



Kavita Bhopal
Dot Surveying Ltd
1 St Colme Street
Edinburgh
EH3 6AA

Our ref: DC/26/0342
Your ref: 10100369 - NORTH HEATH
LANE
Email: planning@horsham.gov.uk
Direct Line: 01403 215066
If Calling Please ask for: Sam Nye
Date: 18th March 2026

Dear Sir/Madam,

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

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

I refer to your notification received in this office on 18th February 2026 concerning the above site.

I write to inform you that it is the stance of this Authority that the development as proposed cannot be undertaken under a Code Notification and as such, Prior Approval is required.

Class A, Part 16 of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 sets out the relevant legislation in this instance.

Condition A.2 sets out the conditions that development under this legislation must adhere to. A.2 (3) details when Prior Approval is required for works detailed under this Class and reads as follows:

“(3) Subject to sub-paragraph (5), Class A development—

- (a) on article 2(3) land, excluding development specified in sub-paragraph (4);*
- (b) on land which is, or is within, a site of special scientific interest; F14...*
- (c) on unprotected land where that development consists of—*
 - (i) the installation of a mast [F15, other than the installation of a mast on a building where the height of the mast (including any antenna and supporting apparatus) does not exceed the height of the highest part of the building by more than 6 metres];”*

The application site is situated on unprotected land and as the proposed development involves the installation of a mast, A.2 (3) as outlined above, is clear in that Prior Approval is required.

It is noted that the developer argues that the proposal is a replacement of an existing mast. However this mast is located some distance from the proposed site. The Council therefore disagrees with the stance that this is a replacement mast on an existing site, and it is the view of the Council that the

development comprises the installation of a new mast. The Council is therefore of the view that the works cannot be undertaken without Prior Approval first being sought.

A.3(4) of Class A, Part 16 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended states:

“Before beginning the development described in paragraph A.2.3 the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the siting and appearance of the development.”

This section details the procedural matters for the submission of such application. A.3(8) outlines that:

“The development must not begin before the occurrence of one of the following –

- (a) the receipt by the applicant from the local planning authority of a written notice of their determination that prior approval is not required;*
- (b) where the local planning authority gives the applicant written notice that prior approval is required—*
 - (i) the giving of that approval to the applicant, in writing, within a period of 56 days beginning with the date on which the local planning authority received the application in accordance with sub-paragraph (5);*
 - (ii) the expiry of a period of 56 days beginning with the date on which the local planning authority received the application in accordance with sub-paragraph (5) without the local planning authority notifying the applicant, in writing, that such approval is given or refused; or*
- (c) the expiry of a period of 56 days beginning with the date on which the local planning authority received the application in accordance with sub-paragraph (5) without the local planning authority notifying the applicant, in writing, of their determination as to whether such prior approval is required.”*

The Council advises that Prior Approval be sought prior to undertaking the works. Should the developer disagree with the Council's position, it is advisable to submit an application for a Certificate of Lawful Development Existing for determination of whether the development would represent permitted development not requiring Prior Approval.

I trust this information is of assistance to you. Should you however require any further information or clarification please do not hesitate to contact the Case Officer as detailed above.

Yours faithfully



Emma Parkes
Head of Development and Building Control