

Development Management
Mid Sussex District Council
Oaklands
Oaklands Road
Haywards Heath
West Sussex
RH16 1SS

Our Ref: JH/DAS_38_01

04 March 2026

Dear Sirs

Improving connectivity along the Brighton Main Line

The installation of a Distributed Antenna System base station on Network Rail land near 18 Fairfield Way, Penlands Green, Haywards Heath, Mid Sussex, RH16 1UT (OS Grid Reference 532971, 125963).

On behalf of Cellnex Connectivity Solutions Limited ("Cellnex"), we submit herewith an application for a prior approval determination for the installation of an electronic communications base station at this site. This application follows the completion of our pre-application engagement exercise, reflecting so far as is practicable the guidance and comments offered.

As is explained in this letter, and was explained in the pre-application engagement undertaken, the development proposed is part of the infrastructure we plan to install to provide seamless digital connectivity along the entire length of the Brighton Main Line.

The Application Documents

The application is submitted in accordance with the requirements of Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, (the GPDO) and seeks a determination as to whether the Authority's approval will be required for the siting and appearance of the development proposed.

The application comprises:

- The written description of the development, which involves the installation of a Distributed Antenna System base station consisting of an 8.1m high monopole mast with attached antennas and an equipment cabinet installed on steel grillage
- Location Plan DAS_38_01, at a scale of 1:2500, showing the proposed siting of the apparatus. This is indicated by a grey symbol and the text 'DAS_38_01', which is the reference number for this site in our radio plan
- Payment in respect of the application fee, which has been made through the Planning Portal
- The Developer's Notice and covering letter served on Network Rail on 25 February 2026
- The Developer's contact details, which are provided elsewhere in this letter.

The following information is also provided to assist with your determination of the application:

- The Authority's 1APP form for telecommunications development prior approval applications
- Drawing reference number OP171017-AJMS-DRG-ECV-002001, Revision P01, providing further details of the design and layout of the development
- An ICNIRP Certificate
- A letter of support from Network Rail confirming that the development proposed will not raise any safeguarding concerns for the operation of the railway.

The Scope of the Prior Approval Determination

The permitted development rights granted by Part 16 of Schedule 2 to the GPDO exist to facilitate the establishment of modern communications apparatus and infrastructure, judged by successive governments to be important to a modern economy and in attaining sustainability objectives.

The planning permission granted by Article 3(1) of the GPDO for the permitted development rights in Part 16 that are subject to the prior approval procedure is similar to outline planning permission where details of precise siting and appearance are reserved for determination. This is explained in the Code of Practice on Wireless Network Development in England, which was published in 2022, and in Government guidance on the operation of the town planning system. The National Planning Policy Framework is also accordingly clear that permitted development rights should not generally be withdrawn. As a consequence, the scope of the determination of this application does not extend to whether the development proposed is needed to provide connectivity to the Brighton Main Line due to this being acceptable in principle under the planning permission and permitted development rights conveyed by the GPDO.

As the principle of development at the application site is permitted by the GPDO, there is no need for the determination to have regard to the provisions of the Development Plan. This is because the planning permission granted by Parliament for Part 16 permitted development rights takes account of the fact that communications development is subject to technical and operational constraints requiring the installation of apparatus such as masts, cabinets, and antennas in locations where national and local planning policy constraints may normally apply, e.g. land designated for its townscape or landscape value, locally important designations such as Sites of Importance for Nature Conservation, etc.

The Town Planning Statement section of this letter therefore focuses on the statutory criteria of detailed siting and appearance. In doing so, this is considered against current transportation objectives and town and country planning guidance, including the National Planning Policy Framework and the development plan, only in so far as they are material considerations containing guidance relevant to siting and appearance matters. Reference is also made to the operational and technical constraints of providing coverage to the railway line, the public benefits involved, and the attempts to accommodate the particular requirement.

Paragraphs 74 and 95 onwards of the Code of Practice on Wireless Network Development require the provision of full supporting information and we trust all the supporting material submitted in fulfilment of this guidance is of assistance. If, however, you do require any clarification or further information, please let us know immediately.

