

Application Number: 17/10110 Telecommunications

Site: KINGS FARM, KINGS FARM LANE, HORDLE SO41 0HD

Development: 20m high lattice tower; 3 antennae; 2 microwave dishes; 2 equipment cabinets; ancillary development (Prior Notification to carry out Telecommunications Development)

Applicant: Vodafone Limited

Target Date: 22/03/2017

1 REASON FOR COMMITTEE CONSIDERATION

Discretion of Service Manager Planning and Building Control

2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Countryside

Green Belt

3 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES**Core Strategy****Objectives**

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

Policies

CS2: Design quality
CS8: Community services and infrastructure
CS10: The spatial strategy
CS17: Employment and economic development

Local Plan Part 2 Sites and Development Management Development Plan Document

None

4 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Section 38 Development Plan
Planning and Compulsory Purchase Act 2004
National Planning Policy Framework - Paragraphs 42 and Chapter 9

5 RELEVANT SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS

SPD - Hordle Village Design Statement

6 RELEVANT PLANNING HISTORY

No relevant history

7 PARISH / TOWN COUNCIL COMMENTS

Hordle Parish Council: recommend permission

8 COUNCILLOR COMMENTS

None

9 CONSULTEE COMMENTS

9.1 Tree Officer: no objection

9.2 NATS safeguarding: no objection

9.3 Southampton International Airport: not required to comment

10 REPRESENTATIONS RECEIVED

10.1 1 letter concerned that there is an existing private airfield within the adjacent field. The proposed mast will be unsightly in this greenfield location adjacent to buildings some 4 metres high.

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 no specific further actions were required.

14 ASSESSMENT

14.1 The Site and Proposal

- 14.1.1 This Prior Approval Application relates to the erection of a lattice telecommunications mast of 20m in height, with 3 no. antennae, 2 no. microwave dishes, 2 no. equipment cabins and ancillary works. The top of the proposed mast measures 17 metres high and the proposed antennae to be installed on the top of the mast would result in the structure reaching 20 metres in height. The proposed cabinets would be less than 2.5 cubic metres and would be located adjacent to the proposed mast. The proposed mast would be sited on a concrete base enclosed by 1.8 metre high weld mesh fencing. The site is on the periphery of Hordle, set in the countryside and Green Belt to the north of Kings Farm industrial estate. The proposed mast and its associated equipment would be sited on existing farmland, although the extent of agricultural land to be lost would be minimal.
- 14.1.2 The site also adjoins important, albeit unprotected trees to the west. There is a footpath (FP739 Hordle) some 240m to the north of the site from which the mast would be visible. The local primary school is some 460m away from the site to the west. The immediate area of the site is characterised by industrial buildings to the south and farmland to the north, east and west. The site is backdropped by mature oak trees to the west, and trees bounding fields further away. To the east of the site, running through the field is a series of telegraph poles.
- 14.1.3 The proposal essentially seeks to provide a base station for two companies (Vodafone and Telfonica commonly known as O2) to jointly manage and operate a single network and to provide the telecommunication operators the opportunity to improve their 2G, 3G and 4G technology coverage to the Hordle locality. The height of the mast has been proposed so as to not compromise the centre line of the antennae and to allow for good coverage to the target area. As with any telecommunications prior notification application, it needs to be determined whether the siting and appearance of the proposed development is acceptable.

14.2 Policy

- 14.2.1 Policy CS8 of the Core Strategy states that new Forest District Council will work with service providers with the aim of ensuring the delivery of adequate services, to serve existing and proposed development in the plan area and support the local economy, ensuring that any adverse impacts arising are minimised. Policy CS2 of the Core Strategy relates to design quality and among other things, seeks to ensure that development does not impact adversely on the character of the area. Paragraph 42 of the National Planning Policy Framework relates to telecommunications and sets out the need to support high quality communications infrastructure.

14.2.2 Green Belt Test : Is the development appropriate in the Green Belt by definition? What would the effect of the development be on the openness of the Green Belt?

The application site is located within the Green Belt and therefore the proposal must also be assessed against Green Belt policies. Policy CS10 of the Local Plan Part 1 (Core Strategy) seeks to retain and support the Green Belt. Paragraph 89 of the National Planning Policy Framework (NPPF) attaches great importance to Green Belts, designated in order to keep land permanently open. The development of a mast is defined as a building and does not fall within any of the exceptions to the general policy presumption against the construction of new buildings in the Green Belt and is therefore inappropriate development and harmful by definition. In such cases the applicants are required to demonstrate the very special circumstances to outweigh the harm caused to the openness and purposes of the Green Belt.

- 14.2.3 The applicant has submitted a series of considerations and needs in the Planning Statement, outlining the case as to why very special circumstances exist in this case. These are referred to later in this report.
- 14.2.4 The proposed development would undoubtedly change the appearance of this land with the provision of a 20 metre high mast, and its associated equipment, which would impact on the openness of the Green Belt. However, the site is not elevated and is not prominent within the Green Belt, being set well back from Everton Road with a substantial tree belt on the west and south boundaries. The impact of the proposal upon the landscape and visual receptors is examined in detail below, but due to the site's lack of prominence, the proposal would not impact significantly upon the openness of the Green Belt, which weighs in favour of the proposal.

