

Development Management – Delegated Officer Report

Application Number: **AWDM/1596/25** **Recommendation:** REFUSE

Site: **Telecommunication Site Bn0914 North Of Durrington Community Centre 2 Romany Road, Worthing, West Sussex**

Proposal: **Application for Prior Approval for installation of a replacement telecommunications base station comprising 20m high monopole (5G), wrap-around cabinet, supporting 9no. antennas and 2no. 300mm diameter transmission dishes and ancillary development thereto.**

Date of Site Visit: **9 January**

Neighbours Checked: **Y**

Additional neighbour notification: **N**

Proposal, Site and Surroundings:

This application seeks prior approval for the installation of a telecommunications base station comprising a 20 metre high monopole, with a wrap-around cabinet, supporting 9 no. antennas and 2 no. 300mm diameter transmission dishes, and ancillary development thereto.

The application site is on the western side of Romany Road, immediately to the east of the large car park serving Tesco and comprises a grass verge. Durrington Community Centre is to the south on the same side of Romany Road and there is a bus stop close to the north. The nearest residential properties are across to the road to the east comprising the rear elevations and side elevations of properties in Shelby Road. The application side is not within a Conservation Area.

Planning History:

None directly relating to the site, but a previous application about 500 metres to the south at Faraday Close (AWDM/0121/23) was refused for the installation of a 25 metre tall mast for the following reasons:

01 The proposed mast, by virtue of its siting close to residential properties and its being taller than the surrounding tree screen, would adversely affect the visual character of the area. The proposal therefore fails to comply with policy 16 of the Worthing Core Strategy and guidance contained within the National Planning Policy Framework.

02. It has not been demonstrated to the satisfaction of the Local Planning Authority that the proposed siting of the mast is the most suitable to provide the required telecommunications coverage in the area as it is considered that sites closer to non-residential uses may provide a more acceptable location to provide the necessary infrastructure.

No appeal was submitted against the decision.

Consultations:

West Sussex County Council Highways:

The proposal seeks Prior Notification for the installation of a replacement telecommunications base station at Telecommunication Site BN0914 (North of Durrington Community Centre). As part of the prior approval process, there are a number of matters to be considered. This includes matters relating to highways and transport. However, the GPDO is quite clear as to what highway matters can be considered, namely whether the proposal is likely to result in a material increase or a material change in the character of traffic in the vicinity of the site.

The site is located off Romany Road, a C-classified road subject to 30mph speed restrictions. The proposed equipment is to be located outside of the publicly maintained highway boundary, on land between the shopping centre car park and path leading to Durrington Community Centre. The equipment is not anticipated to obstruct vehicular or pedestrian visibility in this location. An inspection of data supplied to WSCC by Sussex Police over a period of the past five years reveals that there has been a single recorded collision in proximity of the site, however this was not attributed to road layout or any existing concerns with the road network at this point. Therefore, there is no evidence to suggest that the nearby road network is operating unsafely or that this proposal would exacerbate an existing safety concern.

Romany Road is sided by footways in this location. Therefore, the LHA does not anticipate that this proposal would result in an obstruction to any pedestrians who may be utilising or seeking refuge within the highway boundary. Movements generated by maintenance vehicles would be a preexisting arrangement with the current telecommunications pole and therefore- post construction- would not be anticipated to generate a material increase in vehicular movements to this location. Any traffic management mitigation that may be required during the works would need to be agreed with WSCC Highways prior to works taking place.

In conclusion, the LHA raises no highway safety or capacity concerns.

If the Local Planning Authority is minded to grant planning consent the following informative note would be advised: Informative The applicant is advised to contact WSCC Highways to agree any required traffic management for the duration of the installation works (01243 642105).

