Recommendation Report for

REF NO: **BE/117/15/TEL**

LOCATION: Rowan Way Streetworks
Bognor Regis

PROPOSAL: Prior Notification for the installation of 1No. cabinet adjacent to existing installation and replacement phase 5 tower.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above The proposal relates to a replacement monopole measuring 11.7m high sited approximately 8m further to the west and an additional cabinet measuring 1.5m high by 1.23m x 0.4m and a like for like replacement of antenna. All of the equipment would be constructed of steel. The cabinet would be green and the mast galvanised. The upgrade would provide new equipment to cater for 4G coverage. The application falls to be determined under Part 16 of the General Permitted Development Order 2015. The principle of the development is not in dispute. The consideration of the notification concerns only the siting and appearance of this location. The Local Planning Authority has 56 days to provide its comments to the applicant's agent or it is deemed they have no objection. This period expires on 09-09-2015.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Open site with ranch style fencing to approximately 1m high to rear of footpath
SITE CHARACTERISTICS	Open grassed verge currently houses a mast, 3 dark colour cabinets and a lamp post

CHARACTER OF LOCALITY	Predominantly residential. Properties opposite and to rear. Field to west

RELEVANT SITE HISTORY

BE/31/07/TEL	Prior Notification for 11.7m high monopole with internal antennas, together with 2 No equipment cabinets adjacent to pole at ground level	Objection 25-04-2007
BE/59/07/TEL	Prior Notification for 11.7m monopole and internal antennas, together with 2 No equipment cabinets adjacent to pole at ground level. (Re-submission following BE/31/07/TEL)	No Objection 15-06-2007

REPRESENTATIONS

Representations received:

Bersted Parish Council

None

Comments on Representations received:

None

CONSULTATIONS

WSCC Strategic Planning

Consultations responses received:

County Highways - The works extend over the public highway and as such traffic management may be required whilst the works are being undertaken. The Statutory Undertaker will also need to submit the necessary notification to the Highway Authority independently and any traffic management will also need to be agreed with the WSCC Coastal Team prior to works taking place.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:
Class C road
Tree Preservation Order

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	GEN7 DEV41	The Form of New Development Telecommunications
Publication Version of the Local Plan (October 2014):		TEL DM1 Telecommunnications D DM1 Aspects of Form and Design Quality

PLANNING POLICY GUIDANCE

NPPF National Planning Policy Framework

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Angmering; Arundel; Barnham & Eastergate; Bersted; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; and Yapton. There are no specific policies in Bersted Neighbourhood Plan relating to this type of development.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

The above policies outline the criteria against which the application will be assessed. The only aspects that can be considered with regard to this prior approval application are the siting and appearance of the development. This application falls to be determined under the requirements of Part 16 of the Town and Country Planning (General Permitted Development) Order 2015, as amended.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

In all applications, the Council must take into account other material considerations. This includes Government Advice, case law and appeal decisions which have emerged over recent years. By Analysis of these considerations, the following are also relevant:

(i) Health concerns are material planning considerations. Whilst Government advice is that a planning system is not the place for determining health safeguards, Court cases and planning appeals show that public responses on the issue must be weighted in assessing the merits of a site by comparison with alternatives. This must apply to Prior Notification applications as well as applications for planning permission.

(ii) The Planning Inspectorate consider zero health risk (or near zero risk) to be an unreasonable expectation or basis for a decision.
(iii) An ICNIRP Certificate, confirmation compliance with guidelines for the emission of electromagnetic energy, is essential. Sites should be secure by fencing with advisory notes attached.

(iv) Applications must include a thorough examination of alternative sites; this information must be included in the submitted information for public consultation.

(v) Government best practice advice to applicants expects pre-application consultation with organisations such as schools. The Council can look for evidence that this has happened.

CONSIDERATION OF ALTERNATIVE SITES

The applications report received with this application explains that no alternative sites have been considered as the proposal is an upgrade of an existing site

CONCLUSIONS

The replacement pole would be located on a grass verge along Rowan Way where other cabinets and poles exist. The proposed replacement equipment would not look out of place or be visually prominent in the street scene. Trees and other vertical structures exist in the locality which would help to assimilate the mast in the street scene. The replacement pole would be no taller than the pole it replaces but slightly wider, but its visual presence would not increase significantly as a result of its repositioning.

The proposal would therefore be acceptable in terms of visual amenity and it is recommended that no objections are raised to the siting and design of the equipment.

RECOMMENDATION

NO OBJECTION

1 INFORMATIVE: The works extend over the public highway and as such traffic management may be required whilst the works are being undertaken. The Statutory Undertaker will also need to submit the necessary notification to the Highway Authority independently and any traffic management will also need to be agreed with the WSCC

Coastal Team prior to works taking place.