Development Management - Delegated Officer Report

Application Number: **Recommendation – Approve**
AWDM/1829/16

Site: **Land North West of 225 Upper Shoreham Road**

Proposal: **Application for prior approval for proposed installation of a 17.5m high slim line telecommunications tower with 3 no antennas within GRP shroud, 2 no. 300mm dishes and 3 no. ground based equipment cabinets and other ancillary equipment**

Neighbours checked: Y
Additional neighbour notifications: N

Proposal, Site and Surroundings

The application is for 17.5 metre high slim line telecommunications tower with 3 no antennas within GRP shroud, 2 no. 300mm dishes and 3 no. ground based equipment cabinets and other ancillary equipment

All this apparatus would be painted dark green. It would be located on the grassed verge outside of the former 'Green Jacket' public house, now a Tesco Express store on the south side of Upper Shoreham Road at the junction with Eastern Avenue. There are established trees on the verge as well.

There is already a 15 metre high slim line tower is to the north side of Upper Shoreham Road, with its own ground based equipment cabinets and other ancillary equipment.

Consultations

West Sussex County Council: *consulted previously on Highway Matters for a similar proposal at this location under planning application reference AWDM/1110/14 to which no objections were raised. This application was withdrawn by the applicant. The latest plans demonstrate that the proposed telecommunication equipment is to be placed on land considered to be publically maintained highway. From inspection of my mapping information the equipment will not be positioned within the visibility splay of the Upper Shoreham Road / Parkside junction. WSCC would not be minded to raise any highway safety objections regarding the location of the telecommunications equipment. The Applicant is recommended to contact WSCC Highways (01243 642105) to obtain formal approval and the necessary license from the highway authority to place the items within the public highway.*

Representations

Objection received from occupier of 219 Upper Shoreham Road BN43 6BE:
You are welcome to sit on my upstairs wheelchair on our landing & enjoy the view of the park & trees as I do as I wait for our stair lift to come up. A pole is an unwelcome visual intrusion, plus parking of maintenance vans. Is parking

of vans on the grass legal? Two were there today. There is parking space in the park.

Relevant Legislation

Prior approval under Part 16 Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

As the proposal is under the Prior Approval procedure, consideration by the Council is restricted to issues of visual impact (siting and appearance). However, other pertinent issues relating to the need for the facility; consideration of alternatives; potential health impacts; impact on pedestrian movement and traffic safety and interference with domestic equipment are considered below for completeness.

Relevant Planning Policies

National Planning Policy Framework (CLG 2012)
Adur District Local Plan (saved policies): AG1, AB25, AB29

Planning Assessment

Principle

Despite its age, saved Adur Local Plan policy AB29 broadly accords with up-to-date national Planning Policy set out in the National Planning Policy Framework (NPPF).

Both local and national policy supports and encourages advanced, high quality communications infrastructure. This is subject to it being demonstrated that there is no reasonable possibility of sharing existing facilities and no reasonable possibility of erecting antennas on an existing building or other structure.

Sharing existing facilities

The closest existing facilities are those directly opposite, on the north side of Upper Shoreham Road. The applicant has argued a share of the existing O2 structure on the north side of Upper Shoreham Road is not possible without adding an extra 5 metres in height (which would be harmful visually), and there is not enough publicly maintained ground space to house both the CTIL and EE equipment cabinets

Erecting antennas on existing building or other structure

An assessment of wider alternative sites has been undertaken. This included sites in Shoreham town centre and the out of town Holmbush centre. 11 sites were considered. The closest alternative sites for the required coverage were Buckingham Park Recreation Ground where a 30 metre high structure would be needed (which would be visually unacceptable) and the location of a previous replacement option was Southlands Hospital on Upper Shoreham Road. However, according to the agent, the hospital is now unwilling to allow an installation on the roof their property.

Visual amenity

The tower is of a slim line design that is almost identical to the existing tower on the north side of Upper Shoreham Road. This tower has blended into the townscape reasonably successfully. It is also similar to the spread of tall street lampposts at the road intersection.

