

Recommendation Report for

REF NO: P/115/13/TEL

LOCATION: Highway verge at Pagham Road
Pagham

PROPOSAL: Prior Notification for removal of existing 12.5m monopole & replace with 15m dual user street pole radio base station housing 3 No. antennas within a 540mm GRP shroud. Replacement of existing 2 No. equipment cabins whilst 1 No. existing equipment cabinet & 1 No electrical meter cabinet shall be retained in situ.

SITE AND 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 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 02-02-2014. The equipment is required to allow the applicant Vodafone to upgrade this telecommunications installation to cater for 4G coverage requirements. The proposal involves an increase in the height of the mast by 2.5 metres. The antennas would be concealed within a cylindrical shroud which would be integral to the upper section of the mast which would be constructed of galvanised steel and painted brown. 2 equipment cabinets would be removed and replaced. The replacement cabinets would both be 1.3m long, 0.7m wide and 1.45m long and constructed of galvanised steel painted green.

SITE AREA

N/A

RESIDENTIAL DEVELOPMENT DEN

N/A

TOPOGRAPHY

Predominantly flat

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

Hedging and trees on field boundary to between 2 and 4 metres in height.

SITE CHARACTERISTICS

The site is located on a highway verge and comprises 6 green coloured cabinets, 2 monopoles and telegraph

poles.

CHARACTER OF LOCALITY Predominantly rural. Residential development opposite

RELEVANT SITE HISTORY

PE/P/1/04/TEL	Prior Notification for the installation of a 10 metre high timber telegraph pole style monopole with 3 no. antennas mounted within a GRP shroud (total height 12m), 2 no. radio equipment cabinets and development ancillary thereto.	No Objection 21-10-2004
P/84/10/TEL	Application for prior notification of proposed development by telecommunications code system operators. Town and Country Planning General Permitted Development Order 1995 Schedule 2, part 24 for the installation of a 12.5m replacement streetworks pole with 6no. antennas, radio equipment housing and associated ancillary development (replacement and upgrade of existing installation).	No Objection 28-09-2010

REPRESENTATIONS

Representations received:

Pagham Parish Council

No Objection - Question whether this site could be disguised as a false tree.

Comments on Representations received:

It is not considered that a false tree would be appropriate in this location. The monopole is assimilated well into the street scene already given the adjoining telegraph poles that are similar in appearance.

CONSULTATIONS

WSCC Strategic Planning

Consultations responses received:

County Highways. No Objection in principle request imposition of an informative.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Outside built up area

Within Strategic Gap

Class C road

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN3	Protection of the Countryside
	GEN7	The Form of New Development
	DEV41	Telecommunications
	AREA10	Strategic Gaps

PLANNING POLICY GUIDANCE

NPPF National Planning Policy Framework

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 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.

The Development Plan consists of the Arun District Local Plan 2003.

Paragraph 214 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. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

NPPF Paragraph 216 confirms that weight can be given to policies in emerging plans following publication. The Council published the Draft Arun Local Plan in July 2012 and this is a material consideration in the determination of this planning application. A pre-submission Plan has yet to be endorsed and published.

Following publication of a pre-submission draft, there is required to be a formal public consultation, resolution of objections, examination and formal adoption.

At this time, the emerging Local Plan is afforded very limited weight in terms of the decision making process.

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, 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 application report received with this application explains that no alternative sites have been considered. This is acceptable since this site is existing and facilitates mast sharing in accordance with policy.

CONCLUSIONS

Principle

Policy DEV41 has a presumption of granting planning permission for telecommunication apparatus subject to possible sharing of site or use of existing buildings or structures and that there are no satisfactory alternative sites available. In addition proposals should not harm local amenity. This proposal represents upgrading of existing equipment.

Sharing of Sites/Alternative Locations

No alternative sites were considered as it was preferable to site the cabinet near to that existing. This choice of location is therefore compliant with policy designed to avoid proliferation of new equipment sites throughout the District.

Visual Amenity

The pole and antennas have been designed to utilise the minimum dimensions required to facilitate the upgrade. Although the equipment is readily visible in the street scene the pole, albeit with its increased height and width, would be visually assimilated in the street scene given the other vertical structures in the vicinity. The apparatus has been sensitively designed so that the equipment would be coloured to match both the existing mast and cabinets. It is proposed to be located adjacent to other street furniture such as lighting columns, telegraph poles and other telecoms equipment. The impact on visual amenity and character of the locality would therefore

be minimal and acceptable.

Impact on Strategic Gap

Given the size, position and colour of the equipment and that it constitutes replacement of existing apparatus it would have no adverse impact on the character or integrity of Strategic Gap.

Summary

It is therefore 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 Community Highway Officer, Coastal Team (01243 642105) to obtain a license for the works on the highway.