

**Delegated Decision  
Sign Off Sheet**

<b>Case No:</b>	SDNP/21/00931/PA16	<b>Case Officer:</b>	Stella New
<b>Application Type:</b>	Prior Approval Telecommunications		
<b>Proposal:</b>	Application to determine if prior approval is required for the installation of a 15m slim-line column supporting 3no. antennas, 2no. transmission dishes, 4 no. equipment cabinets, landscaping and ancillary development thereto.		
<b>Site:</b>	Proposed Telecommunications Structure adjacent to Kiln Lane Buriton Petersfield Hampshire		
<b>Valid Date:</b>	18 February 2021	<b>Overall Publicity Expiry Date:</b>	5 April 2021
<b>Recommendation:</b>	Prior Approval Required and Refused	<b>Recommendation Date:</b>	10 May 2021
<b>Expiry Date:</b>	14 April 2021	<b>Recommending Officer Signature:</b>	

<b>Date Legal Agreement Completed (if applicable)</b>	<b>No. of Representations</b>
	29

<b>Signed &amp; Agreed By</b>	<b>Date</b>
	10 May 2021
<b>Line Manager Comments</b>	

<b>Case Officer Details</b>	<b>Name:</b>	Stella New	
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<b>Application No:</b>	SDNP/21/00931/PA16		
<b>Validation Date</b>	18 February 2021	<b>Determination Target Date:</b>	1 April 2021
<b>Applicant:</b>	Shared Access Limited		
<b>Proposal:</b>	Application to determine if prior approval is required for the installation of a 15m slim-line column supporting 3no. antennas, 2no. transmission dishes, 4 no. equipment cabinets, landscaping and ancillary development thereto.		
<b>Site Address</b>	Proposed Telecommunications Structure adjacent to Kiln Lane Buriton Petersfield Hampshire		

**Recommendation: That the application is Prior Approval Required and Refused.**

## 1 Site Description

The new mast would be located in the southern corner of a triangular agricultural field located outside the settlement boundary to the west of Buriton village. The southeastern field boundary is formed by Kiln Lane, and the western boundary by the railway line which follows a raised embankment. Buriton Scarp rises beyond the railway line to the south and west. The field is level, and bordered in the main part by mature hedgerow. There are two mature trees located along the boundary with Kiln Lane, and one along the boundary with the railway. A series of wooden poles along Kiln Lane support overhead lines.

Buriton Primary School is located approximately 200m to the east of the site, and Buriton Recreation Ground is 25m to the south east, immediately opposite the site. The nearest residential dwellings (Swiss Cottages) are located some 90m to the south beyond the railway line, and 120m to the north (Glebe Farm Cottage and Farm House.) There is a public footpath to the south of the railway line that leads away westwards through the Buriton Scarp and wooded open access land, which forms part of the Queen Elisabeth Country Park, which connects with the wider network of public rights of way that converge near Buriton.

The Buriton Conservation Area, which contains a number of listed buildings, lies approximately 200m north and east of the site, with the Grade II\* listed St Mary's Church located approximately 430m to the east. Butser Hill Site of Special Scientific Interest (SSSI) lies approximately 1.2km to the west the other side of the A3. Coulters Dean SSSI and Local Nature Reserve is located 1.5km to the southeast. Buriton Chalk Pit Local Nature Reserve is located 260m to the south the other side of the railway track.

The site forms part of a larger parcel of land (E005 Land at Greenways and Kiln Lanes) put forward for consideration in the SDNPA's (SHLAA) in 2016, comprising the southernmost of three fields in total. Only a small part of the land parcel was considered to have potential for development, being the middle field of the site along Kiln Lane

frontage only, equal to the depth of existing plots, and was ultimately not allocated for housing in the Local Plan. The application site was not considered to be suitable for residential development.

## **2 Proposal**

The application has been submitted under Part 16 of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 1995, for the Authority to assess whether the development may be carried out under permitted development. The Authority has 56 days to determine whether prior approval of the development should be approved or refused having assessed the siting and appearance of the proposal; however following a request made by the applicant an extension of time was agreed to allow the submission of additional landscape and other information in response to an objection from the Authority's Landscape officer and Parish Council, and other letters of objection received.

The base station would comprise the installation of a 15m high monopole supporting 3No 'Commscope' shroud antennas at a height of 14m and 2No 300mm diameter dishes at a height of 13m, 4No equipment cabinets including an electrical meter cabinet, and development works ancillary thereto. The cabinets would consist of an EE Wiltshire Cabinet (2.48 cubic metres); an EE Weston cabinet (0.79 cubic metres) an EE link AC Cabinet (0.69 cubic metres); and a shared access meter cabinet (0.59 cubic metres), on a 12.25 sqm concrete base. A 1.1m high "handrail edge protection" fence would be provided around the installation.

The mast, antennas, fence and cabinets are all proposed to be painted fir green (RAL6009). A C-shaped 1m high "bush" screen is proposed around the north, south and east of the base station. The works would require a small amount of earth removal, which would be deposited elsewhere on the agricultural holding. No permanent access is required, with temporary matting and a temporary 12sqm hardstanding proposed to be laid during the construction phase and subsequently removed.

The application is jointly made by EE and Shared Access, with the intention of improving local broadband and mobile coverage. The base station is one of a number of masts proposed by EE along the railway line between Portsmouth and London as part of a national project to address signal quality along the rail network, which is currently poor, and affects both mobile phones and on-train Wi-Fi. The submission also states that development would provide improved network coverage for Buriton, which has historically suffered from poor levels of coverage. Shared Access would manage and maintain the site, which would be leased from the landowner.

## **3 Relevant Planning History**

SDNP/21/00649/PRE Land at Brick Kiln Lane, rear of Greenway Lane - siting of telecommunication structure - mast, 3 antennas and 2 dishes with cabinets. Withdrawn 22.02.2021

The following applications for masts have also recently been made by the applicant along the railway line between Clanfield and Liss in the National Park:

SDNP/21/00538/PRE Proposed Telecommunications Structure adjacent to Kiln Lane, Buriton, Petersfield Hampshire. Withdrawn 26.02.2021

Other recent applications in the wider area along the London-Portsmouth railway line include the following:

SDNP/20/03034/PA16 (Lay By at Junction of Bolinge Hill, Petersfield) Installation of 1no 17.5 monopole with 2no 300mm dishes, 3no equipment cabinets and associated ancillary works thereto. Refused 16.09.2020

SDNP/20/03062/PA16 (Station Road Liss) Installation of 1no 17.5 metre monopole with 2no 300mm dishes, 2no equipment cabinets and associated ancillary works thereto. Refused 16.09.2020, appeal in progress.

SDNP/20/03104/PA16 (Mint Road, Liss) Installation of a telecommunications base station. Refused 16.09.2020

SDNP/20/02961/FUL (Land at Woodcroft Farm, Clanfield) Installation of 1no 30m lattice tower with 2no antennas, 2no 600mm dishes, 2no equipment cabinets and associated ancillary works thereto. Refused 30.10.2020

SDNP/20/03033/FUL (Wylds Farm, Warren Road, Liss) Installation of 1no 27.5m lattice tower with 2no antennas, 2no 300mm dishes, 2no equipment cabinets and associated ancillary works thereto. Refused 20.11.2020

SDNP/21/00501/PRE (Lay By at Junction of Bolinge Hill, Petersfield) Proposed base station. Advice provided 17.02.2021

SDNP/20/05618/FUL (Head Down Hanger, New Barn Lane, Buriton) The installation of a 30m lattice, cabinets and ground equipment within a 48Sq.m compound enclosed by a 2.4m close boarded timber fence with access gate and proposed planting scheme fronting the compound. Pending consideration.

SDNP/21/01658/FUL (Wylds Farm, Warren Road, Liss) Installation of 1no 27.5m lattice tower with 2no antennas, 2no 300mm dishes, 2no equipment cabinets, 1no meter cabinet and associated ancillary works thereto. Pending consideration.

#### **4 Consultations**

SDNPA Landscape Officer  
Summary Response: Objection

The proposal is likely to negatively affect the coherent rural character of the landscape at this location. The application has not sufficiently demonstrated mitigation, conservation and enhancement in accordance with Purpose 1.

The comments below follow a review of the LVA using the Landscape Institute Guidance.

##### **1. Methodology**

- o The Method does not explain how receptors have been identified. A number of receptors pertinent to the South Downs and part of landscape character have not been acknowledged in either the baseline evidence or been applied to the assessment.
- o Does not demonstrate the iteration or mitigation hierarchy in site choice, but does suggest it is better than other sites might be, but no context or explanation is provided behind this statement, what other sites have been selected and ruled out for example? The LVA does not set out sufficient information to demonstrate how the landscape-led approach has been taken, informing both the strategic and micro-siting of these masts and their infrastructure to minimise negative effects.
- o Scale of assessment - the LVA assesses this relatively minor in scale scheme against National and Regional Landscape Character Areas. The rationale behind this is not made clear - applying this method diminishes the effects of the proposal and fails to assess the scheme at a scale appropriate to the development. Ultimately, it does not

reflect how people will experience the change. If the baseline evidence is deemed to be inappropriate in scale or not applicable to the site and its character it is expected by best practice that a local LCA is undertaken to inform the scheme - in its location, design and assessment of effects.

- o Viewpoint selection - it is not clear in the Method how viewpoints have been selected. There are no receptors from within the village/village hall, nor users of the trains, both of whom may get a clear view of the mast.

2. Baseline, content and findings of the assessment;

- o The contents of the baseline are considered incomplete. Landscape history, Special Qualities, setting of the village/conservation area and experiential qualities are not covered.

- o The LVIA concludes that the mast would have negligible effects upon landscape character. This relates to the shortcomings in the Method identified above, and both the process and result of the assessment are not supported.

- o Lacking information about the proposal: access, tracks in particular are not mentioned.

3. Presentation of the assessment findings.

- o The scheme includes visualisations, which are helpful, but it does not provide an explanation of the reasons behind those views being selected.