Environmental Health: No objection

Representations:

60 letters of objection have been received. The majority of the objections are from the Worthing area but there also objections received from addresses in Brighton, Derbyshire, Bradford on Avon, Littlehampton, East Preston, Wokingham, Stroud,

Peacehaven, Burgess Hill, Woking, Dorking, Rodmell, Lancing, Billingshurst, Eastbourne, Pulborough, Polegate and Carshalton

The objections are made on the following grounds:

- adverse visual impact
- fails to comply with National and Local Plan policies
- proximity to sensitive receptors, including homes, schools, community centre and businesses
- ICNIRP certification is not sufficient
- An Equality Impact Assessment (EqIA) should be undertaken before this application is determined. This assessment must specifically address the impact of non-thermal radiation and electronic interference on residents with the medical devices
- adverse health impacts, previous court cases have resisted applications on these grounds
- There should be an EIA screening opinion under Regulation 5 of the EIA Regulations 2017
- adverse impact upon highway safety
- need has not been demonstrated

Applicant response to objections:

To confirm, exposure in all publicly accessible areas will be below the ICNIRP public exposure guidelines and a certificate of ICNIRP compliance to this effect was submitted as part of the application. As such, there should be no concerns as to the safety of the application proposal.

To be clear, radio base stations are designed and built so that the public are not exposed to radio frequency fields above the guidelines set by the International Commission on Non-Ionizing Radiation Protection (ICNIRP). In fact, radio base stations operate at low power and emit levels of radiofrequency fields many times lower than the ICNIRP general public guidelines. The guidelines set by the commission are in place to protect all members of the public, of all ages and in all states of health and wherever they might be in relation to a base station for 24 hours a day. Compliance with ICNIRP guidelines means that any location which is freely accessible by the general public, including inside nearby homes, is completely safe. I refer you to the FAQ section of the ICNIRP website for further information on this: <https://www.icnirp.org/en/rf-faq/index.html>

In terms of the concerns raised in respect of medical implants, there is no evidence to suggest that radio frequency fields from radio base stations can interfere with cardiac pacemakers or other implanted medical devices so long as the exposure levels from the radio base station are within the International Commission on Non-Ionizing Radiation Protection (ICNIRP) guidelines.

There is some potential for a mobile phone or device to interfere with a pacemaker. The British Heart Foundation recommends:

“When you use your phone, always use the ear on the opposite side to your implanted device and don’t put the phone in a chest pocket that is on the same side as your pacemaker”.

...Planning and policy context

This application is made under the prior approval process, where the scope of the local planning authority’s assessment is limited to the matters set out in legislation, namely siting and appearance.

Paragraph 123 of the National Planning Policy Framework (NPPF) is clear that local planning authorities should not seek to set health safeguards different from the International Commission on Non-Ionizing Radiation Protection (ICNIRP) guidelines for public exposure. Where an application is accompanied by a declaration of compliance with ICNIRP guidelines, there is no policy basis within the planning system to refuse or delay development on health grounds.

An ICNIRP compliance declaration has been submitted with this application confirming that public exposure in accessible areas will be within the relevant guideline limits.

- **ICNIRP declaration – design and operational compliance**

The resident raises concerns that the ICNIRP declaration refers to the design of the installation rather than its operation.

At the planning stage, the ICNIRP declaration is necessarily a design-stage document, confirming that the proposed installation has been designed to ensure that public exposure will be within ICNIRP guideline limits. As the site has not yet been constructed or commissioned, operational measurements cannot yet be undertaken.

Importantly, this does not mean that operational compliance is voluntary or unregulated. Mobile network operators are subject to binding licence conditions issued by Ofcom, which require that all radio equipment is always operated in compliance with ICNIRP public exposure limits.

Accordingly, the declaration confirms that the development has been designed to comply, and the ongoing operation of the site will be legally required to comply under the operators’ Ofcom licence conditions. There is therefore no ambiguity, evasion of responsibility, or transfer of liability arising from the wording of the declaration.

- **Medical devices and electromagnetic interference**

We acknowledge the concerns raised in respect of active implantable medical devices. In the UK, the regulation of medical devices is overseen by the Medicines and Healthcare products Regulatory Agency (MHRA). MHRA guidance on electromagnetic interference explains that manufacturers of medical devices are required to minimise the risk that a device may cause, or be affected by, electromagnetic interference. Where any residual risk cannot be eliminated, manufacturers must provide appropriate warnings and usage advice in the device instructions for use.

This establishes that susceptibility to electromagnetic interference is managed primarily through the medical-device regulatory framework and clinical guidance.

UK public health guidance on mobile network infrastructure explains that radiofrequency field levels in areas accessible to the public tend to be small and reduce rapidly with distance from antennas, and that compliance with ICNIRP guidelines is the accepted benchmark for assessing public exposure. In this case, an ICNIRP declaration has been submitted confirming that public exposure will be within those limits.

