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The Planning Inspectorate  
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By email to: [East2@planninginspectorate.gov.uk](mailto:East2@planninginspectorate.gov.uk)

Dear Mr Oliver

**Appeal Reference APP/Y9507/W/22/3294264**

*Installation of Telecommunications Mast Structure, Buriton*

*South Downs National Park Planning Reference SDNP/21/05482/PA16*

Buriton Parish Council supports the decision of the South Downs National Park Authority, including the reasoning of their professional landscape experts and their Conservation Area Officers, to refuse permission for this proposal.

The Parish Council has submitted a detailed objection to the proposal (dated 2<sup>nd</sup> December 2021) and would like every word of that submission to be studied and taken into account by the Planning Inspector as many issues have not been adequately addressed in the appellant's submissions.

That previous Parish Council submission has important and material sections highlighting:

- significant adverse effects of the proposed location, siting and appearance on the landscape and setting in the National Park
- concerns that the proposed location and siting will have significant adverse effects on local amenity and quality of life
- disregard of relevant planning policies and inadequacy of supporting evidence
- inadequacies of the alternative site investigations (including Network Rail land)
- sharing other existing masts (including mast 71909 near to the A3 road to which the appellants still make no reference in their submissions [presumably because it is not currently an EE mast] but which is close to the railway and with a good line of sight along the railway track)
- use of other technologies as sought by Policy SD44 (and the NPPF) to which the appellants still make no reference in their submissions even though the railway line disappears into a long tunnel at Buriton which will require a different technology which could be extended to cover this area
- a number of other material considerations.



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This additional submission provides some extra information, some comments on the appellant's Statement of Case and some references to other Appeal Decisions.

Firstly the Parish Council would like to stress that the village of **Buriton is not a 'not spot'** – in spite of repeated attempts in the planning application and this appeal to suggest that it is:

- There is already perfectly good broadband coverage which supports local businesses and scores of people working from home
- Since the initial Covid outbreak in March 2020, many local residents have regularly worked from home very satisfactorily without calls for improved telecoms coverage
- There is no local support for this proposal: there has not been a single letter in support compared with all the objections and the lengthy petition which was also submitted
- Local people can see from the coverage plots that there is little or no alleged uplift for many inhabited parts of the parish and, even if there was, submissions from residents clearly show a preference for conserving and enhancing the local landscape rather than installing an incongruous eyesore
- Objections to the proposal include a number from the local business community – they are not supporting the proposal, seeing that the harm outweighs any alleged benefits
- The village of Buriton is not a 'not spot': it is only a few yards of a railway line which has poor coverage.

As the appellant's submissions make clear in a number of places (eg. para 4.9 of the Pegasus 'Planning Statement of Case') **this particular piece of telecommunications infrastructure has a "very specific target area, the rail line."**

- The only benefits would be to a minority of train passengers (confined to EE customers) who might want to use their devices just whilst their train is on the short stretch of track which has poor coverage. Trains pass through this stretch of track in about 30 seconds.
- The Parish Council cannot believe that it is really the intention of the Government to insist that every metre of every railway line through the country's National Parks has to have 100% optimum coverage. If necessary a balance must be struck between delivering a project aim of 100% coverage and conserving and enhancing the landscape.
- The Parish Council argues that, in such a sensitive area, if the applicants cannot find an acceptable site and are not able to make use of other existing masts or other technologies, then the outcome should be that a less-than-optimum signal coverage for EE customers on the trains has to suffice – for a short period of about 30 seconds.
- It is not felt that this inconvenience (to a small minority of railway passengers) is likely to adversely affect the national economy at all – and there would be no adverse effects on the local economy or residents as the mast is focussed on the railway line and local businesses and people working from home already have broadband services
- The data for rail usage used by EE date back to 2017 – prior to the Covid pandemic. There are many less passengers on this rail line now and working patterns have changed for ever: less journeys into offices, more working from home. Any predicted number of "hours of productivity" that are claimed for this short stretch of rail line will have reduced significantly
- In at least one place in the appellant's Statement of Case they try to claim that National Park Authorities have a duty to foster economic and social well-being. But the legislation on this matter is very clear: this duty only applies to "communities living within the National Parks" and it only applies "in pursuit of" the two National Park Purposes (1. conserving and enhancing