## Discussion

Overall, it is considered this mast will appear incongruous to the rural character of site and its context. Mitigation efforts colour the mast green - whilst the RAL green is a colour never seen in nature, this is likely to be successful in reducing the masts 'eye-catching' potential when seen in longer distance views from the north and when trees are in leaf. It is likely to worsen the experience of the mast when seen against a paler backdrop such as the sky or village - notably from the railway line.

The shortcomings in the LVA means the scheme has not been assessed for impacts upon Special Qualities, tranquillity, sense of place/loss or rural/agricultural character, for example. The use of the existing field access and retention of vegetation and using the wooded backdrop certainly go some way to reducing direct effects of the proposal, notwithstanding this; the rural qualities of this landscape and its coherent character make it sensitive to such an incongruous change. The mast and its infrastructure location is centred within the field as opposed to being on the edge. Whilst I appreciate, this is likely to be needed for operational reasons, it results in the entire field being affected, infrastructure such as this reduces the landscape's coherence and quality. This field's pattern remains intact - its boundaries are unchanged since at least 1869 and so it contributes significantly to the character of the setting of Buriton.

The importance of the role the site and its immediate surroundings plays in defining the setting to Buriton and its Conservation Area has not been set out in the LVIA baseline evidence. The mast interrupts the relationship between the spring line village and chalk ridge backdrop - a key relationship that characterises the spring line settlements all along the South Downs scarp and identified in the LCA evidence.

The assessment does not provide information about access and whether a permanent or temporary track might be needed, or whether the access be wide enough for the crane etc. Kiln Lane is a narrow rural route and SD21 and guidance set out in Roads in the South Downs may apply if changes to the access are needed.

In conclusion, it is clear that the wooded backdrop will go some way to helping to reduce the mast being eye-catching in longer distance views. However, the more fundamental

change in character experienced locally has not been assessed in the LVIA nor mitigated for, so the negative effects and subsequent change in character remain.

Ruth Childs SDNP Landscape Officer  
South Downs National Park Authority

FURTHER COMMENTS RECEIVED 07.05.2021

- o The applicant concludes under point 19 that the mast would have no significant effect on the character of the village and is not located in the designated conservation area. It goes on to suggest the 'The monopole would be partially visible from the village hall although this is more modern in character.'
- The view from the village hall has not been presented in the LVA.
- This statement, perhaps inadvertently, suggests this particular view is made more acceptable because the village hall itself is of a modern design. The test is about receptors and their sensitivity.
- o The different, valued roles played by the landscape should have been considered in the baseline evidence in order to inform location choices of masts from the start. Absolutely these masts have technical specifications to meet, equally the applicant not only has a duty of regard to the purposes of the National Park, but policy requirements to meet too.
- o One such role is that the landscape contributes positively to the setting of the Conservation Area and the wider village - whose character is experienced against its hanger woodland backdrop. This coherence and resulting quality is explained in the previous commentary. The siting of the mast is considered to have a negative effect upon this setting.
- o Buriton is set against a characteristic hanger woodland backdrop. This setting continues to function positively in both landscape character (as a coherent, high quality, rural landscape) and visual terms, despite the railway lines presence (which is not at all conspicuous). This setting is expressed as dramatic in the VDS, in part due to its proximity to the village. Here Kiln Lane is noted as providing a key valued view out to the hangers.
- o The applicant goes on to select from my previous comments, resulting in an inaccurate reflection of my concerns. The 'fir green' paint to the monopole would not serve to mitigate against the effects on local views (these described here as affecting the conservation areas setting for example). I conceded that longer distance views may well result in the monopole being less obvious as a result of being coloured green. However, I never expressed a concern about its view from a distance. I am concerned however, about the effects of this infrastructure on local views and landscape character and the roles this landscape plays in providing characteristic context and setting to the village and its CA.
- o The site is located within a highly valued and coherent landscape, which has yet to be drawn out in the landscape evidence. I remain concerned about the effects of this proposal on the National Park, its special qualities and the current characteristic landscape setting to Buriton and its Conservation Area.

Parish Council Consultee

Buriton Parish Council has considered this application very carefully and writes to object to the proposals in the strongest possible terms. The Council is not against the principle of improvements in telecommunications to benefit parishioners and visitors to the village, but any acceptable proposals would need to be in the right place. These proposals are not.

The objection focuses on the following matters:

- o The proposed location, siting and effects on the landscape

- o Local amenity and quality of life
- o Disregard of relevant planning policies and inadequacy of supporting evidence
- o Alternative site availability
- o Other material considerations.

The proposed location, siting and effects on the landscape

The Council's concerns about the location, siting and effects on the landscape include the following points:

- o The proposal seeks to site a completely out-of-character 15m tall structure (with intrusive antennas, transmission dishes and related cabinets / ancillary development) in a sensitive location between the village and the nearby hanger woodland slopes
- o The site is only a few metres outside the Settlement Policy Boundary of one of the most popular spring-line villages in the National Park, and would bring adverse visual effects for visitors as well as residents
- o This location was considered as a potential site for housing development in the early stages of the South Downs Local Plan but was not selected due to landscape considerations
- o The location is part of one the important 'green fingers' of open spaces identified in the Buriton Village Design Statement (adopted by SDNPA in 2017): see pages 10-11 (including the map plan) and Appendices 1 and 3 etc.
- o The Village Design Statement makes it very clear that "development should be excluded from these green fingers" and that "views into, along, across and out of these open spaces are important and these 'green fingers' enhance the atmosphere of rural tranquillity." There is also specific reference to the fact that the fields adjoining Kiln Lane "provide long views into the village and out to the hangers."
- o The sweep of green fields below the wooded scarp slope of the downs provides a natural backcloth to the village, extending all around the west and south of the village. The proposal to erect a tall telecommunications mast would be completely incongruous and would alter the character of this setting immensely
- o The hanger woodlands are part of the Queen Elizabeth Country Park, and Kiln Lane provides access to a popular car park at Halls Hill on the South Downs National Trail. Thousands of visitors use the lane (on foot, by cycle and in cars) and would be faced by a towering, stark piece of modern equipment which would adversely affect their recreation and enjoyment
- o The application acknowledges that the mast will be visible from as far away as Nursted and Weston as well as from the South Downs Way National Trail. But, when referring to adverse effects on public rights of way, the documentation only refers to "other promoted long distance routes" and not to any of the many other Public Rights of Way in this part of the National Park. This cursory dismissal of other Rights of Way is unacceptable. There are many miles of popular paths in the zone of visibility on the Greensand Terrace to the north of and below the scarp slope of the downs. All these widespread adverse effects should be taken into account
- o The mast would be immediately adjacent to the largest designated area of Local Green Space in the parish and the Planning Authority must give this designation the appropriate weight when coming to their decision
- o It is noticeable that the three photographs / photo-montages provided by the applicants are very selective and deliberately deceptive, with none from popular viewpoints in the village such as the adjacent recreation ground, playground or village hall
- o Similarly, no views out from the Conservation Area (barely 160m away from the mast in places) have been provided and the adverse effects on the Conservation Area and on its setting must be taken into account
- o In answer to a question from the Parish Council, the applicants suggest that "The proposed monopole may be visible from parts of the recreation ground (i.e. sports pitches where users would be concentrating on the sporting activity), but a clump of trees would screen and filter views from the children's play area and tennis courts". This is an admission that the mast will be very visible from almost the entire recreation ground and

for the applicants to suggest that it may be hidden by a few (much shorter) trees or that people on the recreation ground will not notice the mast because they will all be too busy playing sport is both disingenuous and demonstrates a complete lack of awareness of the role played by a recreation ground in a community setting: ours is rarely used for sports activities but it is incredibly popular as a place for informal recreation, children's play, family gatherings, dog walking and relaxation

- o The applicants also claim that the "intervening clump of trees at the western corner of the recreation ground adjacent to Kiln Lane would screen views from the façade of the village hall" but this, again, is an attempt to suggest that a few average trees will mean that no-one in the village hall would be aware of a 15 metre tall structure looming over them from only 150 metres away

- o It is felt that the mast would be a complete eyesore from these well-used vantage points which form part of the heart of the village and are popular with visitors to the National Park

- o The plans submitted with the application show very clearly how incongruous the proposed mast would appear compared to nearby trees, which are the only other tall 'structures' in the area

- o Paragraph 5.2 of the Planning Statement (page 14) admits that even the cabinets at the base of the mast "will only be partially hidden from view" as it is proposed that a meagre "1m tall landscaping strip will be situated around three sides of the installation"(paragraph 5.4 on page 14). Any such "landscaping" will be completely out of character within an agricultural field and completely ineffective at screening. No real enhancement or mitigation measures are proposed and the application does not demonstrate any assimilation beyond consideration of the colours of the structures

- o True efforts to mitigate the effects of this development and to conserve and enhance the site of any such mast in a National Park would require much more than a visit to a garden centre and paint shop!

For all the above reasons the Parish Council feels that any proposals to construct a telecoms mast in this location must be refused.

#### Local amenity and quality of life

The Parish Council also has concerns that the proposed location and siting will have significant adverse effects on local amenity and quality of life, including:

- o The proximity of the structure to the village: in addition to a not inconsiderable number of houses which will be within 150 metres; the school, village hall, recreation ground and children's playground will be within 250 metres; and the whole of the village will be within 500 metres of the mast

- o This proximity will have a wide range of adverse amenity effects - many of which could be avoided by a more appropriate site selection at a greater distance from the village

- o Paragraph 9.55 claims that all the effects of the mast are "considered to be negligible" and even suggests that the two nearest residential properties would only "experience minor adverse effects." These houses will be less than 100 metres away from a 15 metre tall phone mast (with intrusive dishes and antennae at the top) and the occupants will constantly be aware of adverse effects on amenity

- o Paragraph 5.7 admits that the cabinets will produce noise but claims that this "will not be heard at any distance from the site given the surrounding built form and screening". But the "surrounding built form" can only be the houses themselves (there is no intervening built form) and the screening appears to be minimal and ineffective

- o Paragraph 9.55 also claims that there would only be "negligible or neutral effects" on other "residential properties and community facilities" which is an outrageous statement given the proximity not only to so many houses but also to the popular Village Hall and Recreation Ground, to the well-used playground and to both the Primary School and child-minding facility

- o The tranquillity and setting of the beautiful Recreation Ground (with the backdrop of the wooded, hanger slopes of the downs) would be ruined by this proposed intrusion - spoiling a place of solace and relaxation for local families and visitors alike
- o Being so close to the community, there are some fears that the installation could act as an attraction for children wishing to try to climb it
- o There are also concerns about potential effects on mental and physical health
- o Living near a looming structure (irrespective of whether or not it is emitting Electro Magnetic Radiation) is likely to cause anxiety and stress
- o The potential / alleged / unknown risks of Electro Magnetic Radiation (EMR) will bring added stress to those affected. This technology has only been around long enough for studies to consider the effects of short term exposure. Potential longer term effects remain unknown
- o The Effective Radiated Power (ERP) of this mast have not been disclosed (nor the EIRP [Equivalent Isotropic Radiated Power]) but general guidance indicates that beyond 250m away from a mast the effects of EMR are negligible. This, however, suggests that closer than 250m the risks are not negligible.

