

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/0328	Case Officer:	Catherine Cardin
Application Type:	Prior Notification - Telecommunication		
Proposal:	Proposed installation of a 17.5m monopole supporting 6 no. antennas, 2 no. 300mm transmission dishes, 3 no. equipment cabinets and ancillary development there to including 3 no. Remote Radio Heads (RRHs).		
Site:	Land North Of 1 Burdocks Drive, Burgess Hill, West Sussex, RH15 0HJ, , , ,		
Validation Date	9 Feb 2026	Overall Expiry Date:	11 Mar 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Prior Approval is Refused	Recommendation Date:	30 Mar 2026
Target Date:	6 Apr 2026	Recommending Officer Signature:	<i>Catherine Cardin</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	21
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	30 Mar 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/0328

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(RRHs).
Cornerstone**

REPRESENTATIONS

A total of 26 letters of objection were received which raised concerns regarding:

- o Too close to residential properties
- o Harm to the character and appearance of the area as it will be much taller than the existing street furniture
- o Concerns about health risk
- o Flood risk
- o Safety concerns during extreme weather
- o Impact to wildlife
- o Other more suitable sites should be explored
- o Land ownership
- o Reduction in property values
- o Pedestrian access
- o Proximity to the electricity sub station
- o Traffic hazard
- o Noise impact
- o Sustainability

One letter of support was received which raised the following points:

- o Improved network coverage
- o No evidence of harmful effects to health
- o Would not have a harmful effect on the natural beauty of the area

CONSULTATIONS

WSCC Highways

No objection.

Nature Space

No comment.

TOWN COUNCIL OBSERVATIONS

The Committee of 9th March would Recommend Refusal - due to being contrary to the following planning policy documents:

National and Local Planning Policy 2024 (NPPF 2024), chapters 8,10,11,12 - which requires decisions to create healthy, safe and visually attractive places, with a high standard of amenity for existing and future users and support high quality communication whilst keeping masts to a minimum and sympathetically designed.

Mid Sussex District Plan

DP26 - Character and Design - as it's materially out of scale with the surrounding two story homes and gardens creating a dominant and visually obtrusive structure that is oppressive and overshadows several nearby properties.

DP23 - Communication Infrastructure - requires the location and appearance to minimise impact.

Mid Sussex Design Guide SPD:

DG39 - Deliver appropriately scaled buildings - relating to street enclosure and frontage.

DG13 - Provide positive frontage to streets

DG14 - Provide enclosure

DG17 - Provide attractive streets and spaces - by creating attractive pedestrian friendly streets.

Burgess Hill Neighbourhood Plan (design, character and amenity) - The application will adversely affect the visual outlook of multiple residential properties and be contrary to the plan's design and placemaking policies.

NPPF chapter 10 expects that the number of masts and sites to be kept to a minimum and encourages use on existing structures and requires applicants to demonstrate that they have explored the possibility of sharing or using existing buildings and masts and to justify the chosen site.

Effect of 5G

In addition, the health impacts of 5G remain unclear from the reports submitted with the application. This remains a technology in infancy and appropriate considerations should be taken when installing in residential areas.

INTRODUCTION

This application is submitted on behalf of Cornerstone Telecommunications Infrastructure Limited. The application seeks a determination under Part 16 of the Town and Country Planning (General Permitted Development) (England) Order 2015 referred in paragraph 115 of the National Planning Policy Framework (NPPF). Part 16 of the order grants a deemed planning permission for the erection of ground-based telecommunications masts and ancillary equipment in areas such as these. A condition of the deemed planning permission, however, is that the Code Systems Operator must apply to the Local Planning Authority for determination as to whether details of the siting and appearance of the equipment is required and if so, whether approval should be granted.

The Local Planning Authority has 56 days to determine this type of application. If the Local Planning Authority fails to determine the application within this time scale the applicants may proceed irrespective of the decision the Local Planning Authority may have made. This is not a planning application.

PLANNING HISTORY

No relevant history.

SITE AND SURROUNDINGS

The site of the application is an area of highway verge on the eastern side of Kings Way in Burgess Hill. Kings Way is an attractive road with a number of roads off it. There are lighting columns along the road.

The site lies within the built-up area of Burgess Hill. Neighbouring properties lie to the north, east and south. Highway is located to the west.