Pre-Application Engagement & Previous Refusal

The National Planning Policy Framework ("NPPF") and the Code of Practice on Wireless Network Development in England require a consultative approach to network development with the planning authority and local community, reflecting the particular sensitivities of any given site. In accordance with this guidance, the presentation provided to your authority on 21 February 2022, which was attended by the Business Unit Leader Development Management, the Director for People and Commercial Services, and the Regeneration & Economy Programme Manager, explained the aims and objectives of the Brighton Main Line Connectivity Project and the indicative locations for macro base stations and Distributed Antenna Systems ("DAS") solutions being considered at that time. This initial engagement

was then supplemented by a series of further site-specific engagement for 15 individual base station proposals across the authority's area.

In this case, the development proposed will provide coverage to a stretch of the railway line as it runs through the north of Haywards Heath, just past Penlands Green. Pre-application engagement for the options to provide coverage to this stretch of the railway line was undertaken in June 2023. It was envisaged that we would need to deploy a 30m high lattice mast to provide macro coverage to this stretch railway line (ascribed reference S5_08 in our radio plan) with the preferred option being located at OS Grid Reference 532895,126108 at Sugworth Farm. This option was then progressed with a prior approval application which was refused under LPA reference: DM/24/2335. It was concluded that the siting and appearance of the 30m lattice tower would introduce an incongruous feature impacting the rural setting of nearby listed buildings.

Since that engagement, we have further reviewed the extent of radio signals being provided by the Mobile Network Operators ("MNOs") and this has confirmed that an acceptable degree of coverage can now be provided by antennas installed on the 8.1m high pole now proposed rather than the 30m high lattice mast originally required. Furthermore, the application site has been chosen as it will avoid the impacts on the listed buildings associated with Sugworth Farm.

After careful consideration, we decided that further engagement through the authority's formal pre-application consultation service for this DAS base station was unnecessary given the advice provided in July 2022 and the minor nature of the development proposed.

In relation to other engagement, the proposal received green score when assessed against the Traffic Light Rating Model referred to in the Code of Practice. The assessment undertaken did not identify any sensitive receptors such as schools or pre-school nurseries that require pre-application engagement under the guidance contained in the NPPF and the Code of Practice on Wireless Network Development in England. Given the remote siting of the proposed development, we considered that the site was not 'near to' the school for the purposes of NPPF and Code of Practice guidance, and hence pre-application engagement was not required.

Town Planning Statement

(i) Overview of the Brighton Main Line Connectivity Project

Cellnex Connectivity Services Limited has been awarded the 25-year concessionary contract by Network Rail to provide seamless cellular internet, mobile phone reception, and fibre services along the entire length of the Brighton Main Line route between London and Brighton. This forms part of a package of measures being explored by Network Rail, in conjunction with the Government, the Mayor of London, and Local Authorities for a range of improvements to the Brighton Main Line, including improved rail capacity.

To achieve the objectives for improved connectivity, Cellnex is deploying the following communications infrastructure along or near the railway line:

- New electronic communications base stations providing macro-level mobile media connectivity to fill the gaps where existing Mobile Network Operators' ("MNO") sites do not currently provide coverage along stretches of the railway line or where existing coverage is insufficient to provide connectivity to passengers using rail services. At the time of submitting this application, our radio plan envisages the development of 54 macro-level base stations to remedy coverage gaps along the route. These will involve the installation of antennas on buildings, where possible, or the development ground based lattice masts in locations where it is not possible to use buildings or other structures
- DAS installations to provide very localised coverage to sections of the railway that are not provided with coverage from the MNOs existing base stations and will not be reached by radio signals from the macro-

level base stations being developed by Cellnex. This will typically involve coverage to railway cuttings, within and near tunnels, and to some stretches of the railway elsewhere. We expect that 19 DAS systems will be required based upon the current radio plan, along with the installation of antennas and other apparatus providing improved indoor coverage at London Victoria, London Bridge, and Clapham Junction Railway Stations. The DAS systems providing coverage outside these three railway stations involve 8-10m high slimline monopole masts with attached antennas and an equipment cabinet installed on Network Rail land immediately alongside the railway line. The application before you is for one of these DAS base stations