As well as houses, the school, village hall, recreation ground and children's playground will all be within 250 metres of this proposed mast and this will inevitably cause concern, worry and stress for some people - an unnecessary loss of enjoyment and amenity in a well-used part of a National Park.

At a time when spending time in the countryside and appreciating the importance of nature is proving to be of immense value to people for their quality of life and for their mental and physical well-being, it must surely be the role of the South Downs National Park Authority to reject these proposals which, if allowed, would have significant adverse effects on amenity and enjoyment in perpetuity.

Disregard of relevant planning policies and inadequacy of supporting evidence  
 The Parish Council is genuinely shocked and disappointed by the quality and understanding of a number of parts of this application, which is seeking Prior Approval for development in the UK's newest National Park: an area with the highest level of landscape protection:

- o The Council's doubts about the quality and sincerity of the application begin as early as Paragraph 1.4 of the Planning Statement which, whilst recognising that the site falls within the South Downs National Park, then states that this is an area where "the delivery of enhanced radio coverage is as equally important as conserving and, where possible, enhancing the local landscape and cultural heritage"
- o This is clearly not the situation in legislation as (a) the statutory purposes of National Parks make no reference to the delivery of enhanced radio coverage and (b) the purposes do not include the words "where possible"
- o For the avoidance of doubt, the statutory purposes of National Parks are (1) to conserve and enhance the natural beauty, wildlife and cultural heritage of the area and (2) to promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public
- o This misunderstanding or misinterpretation of the national legislation relating to National Parks is crucial and suggests that the applicant is either not treating this matter seriously or is being devious in trying to argue that their application fits the rules
- o Section 62 of the Environment Act 1995 explains that all public bodies and utility companies have a duty to have regard to the Park's statutory purposes. There is no "where possible" applying to these legislative requirements!
- o Although attempts are made to suggest that effects of the proposals on the natural beauty of the area will barely be noticeable (claims with which the Parish Council cannot agree), the application does not refer to any of the potential adverse effects on the second statutory purpose of the National Park at all. As explained in preceding parts of this letter, the enjoyment of the Park's special qualities (both by visitors and by residents) will be adversely affected and this provides another reason for refusing the application

o The documentation barely mentions the "special qualities" of the National Park but concludes, in the second bullet point in paragraph 10.6 of the Planning Statement, that the design and the mast "does not have an adverse impact on the special qualities of the National Park". The Planning Authority will wish to take all seven "Special Qualities" of the South Downs National Park into account and consider whether a 15m structure in this specific location fails to have any adverse impact. The "Special Qualities" of the National Park (set out in the introduction to the South Downs Local Plan) include:

- Diverse, inspirational landscapes and breath-taking views
- Tranquil and unspoilt places
- Distinctive villages and communities with real pride in their area
- Great opportunities for recreational activities and learning
- A rich variety of wildlife and habitats including rare and important species
- Places with a rich cultural heritage.

o The South Downs Local Plan requires a 'Landscape-Led' approach to all development due to the area's intrinsic landscape quality. But there is no evidence that this approach has been conducted. Instead, a crude 'cell search area' has been identified by radio engineers and a handful of potential locations seemingly considered

o It is interesting to note, however, that 4 of the 6 "alternative greenfield sites" are outside the 'cell search area' and the majority of these are not dismissed on technical (coverage) grounds. This indicates that many locations outside the crude 'cell search' area are likely to provide acceptable coverage and so, in a 'Landscape-Led' approach, there should be a much more thorough and wide-ranging assessment of potential sites

o The site selection process does not appear to have considered or been influenced by any detailed local landscape evidence to satisfactorily identify the least harmful location

o The unique character of each of the many diverse places within the National Park should always be the starting point for a good landscape-led approach and there is no evidence that this has been done here

o The application fails to demonstrate an understanding of the site's character and context or the National Park's special qualities and how these have been considered

o Some of the alternative sites listed in paragraph 9.51 of the Planning Statement (so as to be easily dismissed) are frankly ridiculous. To even suggest putting a tall telecommunications mast in the playing area of the Primary School or in the community car park alongside Buriton's ancient village pond and Norman church is ludicrous. The same applies to a site on the Village Hall Recreation Ground - and to go through the motions of providing reasons why these might not be as suitable as the pre-chosen Kiln Lane site is considered to be disingenuous

o This does not, however, mean that there are not other (more suitable) sites available - and the applicants should be sent away to do a thorough 'landscape-led' search for sites properly

o To be allowed to develop at all in any National Park should be a privilege - and poor proposals like this must not be accepted

o The selection of the small number of places illustrated by the photo-montages appears to be as biased as the alternative sites considered: only three, very selective images are provided, with none from popular viewpoints. Even those provided are somewhat ridiculous:

o The photograph from the cemetery in South Lane is taken from near to the entrance gate and conveniently has a shrub obscuring the view to the west where the mast would be. But, simply by taking a couple of steps to the left, the photographer would have realised that the shrub no longer obscured the views - and the mast would be visible from virtually the whole of the cemetery

o The photograph from Kiln Lane is described as representing the 'worst case due to the proximity to the proposed monopole'. This was taken from the vehicular access from Kiln Lane into recreation ground. But, here again, the photographer need only have taken a few steps southwards inside the recreation ground (or indeed considered the view from many other parts of the recreation ground, perhaps a few metres further away from the mast) to realise that there would be much starker and more intrusive views of the structure

- o Section 7 of the Planning Statement claims to identify national and local planning policy guidance which is pertinent to the site and the proposal - but there appear to be some important omissions:
- o Although the first five Strategic Policies of the South Downs Local Plan are listed, the sixth ("Safeguarding Views") is not. This Policy (SD6) is particularly significant, requiring development to preserve the visual identity, integrity and scenic quality of the National Park in particular by conserving and enhancing key views from public rights of way etc
- o There does not appear to be any reference to the 'Buriton Village Design Statement' (VDS) anywhere in the application. This VDS was initially adopted as a formal Supplementary Planning Document by the South Downs National Park Authority in August 2017 and has subsequently been re-adopted by the SDNPA to confirm that it is in conformity with the South Downs Local Plan of 2019. The VDS contains important guidance about landscape setting and important open spaces, drawing upon a detailed 'Local Landscape Character Assessment' which forms part of the adopted Supplementary Planning Document. As explained in the VDS, "disregard of the guidance could well result in refusal of planning permission" and it is therefore disappointing that the applicants have not utilised these insights
- o The Parish Council understands that Buriton's Village Design Group will be submitting a response to this application and we trust that all their comments will be given full weight in the decision-making process
- o It is also notable that the applicants failed to make any real use of pre-application consultation opportunities: in paragraph 10.4 of the Planning Statement it is claimed that pre-application consultation took place but the Pre-App was withdrawn within 16 working days of being submitted to the National Park's Planning Department, before the planners were able to provide any feedback. Similarly the community consultation exercise was rushed, hurried and lightweight, requiring responses within 14 days which did not really provide many parishioners with much of an opportunity to explore issues.

The Parish Council feels that the disregard paid to so many important planning policies and the lack of any credible Landscape-Led search for suitable sites means that this application must be refused.

Alternative site availability

As explained above, the Parish Council does not believe that an adequate, landscape-led search for suitable sites has taken place and has some additional points to make on this matter:

- o The Parish Council has been made aware of another potential nearby site (on the south side of the railway line) which appears to be preferable on a number of grounds and which was offered to Shared Access / EE last year but which does not appear to have been adequately considered
- o This alternative site could be less visually intrusive and could offer better signal coverage for the village as well as for the railway line
- o Although higher up the hill, it appears as though it would be possible to find a specific location that would have a woodland backdrop (because of the sloping terrain) and would not be intrusive in the landscape
- o This alternative location may, of course, be more expensive to construct and connect - but it is felt that marginal extra costs should not be allowed to outweigh landscape harm in this sensitive area
- o In contrast, the Parish Council feels that the applicant's proposed location gives undue consideration to the ease of vehicular access and supplying power to the site whilst failing to give adequate attention to all the adverse landscape and amenity effects
- o Paragraph 9.11 of the applicant's Planning Statement states that the railway track is "set below ground level, in a cutting". This is not true. From where the railway line emerges from Buriton tunnel it is on an embankment for approximately 1 kilometre, including passing over Kiln Lane on a bridge within a few metres of the proposed mast

site. The proposed location for the mast is actually lower than the railway line. Surely a higher position, further way from the village, would be more beneficial

In the absence of details about such alternative locations in the documentation submitted by the applicants, the Parish Council feels that it is important to draw this matter to the attention of the National Park Authority so that you can take it into account. Further details about the specific alternative site offered to Shared Access / EE last year can be provided. Other material considerations

The Parish Council has a number of other reasons for objecting to this application, including the following points:

