

PLANNING APPLICATION REPORT

REF NO: FG/104/11/

LOCATION: 7 Elverlands Close
Ferring

PROPOSAL: Installation of a mast for Amateur Radio use

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The mast would measure 9m in height when fully extended and 5.8m in height when retracted. The existing bungalow is 4.9m in height.
SITE AREA	Approx. 529 sqm.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Dwarf wall to front boundary, rear enclosed by various fencing and hedging.
SITE CHARACTERISTICS	Detached single storey bungalow, yellow brick and rendered elevations with gable pantiled roof. Integral garage.
CHARACTER OF LOCALITY	Residential, single storey bungalows prevail, block of 2 storey flats to the south.

RELEVANT SITE HISTORY

None

REPRESENTATIONS

Representations received:

Ferring Parish Council

No objection to this application however it would like to see any approval given to be made specific to the current applicant and not the property.

5 Letters of objection: (2 from same address)

- It will have a detrimental affect on what is already a very poor area for radio/TV reception.
- Mast will be visible eye-saw and out of keeping with our surroundings.
- Set an precedent allowing for the erection of more unsightly radio poles with other back gardens.
- No control on future power output and this can be changed by replacement of the initially installed components with a more powerful and upgraded equipment.
- Applications makes reference to neighbouring obscure windows, what would happen if these

were returned to clear windows, this is surely an admission that the proposals would be unsightly.

-Amateur radio enthusiasts should not be permitted to indulge in their hobby in a residential area to the detriment of others for many and various reason.

Comments on Representations received:

Comments on Parish Council response:

A personal permission is not considered to be appropriate in this instance. It is also considered that if the applicants moved it is very unlikely that another amateur radio enthusiast move into the property and therefore a personal condition is not considered to be required.

Comments on Letters of objection received:

Comments area noted and the issues raised are discussed in conclusion to this report.

CONSULTATIONS

Environmental Health

Consultations responses received:

Environmental Health:

No Comment.

Comments on Consultation responses:

Noted.

POLICY CONTEXT

Designation applicable to site:

Built-up area boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

[GEN7](#)
[DEV41](#)

The Form of New Development
Telecommunications

PLANNING POLICY GUIDANCE

PPS1
PPG8

Delivering Sustainable Development
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POLICY COMMENTARY

PLANNING

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

TEL's

The current Local Plan Policy DEV41, 'Telecommunications', is adopted and has great weight. Applications must be determined in accordance with its policies unless material considerations indicate otherwise. The Plan requires evidence that sharing of sites or tall structures has been considered and that there is no satisfactory alternative. Development with SSSIs, Conservation Areas or Areas of Outstanding Natural Beauty is particularly sensitive, although the current application is not within or close to any of these. Developers are required to demonstrate that attempts have been made to minimise visual impact. Policy GEN7 is a more general environmental policy which requires careful consideration of visual, landscape and amenity considerations. A written statement is required for all new buildings, although structures such as the proposal are not referred to explicitly.

Development should not interfere with the reception of existing broadcast and other telecommunications services.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

PLANNING

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

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.

CONCLUSIONS

Principle

The application seeks permission for the installation of a mast for amateur radio use. The mast would be sited within the rear garden of the site and partly retractable to a height of 5.8m, with an overall height of 9m when fully extended. The site is located within a residential area, predominantly characterised by low level detached bungalows.

Visual Considerations

The proposed aerial would have a similar appearance to the domestic television aerials on the host dwelling and that of other nearby dwellings, albeit of a greater height once fully extended. Other aerials noted extend to a maximum of 1.5m above the ridge height of dwellings, readily visible on the majority of properties. The area is one where bungalows prevail, which means that the proposed mast would be visible. However, given that it will not be fully extended at all times, subject to a condition of approval, and its position within the rear garden of the site it is not considered to be harmful to the appearance of the locality.

Interference

Amateur radio operators are licensed by the Home Office and are required by wireless telegraphy legislation to avoid creating undue interference with other electrical equipment. Ministerial advice is contained in PPG8 paragraph 102 and annex 2 makes it clear that in most situations questions of radio interference are not relevant to the determination of planning applications for radio masts. Other controls should be assumed to deal with interference problems. Only where there is firm evidence that significant and irremediable radio interference is a probability, a certainty or is already happening, should it be taken into account. Local Planning Authorities should not attempt to seek out or anticipate potential problems of radio interference, or be influenced in their approach by the mere possibility that such interference might arise. Therefore in this case interference is not considered to be a determining factor in this application.

It is therefore recommended that the application be approved subject to the following conditions.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby approved shall be carried out in accordance with the following approved plans:

1:1250 Plan; Block Plan (1:500); 1:250 Plan (Mast Location); North Elevation Existing and Proposed; South Elevation Existing and Proposed; East Elevation Existing and Proposed and West Elevation Existing and Proposed.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 of the Arun District Local Plan.

- 3 The mast shall remain retracted to a height of 5.8m at all times when not in use.

Reason: In the interest of amenity and to minimise the impact of the antenna upon the character and appearance of the locality.

- 4 **INFORMATIVE:** Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN7, DEV41

NATIONAL POLICIES: PPS1, PPG8

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.