NHS patient guidance relating to pacemakers and similar devices focuses on avoiding very close proximity to certain consumer products (for example, keeping mobile phones a short distance from the implanted device). This illustrates that interference considerations are principally associated with close-range sources and are managed through medical advice and device design, rather than through additional planning controls on compliant base stations.

On this basis, there is no evidence-based or policy requirement for the local planning authority to request additional health safeguards or a separate site-specific assessment in relation to electromagnetic fields from a base station designed and required to operate within ICNIRP public exposure limits.

- **Equality Act and Public Sector Equality Duty**

The resident refers to the Equality Act 2010 and the Public Sector Equality Duty.

The PSED requires public authorities to have due regard to equality considerations in the exercise of their functions. It does not impose a requirement on applicants to undertake Equality Impact Assessments for telecommunications proposals, nor does it alter the established planning policy framework for assessing health matters in relation to electronic communications development.

National planning policy is explicit that health effects are to be assessed by reference to ICNIRP guidelines. Where compliance is demonstrated, there is no policy or legal basis within planning to introduce additional health safeguards or assessments.

- **Thomas v Cheltenham Borough Council**

The resident cites Thomas v Cheltenham Borough Council (2024).

That case turned on the specific facts and the reasoning adopted in that decision. It did not establish a new national policy test or a general requirement for medical impact assessments in respect of telecommunications development, nor did it disapply paragraph 123 of the NPPF.

Each application must continue to be determined in accordance with the statutory and national policy framework. In this case, the proposal is supported by an ICNIRP declaration and is being considered under the prior approval process, limited to siting and appearance.

- **Conclusion**

We hope the above is helpful in addressing the points raised by the resident. The proposal has been designed to operate in compliance with ICNIRP public exposure guidelines, and the licensed operators will be legally obliged under their Ofcom licence conditions to ensure ongoing compliance.

In line with national planning policy, there is therefore no policy or legal basis for the planning authority to require additional health safeguards or medical assessments in relation to this proposal. The matters properly before the authority under this prior approval application remain siting and appearance

Relevant Planning Policies:

Worthing Local Plan (2023): SP1, DM5, DM14

National Planning Policy Framework

Planning Practice Guidance

Planning Assessment

Relevant guidance for the determination of telecommunications applications is contained within paragraphs 119-123 of the National Planning Policy Framework:

119. Advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning policies and decisions should support the expansion of electronic communications networks, including next

generation mobile technology (such as 5G) and full fibre broadband connections. Policies should set out how high quality digital infrastructure, providing access to services from a range of providers, is expected to be delivered and upgraded over time; and should prioritise full fibre connections to existing and new developments (as these connections will, in almost all cases, provide the optimum solution).

120. The number of radio and electronic communications masts, and the sites for such installations, should be kept to a minimum consistent with the needs of consumers, the efficient operation of the network and providing reasonable capacity for future expansion. Use of existing masts, buildings and other structures for new electronic communications capability (including wireless) should be encouraged. Where new sites are required (such as for new 5G networks, or for connected transport and smart city applications), equipment should be sympathetically designed and camouflaged where appropriate.

121. Local planning authorities should not impose a ban on new electronic communications development in certain areas, impose blanket Article 4 directions over a wide area or a wide range of electronic communications development, or insist on minimum distances between new electronic communications development and existing development. They should ensure that: a) they have evidence to demonstrate that electronic communications infrastructure is not expected to cause significant and irremediable interference with other electrical equipment, air traffic services or instrumentation operated in the national interest; and b) they have considered the possibility of the construction of new buildings or other structures interfering with broadcast and electronic communications services.

122. Applications for electronic communications development (including applications for prior approval under the General Permitted Development Order) should be supported by the necessary evidence to justify the proposed development. This should include: a) the outcome of consultations with organisations with an interest in the proposed development, in particular with the relevant body where a mast is to be installed near a school or college, or within a statutory safeguarding zone surrounding an aerodrome, technical site or military explosives storage area; and b) for an addition to an existing mast or base station, a statement that self-certifies that the cumulative exposure, when operational, will not exceed International Commission guidelines on non-ionising radiation protection; or c) for a new mast or base station, evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure and a statement that self-certifies that, when operational, International Commission guidelines will be met.