- o The application is currently one of 3 telecommunications masts being considered in this parish - all for the same EE railway line project. The others are SDNP/21/00501/PRE (in a similar location to SDNP/20/03034/PA16 in the Bolinge Hill part of the parish) and SDNP/20/05618/FUL in the New Barn part of the parish. The cumulative effects of a series of masts through the nationally protected landscape of the South Downs National Park must be taken into account
- o The National Park Authority has a duty, when carrying out its prescribed purposes, "to seek to foster the economic and social well-being of the local communities within the National Park". The Parish Council feels that, for reasons set out earlier in this letter, the social well-being of the community of Buriton is very much at risk - and that travellers on trains from Portsmouth to London (or any other start and finish points outside the National Park) are clearly excluded from this statutory consideration of economic or social effects
- o The applicants admit, throughout their documentation, that this proposal is to enhance network coverage for EE customers on the railway line, with particular reference to commuters. But the current pandemic is showing that there is likely to be a huge change in the volumes of commuter traffic with more and more people likely to work from home on a number of days each week. The 'need' for this railway coverage could plummet significantly
- o In addition, no tangible benefits are demonstrated for the community of Buriton with no indication of how many people would actually obtain any improvements over current circumstances. References are made to "an uplift in coverage to Buriton" but no clear details are ever provided. Existing data coverage (including EE) is acceptable in parts of the village and it does not appear as though a new mast in this proposed location would reach many more houses. Coverage plots obtained from the applicant's consultants indicate that although some 'red' areas ("variable outdoor coverage") become 'green' ("high data rate indoors") there are some big areas of uncertainty (i) it is not clear how many dwellings would obtain any improvement because the areas that become 'green' seem, largely, to be fields. It is not clear whether there would be any improvements in most parts of the village (including North Lane, Bones Lane, the High Street, Glebe Road or Sumner Road) as these areas do not seem to have been coloured at all. No practical on-the-ground radio survey has been conducted to measure the field strength at various points and this would be the only way to get definitive data about real-world radio coverage; and (ii) we understand that the coverage plots relate to 'data' and not to 'voice': it would be vital for users reliant on obtaining a signal for basic 'voice' telephone calls to obtain benefits of improved reception from any installation as there are many parishioners in this situation within the demographics of this community. Any limited benefits do not appear to be outweighed by the significant impact of the location, siting and effects on the landscape and social amenity, well-being and quality of life
- o At a time when nature is increasingly under pressure, with growing evidence about declines in species across the nation and beyond, any siting of a new structure like this must be considered very carefully so as to cause the minimum of harm to rare species whilst providing a net gain in biodiversity. There is no evidence in this planning application that any of this vital consideration has been done
- o The proposed location is a popular foraging site for wildlife - particularly barn owls and bats. This field played a role in the National Park's Barn Owl Box initiative a few years ago with a photograph taken by a local resident of the site being featured [attached at the

end of this letter]. And bat surveys undertaken in connection with local development proposals virtually always yield proof of protected species. The physical development of a tall modern structure in this field is likely to have adverse effects on these forms of wildlife (and perhaps others) whilst negative effects of electromagnetic radiation on the reproductive success, development and navigation of insects is suspected. The National Park Authority will be aware of the proximity of this site to a number of Local Nature Reserves and SINCs including the Buriton Chalk Pits Nature Reserve (with its populations of rare bat species) which is within 250m of the proposed mast

- o Buriton has been selected as one of six parishes in the county of Hampshire to be a pilot venue for important pollinator species. This will include agricultural fields and family gardens - and those on the fringes of the settlement (such as this particular field and the gardens in Kiln Lane) are likely to be particularly important

- o The Village Design Statement provides some specific information about this Kiln Lane site, explaining that: "In periods of heavy or sustained rainfall, the hillsides and fields above and to the south of the village can become saturated and unable to hold any more water. Some houses have been flooded on a number of occasions with people forced to move out whilst drying out and repair work takes place." The VDS goes on to specify (in SP4) that: "As in other spring-line villages along the bottom of the scarp slope of the downs, flooding can be a major challenge with fields around the edges of the settlement playing important roles as reservoirs and soakaways. Any new development should not exacerbate the risk, frequency, severity or relocation of flooding." Photos of flooded gardens in Kiln Lane adjacent to this site were submitted to SDNPA during the Local Plan process and can be provided again if required. If any development were ever permitted on this site it would be essential for it to provide adequate mitigation and amelioration measures (a few hedgerow plants would not be sufficient)

- o It is understood that, if permission was granted for this 15m mast, it is likely that no further permission would be required to increase the height to 25m (or taller), that extra antennas could also be added (increasing the mass and bulk of the structure) and that extra control cabinets would be needed to share the mast with other operators. If this is the direction of guidance from Government and Ofcom then it is vital that a search for a suitable site in this area is 'future-proofed' so as to ensure that the site is not only acceptable for a 15m structure (which this site is not), but also for potential future requirements. In these circumstances, giving permission for this mast in this location would be wrong

- o This site is in the core of the South Downs International Dark Skies Reserve and it will be vital that there should be no lighting on any parts of installations like this

- o Paragraph 2.8 of the applicant's Planning Statement suggests that the landowner will receive a capital sum that "will contribute to the economic sustainability of the farm into the future". The Parish Council would not wish the Planning Authority to be unduly swayed by this statement as it is not aware of any 'Kiln Lane Farm' nor of any farming taking place in this field for many years other than cuts of hay by a different undertaking. The landowners appear to have been waiting for development opportunities, including an unsuccessful request for a housing allocation in the South Downs Local Plan. It is apparent from the documentation submitted with the application that there are three landowners and it is clear that not all of them are involved in farming. It is suspected that any capital sum is likely to be shared and so, at most, only a portion would go to any current farmer. In the context of the income and assets of farms in this area, the contribution towards the economic sustainability from a portion of a capital sum for this mast is likely to be relatively insubstantial

The Parish Council feels that each of these additional points are relevant to the consideration of this application and that they each add weight and reasons for refusal.

#### Concluding remarks

The Parish Council believes that it has, in this submission, summarised a number of compelling reasons why this proposal for a tall telecommunications structure in this location should be refused.

FURTHER COMMENTS RECEIVED 05.05.2021

This is a very significant proposal and it is unfortunate that Councillors (many of whom are busy people in full-time employment) only have four working days to consider all this extra material - compounded by the fact that there is an ongoing global pandemic with severe Government restrictions and regulations.

Nevertheless, the Parish Council has looked at the new material and writes to continue to object to the proposals in the strongest possible terms. The

SDNPA Historic Buildings Officer (JB)

The site is without the boundary of the Conservation Area, so any impact on the historic environment would be on the setting of the Conservation Area.

As a rural village, the setting of the village is the agricultural landscape in which it sits, so there is a significant overlap between the setting of the Conservation Area on the one hand and wider landscape impacts on the other; if the landscape is harmed so is the setting of the Conservation Area.

Having said that, I would draw out the particular significance of the hangers from my perspective. The mast would be visible and prominent in views as one leaves the Conservation Area along Kiln Lane. The same is true, though not quite to the same degree, as one descends Kiln Lane into the Conservation Area. The hangers are a particular local feature and the insertion of 15m mast in front of the trees would act as a real eye-catcher in an unfortunate manner. Whilst I was there, there were many people using Kiln Lane as a walking route, so the site is hardly tucked away.

In this regard, it was interesting to note how little impact the railway line, which is a horizontal feature, has on that scene.

So my conclusion is that the negative impact of the proposal on the setting of the Conservation Area, as part of a wider landscape impact, could form part of any reason for refusal.

HCC - Ecology Group

Dear Stella,

SDNP/21/00931/PA16 | Application to determine if prior approval is required for the installation of a 15m slim-line column supporting 3no. antennas, 2no. transmission dishes, 4 no. equipment cabinets, landscaping and ancillary development thereto. | Proposed Telecommunications Structure adjacent to Kiln Lane Buriton Petersfield Hampshire

Thank you for consulting me on this Prior Approval. The proposal is limited in extent and understood to only require the construction of a 3.5 m x 3.5m concrete base within an agricultural grass field. Whilst Queen Elizabeth Country Park Site of Importance for Nature Conservation/Local Wildlife Site is located to the south-west, beyond the existing railway track and there are some records of protected species such as bats present in the wider landscape, due to it being minor in scale and as the surrounding tree/hedge lines will be retained, I raise no concerns.

Please do not hesitate to contact me if you require any additional information.

Kind regards,  
Maral

FURTHER COMMENTS RECEIVED 20.04.2020

Thank you for querying the impact of the proposal on pollinators.

Having reviewed available sources online (e.g. <https://www.sciencedirect.com/science/article/pii/S0048969719337805> and <https://www.sciencedirect.com/science/article/pii/S0160412012002334?via%3Dihub> ), the data appears to be inconclusive. Whilst I acknowledge that there may be concerns, we are unaware of any formal position from relevant bodies (e.g. Defra / DCMS / Ofcom) on this issue and therefore do not maintain an objection on this matter.

Dear Stella,

RE: SDNP/21/00931/PA16 Kiln Lane, Buriton

Thank you for querying the impact of the proposal on pollinators.

Having reviewed available sources online (e.g. <https://www.sciencedirect.com/science/article/pii/S0048969719337805> & <https://www.sciencedirect.com/science/article/pii/S0160412012002334?via%3Dihub> ), the data appears to be inconclusive. Whilst I acknowledge that there may be concerns, we are unaware of any formal position from relevant bodies (e.g. Defra / DCMS / Ofcom) on this issue and therefore do not maintain an objection on this matter.

Please do not hesitate to contact me if you require any additional information.

Kind regards,  
Maral Miri (MSc, CEnv, MCIEEM)

Network Rail  
Comments awaited.

