**Development Management - Delegated Officer Report**

**Application Number:** **Recommendation – Refuse**
**AWDM/1209/21**

**Site:** **Land Opposite Buckingham Close And North Of Upper Shoreham Road, Shoreham-By-Sea**

**Proposal:** **Application for Prior Approval for installation 17m high slim line 5G monopole with wraparound cabinet at base, 3no. additional ancillary equipment cabinets and associated ancillary works.**

**Site Visit: 1 July 2021**

**Neighbours checked: Y**

**Additional neighbour notifications: N**

**Proposal, Site and Surroundings**

The application seeks approval for the siting and appearance of a 17metre high H3G 'slim line' monopole with a wraparound cabinet and 3 additional equipment cabinets on the grass verge on the north side of Upper Shoreham Road opposite the junction with Buckingham Close.

The proposed equipment is required to provide 5G phone coverage.

The colour is stated as being green which will match other masts in the area.

There are two masts further east of this site. These are a 17.5m high monopole on the south side of Upper Shoreham Road at the junction with Eastern Avenue, shared by EE and H3G, and a 15m high monopole with on the north side of the road, by the entrance to Buckingham Park. An appeal has recently been allowed for a 17.5m high monopole also close to the Buckingham Park entrance (AWDM/1158/20) but the mast has not yet been installed.

The application explains that:

"*The use of the public highway to accommodate a new telecommunications installation complies with both central government and local planning policy guidance where the underlying aim is to provide an efficient and competitive telecommunication system for the benefit of the community, while minimising visual impact. In this instance, following an initial desktop survey and subsequent physical search of the intended area, due to the nature of the proposed equipment, location (grass verge with existing trees and greenery within the vicinity), existing street furniture (including street lighting columns), after careful analysis, we believe the proposed site will minimise any visual impact upon the immediate and wider area, while at the same time, significantly improving communications within the local vicinity.*"

## Consultations

**West Sussex County Council**: The **Highways** Officer has no objection. It is not anticipated that the placement of the apparatus will impact upon vehicular visibility along Upper Shoreham Road. Nor would the placement obstruct the free flow of pedestrians in this location.

The Statutory Undertaker will need to submit the necessary notification to the Highway Authority independently and any traffic management would need to be agreed with the WSCC Highways prior to works taking place.

**Adur&Worthing Councils:** The **Environmental Health** Officer has no adverse comments

## Representations

23 letters of objection received:

- 5G has a possible adverse effect on human health
- ICNIRP certification is inadequate
- Precautionary approach should be taken
- Site is close to a playgroup, a nursery and 2 primary schools. The location is also close to the children's play area in Buckingham Park.
- Environmental concerns with damage to trees, plants, animals, birds, bees and insects and the precautionary principle must hold with regard to public safety.
- Visually harmful
- There are already 2 masts in the area
- Should be relocated further east, closer to existing masts
- Do want to see a spread of masts along the road
- Diminishing and detracting from natural environment of the park

## Relevant Legislation

Part 16 Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) permits the installation, alteration or replacement of any electronic communications apparatus. In the case of the installation of a mast, it must not exceed a height of 20 metres above ground level on highway land. Such development is subject to a prior approval procedure where the siting and appearance of the development can be considered by the LPA.

The Government has also recently announced that it will push ahead with its plans to reform planning laws to make it easier for industry to share and upgrade mobile phone masts. This will speed up the rollout of 5G and improve 4G coverage in rural areas.

## Relevant Planning Policies

Adur Local Plan 2017 Policy 37
National Planning Policy Framework (February 2019)

**Planning Assessment**

The proposal comprises upgrading the existing telecommunications stock located within the built up area and can be supported in principle subject to consideration of Policy 37 of the Adur Local Plan. It supports the expansion of electronic communication networks but proposals should demonstrate that:

- All opportunities for mast sharing, or the use of existing buildings or structures have been thoroughly assessed; and
- There are no satisfactory alternative sites available.

All proposals for telecommunications development should ensure that siting and design of the equipment results in acceptable visual impact. Conditions or planning obligations may be used to secure landscaping as well as restoration of the site once operation has ceased.

The NPPF also supports the expansion of electronic communications networks, including next generation mobile technology (such as 5G). Para 113 states that:

"*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*."

***Visual amenity***

This proposal will not be replacing an existing mast but will result in the installation of an additional mast, resulting in a total of four masts in the immediate area (if the mast approved recently at appeal is installed). However, unlike the other three masts, the current proposal seeks to site the mast further west, approximately 100m away from the nearest mast as approved but not yet installed, and about 125m from the nearest existing mast.

The proposal would therefore proliferate the number of masts and widen the extent of such masts along the road to the detriment of the visual amenities of the locality.

The current proposal is to position the mast on the grass verge on the south side of the footpath closer to the road than the other masts. At 17m it would be taller than the existing mast to the east (15m).

The proposal will also result in the installation of an additional mast, rather than sharing an existing mast which is a concern as it will lead to a proliferation of masts, contrary to advice in the NPPF. The applicant has not provided detailed reasons why it is not possible to mast share but previous applications for masts have made it clear that 5G technology requires its own

slimline mast or a more robust mast to enable two users to share. A smaller mast is preferable.

The Inspector in allowing the appeal for the mast to the east stated that

"*having regard to the locational restrictions of the telecommunications network, the proposed site is the most preferable given the physical and technical constraints of the alternatives. Within that context the appearance of the installation is also acceptable in preference to a larger structure that would be required to enable mast sharing, and having regard to the other similar structures around the junction…..Taken as a whole, the proposed installation would not harm the character and appearance of the area. In so far as it relates to siting and appearance, I consider the installation would comply with Policy 37 of the Adur Local Plan 2017, which supports the expansion of electronic communications networks where opportunities for mast sharing have been thoroughly assessed and there are no satisfactory alternative sites available*."

In this case the applicants have provided evidence of their site search and reasons for selecting this site over others. Notwithstanding the lack of satisfactory alternative sites, it is considered that the mast would be better located further east, within the same search area but closer to the existing cluster of masts rather than installing it at the location proposed, where the result would be the spread of such structures further along the road, to the detriment of the visual amenities of the locality.

***Residential amenity***

The site is close to residential properties, a public park, a school and nursery and there is concern amongst residents of the impact upon public health. However, the application is accompanied by an ICNIRP declaration that the equipment is in full compliance with the requirements of radio frequency public exposure guidelines.

Furthermore, paragraph 118 of the NPPF advises that health safeguards are not something which a decision maker should determine.

**Recommendation**

**Prior Approval Required and Refused for the following reason:**

The mast, by reason of its siting some distance from other masts in the area, would increase the spread and proliferation of such structures along Upper Shoreham Road to the detriment of the visual amenities of the locality. It has not been demonstrated that satisfactory alternative sites are available and the proposal is therefore contrary to policy 37 of the Adur Local Plan

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

Case Officer: Peter Barnett Date: 2 August 2021

Authorised by: Jo Morin Date: 02.08.2021