

**Application No: 21/00725/PATC PA - Telecommunication**

**Site:** Loaders Field, Abbotswell Road, Frogham

**Proposal:** Application under Part 16 of the Town and Country Planning (General Permitted Development) Order 2016 for installation of a 20m high monopole with wraparound cabinet supporting 6No. antenna apertures & 2No. 600mm dishes; installation of 5No. cabinets and ancillary development

**Applicant:** MBNL (EE UK LTD & H3G UK LTD)

**Case Officer:** Ann Braid

**Parish:** HYDE

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**1. REASON FOR COMMITTEE CONSIDERATION**

Referred by NFNPA Member  
Significant local interest

**2. DEVELOPMENT PLAN DESIGNATION**

Conservation Area

**3. PRINCIPAL DEVELOPMENT PLAN POLICIES**

SP7 Landscape character  
SP16 The historic and built environment  
SP17 Local distinctiveness  
DP2 General development principles

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Hyde Village Design Statement

**5. NATIONAL PLANNING POLICY FRAMEWORK**

Sec 15 - Conserving and enhancing the natural environment  
Sec 10 - Supporting high quality communications

**6. MEMBER COMMENTS**

John Sanger - the application should be determined by the Planning Committee irrespective of the officer recommendation

Councillor Edward Heron - given the level of public interest in the application, it should be referred to the Planning Committee if the case

officer is minded to either determine Prior Approval is not required and/or conclude that the submitted detail on siting and appearance should be approved

## 7. PARISH COUNCIL COMMENTS

Hyde Parish Council: Objects to this proposal and recommends that New Forest National Park Authority (NFNPA) should require prior approval for the siting and appearance of the development, and that approval for the details should be refused.

Comments:

### SITING

**Business/Local Economy:** NFNP Local Plan 2016-2026 p100: “*Strategic Objective for a sustainable economy: develop a diverse and sustainable economy that contributes to the well-being of local communities*”. The proposed development is upsetting residents’ wellbeing and would damage the local economy, it therefore does not comply with this objective and it fails to comply with policies SP39 - Local Community Facilities and SP43 - Existing Employment Sites.

**Camping:** The Parish Council is strongly of the view that the siting of the proposal is unacceptable, in that it would undermine the viability of the current use of the site for camping to such an extent that camping would no longer be possible. Visitors are unlikely to camp under or close to the proposed mast and its associated paraphernalia for various reasons, including fears (whether real or not) about the danger to health caused by radiation (despite the ICNIRP certification); noise disturbance caused by the humming of the equipment; or the appearance of the equipment, etc. The camp site operator would be required to maintain a clear access route diagonally across the site, and space around the equipment for vehicles to manoeuvre, thereby reducing the site’s capacity and further reducing its viability and attractiveness to campers, who want a simple, rural site and not one dominated by an urban telecom mast.

**The Foresters Arms:** Frogham village’s only pub depends largely on the income generated during the summer months to keep it going during the rest of the year. Without the income generated by the campers, the pub’s viability would be undermined and closure would become a real possibility. This would be disastrous for the parish, and would be contrary to the NFNPA’s aims and objectives for a viable business base in the Forest.

**Hyde Garden (Farm) Shop and the Potting Shed cafe:** Both are small businesses run by local people and both need the seasonal boost to their trade. The pub, shop and café are sources of local employment.

**Frogham Fair:** - Loader’s Field, known locally as Harry’s Field, is in some way Frogham’s ‘village green’. The annual Frogham Fair has been held there for 50 years. It is Hyde Parish’s most important community activity and generates funds for the maintenance of the village hall and the support

of parish organisations and clubs. This is threatened by the proposed development as there is no other suitable site to hold the Fair.

**Dwellings:** - The proposed site is situated in the most populated area of the parish and will dominate the view from the low-lying two-storey surrounding dwellings and from the road through Frogham. Policy SP16 The Historic and Built Environment, is contravened by this proposal as it does not “*conserve and enhance the significance or special interest of designated or non-designated heritage assets*”. The mast would be an obtrusive, modern, urban structure surrounded by such designated dwellings, as shown on the NPA map in the applicant’s Supplementary Information document ( page 21). HPC deplores the risible statement by the applicants that “*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*” (Heritage, p19).

## **APPEARANCE**

The proposal’s appearance is, by virtue of its scale, materials, function and form, completely inappropriate, being perhaps the most visually dominant location in the parish, and at odds with all notions of what is appropriate in a village in a National Park and a conservation area, surrounded by locally listed buildings.

