previous base station at Ashley View, until a permanent solution is operational. As has also been demonstrated in previous sections, there has been continual efforts to secure a permanent replacement, which continue now.

5.25 It should be appreciated that irrespective of the development's use as a communications site, the installation of a new tall structure will always be, to some degree, a noticeable addition in the local area. However, it should be recognised that visibility or a development's siting and appearance, does not automatically result in an overwhelming adverse harm. In this regard, it is acknowledged that the proposed telecommunications installation would be installed in a non-elevated and screened location within the target coverage area, however, it should be acknowledged that this is an operational necessity in order to ensure that the antennas have clear line of sight to the surrounding area.

5.26 The application site has been carefully selected to ensure it sits outside of the SSSI and SAC and as far as practicable away from residential properties, but whilst also ensuring it is situated close enough to the target area it is designed to service. It is considered that this location offers an excellent town planning and environmental solution. The bulk and scale of the proposed equipment has been minimised as far as practicable and it is considered that it will not look incongruous within the local area.

5.27 The temporary development before the Council is the smallest and slimmest available to the network Operators to provide this replacement coverage, with a slimline permeable support structure, allowing medium- and long-range views to 'pass through' the permeable structure. The temporary technical requirements of this site can be met by retaining a 16-metre-high temporary mast, to ensure that the established operator network coverage is continued.

5.28 The natural screening provided by the mature trees which surround the garden centre, assist in filtering public views of the proposed installation. These factors were taken into consideration and the best use of the natural and built environment has been implemented, ensuring that public views of the installation are reduced as far as practicable.



5.29 It is considered that the application site offers the best environmental and town planning solution available, which temporarily replicates lost coverage, for a further period of 18 months. The proposal has been designed specifically to achieve a balance between meeting the technical requirement of the operators and avoiding harm to the site or the surrounding area. It is considered that this location offers the optimum location in terms of siting and design. Any perceived harm it may impose on the surrounding area is considered to be outweighed by the provision of enhanced services to the area in the public interest, and further to this any harm will only be temporary. As such, equilibrium will be achieved between technical requirements and environmental impact.

## Planning Policy Context:

### Development Plan

5.30 Section 70 of the Town and Country Planning Act 1990 as amended requires planning applications and appeals to be determined having regard to the provisions of the Development Plan and other material considerations, and section 38 of the Planning and Compulsory Purchase Act 2004 requires applications and appeals to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

5.31 For the purposes of Section 70, the current adopted development plan for the New Forest National Park Authority is the Local Plan 2016 – 2036. The Local Plan replaces the Core Strategy and Development Management Policies (2010) in full, meaning from 29 August 2019 the Core Strategy no longer forms part of the 'development plan' for the National Park.

### Local Plan 2016 – 2036

5.32 Of relevance is one of the authority strategic objectives - Objective for a Sustainable Economy, which states '*Develop a diverse and sustainable economy that contributes to the well-being of local communities.*'. The supporting text states:

***'Improving broadband and mobile telecommunications is an important objective set out in the Partnership Plan for the National Park***

...

*The visual impacts of telecommunications infrastructure will be considered using national planning policy and guidance, to ensure that any such proposals are sensitively designed and sited and demonstrate that there are no suitable alternative locations.'* (emphasis added)

5.33 As evident from the above, maintaining and improving communications infrastructure is an important strategic objective within the authority area, and the application proposal helps to meet this objective. As fully detailed within this document, the visual impact of retaining the existing temporary installation for a further 18 months has been justified. It is considered that the proposal would not substantially harm the character and appearance of features which contribute to the National Park and Conservation Area. There is also a case that it would 'enhance' the designated function through the maintained provision of communication services for the area's businesses,

residents and visitors. Without these essential services, the vitality of this area would be at detriment.

5.34 Also of relevance is Policy SP16 – The Historic and Built Environment, relevant sections provided below for ease of reference:

*‘Proposals should protect, maintain or enhance nationally, regionally and locally important sites and features of the historic and built environment, including local vernacular buildings, archaeological sites and designed and historic landscapes, and, where appropriate, help secure a sustainable future for those heritage assets at risk.’*

5.35 The need to respect and protect the Conservation Area and National Park is recognised by the Appellants and the case has already been made that impact has been mitigated as far as practical and that the impact that would occur can be balanced by the positive public benefits brought. The Applicants note a requirement for development to make a positive contribution to the historic environment and submit that the continuation of mobile network services within the area, would indeed contribute to the character of the area, which is informed by the variety of uses and not simply by the historic or built environment.

## **National Policy**

### **National Planning Policy Framework (NPPF) 2021**

5.36 Paragraph 7 of the NPPF states: *‘The purpose of the planning system is to contribute to the achievement of sustainable development’*, and in paragraph 10 that *‘at the heart of the Framework is a presumption in favour of sustainable development’*.

5.37 The NPPF identifies objectives to achieve the aim of sustainable development:

*‘a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure ;*

*b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and*

*c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.’ (paragraph 8)*

5.38 The proposal would meet the aims of sustainable development with respect to providing critical mobile digital infrastructure to underpin local economic growth; facilitating social inclusiveness through the provision of effective electronic communication services; and in an environmental role through supporting home-

working, for example, which is linked to a reduction in transport emissions and therefore climate change mitigation.

5.39 Paragraph 114 emphasises the significance of delivering the latest communications infrastructure:

*'Advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections.'*

5.40 The proposal is such 'essential' infrastructure, delivering high quality mobile technology, and as such it is national policy that planning decisions should support such proposal.