## 5 Representations

29 letters of objection have been received from members of the public, including from the Buriton Village Association and the Buriton Village Design Statement Group, raising the following concerns:

### PRINCIPLE

- o Buriton village has an idyllic setting at the foot of the South Downs, close to Buriton Chalk Pit Nature Reserve and Coulters Dean Nature Reserve with only 736 residents;
- o Would be contrary to the Buriton Village Design statement, which requires development to respect the quality and tranquillity of the landscape and guidelines LS1; LS2; LS3 and LS4.
- o The community are very active in conserving and enhancing this part of the National Park;
- o Residents have chosen to live in a rural environment without mobile phone signal or the benefits of the latest technological communications;
- o Will only serve interests of the telecommunications companies and the government;
- o The demographic for which this application is being made(EE train passengers) has substantially reduced and more home working post pandemic means use of public transport will remain low;
- o Will only provide benefit for 'passing trains' and the small group of villages who use EE mobile phones, so will not lead to tangible benefits for the local community;
- o No indication how many villagers would actually benefit;

- o The Five Bells is a local business and operates well with the current telecoms infrastructure;
- o If the government wants uninterrupted coverage on all trains, the placement of masts must be carefully chosen and built in places that cause the least impact on the environment
- o Illogical to place mast at the foot of a hill; location only best for access, cost and maintenance reasons and will not provide the best coverage;
- o Network coverage will drop in any case once train passengers enter the tunnel at Buriton;
- o Other countries manage to provide complete mobile phone service inside tunnels without the need of masts at either end;
- o Archaeological artefacts may be present;
- o Field is prone to surface water flooding;
- o Ofcom will have the power to impose obligations on operators to share equipment with other operators;
- o Will be upgraded to a 25m high 5G mast, with 3G, 4G and 5G antennas and more antennas and cabinets from many other networks;
- o Emergency services can be contacted without signal;
- o Could be delivered via current BT infrastructure, including cabling and telephone boxes;
- o Will negatively affect land and property values;
- o Should be a full planning application.

## LANDSCAPE IMPACTS

- o Will neither conserve nor enhance the environment and cultural heritage of Buriton, and challenges the principle and guidance of the Buriton Village Design Statement (VDS);
- o Would alter the rural character of the location, and its surrounding fields, forest and downland;
- o Kiln Lane is a distinctive sunken lane that; Guideline SP5 of the Buriton VDS states: "Any new development should not dominate or adversely affect the character, setting or value of any of the sunken parts of ... Kiln Lane;"
- o Kiln Lane is also the main approach to Queen Elizabeth Country Park from the north; Will be an eyesore and blot on the rural landscape and spoil part of England's countryside heritage;
- o Will have a serious visual impact from most parts of the village, being seen from most of the houses, and destroy the highly sensitive and important scenic vista looking up at the Downs particularly from the school, village Hall, recreation ground and Kiln Lane;
- o Will negatively impact the enjoyment of visitors who enjoy the tranquillity and beautiful views of the National Park in this location;
- o Will impact amenity of users of public rights of way;
- o Will cause negative and permanent harmful impact on views from the children playground, and village footpaths and memorial benches;
- o The recreation ground is used for dark skies events due to unobstructed views of the sky;
- o The positioning of a mast so close to the village is not acceptable;
- o The field separates the settlement from the wooded slopes of the South Downs;
- o Buriton VDS guidelines OS1 and OS4 state the importance of retaining the open spaces around...the fields adjoining Greenway Lane and Kiln Lane, which should be protected from inappropriate development;
- o Will be within 150 metres of the Conservation Area;
- o The mast, antennae and dishes might be visible from Nursted House, Nursted Farm, Weston and Coulters Dean Farm;
- o Will appear incongruous against the surrounding trees, and nothing could make such a high-tech construction blend into the soft landscape of downs hillside;
- o Painting the mast green is the only attempt to minimise its visual impact and will not enhance the local landscape and cultural heritage;

- o The highest existing mature tree is only 26 feet high (8m) and will not hide the 50 foot phone mast;
- o During winter months the visual impacts will be worse;
- o Should be camouflaged and more sympathetic to the local area and relocated where it will be significantly less obvious and more efficient, and future proofed for advancing technology;
- o Should be sited on higher ground to necessitate lower mast away from the village e.g. at Greenaway Lane near the A3;
- o Could be placed on the other side of the tunnel where it would not be seen, or before the village on the stretch between Petersfield and Buriton, which is open countryside.

#### AMENITY/HEALTH IMPACTS

- o Living close to a mast is not pleasant and causes anxiety and stress;
- o Will be within 400 metres of school buildings and adjacent to playing fields where school and village children exercise daily;
- o Other EE masts have included Public Exclusion Zones of 50-55 metres, and Antenna Exclusion Zones of 22-25 metres;
- o The ICNIRP Guidelines only cover the thermal (i.e. heating) effects of Mobile Telephone Mast emissions;
- o Noise from the cabinets will be heard from nearby houses;
- o There is scientific research demonstrating harmful effects on health from EMR and 5G and the World Health Organisation is currently investigating;
- o Pressures from other suppliers will result in ever increasing EMR emissions;
- o People living close (<500m) to mobile phone masts (base stations) frequently report symptoms of electromagnetic hypersensitivity (dizziness, headaches, skin conditions, allergies and some skin cancers have been attributed to RF/ EMR);
- o Microwaves and EMR will impact the health of residents of Kiln Lane, primary school children and users of the public rights of way, village hall and recreation ground, and will harm plants, birds (owls), bats and bees and the reproductive success, development, and navigation of insects/bees, which are essential to our survival;
- o The village's Pollinator Project will be negatively impacted by the proposal;
- o Insurance companies have exclusion clauses to avoid EMF related claims;
- o There is insufficient research as to the health risks of 5G;
- o The structure alone will cause stress and anxiety;
- o Risk that the 1.1 m handrail will not prevent children climbing the mast.

A petition with 65 signatories has also been submitted strongly objecting to the mast.

Following the submission of further landscape information, a further eight letters of objection were received, including from the Buriton Village Design Statement Group, raising the following:

- o The additional information does not address the concerns of the landscape officer, or the Village Design Statement's (VDS) guidelines and comments;
- o Will not conserve, protect or enhance our treasured landscape;
- o The representational viewpoints and the additional landscape information are misleading;
- o The applicant admits the mast will be just 40 meters from the recreation ground and visible from Coulters Dean, Nursted and Weston over 1.5 miles away
- o The submitted appeal decisions are in suburban areas and not in National Parks, so are not relevant and demonstrates the applicant's lack of interest in our community;
- o Would be seen throughout the village as part of a static vista (not glimpsed), including from the conservation area and listed buildings including the Church of St Mary and the Manor House;
- o Development in a National Park should seek the best solution available in accordance with the statutory purposes;

- o Current infrastructure needs to be explored further to achieve connectivity and preserve landscapes;
- o The applicant's intention has always been to locate the mast on the village side of the railway, and showed no interest in available sites on the far side of the railway that have natural elevation and existing tree line by way of mitigation;
- o The site located at 473350;121200 ( where B2070 crosses the railway line) is elevated and has mature tree screening on the south side;
- o The proposed mast site offers the cheapest and least inconvenience to the applicant, but the higher installation costs in a National Park must be accepted by the applicant;
- o Will undermine local economy and wellbeing
- o The applicant showed no interest in improving coverage to the village during the site selection process, and the application site is in low sited location near a railway embankment that will only achieve "low data rate indoor coverage;"
- o Indicates there would be good reception for Buriton, but only from the tunnel exit (0.4 miles) only to Greenway Lane bridge (0.5 miles) along the railway line itself, so other masts will be needed in the vicinity;
- o The Government has stated that a full return to city centre work is unlikely, so the demographic for whom this mast would be erected (to the detriment of the village) has substantially reduced;
- o The population in Buriton is predominantly retired: house prices largely exclude working generations;
- o Buriton is already well served by high speed cable/fibre-optic broadband and home working, online meetings and classes were conducted during lockdown without issue;
- o Farmers use GPS not mobile technology as the applicant claims;
- o If upgraded to 5G would require removal of trees;
- o Will add approximately 41 seconds of mobile phone coverage to commuters and travellers until the signal is lost again in the tunnel whereas Buriton will have to put up with a permanent disfiguring blot on the landscape If approved, any annual rent should be paid to Buriton Parish Council;
- o Phone companies are able to unilaterally cut annual rent paid to landowners by 95 per cent, so no-one will benefit locally;
- o Should medical claims arise due to EMR the Landowner would have to fight the lawsuits.

## 6 Planning Policy Context

Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan in this area is the **South Downs Local Plan 2014-2033** and any relevant minerals and waste plans. Other plans considered:

- 

The development plan policies and other material considerations considered relevant to this application are set out in section 7, below.

### National Park Purposes

The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage,
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social well being of the local community in pursuit of these purposes.

## 7 **Planning Policy**

### Relevant Government Planning Policy and Guidance

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) , updated February 2019. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 172 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight in National Parks.

### National Planning Policy Framework (NPPF)

The following National Planning Policy Framework documents have been considered in the assessment of this application:

- NPPF02 - Achieving sustainable development
- NPPF10 - Supporting high quality communications
- NPPF12 - Achieving well-designed places
- NPPF - Conserving and enhancing the natural environment
- NPPF - Conserving and enhancing the historic environment

The Buriton Village Design Statement (VDS) was adopted by the SDNPA in August 2017, and was saved and carried forward as a Supplementary Planning Document to the South Downs Local Plan on 11 July 2019. Relevant Design Guidelines include OS1, OS4, OS7 LS10, P2, P5, LS1, LS2, LS, LS4 and SP5.

The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with the NPPF.

The following policies of the **South Downs Local Plan** are relevant to this application:

- Core Policy SD1 - Sustainable Development
- Core Policy SD2 - Ecosystems Services
- Strategic Policy SD4 - Landscape Character
- Strategic Policy SD5 - Design

- Strategic Policy SD6 - Safeguarding Views
- Strategic Policy SD7 - Relative Tranquillity
- Strategic Policy SD9 - Biodiversity and Geodiversity
- Development Management Policy SD11 - Trees, Woodland and Hedgerows
- Development Management Policy SD15 - Conservation Areas
- Strategic Policy SD25 - Development Strategy
- Development Management Policy SD44 - Telecommunications and Utilities Infrastructure
- Development Management Policy SD47 - Local Green Spaces

#### Partnership Management Plan

The Environment Act 1995 requires National Parks to produce a Management Plan setting out strategic management objectives to deliver the National Park Purposes and Duty. National Planning Policy Guidance (NPPG) states that Management Plans "contribute to setting the strategic context for development" and "are material considerations in making decisions on individual planning applications." The South Downs Partnership Management Plan as amended for 2020-2025 on 19 December 2019, sets out a Vision, Outcomes, Policies and a Delivery Framework for the National Park over the next five years. The relevant policies include:

- General Policy 1
- General Policy 51

## **8 Planning Assessment**

Under the provisions of Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended by the Town and Country Planning (General Permitted Development) (England) Order 2015, certain operations and installations can be carried out by or on behalf of a telecommunications code system operator for the purpose of the operator's telecommunication in, on, over, or under land.