**Visual Intrusion on the Landscape:** The mast would rise approximately eight metres above the surrounding trees, and its alien industrial form would be visible from a wide area and blight many cherished views. Councillors are concerned that a mast on the proposed site would contravene so many NFNP Policies, such as the following examples, that they are proved to be ineffective: Policy SP15 (5.76) “*Tranquility can be damaged by intrusive sights and sounds particularly from man-made structures*” (the policy gives power lines as one example, but then omits telecom masts which can visually dominate and scar the landscape for miles); Policy DP2e “*development must demonstrate it would not result in unacceptable adverse impacts on amenity in terms of visual intrusion.....*”; Policy DP18e “*ensuring development...does not harm key visual features, landscape setting...*”; Policy SP7b development permitted if “*the design, layout, massing and scale of proposals conserve and enhance existing landscape... and do not detract from the natural beauty of the National Park*”.

Parish Councillors hope that Policy SP17 is given great weight when this proposal is being considered: “*Built development.....which would individually or cumulatively erode the Park’s local character or result in a gradual suburbanising effect within the National Park will not be permitted*”. We also expect great weight will be give to the NPA Landscape Officer’s report: her view is that the proposed mast would be an urban intrusion; and her detailed list of objections.

The National Planning Policy Framework states in paragraph 176: “*Great weight should be given to conserving and enhancing landscape and scenic*

*beauty in National Parks...which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks.....The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.”* The Parish Council considers the proposal to be diametrically opposed to the spirit of this guidance.

NPPF paragraph 177 is also relevant: *“permission should be refused for major developments in national parks other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest”*. Given the overwhelming local opposition to the proposal, it is difficult to see how it could be in the public interest. High speed fibre broadband is available in the parish and people have commented that WiFi supplies good mobile phone reception and they find it reliable and cheap.

The Parish Council is aware of the provisions in section 10 of the NPPF *“Supporting High Quality Communications”*, and remains willing to work with the operators to find a suitable site for a mast.

**OTHER MATTERS** As well as the anxieties included above, residents also expressed concerns about: the possible impact on bats (but survey evidence of their presence was not provided); the impact on birds and other wildlife; health; house prices; and the lack of a demonstrable need for a mast in the parish. However, those are not planning matters and cannot be taken into account by the Parish Council.

Over ninety visitors objected to the proposal as well as many residents; one local resident supported the proposal.

## **8. CONSULTEES**

8.1 Landscape Officer: Objection. Contrary to Policy SP7. Insufficient information to fully assess the impact on sensitive receptors located within the New Forest National Park.

8.2 Tree Officer: Insufficient information to conclude no impacts

8.3 Ecologist: Insufficient information relating to protected species

## **9. REPRESENTATIONS**

9.1 133 representations have been received (four of which are second comments)

9.2 Two in support: There is a need for reliable communications

9.3 126 objections on the following grounds:

- Visual impact in the landscape and on the character and appearance of the locality
- Detriment to local businesses
- Health concerns
- Visitor wellbeing
- Ecological impacts
- The owners lack of rights to oppose
- Tree concerns
- Suggesting alternative locations
- No need for 5G
- The development exceeds permitted development tolerances
- The proposal exceeds the minimum required
- The proposal does not accord with the Code of Best Practice

9.4 One comment expressing concern about the visual impact, impacts on the campsite business and the wellbeing of visitors

## **10. RELEVANT HISTORY**

10.1 None

## **11. ASSESSMENT**

11.1 Loaders field is known locally as Harry's Field. It is situated on the north side of Abbotswell Road, to the east of the Foresters Arms public house. A 'pop-up' camping site operates from the field, which is level and surrounded by hedges. The site is accessed from Abbotswell Road by a field gate located in the south west corner.

11.2 This application seeks the approval of the Authority of the details of the siting and appearance of a 20m monopole mast, in a galvanised finish, at the top of which would be six antennae and two dishes. At ground level six cabinets are proposed to be located alongside the existing hedgerow on concrete bases. The cabinets would range in height between 0.65 and 1.9 metres and would be finished in dark fir green. The application is submitted under Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), which grants permission for the principle of the development. For this reason, only the siting and appearance of the development is to be considered.

11.3 The chosen site for the mast and cabinets would be along the northern hedge of the campsite field towards the eastern corner of the site. The cabinets would be visible against the hedge line, but would have a minor impact on the wider landscape but the mast would be a hugely intrusive feature, both within the site, in the conservation area locality and in the wider National Park landscape.