APPLICATION DETAILS

The application seeks consent for the following works:

- Installation of a 17.5m high pole with 6 no. antennas, 2 no. 300mm transmission dishes
- 3 no. equipment cabinets and ancillary development there to including 3 no. Remote Radio Heads (RRHs).

The application is accompanied by a supporting statement from the applicants. In summary it makes the following points:

- The development is necessary to provide improved 2G, 4G and 5G coverage to the area
- The proposed height at 17.5m is essential in order to provide coverage to the target coverage area.
- A number of other potential options have been discounted as being unsuitable for various reasons
- The column will be coloured grey to match the other elements of street furniture such as the lighting columns and blend in with the often grey sky.

LIST OF POLICIES

District Plan

Policy DP23 of the Mid Sussex District Plan states:

'The Council will encourage the incorporation of digital infrastructure including fibre to premises, in major new housing, employment and retail development.

The expansion of the electronic communication network to the towns and rural areas of the District will be supported.

When considering proposals for new telecommunication equipment the following criteria will be taken into account:

- o The location and appearance of the proposed apparatus and associated structures should seek to minimise impact on the visual amenity, character or appearance of the surrounding area. On buildings, apparatus and associated structures should be located and designed in order to seek to minimise impact to the external appearance of the host building;*
- o New telecommunication equipment should not have an unacceptable effect on sensitive areas, including areas of ecological interest, areas of landscape importance, Areas of Outstanding Natural Beauty, the South Downs National Park, archaeological sites, conservation areas or buildings of architectural or historic interest and should be sensitively designed and sited to avoid damage to the local landscape character;*
- o Preference will be for use to be made of existing sites rather than the provision of new sites.*

When considering applications for telecommunications development, regard will be given to the operational requirements of telecommunications networks and the technical limitations of the technology.'

Burgess Hill Neighbourhood Plan

Burgess Hill Neighbourhood Plan was made in 2016.

No relevant policies.

National Policy

Central Government advice on telecommunications development is set out in the NPPF, which was published in December 2024. The relevant paragraphs are 119-122.

Paragraph 119 states *"Advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections. Policies should set out how high quality digital infrastructure, providing access to services from a range of providers, is expected to be delivered and upgraded over time; and should prioritise full fibre connections to existing and new developments (as these connections will, in almost all cases, provide the optimum solution)".*

Paragraph 120 states *"The number of radio and electronic communications masts, and the sites for such installations, should be kept to a minimum consistent with the needs of consumers, the efficient operation of the network and providing reasonable capacity for future expansion. Use of existing masts, buildings and other structures for new electronic communications capability (including wireless) should be encouraged. Where new sites are required (such as for new 5G networks, or for connected transport and smart city applications), equipment should be sympathetically designed and camouflaged where appropriate"*.

Paragraph 121 states *"Local planning authorities should not impose a ban on new electronic communications development in certain areas, impose blanket Article 4 directions over a wide area or a wide range of electronic communications development, or insist on minimum distances between new electronic communications development and existing development. They should ensure that:*

a) they have evidence to demonstrate that electronic communications infrastructure is not expected to cause significant and irremediable interference with other electrical equipment, air traffic services or instrumentation operated in the national interest; and

b) they have considered the possibility of the construction of new buildings or other structures interfering with broadcast and electronic communications services".

Paragraph 122 states *"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".

Paragraph 123 states *"Local planning authorities must determine applications on planning grounds only. They should not seek to prevent competition between different operators, question the need for an electronic communications system, or set health safeguards different from the International Commission guidelines for public exposure"*.

ASSESSMENT

The main issues in this case are the visual impact of the proposed mast on the character of the area, and the health and noise concerns that have been raised by objectors to the scheme.

Impact on the character and appearance of the area

Kings Way is street lit with lighting columns some 8m in height. Approximately 75 metres to the south of the site there is some street furniture by the way of a bus stop, road signs and a bench. Whilst there are 8m high trees between the proposed and the housing to the east and opposite, the mast will be very prominent within the locality given its location on an open stretch of grass verge and the fact that it would be substantially taller than the surrounding lighting columns and tree screening.

