Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/1387
Land On The Corner of Haglands Lane and Nightingales, West Chiltington, West Sussex,

DESCRIPTION:

Prior Approval for installation of 1 no. equipment cabinet, 1 no. 13m telegraph pole, 1 no. antenna whip and 1 no. modem.

RELEVANT PLANNING HISTORY:

None relevant to this current application.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 40 - Sustainable Transport

REPRESENTATIONS AND CONSULTATIONS RESPONSES

Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk

Consultations:

WSCC – Highways Authority*: More Information Required*

Can the applicant please demonstrate that the proposed equipment positioned within the highway would not obstruct visibility for users of Nightingales as they emerge onto Haglands Lane. Visibility from the junction should meet a minimum of 2.4m back from the edge of the carriageway and span to 43m to the nearside edge of the carriageway, in both directions.

The plans provided differ from the mapping imagery available. Mapping shows an additional section of footway fronting the junction of Haglands Lane and it is not clear as to whether the dimensions shown within the plans include this footway when measuring the 2m set-back distance.

The LHA has not been able to ascertain whether the equipment would obstruct visibility in this location, based upon the current plans provided.

Please raise with the applicant, and re consult once additional information has been provided.

Parish Comments:

Objection

The proposed siting of this pole and antenna is wholly inappropriate and the impact on the street scene would be severely detrimental. The proposal does not present any credible justification for this blot on the landscape

Representations:

1 representations were received, objecting to the proposal for the following reasons: -

- Inappropriate scale for locale
- Effect on the visual amenity of the street and wider area
- Lack of evidence of site selection
- Highways Impacts including pedestrian movements
- Structural integrity
- Biodiversity impacts
- Need for development

EQUALITY AND HUMAN RIGHTS:

Under the Equality Act 2010, the Council has a legal duty to pay 'due regard' to the need to eliminate discrimination and promote equality, fostering good relations in respect of Race, Disability, Gender including gender reassignment, Age, Sexual Orientation, Pregnancy and maternity, Religion or belief. The Equality Act 2010 will form part of the planning assessment below.

Article 8 (Right to respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application.

Consideration of Human Rights and Equalities forms part of the planning assessment below.

PLANNING ASSESSMENT

The proposed development does not require planning permission by virtue of the Town & Country Planning (General Permitted Development) (England) Order 2015. It is though a requirement of Permitted Development that a 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. The local planning authority has 56 days in which to let the mast operators know of its' decision on whether prior approval is required for siting and appearance and to let the operator know of its decision to allow or refuse approval.

The NPPF states that, “applications for electronic communications development (including applications for prior approval under the General Permitted Development Order) should be supported by the necessary evidence to justify the proposed development. This should include:

a) the outcome of consultations with organisations with an interest in the proposed development, in particular with the relevant body where a mast is to be installed near a school or college, or within a statutory safeguarding zone surrounding an aerodrome, technical site or military explosives storage area; and

b) for an addition to an existing mast or base station, a statement that self-certifies that the cumulative exposure, when operational, will not exceed International Commission guidelines on non-ionising radiation protection; or

c) for a new mast or base station, evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure and a statement that self-certifies that, when operational, International Commission guidelines will be met.”

Addressing these requirements in turn:-

a) The application is accompanied by Supplementary Information which sets out consultations undertaken prior to submission of the application. This includes Airspace Co-ordination and Obstacle Management Service (ACOMS) notification

b) The application does not relate to an existing mast or base station;

c) The supporting statement does not set out any other sites explored, with no suitable existing masts, structures or buildings identified (by the applicant) which would have been preferable to the scheme proposed by this current application. The application details within its 'Supporting Statement for Prior Approval: Development for Electronic Communication Network: Site reference SW142' that a "[i]*n assessing these requirements and seeking an appropriate balance between operational and environmental considerations, a sequential approach to site selection has been undertaken*". No other evidence has been provided that considers any other sites / structures.

