Recommendation Report for

REF NO: **BE/7/14/TEL**

LOCATION: Grass Verge on Northern side of Chalcraft Lane
Opposite The Hollies
North Bersted

PROPOSAL: Prior Notification for a 12.5 metre dual user monopole housing three antennas, mounted together at the top of the structure. 2No. new equipment cabinets and retention of 1No. existing cabinet.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The proposal relates to a replacement pole measuring 12.5m high and 2 additional cabinets measuring 1.7m high by 1.3m x 0.7m. All of the equipment would comprise galvanised steel. The mast would be brown in colour and the cabinets green. The upgrade would facilitate a site share and maintain the existing 2G and 3G network coverage and capacity and provide a 4G network for both operators (O2 and Vodafone) . The application falls to be determined under the provisions of Part 24 of Schedule 1 of the Town and Country Planning (General Permitted Development (Amendment)) Order 1999 in respect of a development by a telecommunications wide system operator. 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 18-03-2014.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Shrubbery demarcating between the roadside verge and field to the rear.1.1m fencing to field

	boundary
SITE CHARACTERISTICS	Part of roadside verge
CHARACTER OF LOCALITY	Residential to the east. Rural to west

RELEVANT SITE HISTORY

BE/92/06/TEL	Prior Notification for the installation of a 12.5m replica telegraph pole mast and an equipment cabinet.	Objection 27-09-2006 *Appealed* **Appeal: Allowed 09 02 2007**

REPRESENTATIONS

Representations received:

Bersted Parish Council

No Objection

Comments on Representations received:

None

CONSULTATIONS

WSCC Strategic Planning

Consultations responses received:

County Highways - The works do extend over the public highway and as such traffic management may be required whilst the works are being

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:
Outside Built up Area Boundary
Class C road

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	GEN7	The Form of New Development
	DEV41	Telecommunications

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

The Development Plan consists of the Arun District Local Plan 2003.

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. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

NPPF Paragraph 216 confirms that weight can be given to policies in emerging plans following publication. The Council agreed the majority of the Arun Local Plan in February 2014 (Publication Version) and this is a material consideration in the determination of this planning application. The remaining chapters of the Local Plan namely: the Spatial Portrait, Employment & Enterprise, Housing Allocations, Transport, Monitoring and Implementation will be considered for publication at a later meeting of Full Council. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place. The chapters that have been published will undergo public consultation alongside the remaining chapters when they have been agreed. The weight given to the current published policies can be significant depending:
- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given);
- the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).
The policies within this published version of the plan are at an advanced stage as they have been agreed by Full Council for regulation 19 consultation, they have been subject to independent audit and are considered to meet the NPPF and there are no known significant unresolved issues arising from regulation 18 consultation for the published policies.

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 once the remaining chapters / policies have been published.

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 24 of the Town and Country Planning (General Permitted Development) Order 1995, 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 application report received with this application explains that alternative sites have not been considered since the proposal represents an upgrade of an existing base station and the principle of telecommunication development is established on this site.

CONCLUSIONS

The replacement pole and additional cabinets would not significantly increase the prominence of the installation. Other street furniture exists in the locality including a lamp post to the west. The cabinets would be similar in style and colour to the existing cabinet which is to be retained. The replacement pole would be no higher than the existing. The proposal would not result in a visually obtrusive structure. The antennas in this instance would be concealed within a cyclindrical shroud, which would be integral to the upper part of the monopole. The dimensions are the thinnest possible. The antennas which function for both operators are closely spaced together so as to keep the profile of the coumn as thin as possible. The sharing of the site which would be achieved by this development complies with Government and local plan policy.

It is therefore recommended that no objection be raised to the siting and design of the proposed equipment.

RECOMMENDATION

NO OBJECTION SUBJECT TO CONDITIONS

1 INFORMATIVE:
The applicant is advised to contact the Coastal Team, Community and Economic Development, Communities and Infrastructure Directorate, Centenary House, Durrington Lane, Durrington, Worthing, West Sussex BN13 2QB to obtain a license for the site access works.

Phone: 01243 642105