

Appellant reference: KDB/MBNL/27873APPEAL
LPA application reference: PN/25/99280
Appeal reference: APP/W1715/W/25/3369416

**TOWN AND COUNTRY PLANNING ACT 1990 (as amended)
THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED
DEVELOPMENT) ORDER 2015**

**Comments on the Interested Party's
Statement of Case**

**On behalf of Mobile Broadband Network Limited, EE Ltd and H3G UK
Ltd.**

4th September 2025

A planning appeal by written representation against the decision of Eastleigh Borough Council to refuse Prior Approval for the installation of replacement telecommunications apparatus on the pavement at Drummond Road, Shamblehurst, Hedge End, Eastleigh, Hampshire, SO30 2AH

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1.0 Introduction

- 1.1 This statement considers the Interested Party's Statement of Case and responds to elements that appear incorrect, misguided or otherwise of limited relevance to the issues that guide the planning decision for this appeal.
- 1.2 It does not introduce any new arguments and only provides evidence where this is useful in explaining either arguments already submitted or to refute those arguments put forward by the Interested Party, in their Statement of Case.
- 1.3 For ease of reference as the interested party is the Hedge End Town Council, it will be referred to as the Town Council throughout this response.

2.0 Elements within the Statement of Case to be addressed

2. Existing site replacement and site selection

- 2.1.1. The Town Council makes a natural assumption, in relation to the use of the tall lattice mast located close to the mast that has been removed and given rise to the need for a replacement. In fact, this mast is already part of the Operator's network. Radio coverage is already provided from it, but it is not possible to raise the antennas and provide coverage over the wider area, to meet the requirements of the network.

3. The Drummond Centre

- 2.1.2. Having completed an assessment of the proposal in accordance with the 'traffic light' model, provided by the Code of Best Practice, it was identified that the proposed site was not designated by any particular restriction by the Local Plan Proposals Map but had sensitivities in relation to particular groups. It was concluded that the Local Planning Authority, schools within 500m of the site and local, elected Councillors should be consulted, before the application for prior approval was submitted.
- 2.1.3. Accordingly, The Little Drummers Pre-School, based in the Drummond Centre, was sent a letter by email (littledrummerspre-school@hotmail.co.uk) on 21st March 2025, as part of the pre-application consultation exercise, with a detailed description of the proposal and the context relating to its requirement, as well as detailed drawings. There was no response to that correspondence.
- 2.1.4. The proposal for a temporary structure within the grounds of the Drummond Centre does not relate directly to the proposed permanent mast and is not relevant to this appeal. It does, however, illustrate the urgency of the requirement to maintain coverage, due to the imminent demolition of the mast requiring replacement, at the time the temporary mast proposal was submitted (though it was never progressed).

4. Contravention of the National Planning Policy Framework (“NPPF”)

- 2.1.5. Consultation was made with The Little Drummers Pre-school but, having received no response, it was reasonable to rely upon the statutory consultation undertaken by the Local Planning Authority, in relation to the Prior Approval Application, to obtain feedback from other interested groups. The Town Council had the opportunity to ensure their consideration of the proposal was heard and they provided that response to the Planning Authority. The guidance provided by the National Planning Policy Framework has been complied with.

5. Contravention of Code of Practice for Wireless Network Development in England

- 2.1.6. As explained above, the Pre-school was consulted. The guidance provided by the Code of Best practice has been directly complied with.

3.0 Conclusion

- 3.1 It appears that the Town Council were unaware that The Little Drummers Pre-school had been consulted about the proposed mast in March. While that is unfortunate, it has not deprived the school of the opportunity to respond to the proposal, nor the ability of the Town Council to make their views known in the appropriate forum (in relation to the Prior Approval Application).
- 3.2 The Town Council has not been deprived of an opportunity to make their views known. Those views are mistaken in that they remain unaware of the network requirement that the proposed mast is due to meet, it has to be assumed because they, too, did not follow the meaning of the coverage plots provided as part of the Appellant’s Appeal Statement, and followed closely the arguments submitted by the Council as part of their Statement of Case.
- 3.3 There is nothing within the Town Council’s Statement that should materially affect the planning position, outlined by the Appellant or the Council in their respective Statements.