- 11.4 National Parks are confirmed as having the highest status of protection in relation to landscape and scenic beauty. The National Planning Policy Framework (paragraph 176) advises that within the National Parks, great weight should be given to conserving landscape and scenic beauty. Additionally this particular site lies within a designated conservation area.
- 11.5 The Western Escarpment Conservation Area Character Appraisal locates the site within area G, and notes that the area is traversed by roads mainly running east-west, which includes Abbotswell Road. The Appraisal notes that views out of the character area are extensive across the open forest heath to the east and Hyde Common to the south. The wide verges along Abbotswell Road are noted for the feeling of spaciousness they create. The mast would be very visible from Abbotswell Road, and in the light of the topography of the site, in the wider locality. Although it is a requirement that masts should ideally be located where they will gain the best coverage, the chosen site not only lies in a highly protected landscape, but is also in use as an established seasonal campsite and adjacent to a popular public house. The proposal would be contrary to Policy SP16 of the New Forest National Park Local Plan, as it would harm the special interest, character and appearance of the conservation area.
- 11.6 The New Forest Landscape Character Assessment locates the site in area 21 (open heathland) and recognises, in the section relating to Landscape change, the key issue of telecommunication masts standing out prominently in the open heathland landscape. The protection of undeveloped views and the skyline is listed as a landscape management guideline for the character area. The assessment therefore recognises the potential threat to the existing landscape quality posed by this type of development, especially where, as in this case, the mast would stand out against the skyline as none of the vegetation on the site is remotely as tall as the proposed mast. At 20 metres tall, the mast would also be visible above tree tops in the immediate and wider vicinity. No information has been submitted with the application in the form of a Landscape Visual Impact Assessment (LVIA), or mapping to show the Zone of Theoretical Visibility (ZTV) which would be expected for proposals on a site in this highly protected landscape. The proposal would be contrary to Local Plan Policy SP7 which states that great weight will be given to conserving the landscape and scenic beauty of the National Park.
- 11.7 A significant number of letters have been received, expressing strong objections on the grounds of the visual impact and the adverse effect the proposal would have on the campsite business. Other issues raised relate to impacts on trees and the local ecology. Strong objection has also been received from the Parish Council.

- 11.8 With regard to the ecology of the area, the site is not within the SSSI, or on land protected by any of the European designations. Given the use of the field, there is little evidence to suggest it plays a significant role in supporting SSSI or other designated site interests by providing essential supporting habitat. Several of the representations indicate that there are bat roosts in nearby buildings. The Government response to the consultation on proposed reforms to permitted development rights to support the deployment of 5G and extend mobile coverage states '*EMF (electro-magnetic field) radiation has the potential to impact the movement of insects and some species of animals. However, there is currently no evidence that human-made EMF radiation at realistic field levels has population level impacts on either animals or plants.*' There is no national or local advice or guidance from Natural England in respect of electromagnetic radiation on designated sites or protected species. The application provides insufficient evidence, as to whether there would be significant adverse effects through the operation of the mast in this location on the status of the local population.
- 11.9 The location of the site within the conservation area means that all trees with a stem diameter of 7.5cm or more are protected. There is a group of mature pine and spruce on adjacent land and relatively close to the proposal. These are prominent landscape trees and consideration should be given to the potential impact the proposal could have on the trees' rooting environment and crown encroachment over the new structure. The Tree Officer has advised that ideally the development should be sited further from these trees. No information has been provided to show that the development may be carried out without adverse impacts on the trees and it is not clear whether there would be a requirement to lop some trees on other sites. It is considered that the chosen location is not acceptable, because of the likely adverse impact on amenity trees.
- 11.10 The Authority, through National Parks England, has agreed to work with mobile network providers to achieve the necessary coverage, but this must be done in an environmentally sensitive manner. It is proving very difficult to find a site that provides suitable coverage and no adverse impacts. There will need to be a balance between the necessity for mobile connectivity and the protection of the designated landscape. Sites that are located further away from settlements are likely to be on nationally and internationally designated land, and would be unlikely to gain the support of the statutory bodies. The Authority remains committed to the principle of finding an appropriate solution to facilitate the delivery of the EE Emergency Services Network in this area. However, it is considered that the siting and appearance of the development as currently proposed would have an unacceptable adverse impact on the character and appearance of the area. As such, it is concluded that prior approval is required. However, the siting and appearance of the development is objected to and it is

recommended that prior approval is refused.

