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Horsham
West Sussex
RH13 5RR

For the attention of Sam Nye

Planning and Development
Horsham District Council
Albery House
Springfield Road
Horsham
RH12 2GB

By email to planning@horsham.gov.uk

Your reference: DC/26/0342

Emailed 10 March 2026

Dear Sam Nye,

DC/26/0342 | Proposed 20m high Valmont Phase 7.2 streetworks pole with wraparound cabinet new root foundation. Installation of 3no. antennas and 6no. apertures Installation of 2no. Ø300mm dishes Installation of 2no. GPS nodes on top of streetworks pole Installation of 5no. cabinets on new concrete foundation The installation of ancillary equipment for the purposes of telecommunications development.

Location: North Heath Lane / Coltsfoot Drive Horsham West Sussex RH12 5FH

I am writing to object to the above on the following points:

1. Incorrect Use of Notification Procedure for Proposed 20m Telecommunications Mast

There is a procedural concern regarding the route by which this proposal has been submitted.

The applicant is treating a development that legally needs prior approval as a “notification-only” development. This misrepresents the statutory process to residents and can be challenged as procedural misrepresentation.

The covering letter states that the proposal is being made under Regulation 5 of the Electronic Communications Code (Conditions and Restrictions) Regulations 2003 providing one calendar month’s notification of the operator’s intention to install electronic communications apparatus. The letter explicitly states:

For the avoidance of doubt this letter *does not* constitute:

- An application for a determination as to whether the prior approval of the authority will be required to siting and appearance; or
- An application for planning permission

However, the development described is a very substantial installation consisting of a *20m high monopole, 3x antennae and associated apertures, 2 x 300mm dishes, 2 GPS nodes, 5 x equipment cabinets on new foundations plus associated ancillary telecommunications equipment.*

This scale of development falls within Class A of Part 16 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), which requires the operator to apply for Prior Approval of siting and appearance for new ground-based masts of this height.

The use of a Regulation 5 notification procedure rather than a Prior Approval application is inappropriate for infrastructure of this scale and visual impact and has been misused in this instance. At 20m, the height of the proposed structure would significantly exceed surrounding street furniture, including lampposts, and would have the potential to materially affect the character of the area and the residential amenity of nearby properties (see item 5. below). Notification is reserved for minor works.

The notification route described in the applicant's letter effectively removes Horsham District Council (HDC) Planning Department's ability to formally consider the proposal through the prior approval process which exists specifically so that Local Planning Authorities can assess the siting and appearance of telecommunications installations before development proceeds.

Furthermore, the wording of the applicant's letter creates the clear impression that the development will proceed regardless of local views. This is misleading for local residents who may reasonably assume that they have no opportunity to engage with the planning process or that the HDC Planning Department has no ability to consider the impacts of the proposal.

Given the scale and visual impact of the proposed installation it is necessary that HDC Planning Department should have the opportunity to assess the proposal through the statutory prior approval process.

I respectfully request that HDC Planning Department halts the current process and instructs the operator to submit a formal Prior Approval application so that the siting and appearance of this significant infrastructure can be properly assessed. And make sure you obtain the necessary fee from them! This is not a free service as stated in their letter.

The applicant is misleading HDC Planning Department and local residents, because the law already requires prior approval for a new 20 m ground-based mast. They cannot simply notify the council and bypass prior approval.

This proposal represents a large and visually dominant structure in a quiet residential environment. It is therefore essential that the correct statutory process is followed to ensure transparency and proper consideration of the proposal's impacts by residents and planners.

2. Confusion Regarding Separate/Duplicate Application

The HDC Planning Portal lists one Related Case for this site:

- Pre-Application notice of intent for telecommunications equipment at the proposed site North Heath Lane and Coltsfoot Drive

<https://public-access.horsham.gov.uk/public-access/applicationDetails.do?previousCaseType=Application&keyVal=TANER9IJ02X00&previousCaseNumber=DC%2F26%2F0342&activeTab=summary&previousKeyVal=TB0EGXIJ02X00>

It says:

"Planning Application details not available

The application in question is pre 1990 and is therefore only available to view on microfiche at the Council Offices."

Yet the application is for 2026 and appears to be associated with DC/26/0342. This has caused some confusion. Would you kindly clarify.

3. Site Choice

There is no information from the applicant to understand how they arrived at their decision to choose this inappropriate site and no analysis has been provided despite reference to a Traffic Light Rating assessment.

4. Damaging to Local Character

The proposed mast would be 20m in height with a large number of bulky equipment cabinets (no dimensions provided) at its base. It represents a highly urban/industrial intervention in a leafy, suburban area of a market town and is completely out of character. Many people bought their homes and chose to live here to get away from very urban environments. Such an overbearing intervention in this area would materially alter the local atmosphere in a negative manner. It would dominate existing structures and street furniture in the vicinity and is completely out of scale.