Although taller than both, from long views west and east along Upper Shoreham Road the proposed tower would be viewed against the backdrop of these existing similarly designed vertical features - as well as when it is viewed south from Buckingham Park.

The established trees alongside add some screening for views northward from Eastern Avenue.

The cabinets are logically set out on the land in a short row along the back edge of the pavement. They will be painted a sympathetic green colour. The cabinets are relatively modest structures.

The dishes on the tower itself are fairly discreet visually. The applicant has argued the dishes need to be at this height so there is line of sight to other installations.

Although a new site required, the equipment should be sympathetically designed without the need for camouflage.

Therefore the apparatus would not appear too incongruous or out of scale nor does it appear too discordant from the street. Accordingly, the proposal has satisfied local and national planning policy tests in being sited and designed so as to minimise its visual impact on the environment in which it is located.

Residential amenity

Public concerns over potential health effects of such base stations as the proposed monopole are recognised. There are several residential properties nearby, though for the most part orientated away from the structure and reasonably well screened.

The NPPF indicates that, although health effects are capable of being a material planning consideration in law:-

LPAs should not seek to prevent competition between different operators, question the need for the telecommunications system, or determine health safeguards if the proposal meets International Commission guidelines for public exposure

A suitable ICNIRP certificate has been submitted with application, so the necessary evidence has been provided with this application that specifies the equipment will operate in accordance with relevant health legislation.

The applicant has previously stated that the band width granted by the DTI in the license to the operator does not conflict with any equipment such as domestic TVs.

Trees

There are two trees on the verge, which is intersected by a pedestrian footway. The proposed tower is on the outside section of verge and is outside of the root protection area of the lesser mature of these two trees.

The cabinets are to be situated under the canopy of the mature of the two trees. However the applicant has confirmed the ground penetration associated with the concrete hard standing of the cabinets would be 100 mm.

As a precaution it is prudent to impose a condition to protect the root system to avoid adverse harm to the health and longevity of these trees which make an important contribution to visual amenity.

Pedestrian accessibility

The siting or the size of the apparatus would not adversely affect the pedestrian footpath or result in highway safety issues - the cabinets are positioned on the back edge of the footway and the pole would avoid inference with visibility splays.

The Highway Authority raises no highway objections.

Recommendation

Prior Approval required and granted subject to following conditions:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

{\b Reason:} {\i To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.}

2. If any excavations are required within 5 metres of the trunk of any existing tree to be retained on this or adjoining sites they shall be undertaken and backfilled only by hand and any tree roots encountered with a diameter of 25 mm or more shall be left un-severed.

   {\b Reason}: {\i To protect the trees from damage likely to lead to the loss of the tree and to comply with saved policy AB25 of the Adur District Local Plan.}

3. The monopole and cabinet and any other incidental equipment shall be finished in green RAL6009 colour to match the existing

   {\b Reason}: {\i To protect the visual amenity of the area in accordance with Adur Saved Local Plan policy AB29 and National Planning Policy Framework.}

4. All the telecommunication apparatus hereby approved shall be removed when redundant and the land shall be restored to its former condition or to a condition as may be agreed with the Local Planning Authority.

   {\b Reason:} {\i To protect the visual amenity of the area in accordance with Adur Saved Local Plan policy AB29 and National Planning Policy Framework.}

5. No new telecommunications apparatus shall be added to the approved apparatus without prior approval of Local Planning Authority.

{\b Reason:} {\i To protect the visual amenity of the area in accordance with Adur Saved Local Plan policy AB29 and National Planning Policy Framework.}

Informative

The Applicant is recommended to contact WSCC Highways (01243 642105) to obtain formal approval and the necessary license from the highway authority to place the items within the public highway.

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.

Case Officer: Matthew Porter Date: 27-01-2017

Authorised by: Peter Barnett Date: 27 January 2017