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the natural beauty, wildlife and cultural heritage of the area and 2. promoting opportunities for the understanding and enjoyment of the special qualities of the National Park). Travellers on trains from Portsmouth to London (or any other start and finish points outside the National Park) are not “local communities within the National Park”. Hence, any tiny economic or social benefits which might accrue to passengers on trains as they flash through this area (in about 30 seconds) should not be considered in weighing up this application: they are clearly excluded from this statutory consideration of economic or social effects. National Parks have not been created so that people wanting to travel through them should be able to damage them.

- **For these and other reasons, the Parish Council cannot agree with the appellant’s claim that “significant social and economic benefits will be delivered by the proposal.”**

### Other comments on the appellant’s Statement of Case

In a number of places the Pegasus ‘Planning Statement of Case’ attempts to suggest that a small number of ‘vertical infrastructures’ (a couple of telegraph poles on Kiln Lane) and a roadside hedge would make the proposed 15m mast acceptable. The Parish Council feels that these claims are over-exaggerated and that photographs on pages 49 and 50 are, yet again, examples of selective photography which are not typical or representative views (being taken close up against hedges) whilst only a few metres away the photographer would have had completely different views and vantage points. In contrast, the images on pages 8 [bottom photo] and 9 [top photo] of the Appellant’s Landscape Appeal Statement show how a mast would be much taller than nearby trees and hedgerows – and completely incongruous in the Buriton setting in a National Park, bringing harm to the character and appearance of the area.

Paragraphs 6.52 onwards of the Pegasus ‘Planning Statement of Case’ attempt to suggest potential ‘public benefits’ for the Inspector to consider but it is felt that many of these are misleading and / or erroneous:

- the 1<sup>st</sup> bullet point states that there is no 3G or 4G service to the village of Buriton. This is incorrect
- the 2<sup>nd</sup> bullet point suggests that a new mast would improve things for local businesses, home workers and industry thereby helping to increase local employment etc. But local businesses and home-workers are content with the current services and, indeed, are objecting to this proposal
- the 3<sup>rd</sup> bullet point relates to local educational establishments and presumably this can only refer to Buriton Primary School (the only such facility in the village). But schools in Hampshire have dedicated superfast fibre services
- the 4<sup>th</sup> bullet point refers to ‘coverage of the residential areas that are located in close proximity to the site’: no details are provided, but they are relatively few in number and there is already coverage from other providers. These households are amongst those signing the substantial petition against this new mast as they feel that any benefits would be outweighed by harm done due to the siting and appearance of the proposals
- claims made in the 5<sup>th</sup> bullet point were addressed in the Parish Council’s original (December 2021) objection
- the 6<sup>th</sup> bullet point of paragraph 6.52 claims that Buriton is “well documented to suffer with access to mobile coverage currently.” The Parish Council is not aware of any such documentation and the appellant provides no evidence