- High capacity fibre along the railway line from London Victoria and London Bridge Railway Stations to Brighton. This will provide the backhaul connectivity for the new macro and DAS base stations, as well as providing further capacity for Network Rail's Digital Railway programme involving modern signalling and train control technology to increase capacity, reduce delays, enhance safety, and drive down costs. Some of this fibre capacity could also be used for non-rail purposes in the future.

Our agreement with Network Rail requires specified connectivity rates of 100Mb/second per train. To achieve this, the proposed macro-level base stations will provide fourth-generation (4G) services for all MNOs where required with sufficient structural and other capacity to host 5G equipment to ensure that they are future-proofed. By contrast, the DAS systems masts will deliver 4G coverage but cannot be upgraded to provide 5G.

(ii) The Proposed Siting and Design of the Development

The siting and design of the development proposed, which is shown on the submitted location plan and drawing, involves the installation of a DAS base station to provide coverage to part of the railway as it runs in cuttings of various depths to the north of Haywards Heath, towards Copyhold Lane in the north and Old Wickham Lane in the south.

The component parts of the base station consist of the following electronic communications apparatus:

- An 8.1m high monopole mast
- Four antennas attached to the mast providing 4G coverage for all four MNOs
- An equipment cabinet with dimensions of 2m x 1.1m x 0.5m (H x W x D). This cabinet contains the power supply and electronic communications apparatus that supports the operation of the antennas
- Steel mesh grillage with a handrail and screw pile foundations. This provides the safe means of access for the future maintenance of the mast and the equipment cabinet.

The respective materials and finish of the apparatus are as follows:

- The mast is made of ungalvanised steel that will weather to a dull grey colour
- The antennas are made of aluminium and therefore of a hue of grey
- The equipment cabinet is made of steel and aluminium and supplied in grey
- The handrail and grillage are made of aluminium and steel respectively and will weather to a grey colour.

This 8.1m mast will have much less of an impact on the aforementioned listed buildings, mainly because of the reduced height of the proposed development, but also because the proposed DAS pole will be around 300m away from the Grade II listed Sugworth Farmhouse

The base station will be installed on operational Network Rail land to the east of the railway lines, around 150m north-east of the suburban areas on the outskirts of Haywards Heath, and to the south-west of Haywards Heath Golf Course. This stretch of the railway is built within an enclosed section of the railway line due to the presence of mature trees and vegetation located on both the western and eastern sides of the line.

Figure 1: Aerial photograph looking north along the railway line showing the application site identified by the yellow marker:



The woodland area to the immediate east comprises of Sugworth Wood, which is designated as Ancient Woodland, and further to the south is Staves Copse which is designated as Ancient & Semi-Natural Woodland. A designation that Natural England's Magic Maps website indicates that these designations do not occupy Network Rail's land and consequently does not include the application site (see figure 2 overleaf) with the dark green shading indicating Staves Copse Ancient & Semi-Natural Woodland and the lighter green shading indicating Sugworth Wood Ancient Woodland. The proposed DAS siting is marked in red).



Figure 2: Dark green shading indicating Staves Copse Ancient & Semi-Natural Woodland and the lighter green shading indicating Sugworth Wood Ancient Woodland. The proposed DAS siting is marked in red.

As can be seen from the aerial photograph shown on the previous page, and the two images overleaf, the proposed application site does not contain any trees, and at most will only require the minor trimming of vegetation. The proposed development is to be sited on existing hardstanding, pebbled Network Rail land immediately adjacent to the railway.



Figures 3 & 4: Existing ground where the proposed development is to be sited.