5.41 Paragraph 115 of the NPPF refers to the number of telecommunications installations. It states:

*'The number of radio and electronic communications masts, and the sites for such installations, should be kept to a minimum consistent with the needs of consumers, the efficient operation of the network and providing reasonable capacity for future expansion. Use of existing masts, buildings and other structures for new electronic communications capability (including wireless) should be encouraged. Where new sites are required (such as for new 5G networks, or for connected transport and smart city applications), equipment should be sympathetically designed and camouflaged where appropriate.'*

5.42 As per the above, the NPPF encourages the use of existing masts and for the number of masts to be kept to a minimum. This proposal therefore adheres to this section of the NPPF, allowing for EE and H3G to provide temporary replacement coverage for a site which has been lost, which will then be replaced by a permanent solution, maintaining the net number of base stations.

5.43 Chapter 15 of the NPPF "Conserving and enhancing the natural environment" is material to the assessment of the proposal. Contained within chapter 15, paragraph 173 of the NPPF states:

*'Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues[...]The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:*

- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;*
- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and*
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.'*

5.44 It is considered that the application site has been carefully selected within the National Park. The temporary installation is shared by two major mobile Operators, a point which is supported in both Local and National Planning Policy and will be removed once a permanent solution has been secured. The need for the retention of this development is clear, it has been demonstrated that any potential impact is acceptable and has been minimised as far as technically possible, and as such the proposal is compliant with both Local and National policy.

### **Other Relevant National Guidance**

#### UK Digital Strategy

5.45 The UK Digital Strategy was published by the Department for Digital, Culture, Media & Sport in March 2017.

*'Broadband and mobile must be treated as the fourth utility, with everyone benefiting from improved connectivity. This will play a crucial role in ensuring that everyone, wherever they live and however they connect, can make full use of digital services and benefit from participation in the digital economy. Improved connectivity also increases innovation and productivity across the economy, bringing significant economic rewards'*

#### Ofcom Reports

5.46 Ofcom's annual Communications Market Reports identified trends which demonstrate reliance on reliable mobile connections:

*'We all need high-quality communications. In the modern world, a huge amount of our time is spent using communications services: for work, to stay in touch with family and friends, and in order to go about our daily lives. Our ability to access and use reliable mobile and broadband connections has become fundamental to the way we work and live, and to the ability of businesses of all sizes to thrive. For many people, internet connectivity is now as essential as gas or electricity, and access to traditional television, radio, fixed phone lines and postal services continue to remain important.'*  
(2016 report)

5.47 Planned economic growth cannot be sustained without the provision of essential utility infrastructure, including access to reliable, resilient and high-speed electronic communications. The proposal would increase the capacity of the base-station to enable it to more effectively serve a higher number of people.

5.48 The Operator would provide continued communications capability by utilising a temporary telecommunications site, which is encouraged within the NPPF.

5.49 On the basis of the above assessment, the proposal is found to be wholly appropriate and wholly compliant with local and national planning policy.

#### Other Material Considerations

5.50 Appeal decisions by the Planning Inspectorate can be of material consideration in the determination of planning applications. The following is an example of an appeal decision by the Planning Inspectorate where the Inspector awarded considerable

weight to the public need for communications infrastructure, with respect to maintaining network coverage and capacity. The proposal at the application site is required in order to meet the same objectives and will enable continued provision of the vast public benefits detailed in previous sections. The appeal listed below was allowed.

5.51 The example is from December 2020, where the decision of Dacorum Borough Council to refuse planning permission for the retention of a temporary installation for a further 2 years, required to maintain network services whilst a permanent replacement site for one which was lost from the network was sought, similar to the application case, was overturned by the Planning Inspectorate (Cornerstone and Telefonica vs Dacorum Borough Council, appeal reference APP/A1910/C/20/3256772).

5.52 Whilst not located within any conservation area or National Park, the appeal site in this case was sited in close proximity to a Grade II Registered Park and Garden. The planning inspector found that the public benefits brought forward in ensuring continued network coverage and capacity, by maintaining the temporary installation, outweighed any harm to the character and appearance of the area, and the setting of the Registered Park and Garden, and allowed for the site to be maintained for a further 12 months. Within the decision notice, the Inspector stated that:

*'Due to the unprecedented times we are currently in and the heightened use and dependency on telecommunications, I consider it would not be in the public interest to see the coverage in the town centre disrupted until a replacement facility is brought into operation.'*

*Whilst there would be some conflict with Core Strategy Policy CS27, which seeks to protect and conserve the integrity, setting and distinctiveness of designated heritage assets, I find that retaining the base station in its current position for a short-term period, while the approved alternative base station site is made operational, amounts to a public benefit of sufficient weight to outweigh the temporary harm to the heritage asset of the Water Gardens.*

...


*Whilst therefore there would be policy conflict with Core Strategy Policies CS12 and CS27, I find the public benefits of retaining the temporary mast for a further 12 months to ensure continued network coverage and capacity until the replacement site is operational, outweighs both these harms.'* (Emphasis added)

## Summary

5.53 In summary, the application is in respect of electronic communications apparatus necessary to retain existing public infrastructure networks temporarily, for a further 18 months, until a permanent option has been secured.

5.54 This statement has demonstrated that the proposal is in accordance with local Development Plan policy and national policy set out in 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, being appropriately designed and located. The design of the installation has been reduced to the minimum size, height, and scale, and any impact of the installation will only be temporary.

5.55 In conclusion, the application merits support and there are no material considerations that indicate otherwise.

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