5. Invasion of Private Spaces and Shadow Casting

At 20m, the proposed mast would be clearly visible from a number of private residential homes and gardens and would be very intrusive. Some homes that are immediately adjacent to the site would suffer from the overbearing impact of the mast's large presence. The windows of one home are just 10m from the mast – it would feel like it was in the room and is invasive. Likewise, several private gardens are 20m away and it would feel like the mast was part of those gardens.

Given that the proposed mast is so high, it would be clearly seen for quite a distance.

It would actually cast a shadow on some of those gardens and within rooms of homes on sunny days, especially in the mornings.

6. Proximity to the Café

The Olive Tree Café is right next to the mast and large equipment cabinets and would seriously alter the feel of that outdoor space in a negative manner. The encroaching cabinets and mast would be a very unattractive view for customers and staff and could potentially lead to a loss of business in times that are extremely hard for hospitality businesses.

7. Proximity to Junction/ Road Safety Issues

The site is close to a traffic junction which becomes very congested at certain times in the day. Cars, pedestrians and bicycles use a constrained mini-roundabout and a pedestrian crossing. At these busy times there is potential to impact visibility especially for smaller primary age school children.

The scale of the installation is so large and incongruous as to represent a visual distraction for motorists. Even an instantaneous lapse in attention can give rise to accidents.

8. Noise From Equipment

There is documented evidence that the equipment associated with these types of masts makes noise that is audible and disturbing to people, particularly in quiet residential neighbourhoods just like Coltsfoot Drive and North Heath Lane. The equipment runs 24 hours a day and the cooling systems cause continuous humming and fan noise that is audible at particularly at night, causing sleep disruption.

9. Children's Safety

The proposed mast would be in close proximity to schools and facilities frequented by children:

~70m away from Holbrook Club sports and leisure facilities used by children

~ 125m away from North Heath Community Primary School and playing fields

~175m away from Heather Playgroup

~370m – Holbrook Community Pre-School

~370m away from New View Nursery

The applicant claims to undertake early engagement and proposes to consult the above schools and facilities but provides no evidence. This is likely to take the form of an email that often ends up in junk/spam folders and does not constitute transparent consultation.

Children are sensitive receptors and not covered by the ICNIRP declaration of conformity. See below.

10. Invalid Safety Certificate/ICNIRP Declaration

The ICNIRP 1998 guidelines underlie the EU 1999/519/EC recommendation referred to on the ICNIRP Declaration document. However, ICNIRP has updated its guidelines since then — the most recent ICNIRP guidelines for electromagnetic radiation exposure were published in 2020. UK regulators and telecom operators are now expected to consider the latest ICNIRP guidance and not 1999 EU law. If harm or non-compliance is later found, relying on old guidelines may be considered professional negligence.

The declaration is signed by a Michael Noel. His qualifications and competency to check and validate the design of this infrastructure are not provided. Given that this situation appears to be a case of the applicant bearing the onus to essentially “self-certify” it should be made apparent that the signee has the competence to do so. The signee has used incorrect law and guidelines which demonstrates a lack of competence. In an area of public health and safety this is unacceptable.

11. ICNIRP Guidelines

While it may be government policy - not actual law - to approve these types of installations, the guidelines that the government have approved for assurance of safety are insufficient. ICNIRP only consider short-term, thermal effects and not long-term exposure. The exposure time for tests was 6 mins on a test dummy based on a healthy adult man and does not assure the safety of children, elderly, ill or those with metal in their body, examples of which are:

- Pacemakers (permanent or temporary)
- Implantable cardioverter defibrillators (ICDs)
- Cardiac stents (metallic)

- Artificial heart valves
- Joint replacements (hip, knee, shoulder)
- Bone plates, rods, and screws
- Spinal fixation hardware (screws, rods, cages)
- Pins, nails, or wires used in fracture repair
- Dental crowns and bridges (metal-based)
- Orthodontic braces
- Metallic retainers or wires
- Dental implants
- Cochlear implants
- Deep brain stimulators
- Vagus nerve stimulators
- Metal skull plates from surgery or trauma
- Breast implants with metallic components
- Artificial lenses with metallic parts
- Intrauterine devices (IUDs) containing metal
- Vascular clips from aneurysm or vessel repair
- Surgical staples containing metal
- Metal suture anchors (orthopaedic or soft tissue repair)
- Shrapnel or bullet fragments retained in the body
- Metallic tattoos or body piercings near sensitive tissue (less common, usually superficial)
- Metallic implants in prosthetic limbs

12. Similar Proposal Nearby Rejected

A very similar proposal for a 15m mast and associated large cabinets on Jackdaw Lane was rejected by HDC Planning Department so there is precedence to reject on grounds that are identical.

- **DC/23/1126** | Prior approval for the proposed telecommunications installation of 15 metre 5G telecoms street pole and additional equipment cabinets. <https://public-access.horsham.gov.uk/public-access/applicationDetails.do?keyVal=RVTMNXIJFP400&activeTab=summary>

Thank you for reading.

Kind Regards,

[Redacted Signature]

cc

Councillor Nick Grant

Councillor Warwick Hellawell

[Redacted]

[Redacted]