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- Paragraph 6.53 provides a list of 11 “benefits of enhanced mobile connectivity” but these are all generic benefits with little, if any, direct relevance to this site (as explained in the Council’s original submission) because the proposal is to serve passengers on trains travelling through the area in about 30 seconds. Residents, businesses, Councils etc already have these benefits from other sources
- Paragraph 6.54 sets out national and local benefits of this sort of infrastructure drawn from the Covid period: allowing people to “stay connected not only when they cannot go to work, school or socialise but also when Covid restrictions have been eased”. It suggests that this sort of physical infrastructure made it possible, during the last two years, “for people to work from home, children to continue their education and everybody to stay in touch” (helping to address social isolation etc). But, of course, there was no such additional infrastructure in Buriton during the Covid period: the community was able to do all these things without this new mast!
- Alleged benefits described in Paragraph 6.56 are predicated on the claim that this new installation would provide coverage to an “existing not-spot within Buriton”. The misleading repetition of this inaccurate point has already been covered at the outset of this submission
- The penultimate sentence of Paragraph 6.62 states that “there is currently no 4G service provision that is provided by EE Ltd in this cell area” – but there is no mention of provision by other providers
- The final sentence of paragraph 6.62 states that “this gap can only be filled by providing a new monopole at this existing established radio base station site.” This site is not ‘an existing established radio base station site’! There is no such infrastructure here. This error suggests that this entire section of the appellant’s Statement of Case has been copied from a different Appeal submission - it has not been tailored to the Buriton location at all
- Paragraph 6.66 cites an Appeal decision in which the Inspector decided that harm can be outweighed by significant benefits to the public at large. But this Appeal was in the London Borough of Newham (not in a National Park) and the potential benefits to the public are likely to have been significantly greater than those at this site
- Another Appeal decision attached by the Appellant relates to an appeal which was allowed in Orpington (London Borough of Bromley) for a 10m replica telephone pole: a completely different piece of infrastructure in a completely different setting (not in a National Park where the highest levels of landscape protection apply).

### Other relevant Appeals

The Parish Council has not conducted an exhaustive search of other potentially relevant Appeal Decisions but notes that:

- in an Appeal relating to a site in Old Windsor in 2021 (APP/T0355/W/20/3265640) for a comparable 15m monopole mast, even when there were more significant benefits (including serving two networks and enabling the emergency services to share the mast), the Inspector concluded that these aspects did not outweigh the harm to the character and appearance of the area
- similar decisions appear to have been made in Bournemouth and in Brighton (within the setting of the South Downs National Park) in 2020 which concluded that although there might be some potential economic and social benefits from the proposals – and operational and locational needs of the operators as well as national support for the technology – these did not outweigh the harm identified (APP/V1260/W/19/3243489 and APP/Q1445/W/20/3246497)



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### Other relevant information

- EE claims that this site is needed to meet Government commitments to improving mobile coverage – but they have already met this commitment by obtaining permission for (and installing) 2 other new masts in this parish in recent months: coverage has been improved! There is no commitment or expectation from Government that every metre of every rail line in the country must be covered.
- The appellant's continuing claims about the quality and adequacy of the pre-application process are very disingenuous (as initially explained in the Parish Council's objection to the South Downs Planning Authority dated 2 December 2021). In practice only 10 households were consulted, no-one was given any longer than 10 working days to consider the material and the Parish Council was not given sufficient time to make arrangements (including the necessary statutory formal notice) for a public meeting to consider the matter. This is felt to be very bad practice by the applicants and should be noted in the Inspector's Appeal Decision letter.
- The Parish Council would like to reiterate one other matter of concern in this submission: the height of the proposed mast. The Council has noticed that a number of parts of the supporting documentation say that the mast "will not exceed a height of 20m." But there is no assessment of a 20m mast. The analysis shows that a 15m mast will be visible from many places: all around the village and beyond. This should be refused. Permission must not inadvertently be granted for a structure that could grow to 20m (or become bulkier and more dominant) without the need for any further applications or assessments. Consideration of this application must be adequately 'future-proofed' with implications of any uncontrolled amendments taken into account.
- Finally, the Council would also ask the Inspector to take account of all comments made by parishioners and other community organisations (including the Buriton Village Design Group and the Buriton Village Association) in response to the application and to give them serious weight and attention.

### Concluding remarks

The Parish Council believes that if, in such a sensitive area, the applicants cannot find an acceptable site and are not able to make use of other existing masts or other technologies, then the outcome should be that a less-than-optimum signal coverage for EE customers on railway trains has to suffice – for a short period of about 30 seconds.

On all these grounds, we ask the Inspector to dismiss this appeal.

Yours sincerely

Petra Norris  
Clerk to Buriton Parish Council