

Recommendation Report for

REF NO: LU/154/22/TEL

LOCATION: Land at junction of Hollyhock Way and
Worthing Road
Littlehampton
BN17 6SH

PROPOSAL: Prior Notification under Schedule 2 Part 16 Class A for a proposed 5G telecoms installation: H3G Phase 8 high street pole c/w wrap-around cabinet: and 3 further additional equipment cabinets.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to install a 15m telecommunications pole. 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.

TREES None of any significance affected by the development.

SITE CHARACTERISTICS The site forms a grassed area adjacent to the public footpath fronting Worthing Road.

CHARACTER OF LOCALITY The area is predominately residential.

None.

REPRESENTATIONS

Littlehampton Town Council provided an objection.

- The location is inappropriate and would be better located on the nearby industrial estates or park.
- It would have an adverse impact on views and amenity of nearby residents and users of the bus stop and highway.
- At 15m/50ft high, the monopole would be above the tree level so very visible and contrary to Policy TEL DM1 of the Local Plan: 'equipment should be sympathetically designed and camouflaged'.
- The development was considered too exposed, and at risk of vandalism. There were concerns that the site is in a parkland residential area with a bus stop and housing. It is generally accepted that masts should be at least 75m from dwellings.

9 letters of objection received from nearby occupiers

- The height is out of proportion to the surrounding dwellings.
- Summerlea School is a short distance away.
- Concerns regarding the health and safety of the mast.
- Disruption from the installation of the mast.
- It will impact wildlife.
- It will impact the value of property.
- Object due to its location, close to properties.
- It would be visible from bedroom windows.

- There are other less obtrusive places to locate this.
- Mortgage lenders have conditions with regards to proximity to masts.
- Residents should be notified via letters.
- No other locations appear to have been considered for this mast.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted and addressed in the conclusion.

House value and mortgages are not a material consideration. The Council do not personally notify neighbours and the application was advertised in line with legislation.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

WSCC HIGHWAYS (LHA)

The cabinets and pole are located within highway boundary and not anticipated to obstruct visibility for vehicles travelling along the Worthing Road. At present there is bus shelter and other street furniture in close proximity. The equipment will be on a verge that has a footway. This proposal is not anticipated to result in an obstruction to any pedestrians who may be utilising or be seeking refuge within the existing footway. The statutory undertaker will need to submit the necessary notification to the Highway Authority independently and any traffic management will need to be agreed with WSCC Highways prior to works taking place. The LHA does not consider that this proposal would have an unacceptable impact on highway safety.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Built up area boundary.

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

TELDM1 TEL DM1 Telecommunications

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework
NPPG National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

This application falls to be determined under the requirements of Schedule 2, Part 16 of the General Permitted Development Order 2015, as amended. The only aspects that can be considered with regard to this prior approval application are the siting and appearance of the development.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are/are no other material considerations to be weighed in the balance with the Development Plan.

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

4 alternative sites were considered and discounted for reasons relating to

- Overlooking by residents
- Residence proximity
- Surrounding trees
- Located too far west from the nominal.

Further information on this is viewable under this reference on the council website.

CONCLUSIONS

The proposal seeks to install a new 15m high mast to a grassed area to the corner of Hollyhock Way and Worthing Road. There will be supporting apparatus however the application states this falls within permitted development and the apparatus will not be considered as part of this application.

The main issues arising from this prior approval notification are whether the proposed mast and cabinets due to their scale and siting would be a visually obtrusive feature which would be detrimental to the character and appearance of the area. Whether any perceived harm would outweigh the significant

social and economic benefits associated with the increased service provision attributed to the proposal and other valid material considerations as outlined within NPPF and the Arun Local Plan.

The mast will be highly visible due to the siting to the corner of the junction and there are no telecommunications on site. The siting is appropriate retaining sufficient space to the pavements and highway. Around 25m is retained to the nearest residential property to the north at Hollyhock Way. Whilst the equipment is tall, there are trees to the northern elevation which helps to provide some screening from neighbouring properties. The mast and associated equipment will be green in colour which further helps to blend in with the surrounding environment in compliance with TEL DM1.

There have been concerns raised regarding public health as a result of the upgraded infrastructure however a certificate has been submitted which states the equipment and installation as shown in the submitted plans are in full compliance with the requirements of the radio frequency (RF) public exposure guidelines.

The social and economic benefits of providing reliable and high quality mobile broadband connections including 5G support growth in productivity, efficiency and labour force participation across the whole economy is fully supported by the NPPF and the aims and objectives of the Local Plan. These benefits are strong material considerations which outweigh any perceived loss of visual amenity to the surrounding area.

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

- 1 For the avoidance of doubt the approved details are the Site Location Plan (BN/07/18 Rev A), Proposed Site Plan (BN/07/18 Rev A), Proposed Site Elevation (BN/07/18 Rev A) submitted on 30th May 2022.
- 2 For the avoidance of doubt, the mast and ancillary cabinets shall be in the colour RAL6009 Fir Green.

Reasons: To ensure the development is visually integrated with its environment in accordance with D DM1 of the Arun Local Plan.
- 3 INFORMATIVE: INFORMATIVE: The applicant is advised to contact WSCC Highways to obtain formal approval for the works on the public highway and to agree the required traffic management (01243 642105).