

**Application Number:** 16/10464 Telecommunications

**Site:** COMMUNICATIONS SITE, Junction of CLAYPITS LANE &  
ROMAN ROAD, DIBDEN, HYTHE SO45 5JA

**Development:** 12.5m high monopole; remove existing 10m high monopole;  
equipment cabinet (Prior Notification to carry out  
Telecommunications Development)

**Applicant:** H3G and EE Ltd

**Target Date:** 25/05/2016

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## 1 REASON FOR COMMITTEE CONSIDERATION

Discretion of Service Manager Planning and Building Control

## 2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Built-up area / countryside boundary

## 3 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

### Core Strategy

#### Objectives

1. Special qualities, local distinctiveness and a high quality living environment

#### Policies

CS2: Design quality

CS8: Community services and infrastructure

### Local Plan Part 2 Sites and Development Management Development Plan Document

No relevant policies

## 4 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Section 38 Development Plan  
Planning and Compulsory Purchase Act 2004  
National Planning Policy Framework

## 5 RELEVANT SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS

None

## 6 RELEVANT PLANNING HISTORY

None

## **7 PARISH / TOWN COUNCIL COMMENTS**

Hythe & Dibden Parish Council:- Views awaited - advise that will not be considering application until 11th May.

## **8 COUNCILLOR COMMENTS**

None

## **9 CONSULTEE COMMENTS**

9.1 Civil Aviation Authority:- No Comment

9.2 National Air Traffic Control:- No objection

9.3 Land Drainage:- No comment

9.4 New Forest National Park Authority: it is not considered the development would be harmful to the special qualities of the New Forest National Park.

## **10 REPRESENTATIONS RECEIVED**

None

## **11 CRIME & DISORDER IMPLICATIONS**

No relevant considerations

## **12 LOCAL FINANCE CONSIDERATIONS**

Local financial considerations are not material to the decision on this application

## **13 WORKING WITH THE APPLICANT/AGENT**

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council take a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome.

This is achieved by

- Strongly encouraging those proposing development to use the very thorough pre application advice service the Council provides.
- Working together with applicants/agents to ensure planning applications are registered as expeditiously as possible.
- Advising agents/applicants early on in the processing of an application (through the release of a Parish Briefing Note) as to the key issues relevant to the application.
- Updating applicants/agents of issues that arise in the processing of their applications through the availability of comments received on the web or by direct contact when relevant.
- Working together with applicants/agents to closely manage the planning application process to allow an opportunity to negotiate and accept amendments on applications (particularly those that best support the Core Strategy Objectives) when this can be done without compromising government performance requirements.

- Advising applicants/agents as soon as possible as to concerns that cannot be dealt with during the processing of an application allowing for a timely withdrawal and re-submission or decision based on the scheme as originally submitted if this is what the applicant/agent requires.
- When necessary discussing with applicants/agents proposed conditions especially those that would restrict the use of commercial properties or land when this can be done without compromising government performance requirements.

In this case all the above apply and as the application was acceptable as submitted (subject to some clarification and minor revisions) no specific further actions were required.

## 14 ASSESSMENT

- 14.1 This Prior Notification application relates to an existing telecommunications base station that is situated on the highway verge at Claypitts Lane. The existing base station lies next to a 90 degree corner in the lane, and is also situated very close to the main A326, from which the mast is clearly visible. The mast is set against a backdrop of trees and vegetation. There are no residential properties close to the mast. The existing mast in this location is 10 metres in height (not including the antenna on top of the mast). The submitted application seeks to replace the existing mast in this location with a new mast that would be 12.5 metres in height (including a shrouded headframe). The new mast would be slightly bulkier than the existing structure, mainly due to the top of the new mast having a bulkier shrouded headframe. The application also proposes to install a new ground based equipment cabinet.
- 14.2 As with any telecommunications prior notification application, it needs to be determined whether the siting and appearance of the proposed development is acceptable. In this case, the proposed new mast would have a greater visual impact than the existing structure. However, it is not felt the greater size of the new mast would be so significant as to appear visually harmful in this particular context. The mast would not be materially higher than at present and the mast would to a large degree be seen against a backdrop of trees that would help to minimise the impact of the development. Provided the mast is painted green to match adjacent streetlights, and to blend in with the natural vegetation (a point that still needs to be confirmed by the applicant's agent), it is felt the mast would have an acceptable streetscene impact. The impact of the ground based cabinet is also considered visually appropriate.
- 14.3 The proposed mast would be discernible from viewpoints in the New Forest National Park to the west side of the A326. However, such viewpoints would be limited and would be through trees and vegetation. Given the limited nature of these views and that there is already a very large pylon on the adjacent National Park area, it is felt that the proposed development would not adversely affect the special qualities of the New Forest National Park.
- 14.4 The application meets a justifiable need to provide improved telecommunications coverage in the Hythe area and is in line with government policies that encourage mast sharing. There are not felt to be any obvious alternative means of providing the development that would have less visual impact than what is proposed. The proposal

would be consistent with the Council's own policies. As such, it is felt that the proposed siting and appearance of the mast is acceptable, and there is consequently no need for further details to be submitted and approved. It should be noted that this application is being brought to Committee early due to the need to make a determination within 56 days. The observation date for the application expires on 13th May, and therefore the recommendation in this report is subject to the need to have due regard to any further representations submitted up until 13th May, with a final determination not being made until after this date.

- 14.5 In coming to this recommendation, consideration has been given to the rights set out in Article 8 (Right to respect for private and family life) and Article 1 of the First Protocol (Right to peaceful enjoyment of possessions) of the European Convention on Human Rights. Whilst it is recognised that there may be an interference with these rights and the rights of other third parties, such interference has to be balanced with the like rights of the applicant to develop the land in the way proposed. In this case it is considered that the protection of the rights and freedoms of the applicant outweigh any possible interference that may result to any third party.

## 15. RECOMMENDATION

**Subject to no further material representations being received by 13 May 2016; Details not required to be approved**

### **Further Information:**

Major Team

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**New Forest**  
DISTRICT COUNCIL

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**Planning Development  
Control Committee  
May 2016**

**Item No: 3j**  
Junction Claypits Lane  
and Roman Road  
Dibden Purlieu  
16/10464  
SU3907

Scale 1:1250

N.B. If printing this plan from  
the internet, it will not be to  
scale.