The application site is remote from heritage assets and will not have any impact on their setting. The closest entries in the National Heritage List are the Grade II Listed Sugworth Farmhouse under Historic England reference: 1193589, which is 350m north-west of the proposed development. This heritage asset is physically and visually separated from the application site by woodland alongside the western side rail embankment, topography, and distance.

This track side location provides the immediate physical context for the siting of the base station with the alignment of the railway line, ancient woodland and ancient & semi-natural woodland, and other uses either side of the line forming its wider setting. We also highlight that the proposed siting and design of the development within this rural context takes account of the following technical and operational considerations:

- The height of the mast is the minimum required to remedy the gaps in MNO coverage along the railway line and, where relevant, provide contiguous coverage with the macro and DAS base stations being installed by Cellnex as part of the Brighton Main Line connectivity project
- It avoids impact on land within areas of Staves Copse Ancient & Semi-Natural Woodland and the Sugworth Wood Ancient Woodland.
- The proposed siting will not impact upon the safe operation of the rail network or interfere with Network Rail's underground and overground infrastructure that supports its operation. The latter includes the requirement for any DAS base station masts to be at least 100m from Network Rail's GSM-R masts, in order to avoid interference between the antenna systems, and the requirement to be at least 3m from the running rail carrying trains along the railway line

- The proposed siting will also facilitate a connection to the fibre spine running in an existing trough along the western side of the rail line, which will provide the backhaul connectivity for this development. This fibre trough is shown diagrammatically on submitted drawing OP171017-AJMS-DRG-ECV-002001, Revision P01
- The siting is such that the safe means of construction and future maintenance access can be provided, which is one of the key constraints affecting the deployment of any rail side infrastructure.

(iii) Compliance with National and Local Transport Policies

The Brighton Main Line is one of the busiest passenger routes in the UK. It carries a mix of long distance commuters travelling between Brighton and London Victoria and London Bridge Stations, as well as people making local journeys to other railway stations in London, Sussex, and Surrey. It also carries the Gatwick Express service between London and Gatwick Airport. Prior to the outbreak of the Covid-19 Pandemic, it was estimated that the Brighton Main Line carried over 300,000 passengers per day. In addition to long-distance commuters, the Brighton Main Line also benefits people who live, work, or just visit the areas served by each railway station along the route.

The stretch of railway line that will receive improved connectivity from the DAS base station runs between Haywards Heath and Balcombe railways stations. Haywards Heath is one of the two busiest stations in Mid Sussex. Data published by the Office for Road and Rail ¹ shows that between April 2024 and March 2025 Haywards Heath Station recorded 3,957,580 entries and exists, whilst Balcombe Station recorded 213,026. The main origin and destination stations in each case were respectively London Victoria (892,728 journeys) and London Bridge (42,340 journeys).

Improving mobile connectivity for rail passengers will therefore deliver several public benefits. These include improved productivity for people who wish to work while travelling and expect a fully 'connected' experience, to others who may just wish to stay in touch with friends and relatives during their journeys, or people who value that seamless mobile connectivity will provide safety and confidence in case of an emergency or incident, e.g. by enabling them to communicate with relatives or the emergency services.

The improved connectivity provided by the development to this stretch of the Brighton Main Lane will also support the delivery of the following national, regional, and local transport objectives:

- Recommendation 3 of 'The National Infrastructure Commission – Connected Future' (2016) report, which states that *"Rail passengers should have high capacity wireless connectivity. This should be achieved through a delivery model that utilises trackside infrastructure to provide an open and accessible mobile telecommunication and backhaul network that is fit for the future."*
- The Government's 'Connected Future: Getting back on track' report, published in February 2020, which expressed concern that *"Progress in improving mobile connectivity on the rail network has been limited, and work appears to have stalled since government endorsed the Connected Future recommendation. The current rate of progress will not be enough to ensure that basic mobile services are available on the UK's main line rail routes by 2025"*
- Section 9 Promoting sustainable transport of the NPPF that, amongst other things, aims to ensure that opportunities and benefits deriving from existing or proposed transport infrastructure, and changing transport technology and usage, are realised (paragraph 104(b))