The first issue is whether the development appears to be permitted development, and secondly whether prior approval is required for the siting and appearance of the development. If prior approval is required, the Authority must also decide whether or not to grant it.

### **Are the works permitted development?**

In terms of whether the works represent permitted development, the Authority is of the view that the proposed mast, which is less than 20m above ground level, antennae and

dishes would meet the criteria under Class A(a), Part 16 of the General Permitted Development Order (GPDO) 2015, and Class A.1 (1) (c) (ii).

The proposal also includes the provision of 4No equipment cabinets consisting of an EE Wiltshire Cabinet (2.48 cubic metres); an EE Weston cabinet (0.79 cubic metres) an EE link AC Cabinet (0.69 cubic metres); and a shared access meter cabinet (0.59 cubic metres), none of which exceed the 2.5 cubic meter limit set by Class A1 (9) (c), and would therefore also meet the criteria.

As such, the Authority considers that the proposal meets the relevant criteria for permitted development legislated for under the GPDO; and that given the landscape sensitivity of the site prior approval is required for the siting and appearance of the development. These matters are considered in further detail below.

Considerable local concern has been raised, including by the Parish Council, in regard to the principle of development, including operational need; how far the community of Buriton would benefit from the proposals; and the potential future ability of the applicant to upgrade infrastructure should permitted development legislation be amended to allow this. Concerns are raised that the mast would provide coverage to the railway line for approximately 0.9 miles for 41 seconds due to being curtailed by tunnels, and that there would be little or no uplift in coverage for much of the inhabited parts of the village. Furthermore, residents have satisfactorily worked from home without calls for improved telecoms coverage due to the existing fast speed broadband that serves the village. However, due to the nature of permitted development applications, matters relating to need cannot be considered by the Local Planning Authority as material to the determination of the application because the principle of development has already been established through permitted development rights. However, in the event that landscape and/or heritage concerns are identified under consideration of matters relating to siting and appearance, the extent of public benefits generated by the proposal, may be weighed against any potential heritage and landscape impacts.

### **Siting and appearance of the development**

Development plan policies and in particular the NPPF place 'great weight' on conserving the landscape and the scenic beauty of National Parks, which have the highest status of protection in landscape terms. All public bodies and utility companies, when undertaking any activity that may have an impact on the designated area, have a duty to have regard to National Parks' statutory purposes, including the first (and primary) purpose which is to conserve and enhance the natural beauty, wildlife and cultural heritage of the area.

This approach accords with paragraphs 172 and 115 of the NPPF, the Code of Best Practice on Mobile Network Development in England (2016) and the Joint Accord / Memorandum of Understanding (June 2018) between National Parks England and Mobile UK. The Code of Best Practice states that Operators should seek to minimise impact through sensitive design and appropriate siting of the proposals, and that in National Parks particular attention will need to be paid to the nature of the proposals, the significance of the location, the impact that the proposals could have, and the need to reduce any adverse impact. The Joint Accord states that options to minimise adverse landscape effects in National Parks should include consideration of mast-sharing, site-sharing, equipment-sharing, and any other technical advances, and that National Park

Authorities and Mobile Network Operators must be open to consideration of alternative designs, innovative proposals and network solutions, or mitigation measures to facilitate network deployment in an environmentally sensitive manner.

The relevant development plan policies, including SD4, SD5, SD6, SD7 and SD44 of the South Downs Local Plan, seek to limit impacts from telecommunications and utilities infrastructure development by ensuring that existing infrastructure options have been thoroughly explored; all available technology and mitigation methods have been utilised; and that the siting and appearance of development would not have an adverse impact on the National Park's special qualities, scenic quality and views or visual and aural tranquillity.

In accordance with section 72 of the Town and Country Planning (Listed Buildings and Conservation Area) Act (1990), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas. Any proposal would therefore need to demonstrate acceptable impacts in terms of the setting of the Buriton Conservation area. Policy SD15 1.i) also requires development proposals to provide sufficient information to assess existing views and vistas through the settlement, and views of the skyline and views into and out of the Conservation Area. Para 189 of the NPPF also requires the provision of sufficient detail to understand the impacts of the development on the significance of Conservation Areas, or the contribution made by their setting.

Policy SD47 is also relevant as this designates Buriton Recreation Ground, immediately opposite the site, as Local Green Space and thereby demonstrably special to the local community. The supporting text of SD47 sets out that development proposals should not conflict with the reasons that the local green space has been demonstrated to be special to the local community, or prejudice its role as a Local Green Space. The Recreation Ground was assessed in the document Local Green Spaces in the South Downs National Park (2017), and found to be "clearly demonstrably special to the community for its recreation value."

The Buriton Village Design Statement (VDS) (2017) sets out a number of design guidelines that are relevant to the application. These seek to protect views from the scarp and open spaces between settlement areas, and avoid new development in these locations, which contribute significantly to the local character, including those around Buriton village pond, the Recreation Ground and the fields adjoining Greenway Lane and Kiln Lane; and the open spaces between houses in Weston (OS1, OS3, OS4 and OS7). They also seek to protect the parish's existing landscape character and vistas, and natural, rural, informal, 'country lane' characteristics (LS1 and LS10). The rural nature of the parish's roads and lanes, particularly sunken lanes, should avoid standardisation and urbanisation resulting from installation of inappropriate street furniture (P2 and P5); and in particular any new development should not dominate or adversely affect the character, setting or value of any of the sunken parts of Bones Lane, Kiln Lane or North Lane (SP5). The SDNPA's Buriton Settlement Context Study Sensitivity Analysis also identifies a number of key views and viewpoints in and around the settlement.

It is acknowledged that this form of development is rarely able to respond to landscape character, and that there is an essential need for telecommunications infrastructure in rural locations. There is also broad policy support for the provision of new

telecommunications infrastructure where this provides benefit in meeting an identified economic need. However, economic and social benefits are not overriding planning considerations in a designated landscape such as a National Park because the first purpose of the National Park has greater weight where there is a conflict. The siting and appearance of the proposal must therefore also be acceptable in terms of landscape impacts, which have great weight in a nationally designated landscape. Whilst policy recognises the social and economic benefits of improved telecommunications, in a National Park it must be demonstrated that the need cannot be met using existing infrastructure, and that masts have been sensitively designed and located to minimise visual, perceptual and intrinsic landscape impacts in order to meet the relevant development plan policies.

### **Consideration of Existing Infrastructure and Alternative Sites**

Concerns have been raised by Buriton Parish Council and members of the public in regard to the rationale for the alternative site selection, and that the mast should be located away from the village on higher ground, e.g. at Greenaway Lane near the A3; on the southern side of the tunnel which would be less visually intrusive, or before the village on the stretch between Petersfield and Buriton which is open countryside. It is also queried why the mast is proposed to be sited on land that is lower than the railway line which follows an embankment in this location.

The submitted information states that the base station is necessary and justified due to poor quality signal in the area, which is an identified 'not spot;' and cannot be met through use of existing infrastructure or other existing structures. The most ideal operational locations are close to the railway track within identified search cells to ensure optimal coverage and capacity. There are no other existing telecommunications installations within 1.5km of the site, with the nearest being 2km to the west at Butser Hill. Existing Network Rail (NR) infrastructure was also discounted due to the potential for interference with NR control centre communications, and the requirement for lengthy negotiations with NR and a separate temporary line closure permission, which might not be granted.

The submission lists a number of alternative sites within the identified site search area, which were considered and discounted. These include a number of existing buildings and structures, which were deemed not high enough and/or screened by mature trees; and a 'flag pole' mast atop St Mary's Church, which was supported by officers at pre-application stage, but subsequently discounted due to the lack of ability to support wind loadings without a wider mast, and concerns raised by the Parish Council in regard to the value of the existing flag pole. A greenfield site was therefore felt to be the only viable option.

Six alternative greenfield sites were considered and discounted, which are listed as the village playing fields; Buriton Primary School; Buriton Pond car park; Halls Hill car park; Buriton sewage works, and fields to the south of Greenway Lane. The first three were discounted for reasons of heritage and amenity impacts. The sewage works location would not provide coverage; the Halls Hill car park location would have significant visual impacts; and the land south of Greenway Lane would be more exposed due to lack of visual screening.

As such, it would appear that the applicant has demonstrated some consideration of the use of existing infrastructure and alternative locations. It is noted, however, that the

majority of the discounted greenfield sites identified in the original submission (with the exception of fields to the south of Greenway Lane) appear to be outside the cell search area identified on p38 of the planning statement, although they are not discounted for reasons of technicality. It is also noted that locations such as the village playing fields, Buriton Primary School and Buriton Pond car park are highly sensitive locations that would be clear 'non-starters' in terms of their landscape, heritage and/or amenity impacts, and highly contentious in terms of local community values.

Given the choice of alternative greenfield sites, which are either highly sensitive and/or appear to be outside the cell search area (in the case of the sewage work, a significant distance (approx. 700m) from the cell search area) and therefore clearly unviable, the rationale for the alternative sites selection is unclear. From the information submitted, the selected location appears to be optimal in terms of achieving the operator's desired coverage aims and other reasons of technicality, practicality and cost, including ease of access and existing power supply. It also appears to be the least sensitive in landscape terms, given the selection of other alternative sites as presented. However, given the lack of rationale for the site selection, it is unclear how the applicant has given appropriate consideration to a range of suitable and viable alternative locations that could be practically deliverable and preferable in landscape terms. The selection range leaves little option than to conclude that the applicant's chosen location is the only available and deliverable site.