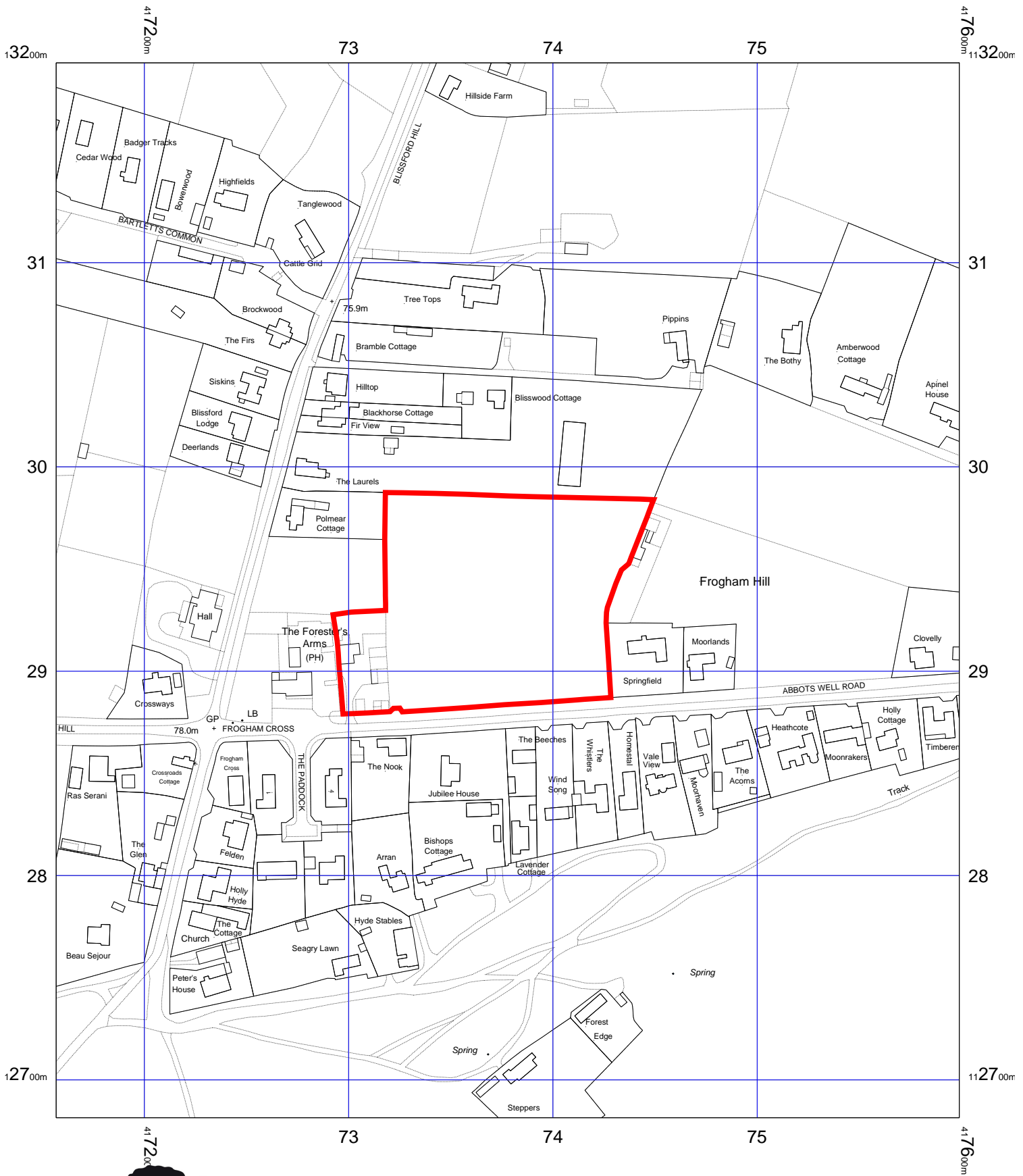
## **12. RECOMMENDATION**

Refuse

### **Reason(s)**

- 1 The proposed mast and ground cabinets by reason of their size, appearance and siting, would have a detrimental impact on the character and appearance of this part of the New Forest National Park and Conservation Area. The proposal is therefore contrary to Policies DP2, SP7, SP16 and SP17 of the New Forest National Park Local plan 2016-2036 (August 2019) and sections 15 and 16 of the National Planning Policy Framework 2021.





New Forest National Park Authority  
Lymington Town Hall, Avenue Road,  
Lymington, SO41 9ZG

Tel: 01590 646600 Fax: 01590 646666

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