Development Management – Delegated Officer Report

Application Number: AWDM/0783/17 Recommendation – APPROVE

Site: 3 Katherines Lodge, Penhill Road, Lancing

Proposal: Retention of 6m high single antenna amateur radio mast on boundary to west of building. (retrospective.)

Date of site visit: 27.06.17

Neighbours checked: Y

Additional neighbour notifications: N

Sit, Surroundings and Proposal

The application property is a purpose built block of flats on the north side of Penhill Road. The street is mainly residential with a mixture of both flats and houses of various design and scale. The main vehicular access to the site is to the east of the building leading to a parking and amenity area to the rear of the building. To the west of the building is a narrow footpath leading from Penhill Road to the rear of the site.

Retrospective consent is required for an existing amateur radio mast adjacent to the side footpath, set back from the highway adjacent to the rear section of the building. The mast is 6 metres high. It is required for the occupier of no. 3 Katherines Lodge.

Consultations: None undertaken.

Lancing Parish Council: - No objections

Representations: None received.

Relevant Planning Policies

Saved Local Plan policies (ADC 1996): AG1, AH7
Development Control Standard No.3 'Extensions and Alterations to Dwellings'
National Planning Policy Framework (CLG 2012)
National Planning Practice Guidance

Planning Assessment

The applicant has erected the existing mast for their amateur radio interest. The mast can be supported in principle as being consistent with the domestic use and enjoyment of the property as a single dwelling unit. The key considerations are the effects on the residential and visual amenities of the locality.

Visual Amenity

The radio mast is erected on site and retrospective consent is sought here. The mast is free standing and is 6 metres high. Being to the side of the purpose built block of flats it is visible within the street scene. However it is set back, modest in scale with no large attachments. Its silver finish contributes to its subtle appearance.

It is not considered that the mast appears intrusive or unsightly as to be considered seriously harmful to the visual amenities of the locality.

Residential Amenity

The mast is sited adjacent to the flat development Katherines Lodge and adjacent to the boundary with no. 77 Penhill Road an end of terrace dwelling house. As the mast is set back it is seen from the rear windows of no. 77 and the rear garden. Views of the mast will also be apparent from other flats in Katherines Lodge and the rear gardens of other dwellings in the terrace to the west. Yet the mast is not considered to be a visually dominant or intrusive feature as to be considered unacceptable on this basis.

Other Issues

Current national planning policy on telecommunications is set out in paragraphs 42-46 of the NPPF which acknowledges the essential need for high quality communications infrastructure to support economic growth. It states that LPAs should ensure that they have evidence to demonstrate that telecommunications infrastructure will not cause significant and irremediable interference with other electrical equipment.

Amateur radio is licenced by Ofcom and enthusiasts must operate within the terms of their licence so as not to cause interference

More detailed guidance on this issue can be found in former PPG8 which pre-ceded the NPPF and stated that while significant and irremediable interference with other electrical equipment of any kind can be a material planning consideration, in most situations questions of potential interference are of no relevance to the determination of planning applications as other regulations are in place that deal with this issue [now enforced by Ofcom under the Wireless Telegraphy Act 2006]. The guidance made it clear that interference is rarely the fault of the amateur radio operator but more often due to other electrical equipment having inadequate immunity. Appendix II of PPG8 stated that if the development is yet to take place but potential interference is causing genuine local concern one or other of the parties may wish to seek the help of experts to assess the likelihood and degree of interference but authorities should not seek out such problems for critical examination unnecessarily.

In this case, there is no evidence that the radio mast antenna at the application property has caused interference adversely affecting neighbours or local businesses. Should interference occur it is considered sufficient safeguards are in place to enable it to be appropriately investigated and addressed though other legislation operating outside of planning control.

Recommendation APPROVE subject to Conditions:-

1. Approved plans

Informative

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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

Case Officer: Hannah Barker Date: 4th July 2017

Authorised by: Jo Morin Date: 04.07.2017