¹ [Estimates of station usage April 2024 to March 2025](#)

- Transport for the South East 'A Bold Vision for a Brighter Future' strategy that sets out the 30-year transport strategy for Mid Sussex and the rest of the South East of England
- The Mid Sussex District Plan 2014-2031, including the role that the Brighton Main Line plays in supporting Policies DP1 Sustainable Economic Development, DP19: Sustainable Tourism, and DP21: Transport of the plan. The latter policy explains that development should support the objectives of the West Sussex Transport Plan 2011-2026, including by creating a '*high quality transport network that promotes a competitive and prosperous economy*' (first bullet point) and providing '*a transport network that feels, and is, safer and healthier to use*' (fourth bullet point).

As we continue to readjust from the Covid-19 pandemic and learn to live with its consequences, there has been a steady increase in use of the railway network across the UK, including the Brighton Main Line. The pandemic has also accelerated a trend of greater homeworking for some trades and professions, facilitated by good fixed-line and wireless broadband connectivity where this exists.

As this hybrid working model becomes commonplace, expectations of what 'the commute' to the workplace by rail entails are changing. The daily commute now represents an opportunity for people to utilise their time differently, often more effectively and productively, including building the commute into their working day. This brings with it the expectation of a fully 'connected experience' requiring access to high speed and reliable mobile connectivity, thereby providing the ability to work on the move and to be contactable by employers and customers if required.

This new way of working is putting more pressure on rail operators than ever before with improved infrastructure and digital accessibility being a key element of the future of rail travel. The connectivity improvements delivered by the base station are a response to these trends and objectives, as it will ensure that passenger demands for ultra-fast, reliable, connectivity are being met. This will not only benefit long-distance commuters and local residents travelling to Brighton and central London, but also people who commute to and from jobs in the local area using rail services in the District.

(iv) National and Local Town and Country Planning Policies for Improved Connectivity Infrastructure

There is significant UK Government support for improved electronic communication connectivity of all types in view of its increasingly central and transformative socio-economic role. This recognises that digital connectivity is vital to enable people to stay connected and for businesses to grow. As the demand for mobile data and other digital connectivity services in the United Kingdom is increasing rapidly, it is important that everyone has access to dependable and consistent wireless coverage where they live, work, and travel.

These objectives are reflected in several Government strategies, including the Future Telecoms Infrastructure Review (2018) and The National Infrastructure Strategy (2020). These documents provide guidance on the Government's long-term strategy for meeting its digital connectivity targets and delivering high quality, reliable digital infrastructure that works across the UK. Most recently, the UK's Digital Strategy was published on 13 June 2022. This sets out the Government's vision for the digital economy and technology sector. The Digital Strategy seeks to facilitate the rolling out of world-class digital infrastructure across the UK while strengthening the foundations of the country's digital economy. Notably, the strategy cites its alignment with the Government's Levelling Up mission by ensuring that everyone, wherever they live or work in the UK, can access the connectivity and services they need for the ever-digitising world.

The Ministerial Forward and Executive Summary to the strategy by Chris Philp MP, former Minister for Tech and the Digital Economy, Department for Digital, Culture, Media and Sport, contains the following statement:

"Digital technology has transformed our lives and will continue to do so. The UK's economic future, jobs, wage levels, prosperity, national security, cost of living, productivity, ability to compete globally and our geo-political standing in

the world are all reliant on continued and growing success in digital technology. That is why the UK must strengthen its position as a Global Science and Tech Superpower - and why the Government is taking steps to achieve it..."

More recently, the Government has published The UK Wireless Infrastructure Strategy, Department for Science, Innovation and Technology, April 2023. Amongst other things, this strategy builds upon the findings of the Connected Future reports and contains the following statement on the need to improve mobile media connectivity to railway services across the UK (pages 26 and 27):

"Connectivity on transport networks - rail

Coverage on the rail network remains patchy. Responses from the rail industry, mobile operators and network vendors to our Call for Evidence were clear that connectivity for passengers on the railways is unsatisfactory, with passengers often struggling to connect to a network or carry out activities such as working online, accessing the internet or making a call. Not only is this frustrating for consumers but it acts as a barrier to growth and productivity.