   The scheme only details that the site is suitable for selection due to its locale and for the area it is to serve and details within the statement conformance to ICNIRP guidelines.

Siting and Appearance

The proposed 13m telegraph pole and related equipment would be sited within a residential area. The pole would be of a height which would significantly and obviously exceed surrounding residential development, though is a relatively *slim* proposal being a telegraph pole. The proposal is also accompanied by an equipment cabinet sited next to the pole. The pole's positioning would be sited on an open 'green' that would make the development visually prominent addition to the street scene which would be clearly visible in views from surrounding streets, land and properties.

Whilst it is recognised there are several lampposts and telegraph poles of heights likely exceeding 9m, these developments are situated in parallel lines that run straight along Haglands Lane, to the side of the road. This development would be sited on an open corner and would be visually prominent given the lack of trees in this area and its siting on an undeveloped parcel of land

It is considered that the siting and appearance of the proposal would appear as an incongruous addition to the area, which would give rise to significant harm to its character and appearance and to visual amenity. This visual impact would not be mitigated by the presence of surrounding built form and nearby vegetation, which in any case could not be relied upon in perpetuity, and which provides variable screening throughout the year. The siting and appearance of the proposal is considered contrary to Policy 33 of the HDPF, which requires, amongst other things, for development to relate sympathetically to its surroundings in terms of scale and appearance and to respect the character of the surrounding area.

The supporting information does not conclusively set out the sites considered prior to the selection of the proposed site nor evidence why this particular site was only selected barring it being close to the properties needing to be served, though again this is not evidence either. Representation have suggested similar. These concerns are shared and it has not been demonstrated that a more preferable alternative siting is not possible within the wider locality of the application site.

The installation would be sited on an open corner which may interfere with highway traffic. The LHA have been unable to confirm the acceptability of the proposal as the further detail is required to "demonstrate that the proposed equipment positioned within the highway would not obstruct visibility for users of Nightingales as they emerge onto Haglands Lane". It is not thought that the proposal would lead to an unacceptable impact on the highway if this was proved, however as this has not been confirmed, the proposal is not considered to conform with policies 40 relating to highway safety.

The NPPF states that LPAs should not set health safeguards different from the International Commission guidelines for public exposure. There is no evidence to suggest ICNIPR guidelines would not be complied with or that a departure from the NPPF in this regard would be justified.

Conclusion

It is considered that the siting and appearance of the installation would appear unduly obtrusive in the street scene and as such would be detrimental to the character and appearance of the area. The Council is not satisfied, on the basis of the information provided, that alternative siting options and a suitable site which would have less visual impact is not available. The proposal is therefore contrary to Policies 32 and 33 of the Horsham District Planning Framework (2015) and the National Planning Policy Framework.

Recommendation: Prior Approval Required and REFUSED

Reason(s) for Refusal:

1 The siting and appearance of the installation would appear unduly obtrusive in the street scene and as such would be detrimental to the character and appearance of the area. Further, the Council is not satisfied, on the basis of the information provided, that alternative siting options and a suitable site which would have less visual impact is not available. The proposal is therefore contrary to Policies 32 and 33 of the Horsham District Planning Framework (2015) and the National Planning Policy Framework.

POSITIVE AND PROACTIVE STATEMENT

Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. 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, in order to be able to, where possible, grant permission.

Plans list for: DC/26/1387
Schedule of plans/documents **not approved**:

Plan Type	Description	Drawing Number	Received Date
Location & Site plan	001 Site Location Plan	SW142-01	28.08.2026
Layout plan	002 Proposed Site Layout Plan	SW142-02	28.08.2026
Elevation plan	003 Site Elevation Plan	SW142-03	28.08.2026

DELEGATED

Case Officer sign/initial Jacques Burrowes Date: 20.10.2026

Authorising Officer sign/initial Tamara Dale Date: 21.10.2026