

Local Planning Authority Response to Appellant Cost Rebuttal

Proposal: Prior approval application for the installation of a 20m Streetworks monopole, 2No.0.3m dishes, and 6No antennae at 16.32m and 19.52m. Additionally, a GPS node will be installed on top of the monopole, along with four cabinets at ground base level and other ancillary equipment.

Location: Drummond Road, Hedge End

Local Authority Reference(s): PN/25/99280

Planning Inspectorate Reference(s): APP/W1715/W/25/3369416

Response to Cost Rebuttal

- 1.1 This response to the Appellant Cost Rebuttal is intended to provide clarification upon comments made by the Appellant, other than at 1.6 – 1.9, where response is provided to the comments of the Appellant on the merits of the highway implications of the case.
- 1.2 The Appellant indicates that the Council response to their pre-application request was provided after the submission of their application and that this should be noted. The timeline for the pre-application was;

7th April 2025 – Pre-Application Received

24th April 2025 – Planning Application Received

25th April 2025 – Council Response Sent (see attached)(12 working days from receipt taking account of Easter)

29th April 2025 – Planning Application Validated.

The two week imposed period for a response to be provided by the Appellant is not a statutory period.

- 1.3 It is of concern that the Appellant considers (paragraph 2.5.2) that the three overarching objectives of the planning system (economic, social and environmental) are not material planning considerations as to whether the ‘siting and appearance’ of the proposal is acceptable.
- 1.4 It is indicated at paragraph 2.5.3 that the Council did not direct the appellant, at the pre-application stage, towards other locations. It was stated within the pre-application response that;

“Site Selection Process – The NPPF requires (paragraph 122 c) that evidence is provided that an applicant has explored the possibility of erecting antennas on an existing building, mast or other structure. Seven sites are indicated as having been considered. The existing site is within a commercial area. Other than the Waste Recycling Centre, all other sites

*identified are within close proximity to residential sites, green open space, or protected areas. It appears that only inappropriate sites have been chosen, to then discount. It also appears that some of the conclusions reached for discounting sites in respect of the locations near to residential property, open space, and children, are also directly relevant to the proposed site. A significantly **more comprehensive site selection process, focused towards the dozens of commercial locations in the vicinity, and other existing masts (there is one in close proximity)** is strongly recommended.”*

- 1.5 The Appellant indicates (section 2.5.4) that the Council did not raise a lack of evidence with regard to the decommissioning of the existing site. It was stated within the pre-application response that;

***“Evidence/Coverage Plots** – As is set out above, paragraph 122 of the NPPF requires necessary evidence to justify the proposal. No evidence is provided. It is indicated that an existing site is to be decommissioned (being given a notice to quit), but it is not indicated why and is not evidenced. It is stated that two sites are required to maintain and improve coverage (and attention is drawn to figure 1), but no evidence is provided (of improvements or lack of coverage), and figure 1 is a map with no detail.”*

- 1.6 At section 2.5.5 the Appellant claims that coverage plots were submitted to the Council on two separate occasions. Once (20th May 2025) three weeks after the first request (8th May 2025) and then (the same information) as part of the Appeal Statement. Criticism of this information has already been set out. An email response was also sent to the Appellant (20th May 2025) explaining why the submitted information was not sufficient (the exchange is appended to this statement).
- 1.7 The imbedded image referred to at 2.5.6 which is suggested to provide details of exchanges between the Appellant and the Highway Authority (as new evidence) cannot be accessed by the Council. It cannot, therefore, be assessed/commented upon. If this is determinative to the Costs Application, the Council would request an additional period for review/response.

- 1.8 The Appellant refers to the Department for Transport 'Inclusive Mobility' report in quoting dimensions for footpaths. The summarised dimensions, are (for ease of reference) taken from section 4.2 where it is stated that,

"Footways and footpaths should be made as wide as is practicable, but under normal circumstances, a width of 2000mm is the minimum that should be provided, as this allows enough space for two wheelchair users to pass, even if they are using larger electric mobility scooters. If this is not feasible due to physical constraints, then a minimum width of 1500mm could be regarded as the minimum acceptable under most circumstances, as this should enable a wheelchair user and a walker to pass each other. Where there is an obstacle, such as lamp columns, sign posts or electric vehicle charging points, the absolute minimum width should be 1000mm, but the maximum length of such a restricted space should be 6 metres."

This relates to a footpath. The proposed installation of a mast would be on a shared use footpath/cycleway. The Council have previously provided evidence in that respect. A costs rebuttal is not considered, in any event, to be an enabler for providing further information with regard to the merits of the case. Designing to a minimum is not considered to be good practice, and particularly so in this location near to a vehicular access and a children's nursery and play area.

- 1.9 The Appellant refers to the Department for Transport Cycle Infrastructure Design July 2020 in quoting dimensions (otherwise known as LTN1/20) for cycle lanes. The summarised dimensions, are (for ease of reference) taken from Table 5-2: Cycle lane and track widths. The stated 2.0 metres with absolute minimum 1.5 metres relates to a one way cycle lane. The proposed installation of a mast would be on a shared use two way footpath and cycleway. If it were a two way cycle way only (which it is not, being a shared footway/cycleway) as opposed to the one way dimensions quoted by the Appellant, then the desirable width is 3.0 metres, with an absolute minimum of 2.0 metres. Absolute minimum is stated (5.5.2) as being only for sections where there is a physical constraint on an existing road. It is not justification for introducing a feature that would reduce the width to an absolute minimum.

- 1.10 The Appellant disaggregation of the shared path to two separate cycle lane and footpath dimensions in an attempt to latterly justify their proposal is not sound and does not appear to recognise the shared nature of the surface. As a shared use path, as set out within the Council Appeal Statement (p11, 4.13) the correct minimum width for a two way shared path is 3.0 metres (table 6-3). This is, co-incidentally, the absolute minimum when the appellant path and cycle dimensions are re-aggregated (1.0 metre plus 2.0 metre absolute minimum).