There are a number of challenges that, over time, have contributed to the difficulties of improving connectivity along rail routes. Railway lines often run through cuttings and pass through tunnels so that signals from masts placed outside of the rail corridor cannot reach the trains. Trains may also run through rural areas with limited mobile coverage. Trackside infrastructure is necessary to provide a consistent signal, but this is more costly and complicated to deploy, as operators can only deploy infrastructure when the railway line is not in use. Furthermore, the process to access trackside infrastructure is complex and resource intensive.."

The importance of providing seamless 4G wireless broadband connectivity to passengers travelling on the Brighton Main Line will only increase if the Department for Transport (DfT) allows rail companies to drop on-board Wi-Fi services as part of its current drive to cut costs and reform all aspects of the operation of rail services in the UK. This possibility received widespread media coverage in May last year with an article on the Guardian's website² quoting a DfT spokesperson stating that:

"Our railways are currently not financially sustainable, and it is unfair to continue asking taxpayers to foot the bill, which is why reform of all aspects of the railways is essential. Passenger surveys consistently show that on-train wifi is low on their list of priorities, so it is only right we work with operators to review whether the current service delivers the best possible value for money."

The Guardian's article further reports that the DfT's review reflects the costs of replacing or upgrading some on-train Wi-Fi equipment installed in the middle of the last decade, and whether passengers on journeys use their own mobile phones or data rather than connecting to an operator's Wi-Fi network.

To deliver improvements to existing services and support future mobile technologies, it is therefore essential that the planning system looks to support and facilitate new base station infrastructure such as the proposed development to meet the Government's Digital Strategy.

In this regard, the development proposed is also supported by, and accords with, Section 10 of the NPPF, which provides further guidance on the Government's objective of providing high quality communications networks in England. The NPPF clearly acknowledges the benefits of modern electronic communications networks and seeks to encourage such development as being essential due to its role in supporting a modern economy, contributing to sustainable objectives, and enhancing local community access to a range of goods and services. It is for these reasons that local planning authorities are advised to respond positively to proposals for electronic communications development and this must include an understanding of the technical, operational, and other constraints of providing improved 4G connectivity to the Brighton Main Line.

² <https://www.theguardian.com/business/2023/may/22/rail-passengers-in-england-could-lose-wifi-access-amid-cost-cuts>

You will be aware that paragraph 120 and 122(c) of the NPFF set out a sequential approach for base station development with encouragement given to the shared use of existing masts where possible (stage 1), the installation of antennas on buildings and other structures (stage 2), and finally the assessment of locations for new ground based masts (stage 3). Similar guidance is contained in Policy DP23: Communication Infrastructure of the Mid Sussex District Plan and in the Code of Practice on Wireless Network Development in England.

In response to this sequential approach, we highlight that the MNOs may have installed their own base station infrastructure on masts or buildings near the Brighton Main Line in some locations but, in most cases, their primary aim is to provide coverage to the residential and business communities nearby rather than to the railway line itself. As a result, any coverage to the rail line is often incidental, patchy, or even non-existent and, even where a base station has been specifically located to provide coverage to the railway line, there are still significant stretches that do not receive the required level coverage. Consequently, the shared use or redevelopment of existing MNO base station infrastructure is not a viable technical alternative to the development proposed. Put simply, the DAS base station proposed is required to remedy gaps in coverage left by the existing MNO base station infrastructure that is already in place.

Similarly, Network Rail has installed its own masts along the railway line to provide coverage for its GSM-R system in some locations. This provides a dedicated digital, secure, and dependable communications service between train drivers and signallers. This helps to increase safety, reduce delays, and improve performance of the operation of the Brighton Main Line. Network Rail does not permit the shared use of these masts by the MNOs or other organisations and, in any event, the masts do not have the structural capacity to accommodate the required apparatus even if this were not the case. Consequently, the shared use or redevelopment Network Rail's GSM-R masts is not an available alternative to the application proposal.