123. Local planning authorities must determine applications on planning grounds only. They should not seek to prevent competition between different operators, question the need for an electronic communications system, or set health safeguards different from the International Commission guidelines for public exposure.

As a prior approval application, the Council can only take into account the appearance and siting of the proposal, having regard to the requirements of national policy as set out above.

The context of this application is that telecommunications apparatus was previously located on the roof of the now redeveloped Columbia House but has now been removed.

Consequently, a temporary mast has been installed to the south close to The Pines at the junction of Faraday Close and Romany Road. This siting has the advantage of being relatively well screened by trees (albeit its prominence increases when the trees are pollarded). A site close by to the south was the subject of a previous application in 2023 for a new lattice mast of 25 metres in height which was refused for the reasons set out earlier in the report. It is stated in the supporting information that were the temporary location to be utilised on a permanent basis, then a similar style and height lattice mast would be required with a bulky head frame. This is likely to be unacceptable as well.

Accordingly, it has to be acknowledged that there is a requirement for an alternative location to replace the previous apparatus. This is not considered to be straightforward given the nature of the surrounding area, hence the previous refusal, and at the pre-application stage, officers requested that details were given of the alternative sites which had been considered. This was accordingly submitted with the application and included details of 15 different sites, a dozen of which were in close proximity to the application site. In relation to proposed new sites, it is considered that cogent reasons were given as to why these sites could not accommodate new equipment and it is thus considered that the applicant has demonstrated that these sites are not suitable. In terms of the representation received regarding the need for a screening opinion to be issued in respect of the proposal, having regard to the assessment of alternative sites and that the authority has to determine the application within 56 days of the receipt of the application, it is not considered that further action is necessary in this regard.

In terms of design, it must be acknowledged that the 20 metre high monopole is preferable to the higher and bulkier lattice mast previously submitted. However, the very open nature immediately to the west as a result of the unscreened car park to the west means that the site is not ideal in visual terms as it will be prominent from the east and west as well as immediately to the north. The mast would also appear markedly higher in contrast to the lower community building immediately to the south, and accordingly should only be supported in the complete absence of a suitable alternative site.

In that regard, attention is therefore drawn to the applicant's statement in respect of Columbia House:

A replacement site on Columbia House is the preferred option to provide coverage to the area and drawings have been produced for a proposed installation. From a planning point of view this site would be preferable because permitted development rights could be utilised, negating the need for an application for planning permission or prior approval. This option is still being progressed, however there is no guarantee that the site will be acquired or built, for example if a legal agreement cannot be achieved with the Site Provider.

Therefore, whilst Columbia House is a superior planning option, the current application site is being progressed as a back-up option to Columbia House. It is confirmed that only one site is required. Should the Columbia House option be built, then this current streetworks option would not be built.

Given the acceptance of Columbia House as a superior planning option, borne out by the preference for existing buildings to be used in the National Planning Policy Framework, it is considered that the proposal could only be accepted as an absolute last resort where the need for replacement facilities outweighed the visual harm that would be caused by the installation of the new facility. It is not considered that point has been reached and accordingly the application should be refused on that basis.

In terms of the health effects which have been raised in many of the representations, the relevant ICNIRP form has been submitted and in many recent appeal decisions in the town, Inspectors have made it quite clear that health considerations are not a factor in the decision making process providing the relevant information has been submitted. The information has been submitted with the application and where specific queries have been raised in respect of particular health impacts, they have been addressed by the applicant as set out above. Having regard to the guidance set out in the NPPF, it is not considered that the application could be refused on this basis.

Recommendation

REFUSE Prior Approval for the following reason:

The proposed mast, by virtue of its siting close to an open car park, low rise community centre, nearby residential properties and its being taller than the surrounding tree screen, would adversely affect the visual character of the area. The proposal therefore fails to comply with policy 16 of the Worthing Core Strategy and guidance contained within the National Planning Policy Framework. Furthermore, it has been acknowledged that siting apparatus on an existing nearby building Columbia House, would be a superior planning option and it has not been demonstrated to the satisfaction of the Local Planning Authority that this preferable option is no longer available.

Is recommendation contrary to letter(s) of representation? Y

Case Officer: Gary Peck Date: 10 February 2026

Authorised by: Stephen Cantwell Date: 11th February 2026