14.2.5 Would there be any other non-Green Belt harm?

Rising to some 20 metres high the proposed mast would slightly project above the majority of the trees to the west. The most apparent views would be from the Public Right of Way to the north of the site, however, the users of the footpath would have similar views of the series of electricity lines running through the field, which are around 12-15 metres high. The proposed mast would not be positioned adjacent to or close to the main public roads and would be sited around 300 metres away from Everton Road.

- 14.2.6 There are private views of the site from the business users at Kings Farm and from several houses along Everton Road to the south and properties at Arnewood House which lies to the east. The distance of the proposed mast to the nearest residential property measures more than 270 metres away, which is significant. Essentially the site is visually well contained, due to the surrounding mature trees and vegetation, the extent of existing buildings and the series of electricity lines running across the field to the east. Accordingly, while a structure of this size is likely to have an impact, the proposed position is considered to be sympathetic.
- 14.2.7 Accordingly, while it is considered that the proposed mast would have some impact on the landscape, taken into consideration the electricity lines running through the field, the degree of screening from the tree belt and its siting a considerable distance back from Everton Road, the proposed mast would not result in an acceptable impact on this rural character of this area.
- 14.2.8 In terms of tree matters, there is an important group of trees to the west of the site, which would assist with screening the proposal, although the mast would protrude above the canopy of these trees. It is not anticipated that the mast and ancillary features would impact upon the continued good health of the trees closest to the site.
- 14.2.9 With regard to residential amenity, the siting, scale, massing and design of the proposal would not have any significant adverse impact upon residential amenity, in terms of privacy, outlook or overbearing presence. Comments have been made that there is a private airfield adjacent to the site and it is claimed that the applicant has not carried out the appropriate consultations with the Aviation Authorities and other bodies. In response, there are no planning records which have approved an airfield or runway and a small private airfield would not be classed as an aerodrome.
- 14.2.10 It is noted that the Local Plan Review 2016-2036 proposes a potential allocation for 200 homes on land to the North East of Hordle (Site J), which directly adjoins the application site. It is not known whether the site will come forward yet or where the housing would be in relation to the proposal, and on this basis, only a limited amount of weight can be given to this matter. Nevertheless the belt of trees to the west would help restrict views of the mast from the potential housing allocation.
- 14.2.11 The government has determined that where a mobile phone base station is compliant with the guidelines of the International Commission on Non-Ionizing Radiation Protection (ICNIRP) then it should not be necessary for planning authorities to consider further the health aspects of the proposed development or concerns about them. The applicants have confirmed that the proposal has been certified as meeting the ICNIRP guidelines.
- 14.2.12 Are there any considerations which weigh in favour of the development?

The applicant has provided details of 8 other sites that have been looked at within the local area in which the locations have been ruled out because of poor coverage, sites not available, limited land available, poor visual amenity and that the site is one which is a possible allocated site in the Local Plan Review.

- 14.2.13 The applicant considers that there is a coverage requirement for Vodafone and Telfonica in Hordle, and the application meets a justifiable need to provide improved telecommunication coverage in the Hordle area and is in line with government policies that encourage mast sharing
- 14.2.14 In response to the alternative sites referred to by the applicant, and on the basis that all the land outside the settlement boundary of Hordle is Green Belt, it is considered that the applicants case is acceptable in that the proposal would have less visual impact than potentially available alternatives and that there are no alternative sites that meet the requirements of the development outside of the Green Belt.
- 14.2.15 A further matter for consideration is the community benefits arising from the development and it is clear that telecommunications provide an important role in mobile connectivity for residents and local economies. It is considered that the proposal would be of benefit to the community, which weighs in favour of the proposal. Accordingly, the matters which weigh in favour of the development clearly outweigh the harm to the Green Belt and all other harm identified above.
- 14.2.16 Are there 'very special circumstances to justify allowing inappropriate development in the Green Belt?

In light of the above, it is concluded that 'very special circumstances' do exist, in the form of need, lack of alternative sites and benefits to the local community to warrant a departure from established and adopted Green Belt policies. The principle of the proposed development within Green Belt is therefore considered to be acceptable in this instance.

14.3 Conclusion

- 14.3.1 The proposed development is inappropriate development within the Green Belt, although the applicant has demonstrated very special circumstances to warrant a departure from Green Belt Policy. While it is considered that a 20 metre high structure would have some impact on the wider character and landscape, there are a number of overriding benefits that would arise and there are no alternative locations in a less sensitive area. Accordingly, the application is recommended for approval.
- 14.3.2 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

Details not required to be approved

Further Information:

Major Team

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**Planning Development
Control Committee**
March 2017

Item No: 3I
Kings Farm
Kings Farm Lane
Hordle
17/10110
SZ2795

Scale 1:2500
N.B. If printing this plan from
the internet, it will not be to
scale.

