

From: Planning@horsham.gov.uk <Planning@horsham.gov.uk>
Sent: 05 March 2026 08:16:54 UTC+00:00
To: "Planning" <planning@horsham.gov.uk>
Subject: Comments for Planning Application DC/26/0180
Categories: Comments Received

Comments summary

Dear Sir/Madam,

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 05/03/2026 8:16 AM.

Application Summary

Address:	Land at 516983 130647 West Street Horsham West Sussex
Proposal:	Installation of 1No. BT Street Hub Unit and associated advertisement panels on either side of the unit.
Case Officer:	Sam Nye

[Click for further information](#)

Customer Details

Address:	14 DOWNSCROFT BURGESS HILL
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Comments Details

Commenter Type:	Member of the Public
Stance:	Customer objects to the Planning Application
Reasons for comment:	- Other
Comments:	I am writing to formally object to the above application. This representation is a challenge based on the failure of the applicant and the LPA to address the safety and wellbeing of residents with protected characteristics, as required by the Equality Act 2010 and the National Planning Policy Framework (NPPF). 1. Failure of Public Sector Equality Duty (PSED) Under Section 149 of the Equality Act 2010, this Authority has a statutory duty to have "due regard" to the need to eliminate discrimination and advance equality of opportunity for disabled persons.

The Protected Group: This application directly impacts residents with Active Implantable Medical Devices (AIMDs) (e.g., pacemakers) and metallic implants.

ICNIRP Exclusions: The applicant relies on an ICNIRP certificate. However, ICNIRP 2020 guidelines explicitly state they do not address interference with medical devices.

Material Consideration: The Court of Appeal in *Thomas v Cheltenham Borough Council* (2025) confirmed that potential EMF impacts on medical implants can be a material planning consideration. By ignoring these risks, the Authority would be "fettering its discretion" and failing its PSED obligations.

2. Contradiction of National Planning Policy (NPPF)

This proposal fails to meet the core requirements of the NPPF regarding resident safety:

NPPF Paragraph 8(b): Planning must support "communities' health, social and cultural well-being".

NPPF Paragraph 96: Mandates that decisions achieve places that are "safe and accessible".

NPPF Paragraph 102: Requires authorities to promote public safety and take into account health considerations

Evidence of ICNIRP 2020 Exclusions

1. Exclusion of Medical Implants (AIMDs)

Source: ICNIRP Guidelines 2020, Section 1 (Scope and Purpose), Page 485.

The Text: "The guidelines do not provide protection against interference with medical devices (e.g., pacemakers) or other electronics, which are covered by separate standards."

The Failure: The Council relies on ICNIRP for "safety," yet the guidelines themselves admit they do not cover life-critical medical technology.

2. Exclusion of Passive Metallic Implants

Source: ICNIRP Guidelines 2020, Section 1, Page 485.

The Text: "These guidelines do not provide specific protection for people with metallic implants... which may perturb the electromagnetic fields and lead to local field enhancement."

The Failure: Residents with artificial joints or metal plates are at risk of "localized heating" or field distortion not accounted for in standard "compliance" certificates.

3. Recognition of Vulnerable Subgroups

Source: ICNIRP Guidelines 2020, Section 1, Page 486.

The Text: ICNIRP notes that their thresholds are for the "general public" but acknowledges that specific subgroups may require "more stringent protection" or "individualized assessment."

Appendix: List of Excluded Medical Devices and Metallic Implants

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1. Active Implantable Medical Devices (AIMD):

Cardiac Pacemakers and Implantable Cardioverter Defibrillators (ICDs).

Implanted Neurostimulators (e.g., for pain management or Parkinson's).

Cochlear Implants and middle ear implants.
Infusion Pumps (e.g., insulin or baclofen pumps).
Programmable Hydrocephalus Shunts.
2. Passive Metallic Implants:
Orthopaedic Implants: Metal pins, plates, rods, screws, and total joint replacements (hips, knees, shoulders).
Cardiovascular Implants: Stents (cardiac, urinary, gynaecological), heart valves, and annuloplasty rings.
Contraceptive Devices: Copper IUDs (coils). Filschle clips.
Surgical Mesh: Metallic or metal-containing mesh used in hernia or pelvic organ prolapse repairs.
3. Dental and Other Implants:
Dental Hardware: Braces, dental implants, metal crowns, pins, and bridges.
Body Piercings: Any permanent or semi-permanent metallic jewellery.
As a regular visitor with a pacemaker, why do you believe you can create a "no-go" Zone for me and most of your residents in a currently thriving town centre? You are opening the Council and the taxpayer up to multiple claims under the Equality Act.
This is a scandalous failure of your public duties.

Kind regards

Telephone:

Email: planning@horsham.gov.uk



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