The additional information provided by the applicant on 27 April states that the majority of the alternative sites mentioned in letters of objection, which were not formally listed as alternative sites in the original permission, were discounted for technical reasons and not progressed. The two sites south of Greenway Lane (identified in the additional information as sites SA option 2 and SA Option 3 to the west of the railway line) were in the process of being negotiated with the landowner; however, according to the applicant, communications ceased in November 2020 and the land was concluded to be unavailable, forcing the applicant to explore other sites. However, the landowner concerned states that the applicant had no interest in siting the mast on higher land to the west of the railway, away from the village. Furthermore, the Authority is aware of other mast applications by Telecoms Operators, including a number recently made by the applicant, on land where the landowner has a strong objection to the proposal. Third party agreements are also matters covered by separate legislation and not a planning matter, and it would appear that a lack of landowner agreement and/or the apparent unavailability of sites has not prevented the progression of other similar applications. The absence of any landowner agreement is therefore not a legitimate reason to discount a site.

The applicant has also stated their opinion that site selection cannot be determined purely in landscape and visual terms; that it is not a requirement within the GDPO that the 'least worst' option is progressed; that the proposal only has to be 'acceptable' in terms of siting and appearance; and that it is not relevant to the prior approval process if an alternative site identified would cause less harm than the application site proposed. The applicant has also referenced a number of appeal decisions where the Inspector found that consideration of less environmentally harmful locations was not an approach supported by the NPPF, and/or the design and siting was acceptable.

The Authority does not agree with this opinion, which appears to be contrary to the Code of Best Practice and Joint Accord, and the duty incumbent on all public bodies and utility

companies to have regard to National Parks' statutory purposes. Furthermore, given the National Park designation, paragraph 172 of the NPPF is engaged, which requires great weight to be given to conserving and enhancing landscape and scenic beauty in National Parks. The relevant development plan policies SD4 and SD5 also require a landscaped approach to design, which for telecoms development requires a careful and considered approach when selecting the most appropriate sites for development which includes criteria to take account of mitigation opportunities in order to balance landscape harm. Potential sites should be selected both for the ability to meet technological requirements as well as best mitigate any landscape impacts; and some deliverable sites will have clear advantages in terms of their available mitigation opportunities

### **Consideration of Landscape and Visual Impacts**

Concerns have been raised by Buriton Parish Council, the Buriton Village Association, the Buriton Village Design Statement Group, and members of the public in regard to significant harmful visual and landscape impacts on the rural character of the location, including the 'green fingers' of open spaces surrounding the settlement, important local vistas, the sunken Kiln Lane, and cultural heritage of Buriton, all of which are referenced in a number of design guidelines in the Buriton Village Design Statement (VDS). Attention is also drawn to the adverse visual effects and amenity impacts on the designated Local Green Space and numerous public rights of way in the locality, given the incongruous, utilitarian nature of the development; and that the selective views of the site provided by the applicant do not include locally valued and significant sites such as the recreation ground, school playground, village hall or Conservation Area.

The application is supported by a number of documents including a Landscape and Visual Impact Assessment (LVIA), and view point analysis of a number of views including from footpath No 29 by Nursted Hall; the South Downs Way by Coulters Dean Farm; the Buriton cemetery; the field entrance at Kiln Lane; open access land west of the railway; and from the Greenway Lane bridge over the railway. The submitted information states that the height of the mast, and size and number of antennas, dishes and cabinets, are the technical minimum required for coverage sought. The mast would be set back from the road by 25m to avoid introducing urbanising features onto the rural lane, and has been sensitively designed and positioned to avoid unacceptable adverse effects on the special qualities of the National Park. Measures include restricted mast height, use of colour (Fir green) to minimise visual impacts; use of the existing access; retention of established hedgerows, and provision of a 1m high "bush" screen around the cabinets.

The LVIA concludes that the mast would result in a minor to negligible and very localised effects on the landscape character, visual amenity and special qualities of the National Park; and would not be visible from the majority of surrounding areas within the National Park including much of Buriton village, Buriton Conservation Area, the South Downs Way National Trail, or views from the scarp. There would be minor adverse effects on two residential properties (Glebe Farm House and Tithe Barn/Glebe Farm). The LVIA also gives some consideration to potential cumulative landscape effects of the proposed mast on the character of the SDNP, and sequential and/or in-combination visual effects, with five recent mast applications made by the applicant (EE) that were recently refused by the Authority, should they be successfully appealed. Due to lack of inter-visibility, and the fleeting sequential experience of rail users, cumulative effects are concluded to be negligible.

The additional information provided by the applicant on 27 April states that:

- o The LVA and photomontages are proportionate, balanced and sufficient to inform the decision making process;
- o The site is not situated in a visually exposed location considering the wider sensitivities of the National Park, and would have a negligible effect on the landscape character of the National Park in overall terms;
- o Will only result in localised effects, which should be deemed acceptable in general terms given that masts need to be provided, and in accordance with the Joint Accord/MoU;
- o Would be partially visible from the village hall which is modern in character
- o Would have limited effect on the setting of Buriton beyond Kiln Lane and would not affect the relationship between the spring line village and chalk ridge because the village is already physically severed from the chalk ridge by the railway line;
- o The railway line is an existing visual detractor (the railway line) and there are a number of telegraph poles and overhead powerlines extending along Kiln Lane;
- o The design is influenced by the utilitarian and functional character of the adjacent railway, associated equipment (signalling and cabinets);
- o Impacts on views from rec would be no greater than those identified from Kiln Lane at Viewpoint 4;
- o The mast will be partially screened by the mature tree cover near the railway underpass;
- o The perception of tranquillity and enjoyment of the National Park would be potentially improved as more people are able to work from home or use the trains through improved network coverage;
- o Would conserve and enhance the natural beauty of the NP by allowing more people to work from home or travel by train and promote enjoyment of special qualities.

The submitted LVIA and additional landscape information has been assessed by the Landscape Officer, who has objected to the proposal, advising:

- o No explanation is provided as to how receptors have been identified, and a number of pertinent receptors, including from the village/village hall, have not been acknowledged in baseline evidence or applied to the assessment;
- o No demonstration of any iteration or mitigation hierarchy in site choice, or how the landscape-led approach has been applied in the site choices, or strategic and micro-siting of these masts;
- o Does not reflect how people will experience change as a result of development;
- o Lack of explanation as to why viewpoints and visualisations have been selected/provided;
- o Does not consider landscape history, National Park special qualities, setting of the village/conservation area and experiential qualities;
- o Does not consider documents that reference character and valued views, e.g. Buriton Village Design Statement selection of viewpoints, which are underrepresented as a result;
- o The identified negligible effects upon landscape character result from shortcomings in the methodology;
- o Appears to suggest the view from the village hall is acceptable because the hall has a modern design, however the view has not been presented;

- o Kiln Lane provides a key valued view out to the hangers;
- o The different, valued roles played by the landscape should have been considered in the baseline evidence to inform location choices from the start;

In terms of the siting and visual impacts of the mast, the Landscape Officers has raised the following concerns:

- o The mast will appear incongruous to the rural character of site and its context;
- o RAL green is a colour never seen in nature, and whilst may be successful in reducing the masts 'eye-catching' potential in longer distance views from the north and when trees are in leaf, it will serve to further negatively impact the experience of the mast locally or when seen against a paler backdrop such as the sky or village;
- o The field plays an important role in defining the rural setting to Buriton and its Conservation Area, and contribute significantly to their character;
- o The mast and its infrastructure will affect the entire field, and will interrupt the characteristic relationship between the spring line village and chalk ridge backdrop identified in the LCA evidence, reducing the landscape's coherence and quality.
- o Would negatively impact on the National Park's special qualities and Buriton's characteristic and dramatic hanger woodland backdrop setting which functions positively as a coherent, high quality, rural landscape visual terms, despite the railway lines presence (which is not at all conspicuous).

The Historic Buildings officer has also raised the following concerns:

- o As a rural village, the setting of the village is the agricultural landscape in which it sits, and there is a significant overlap between the setting of the Conservation Area and wider landscape impacts; if the landscape is harmed so is the setting of the Conservation Area;
- o The hangers are a locally significant feature and the insertion of 15m mast in front of the trees would act as an unfortunate eye-catcher;
- o The mast would be visible and prominent in views leaving the Conservation Area along the popular Kiln Lane walking route, and to a lesser extent when approaching the Conservation Area;
- o As a horizontal feature the railway line has very little impact on the scene.

It is acknowledged that the use of the existing field access during construction, and retention of the existing field hedgerow and wooded backdrop, and the use of green paint would go some way to reduce negative visual effects in longer distance views. The proposed planting around the cabinets would also provide some screening around the cabinets in close views; albeit a square, c-shaped "bush" hedge of an unidentified, presumably single species is uncharacteristic in the middle of a field, and irregular planting of native scrub species would be a far preferable mitigation strategy.

However, the change in character as a result of development has not been adequately assessed in terms of local effects and impacts on identified valued viewpoints and landscape character, including the designated local green space and rural setting of the village and Conservation Area. In particular, no consideration is given to the Buriton VDS (2017) design guidelines which specifically identify the value of the open spaces around the Recreation Ground and the fields adjoining Greenway Lane and Kiln Lane; the parish's existing rural landscape character and vistas; views from the scarp; and the

character and setting of the Kiln Lane. The applicant has stated that guidelines in the Buriton VDS that seek to block development are not applicable to proposals which are permitted development and should not be engaged. However this misses the point that the VDS describes and quantifies important local characteristics and landscape character value, and provides important local context. The VDS is also an adopted Supplementary Planning Document that forms part of the Development Plan.