Against that background, the sequential approach has been followed in selecting the application site, originally as part of the search for a 25-30m high mast to provide macro-level coverage to section 5_08 of our radio plan with these options then reassessed in selecting the proposed location for the DAS site 38_01 in the revised radio plan. The other sites considered, and the reasons for discounting them, in accordance with this sequential approach are listed below with Annexe A to this letter showing the area of search for the base station and the indicative location of each option:

- Option 1: Sugworth Farm (NGR: 532906, 126026). Although radio coverage was adequate in this location the micro siting of sites is critical to provide optimum coverage. However, following the refusal of application DM/24/2335, which was a better site for a lattice mast in terms of town planning, this option has been discounted in favour of the DAS option proposed as part of this application.
- Option 2: Woodland adjacent to the railway cutting existing EE mast (NGR: 532764, 126486). The site was closer to residential properties and could not provide coverage to the south of the railway line due to dense tree growth. Although this is an existing site which is 25 metres in height a significant increase in height would be required to ensure the bottom array of antennas was above the surrounding trees. The mast would have to be increased by approximately 15 metres to provide the required levels of coverage to the south and would also need to be swapped out as the current structure is not capable of supporting multiple MNO's. This would therefore increase the bulk and visibility of the installation. It was considered that an additional 8.1m DAS solution would have less of an impact on the area than one bulkier and higher mast which would not be as well screened by the existing trees and would have a high degree of visual impact in the area.
- Option 3: Copyhold Junction, Copyhold Lane, Arlingly West Sussex RH16 1XT (NGR: 532775, 126814). The site was closer to residential properties and located within the AONB. This site could not provide the coverage to the south of Sugworth Farm and into the cutting of the railway line.

- Option 4: Land at Sugworth Farm, Borde Hill Lane, Haywards Heath, West Sussex, RH16 1XP (NGR: 532881, 126102). This was the initial preferred candidate and subject to application DM/24/2335, which was refused. The application was refused because of the impacts the development would have on nearby listed buildings. To overcome this reason for refusal, a smaller DAS solution has been chosen which will be separate from these listed buildings.

In our view, the results of the comprehensive search undertaken, along with the technical and operational constraints that apply, demonstrate that the proposed siting and design of the DAS base station proposed is a sequentially acceptable solution under NPPF guidance and Policy DP23: Communication Infrastructure of the District Plan.

(v) Balancing Technical, Operational, and Environmental Considerations

The special operational and technical factors that require specific siting of a DAS base station alongside the railway line are balanced by the need to minimise environmental and visual impact in accordance with the guidance in the NPPF and the second and third bullet points in Policy DP23: Communication Infrastructure of the District Plan. In relation to this balancing exercise, paragraph 64 of the Code of Practice on Wireless Network Development in England explains that electronic communications base stations are principally guided by the technical need for the site and the technical constraints placed upon transmitting a signal to the required coverage area, in this case to remedy gaps in MNO coverage referred to previously.

The siting and design of the electronic communications base stations proposed is underpinned by the need to strike an acceptable balance between visual impact and these operational needs and technical constraints. In this case, the base station will be installed a short distance from the railway line within an operational Network Rail compound where track-side manmade features associated with the operation of the railway, such as cabinets, poles, etc., are expected to be found.

The base station will also be installed in a location where publicly accessible vantage points are limited and mostly restricted to extremely distant views from Old Wickham Lane Bridge almost 700m to the south, or Copyhold Lane around 650m to the north. These are the only public vantage points from which the pole should be at all visible. Even then, the presence of the mast, which is the most visible component of the base station, will be mitigated by the presence of mature trees in the foreground or in the background, depending on the position of the viewer. Even if the mast will register some visual presence in views from the north or south, this will not appear as a jarring or incongruous feature in our opinion given its height and other dimensions. In our view, these mitigating factors will ensure that the development proposed will not have any on the outlook and other amenities enjoyed by local residents.

