

Recommendation Report for

REF NO: M/62/15/TEL

LOCATION: Land at Elmer Road
Bognor Regis

PROPOSAL: Prior Notification for the installation of 1No. cabinet adjacent to existing installation & replacement Phase 5 Tower

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

As above

The proposal relates to a replacement monopole measuring 12m high sited approximately 3.5m further to the south and an additional cabinet measuring 1.5m high by 1.23m x 0.4m and a like for like replacement of antenna. All of the equipment would be constructed of steel. The cabinet would be grey and the mast galvanised. The upgrade would provide new equipment to cater for 4G coverage.

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. 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 24-08-2015.

SITE AREA

N/A

RESIDENTIAL DEVELOPMENT DENSITY

N/A

TOPOGRAPHY

Predominantly flat

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

Railings and brick piers to rear to approx. 1.8m high

SITE CHARACTERISTICS

The site comprises a highway verge with trees to the north and south. Other grey colour cabinets are positioned on the verge.

CHARACTER OF LOCALITY

Predominantly residential. 3 storey flats to rear behind verge. Some trees within the garden area.

RELEVANT SITE HISTORY

M/116/02/TEL	Prior notification for erection of a 12.5m slimline monopole and equipment cabinet	No Further Actn 10-01-2003
M/117/05/TEL	Prior Notification for replacement of existing 12.5m high slimline telecommunications monopole with a 15m monopole of the same design.	No Objection 21-12-2005
M/14/06/TEL	Prior Notification for Installation of a 15m GRP wood effect telegraph pole with three 3G antennas enclosed within the structure and associated equipment cabinet	Objection 15-03-2006

REPRESENTATIONS

Representations received:

None

Comments on Representations received:

None

CONSULTATIONS

Arboriculturist

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

No public sewer

Drainage Area

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#) GEN7
DEV41

[Publication Version of the Local Plan \(October 2014\):](#)

The Form of New Development
Telecommunications

TEL DM1 Telecommunications
D DM1 Aspects of Form and Design
Quality

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

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. Middleton does not currently have an adopted Neighbourhood Plan

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 16 of the Town and Country Planning (General Permitted Development) Order 2015, 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, 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 replacement pole would be located on a grass verge along Elmer Road where other street cabinets, poles, road signs and trees exist. The proposed replacement equipment would not look out of place or be visually prominent in the street scene. Trees and other vertical structures exist in the locality which would help to assimilate the mast in the street scene. The replacement pole would be no taller than the pole it replaces but slightly wider, but its visual presence would not increase significantly as a result of its repositioning. The proposed mast would be located 1.5m from the crown of the nearest tree. The cabinet would be located closer, but this element of the proposal would constitute permitted development.

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

1 INFORMATIVE:

The applicant is advised to contact the Coastal Team, Community and Economic Development, Communities and Infrastructure Directorate, Centenary House, Durrington

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Lane, Durrington, Worthing, West Sussex BN13 2QB to obtain a license for the site access works.

Phone: 01243 642105