FP/235/06/TEL

PRIOR NOTIFICATION/TELECOMMUNICATIONS REPORT

DESCRIPTION/ ADDRESS	-	Prior notification for one additional equipment cabinet, together with moving the existing equipment cabinet approximately 7m to the north west for safety reasons and ancillary development thereto. Grass verge north side of Felpham Way, Felpham.

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	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 to 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 23rd November 2006. The equipment is required to enable the applicant, T-Mobile, to roll out its 3G digital mobile phone network within Arun and utilise an existing site. The cabinet would be .9m long x .8m wide x 1.24m high made of steel painted green to match the existing cabinet. The cabinets would be sited on concrete foundations. The application also includes a 1.2m high timber fence and gate to replace the existing. The size and shape of the antenna would also change. The top of the mast would appear slightly wider, but the overall height would not increase.
TOPOGRAPHY	Predominantly flat.
TREES	None affected.
BOUNDARY TREATMENT	Open to road.
SITE CHARACTERISTICS	Existing pole antenna same thickness as pole. Aluminium base. Cream coloured antenna. Green/grey cabinets at base.
CHARACTER OF LOCALITY	Predominantly residential.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
PE/FP/71/00/TEL	Prior notification for 10m ultra-slimline monopole	No objections 7th August 2000

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Felpham Parish Council	Awaited

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
County Highways	Awaited

FP/235/06/TEL

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan : DEV1, NE23
Arun District Local Plan : GEN7, DEV41

PLANNING POLICY GUIDANCE

PPS 1 - Delivering Sustainable Development
PPG 8 - Telecommunications

POLICY COMMENTARY

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 within 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.

The Structure Plan policies carry significant weight. Policy NE23 states that telecommunications development should be permitted subject to similar requirements as those listed in Policy DEV41. Development should not interfere with the reception of existing broadcast and other telecommunications services.

COMMENT ON CONSULTATION RESPONSES

None

COMMENT ON REPRESENTATIONS RECEIVED

None

ASSESSMENT OF PROPOSAL

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

FP/235/06/TEL

Government Advice in PPG8 of 2001, case law and appeal decisions which have emerged over recent years. By analysis of these considerations, the following are also relevant:

- 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 this 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.
- The Planning Inspectorate consider zero health risk (or near zero risk) to be an unreasonable expectation or basis for a decision.
- 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.
- Applications must include a thorough examination of alternative sites; this information must be included in the submitted information for public consultation.
- 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 applicants report received with this application explains that no alternative sites have been considered. Since an existing site is to be upgraded.

CONCLUSIONS

The proposed equipment would not significantly increase the bulk or prominence of the installation. The antenna shroud change would not be noticeable in the street scene. The replacement of fencing and moving of a cabinet and additional cabinet would be visible but would not result in an obtrusive feature. The site is well screened by existing trees and vegetation, particularly from Drygrounds Lane to the rear. The equipment proposed is of a relatively minor nature.

It is therefore recommended that no objections are raised to the siting and design of this additional equipment.

FELPHAM

FP/235/06/TEL

Prior notification for one additional equipment cabinet, together with moving the existing equipment cabinet approximately 7 metres to the north west for safety reasons and ancillary development thereto.

Grass verge north side of Felpham Way Felpham

RECOMMENDATION

No Objection

REPORT UPDATE

Application No :	FP/235/06/TEL Telphan Way
Agenda Page No :	66

Reason for the Update/Changes

- Consultation response from County Highways. No objection an informative is requested.

Officer Comment :

None.

Notes: Changes to recommendations, conditions and/or reasons for refusal will always be accompanied by a new replacement recommendation sheet.