LU/206/07/TEL

PRIOR NOTIFICATION/TELECOMMUNICATIONS REPORT

DESCRIPTION/ ADDRESS	-	Prior notification for 11.7m. high monopole with 3no. integral antennas, one associated radio equipment cabinet and ancillary development thereto. Shell Eastfield Petrol Station, Rustington By Pass, Rustington

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 s deemed they have no objection. This period expires on 24.7.07. The equipment is required to enable the applicant, T-Mobile to introduce improved 2G and 3G coverage to the local area. In addition to voice services this technology will enable the applicant to offer high resolution video and multi media applications, enabling office services, virtual banking, e-retailing, video conferencing and high quality internet access to be provided to users on the move. The development comprises an 11.7m. high steel monopole mast with 3no. integral antennas. The 2no. associated steel equipment cabinets 1.35m x .55m x 1.48m (existing) and 1.23m x .57m and 1.23m would be located adjacent to the mast on the southern edge of site, approximately 13m from the existing sales area building. The site is located on a grass bank on the western side of the petrol station just north of the existing CPG tank. The site is set back from the A259/B2187 roundabout approximately 25m.
TOPOGRAPHY	Predominantly flat
TREES	None of any significance - Cherries/Hawthorn to approximately 4m.
BOUNDARY TREATMENT	Open, some hedging

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THE SITE AND ITS SURROUNDINGS

SITE CHARACTERISTICS	Sales building, single storey, lamp post in vicinity around roundabout and along road frontages. Existing cabinets green in colour. Auto gas cylinder within compound on verge onto Worthing Road. Other signs in vicinity - Little Chef and petrol garage signage.
CHARACTER OF LOCALITY	Edge of residential-major road junction.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
None		

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Littlehampton Town Council	None
Local Groups	None
Other	None

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Head of Highways	No objection

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Class A Road Class B Road

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

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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 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.

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OTHER MATERIAL CONSIDERATIONS

- 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 alternative sites have been considered. These include the following:

Site and Address	***Reason for Discounting***
The Poplars DNS Worthing Road, Littlehampton	This site is adjacent to residential properties and would be a prominent feature in this area; therefore, this site was discounted in favour of the proposed option.
Cemetery DNS Horsham Road, Littlehampton	This site is in a predominantly residential area and has been discounted in favour of the proposed option.
Oakcroft Gardens DNS Oakcroft Gardens, Littlehampton	This site is in a predominantly residential area and has been discounted in favour of the proposed option.
Stuart Lyons Transport Worthing Road, Littlehampton	Whilst this site is located in a primarily industrial area, the site is too close to the T-Mobile Hollyacre Site (55775) and a site here would generate interference between the two cells.
Watersmead Business Park, Littlehampton BN17 6LS	The buildings at this location are unsuitable for telecommunications development. Whilst there is sufficient space for a Greenfield installation, the low street furniture in this area would make a site here less appropriate than the proposed option.
A259 Roundabout DNS Worthing Road, Littlehampton	This site is adjacent to the proposed site and provides no advantage over the proposed option.
Nurseries to North of Railway Off Toddington Lane, Littlehampton	This site is too far north to provide the required coverage to the intended target areas. Furthermore, this area is too close to the planned T-Mobile Hollyacre Site (55775) and would generate interference between the two cells.

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CONCLUSIONS

The proposed equipment would be partially screened by the existing planting within the verge, the gas storage tank and the single storey plant room. The upper portion of the pole would be visible, but a vertical monopole would not be significantly different in appearance from lamp posts in the vicinity being similar width and height. It would not appear as a discordant or prominent feature in the street scene. The column style filling station advertisement which is positioned closer to the road frontage and is lower in height also has a vertical emphasis.

Owing to the statutory publicity period not expiring until 5th July 2007, it is recommended the decision be delegated to the Head of Planning Services in consultation with the Chairman of the Committee.

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.

LITTLEHAMPTON LU/206/07/TEL

Prior Notification for 11.7 metre high monopole with three integral antennas, one associated radio equipment cabinet and ancillary development thereto.

Shell Eastfield Petrol Station
Rustington Bypass
Rustington

RECOMMENDATION

No Objection

REPORT UPDATE

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Reason for the Update/Changes

- Representations

One Objection from freeholder owners of the site stating that Shell occupy the site on a short ground Lease. Such an installation is not permitted by the terms of the Lease and no exception would be made. It would therefore not be permitted to be built and continuation of the planning application seems pointless. Mast is highly intrusive and very prominently positioned.

Officer Comment :

Land Ownership issues are a private matter. If landowner does not consent to installation of the equipment it can not be erected.

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