The viewpoint analysis does not properly consider likely close views of the development from the recreation ground, or views from the Conservation Area. In particular, the view of the mast from the Buriton cemetery (Viewpoint 3) appears to be hidden by a large bush. As such, the applicant has not demonstrated that the development would not be visible from "much of" Buriton village and the Buriton Conservation Area as stated. The applicant suggests that the mast would not be noticed by users of the recreation ground who would be engaged in sports activities; that the limited recreational value of the local green space would not be impacted; and that visual effects would be no greater than those identified from Kiln Lane at Viewpoint 4. However, Officers consider that as a publically accessible area and designated local green space, impacts on the recreation ground and the visual amenity of its users are important considerations. The Parish Council has also clarified that the recreation ground is rarely used for sports, but mainly as a "popular location for informal recreation, children's play, family gatherings dog walking and relaxation." Looking northwards from within the recreation ground, the mast would in fact be clearly visible above the hedgerow against the open sky, particularly if painted green as proposed. It is also considered likely that rail passengers would also have a clear view of the application site given the sparse vegetation along the eastern side of the railway track to the north of the railway bridge.

Importantly, beyond stating that the site is not located within the Conservation Area, the proposal gives no consideration to the impacts of development on the Conservation Area setting. In addition to the relevant legislation and development plan policies that protect heritage assets, and the NPPF, the Code of Best Practice is clear that it is an important telecoms design consideration to carry out proper assessment of the character of the area concerned, especially in relation to designated heritage assets and their setting, where more sensitive design solutions may be required. The Code also states that for sites located within a Conservation Area or its setting, the siting and location of any apparatus can be critical to the visual impact.

In this case, the rural setting of the Conservation Area relates to both the agricultural landscape to the west to the settlement boundary and the chalk scarp slope beyond, which is a significant local feature given that Buriton is a spring-line settlement. The fields along Kiln Lane and the village recreation ground together form an undeveloped, attractive, open and rural setting, with the scarp slope forming a green backdrop. The applicant argues that the railway line serves to sever the settlement from its connection with the scarp slope by reason of its utilitarian and functional character and associated equipment (signalling and cabinets). However, in reality the railway line is a horizontal feature that has very little visual impact on the scarp backdrop when viewed leaving the Conservation Area along Kiln Lane, which is a popular walking route, and there are no signals or cabinets along this section of track. In contrast, the insertion of a 15m vertical feature in an open agricultural field in front of the scarp slope would be both visible and prominent, sited 25m away from, and extending some 5m higher than, the existing

wooden street poles, and would introduce a new incongruous and urbanising form of development.

The applicant makes an attempt to dismiss the relevance of localised impacts, by claiming that the small scale development would have a negligible impact on the landscape character of the wider National Park, and that localised impacts should be accepted because masts are necessary infrastructure. Aside from the fact that the entire National Park is an inappropriate scale against which to consider landscape impacts, this approach would appear to be contrary to the Code of Best Practice which states that the analysis of the near and far views of the proposal, and to what extent these will be experienced by the public and any residents, is an important telecoms design consideration. In disregarding the relevance of localised impacts, the applicant has missed opportunities to successfully mitigate harmful environmental effects, including siting the mast in a less sensitive location within the search cell area.

Whilst little weight may be given to the consideration of alternative locations, the Authority is of the view that insufficient consideration has been given to balancing landscape and heritage harm against the ability to meet technological requirements, given that there would appear to be alternative sites dismissed early on in the site selection process that are both deliverable and considerably less harmful in landscape terms. This is consistent with pre-application advice provided to the applicant (EE) on a number of other sites, which states that the provision of higher masts or lattice towers in less harmful, technically viable locations could be more acceptable in landscape terms than smaller masts in more sensitive locations.

## **Summary**

The proposal appears to be a standard telecoms development that seeks to justify the selected site in technical and practicable terms, but ultimately fails to consider an appropriate level of landscape evidence and analysis to identify a location that is least harmful in landscape terms. Given the National Park designation, and the sensitivity of the location, a more considered approach is required than the standard solution proposed.

The application fails to demonstrate an understanding of the site's landscape designation, or its character and context, and how these have been considered in the design process. The application also fails to demonstrate that the site selection process has taken adequate account of the ability of sites to mitigate for landscape harm; or that appropriate assessment of local effects on landscape character and designated heritage assets, including visual and amenity impacts on the rural setting of the village and Conservation Area, and the designated local green space. The proposal also fails to assess how near views of the development would be experienced by the public and residents.

The applicant has sought to apply the presumption in favour of sustainable development promoted in paragraph 11 of the NPPF, and the Authority would agree that the proposal would to some degree accord with the National Park's duty to seek to foster the social and economic wellbeing of its local communities within the National Park. However, the 'tilted balance' does not apply in National Parks, as other NPPF policies such as para 172 are engaged that are designed to protect landscape designations, and when applied to the proposal are found to justify prior approval being withheld. Similarly, for development to be considered sustainable under policy SD1, it must also accord with other relevant Local

Plan policies and the National Park statutory purposes, which is not considered to be the case here.

Although a need has been identified for mobile and broadband connectivity in the area, the primary beneficiary would be EE rail passengers, and it is not clear from the proposal how much of the village would receive improved communications signal. In any case, the social and economic benefits are not considered to outweigh the identified, significant harm to heritage assets, landscape character and visual and perceptual amenities.

The chosen site means that the proposal is unable to mitigate landscape harm, and would result in an incongruous, utilitarian form of development that would have a harmful urbanising impact on the visual and perceptual amenity, tranquillity and landscape character of the rural village setting, the setting of the Conservation Area, and amenity and enjoyment of the designated local green space, which would be contrary to relevant development plan policies. The proposal is therefore contrary to SD4, SD5, SD6, SD7, SD15, SD44 and SD47 of the South Downs Local Plan (2014-33), the Buriton Village Design Statement (2017), the NPPF and the National Park's First Purpose.

### **Other Matters**

Concerns have been raised by members of the public and Buriton PC in regard to the location of the base station within 100m residential dwellings and 25m of the recreation ground; and impacts on health and well-being of residents, primary school children and users of the recreation ground from noise, EMR emissions and microwaves. Concerns are also raised that the installation's ERP has not been disclosed, only general guidance that EIRP effects beyond 250m are negligible, suggesting that closer than 250m the risks are not negligible.

A declaration of compliance with ICNIRP guidelines has been provided. Accordingly, national government advice is that it is not necessary for the issue of health and safety to be considered further by the Local Planning Authority in the assessment of this application. On this basis, and whilst public perception of the potential health risks is recognised, health concerns cannot be viewed as material or taken into consideration in determining the application.

Concerns have also been raised that EMR emissions will negatively affect wildlife, in particular pollinators, and that the mast will negatively impact the parish's pilot pollinator project. The Authority's ecologist has advised that having reviewed available online sources, the data appears to be inconclusive, and whilst local concerns are acknowledged there is no formal position from relevant bodies (e.g. Defra / DCMS / Ofcom) on this issue. Although the site is located near the Queen Elizabeth Country Park SINC and Local Wildlife site, this lies beyond the existing railway track and no ecological concerns are raised in regard to impacts on protected species.

## **9 Conclusion**

Having regard to all the submitted information, including the additional landscape information provided by the applicant, it is considered that the proposal fails to demonstrate an understanding of the site's character and context in terms of the rural setting of the village and Conservation Area or the village recreation area, or that impacts

of these have been properly assessed in the site selection process. It is also considered that the proposal fails to demonstrate a site selection rationale that allows for appropriate consideration to be made of suitable and viable alternative locations, which may be practically deliverable and less harmful than the selected site in landscape terms. The siting and appearance of the development would amount to an incongruous, utilitarian form of development that would have a harmful urbanising impact on the visual and perceptual amenity of the rural village setting, and the setting of the Conservation Area, and would result in an overall negative change in landscape character. It would also negatively impact the amenity and enjoyment of the recreation ground and thereby conflict with the reasons it has been demonstrated to be special to the local community, prejudicing its role as a Local Green Space.

It is acknowledged that the proposed development would benefit a proportion of rail travellers and local residents, business and visitors who use the EE network. However, these social and economic benefits are not considered to outweigh the landscape and amenity harm identified above. The proposal is therefore contrary to policies SD4, SD5, SD6, SD7, SD15, SD44 and SD47 of the South Downs Local Plan (2014-33), the Buriton Village Design Statement (2017), the NPPF and the First Purpose of the National Park. On this basis, it is considered that prior approval is required, and should be refused.

## **10 Reason for Recommendation and Conditions**

It is recommended that the application be Prior Approval Required and Refused for the reasons set out below.

1. The development, by reason of its siting and appearance, would result in an incongruous, urbanising form of development that would have a harmful impact on the visual and perceptual amenity and landscape character of the rural village setting; the setting of the Conservation Area, and amenity and role of the designated local green space. The proposal is therefore contrary to policies SD4, SD5, SD6, SD7, SD15, SD44 and SD47 of the South Downs Local Plan (2014-33), the Buriton Village Design Statement (2017), the NPPF (2019) and the National Park's First Purpose.

## **11. Crime and Disorder Implications**

11.1 It is considered that the proposal does not raise any crime and disorder implications.

## **12. Human Rights Implications**

12.1 This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

## **13. Equality Act 2010**

13.1 Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

#### 14. Proactive Working

In reaching this decision the South Downs National Park Authority has worked with the applicant in a positive and proactive way, in line with the NPPF. This has included the agreement of an extension of time to allow the applicant to provide additional information in support of the proposal prior to determination of the application.

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Appendices  
Appendix 1 - Site Location Map  
Appendix 2 - Plans Referred to in Consideration of this Application

## Appendix 1

### Site Location Map



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## Appendix 2 - Plans Referred to in Consideration of this Application

The application has been assessed and recommendation is made on the basis of the following plans and documents submitted:

Plan Type	Reference	Version	Date Received	Status
OS Extract - Location Plan	78567_01_OG _A	REV A	01.03.2021	Not Approved
OS Extract - Site Location Plan	78567_02_OG _A		01.03.2021	Not Approved
Plans -	78567_03_OG _A		01.03.2021	Not Approved
Plans - Proposed Site Plan	78567_04_OG _A		01.03.2021	Not Approved
Plans - Existing Site Elevation	78567_05_OG _A		01.03.2021	Not Approved
Plans - Proposed Site Elevation	78567_06_OG _A		01.03.2021	Not Approved

**Reasons:** For the avoidance of doubt and in the interests of proper planning.