

Recommendation Report for

REF NO: BR/210/15/TEL

LOCATION: Reynolds Depository
Canada Grove
Bognor Regis

PROPOSAL: Prior notification for the replacement of 6 No. existing antennas with 9 No. proposed antennas, replacement of 5 No. equipment cabinets with 6 No. proposed equipment cabinets plus minor ancillary apparatus.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

As above.

The application falls to be determined under the provisions of Part 16 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 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 18-11-2015.

SITE AREA

0.04 hectares.

TOPOGRAPHY

Predominantly flat.

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

None, the building bounds the pavement directly.

SITE CHARACTERISTICS

Large 4 storey commercial storage building of special character on a corner plot fronting Canada Grove to the east and Station Road to the south.

CHARACTER OF LOCALITY

Town Centre location, Conservation area formed of 2,3 and 4 storey buildings including Bognor Regis Train Station and the Picturedrome Cinema both of which are Grade II listed buildings.

RELEVANT SITE HISTORY

BR/271/00/	Telecommunications base station - 3 cross polar panel antennas, 2 parabolic antennas mounted on roofspace.	ApproveConditionally 21-12-2000
BR/21/02/	Install 3 pole mounted telecoms antennas, 2 dish antennas and a radio equipment cabinet to the roof	ApproveConditionally 01-03-2002

BR/271/00/PL and BR/21/02/PL allowed the existing antenna and equipment cabinets.

REPRESENTATIONS

Representations received:

Bognor Regis Town Council

No objection.

Comments on Representations received:

Comments noted.

CONSULTATIONS

Consultations responses received:

CAAC- No objection.

CONSERVATION OFFICER

The proposal is to replace existing telecommunication equipment. As a consequence, it is considered that the proposal will have a neutral impact on the area.

Comments on Consultation responses:

Comments and agreed.

POLICY CONTEXT

Designation applicable to site:

Within built up area boundary
Conservation Area
Building of Special Character

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#)

PLANNING POLICY GUIDANCE

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.

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 Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

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 proposal will see an increase of 1 equipment cabinet and 3 antenna and they replacement antenna will appear the same as the existing although increased visually to a limited extent when viewed from Bognor Train Station. Given the existing antenna and equipment cabinets, the appearance of the additional cabinet and antenna is not considered to alter the visual appearance significantly and would preserve the existing appearance of the conservation area and building of special character.

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