It is considered that the height of the structure together with the associated antennas, which would have a greater girth than the mast itself, would mean that the structure would be very prominent within the locality. It is considered that this prominence will have a detrimental impact on the character and

appearance of the street scene. It is considered that there will be clear harm from the proposal that cannot be mitigated through the existing tree screening or from painting the structure a grey colour; the problem is simply that the proposed mast will be far larger than the other street furniture in the locality. It is therefore considered that the proposal conflicts with policy DP23 in the Mid Sussex District Plan.

Health Concerns

Objection letters have been received which raise objection to the proposal in part due to the potential health risks to residents and whilst these concerns are noted, paragraph 122 of the NPPF requires these types of development be accompanied by a statement that self-certifies that, when operational, International Commission guidelines will be met.

Paragraph 123 states that LPAs should not seek to set health safeguards different from the International Commission guidelines for public exposure. A Declaration of Conformity Public RF Exposure Guidelines formerly known as an ICNIRP (health) compliance certificate, is included with the application ensuring compliance with paragraph 122 of the NPPF. It should also be noted that no conclusive evidence has been provided demonstrating that the proposal would have adverse effects on health, including to pacemakers and similar devices. As such the proposal is considered to be acceptable in this regard.

Noise concerns

Letters of representation raise concern regarding the potential noise of the proposal. The Cabinet Siting and Pole Siting Code of Practice provides guidance on above-ground electronic communications apparatus in terms of siting, design and planning considerations, but does not identify noise as an environmental or amenity issue. It provides no indication that the equipment emits significant sound. It is therefore not considered that the proposal would give rise to significant noise concerns.

Site selection

The submitted site selection assessment does not demonstrate that all reasonable alternative locations have been fully explored. Several potentially suitable sites appear to have been overlooked or sufficiently evaluated. Specifically, a rationale for excluding the Basket Ball Court at Sycamore Drive and the field north of Kings Way was not included.

Other matters

A number of objection letters have been received in respect of the application and whilst several of the issues raised have been addressed above it is considered important to address the remaining issues.

Public comments draw attention to property values and land ownership. These are not material planning considerations that can be taken into account in determining this application.

Objections submitted reference the impact on pedestrian access to the neighbouring pavement. The Highways Authority were consulted on the application and have provided a response. Given that the proposed monopole and equipment cabinets would be located within the existing grassed area and not the existing footway, they do not anticipate that the proposal would result in an obstruction to any pedestrians who may be utilising or seeking refuge within the highway boundary.

Representations received refer to potential traffic hazard arising from vehicle collision with the pole and the risk of the structure collapsing. Matters relating to the structural integrity of the installation, its compliance with highway safety standards, and the ability of the pole to withstand impact are regulated under separate statutory regimes outside the planning process.

Comments received raise concern regarding the potential flood risk to the telecommunications mast. However, the council's flood-risk mapping does not identify the site as being located within flood zones 2 or 3, nor within an area identified as being at risk from surface water flooding. Accordingly, flood risk is not considered to be a material issue in this instance.

The matter of extreme weather events and the proximity to the electricity substation have been raised. The safe and proper construction of telecommunications infrastructure is dealt with under a separate regulatory regime and is not considered to be a material planning consideration.

Concerns have been raised regarding the potential impact on wildlife. No regulatory body in the UK currently identifies 5G masts as presenting a proven ecological risk, and existing national policy does not require additional ecological assessment beyond standard planning considerations. In this context, and in the absence of any site-specific evidence demonstrating likely harm to protected species or habitats, the proposal cannot be reasonably considered to give rise to a demonstrable effect on wildlife which would justify refusal in planning terms.

Representations received refer to the sustainability of 5G technology, including the energy consumption of the technology. These issues relate to the technological characteristics of the network rather than the siting or appearance of the proposal. Under the prior approval process, assessment is confined to siting and appearance, and as such, these issues cannot be afforded weight in the determination of this application.

CONCLUSION

It is considered that there are clear benefits from the proposal in relation to improved telecommunications infrastructure within the District. These are matters that weigh in favour of the application when considering the siting and design of the proposal.

However, weighed against this, it is considered that the proposal will have a detrimental impact on the character and appearance of the area. The mast will be a very prominent feature within the locality that will be significantly taller than the existing street furniture. It is not considered that the impact on the amenity of the area has been minimised from the proposal.

Decision: Prior Approval is Refused

Case Officer: Catherine Cardin