Steve Atkinson MA(Oxon) MBA MioD FRSA
Chief Executive

Please Ask For: Sarah Fryer
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Your Ref: **APP/K2420/A/11/2166906/NWF**
Our Ref: **11/00793/GDOT**
Date: **26th April 2012**

Hinckley & Bosworth Borough Council

A Borough to be proud of

The Planning Inspectorate
3/10 Kite Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

Dear Sir/ Madam,

Town and Country planning Act 1990
Appeal by Vodaphone (UK) Ltd / Telefonica (UK) ltd
Site at Land at Three Pots Road, Hinckley, Leicestershire

National Planning Policy Framework (NPPF)

I write with regards to the above appeal and your letter of the 23 April 2012 and the implications of this document on the above appeal.

Within the Councils initial statement, PPS1 and PPG8 were cited as being relevant. These have since been superseded by the NPPF and are no longer relevant

The relevant section of the NPPF is section 5 which supports the creation of a high quality infrastructure. With specific regard to this appeal, paragraph 43 is of relevance and whilst this states that LPA's should support the expansion of electronic communications networks, the final sentence states 'where new sites are required, equipment should be sympathetically designed and camouflaged where appropriate'.

The first reason for refusal centred on the siting of the mast and the prominence within the streetscene. The Council considers that the NPPF, whilst supportive of the expansion of technology, still requires consideration of the siting and appearance of masts and that significant weight be given to their design. Accordingly it is considered that Policy BE1, in particularly criterion a, of the adopted Hinckley and Bosworth Local Plan is consistent with the NPPF and considerable weight should be given to this Policy.

The second reason for refusal was against the lack of alternative sites. Paragraph 45 of the NPPF still requires 'necessary evidence' to be submitted to justify the proposed development, which should include alternative sites or structures to be explored. It is

therefore considered that this reason for refusal is supported by the NPPF for the reasons outlined within the initial statement.

I hope this clarifies the Councils position and the impact of the NPPF on this appeal. If any further information is required please do not hesitate to contact me.

Yours faithfully

Sarah Fryer
Area Planning Officer