We are conscious of Natural England and the Forestry Commission's joint 'standing advice' in relation to development near Ancient Woodland. This includes guidance that, for ancient woodlands, a development proposal should have a buffer zone of at least 15 metres from the boundary of the woodland to avoid root damage. The proposed siting of the development takes account of this guidance by placing the apparatus on the eastern boundary of the Network Rail land on existing hard surface land. This will be about 28m from the Sugworth Wood Ancient Replanted Woodland, and also 6.5m from Staves Copse Ancient & Semi-Natural Woodland, and thereby infringe the 15m buffer zone guidance. Due to this infringement Cellnex have sought to consult Natural England about the siting of the proposed equipment which included email correspondence submitted on 29 January 2026. A response was received on 02 February 2026 which raised no hard objections to the proposal, although made it clear this was not bespoke advice.

We consider the siting will be acceptable given the already 'spoiled' nature of the pebbled Network Rail land, and therefore the development will result in no harm to the woodland given that this is an operational Network Rail land. The land does not constitute undisturbed soil, and the ground is already compacted to a degree that

mitigates impact. In any case, the design of the development is so that it has a screw fix foundation which will effectively sit on top of the land, with only the four screws entering the soil.

In summary, the siting and design of the development should therefore be acceptable in this location, having regard to its context and the technical and operational constraints that apply. It therefore accords with the following design and other policies relevant to siting and design matters:

- Section 10 Supporting high quality communications and Section 12 Achieving well-design places of the NPPF
- Policies Policy DP23: Communication Infrastructure, DP26 character and design, and DP37 Trees, Woodland and Hedgerows of the Mid Sussex District Plan
- Policy E9 Design of the Haywards Heath Neighbourhood Plan.

(vi) Health and Safety Considerations

The proposed siting and design of the development meets all relevant health and safety guidelines, including those applicable to developing and maintaining new communications infrastructure alongside a high-speed railway line. This is demonstrated by the submitted letter from Network Rail, which confirms that the development will not raise any safeguarding or other concerns in relation to the operation of the Brighton Main Line.

We also highlight that the DAS base station proposed, in common with every electronic communications installation owned or managed by Cellnex, will also operate in accordance with the guidelines of the International Commission on Non-Ionizing Radiation Protection (ICNIRP) adopted by the UK Government. A certificate confirming compliance with the relevant ICNIRP guidelines on public exposure has been supplied with this application. The ICNIRP guidelines seek to protect against the well-known thermal effects of radio emissions and include a significant precautionary factor. These guidelines apply to all forms of electronic communications and mobile technology is one of the lowest powered of these.

National planning policy remains clear, provided an application is certified as ICNIRP compliant, local planning authorities should not seek to effectively set different guidelines through the refusal of prior approval.

Developer's Contact Details

All correspondence and queries relating the determination of this application should be submitted to the undersigned.

However, in accordance with the requirements of The Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, any correspondence to the developers should be sent to:

Town Planning Team, Cellnex Connectivity Solutions Limited, R+, 4th Floor, 2 Blagrove Street, Reading, RG1 1AZ.

Email: planning@cellnextelecom.co.uk

Electronic Communications Code Regulations Notification

This letter and the enclosures also provide due notification, as may be required, under the relevant conditions of the Electronic Communications Code (Conditions and Restrictions) Regulations 2003, as amended. In particular, you are given notice of the intention to install the electronic communications apparatus described in more detail in the application documentation (including the scale drawings) and to be located as shown on the application plans.

We would also be willing to meet with you or assist with any visits to the site and the surrounding area, if this is beneficial to the determination of the application.

Finally, your attention is drawn to the statutory 56 days period for the determination of this application of this nature upon which detailed advice is given at paragraphs 101-103 of the Code of Practice on Wireless Network Development in England.

Yours faithfully

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Annexe A: Search area and the location of discounted options

