



**ADUR DISTRICT  
COUNCIL**

**Planning Committee  
5 July 2021**

**Agenda Item 6**

**Ward: ALL**

**Report by the Director for Economy**

**Planning Applications**

**1**

**Application Number: AWDM/0478/21      Recommendation – Approve**

**Site:            20 Lancing Close, Lancing, West Sussex BN15 9NJ**

**Proposal: Application for consent under Adur Tree Preservation Order No. 13.53/1/01 (L) of 2001 to pollard at 14 metres to previous points Poplar trees T3 T4 T5 and T6.**

**2**

**Application Number: AWDM/0886/21      Recommendation – Approve**

**Site:            Telecommunications Site, Southwick Football Club,  
Old Barn Way, Southwick**

**Proposal: Replacement of existing 17.2m mast with a 20m monopole mast (5G) with 12 antennas and associated enabling radio equipment and development works.**

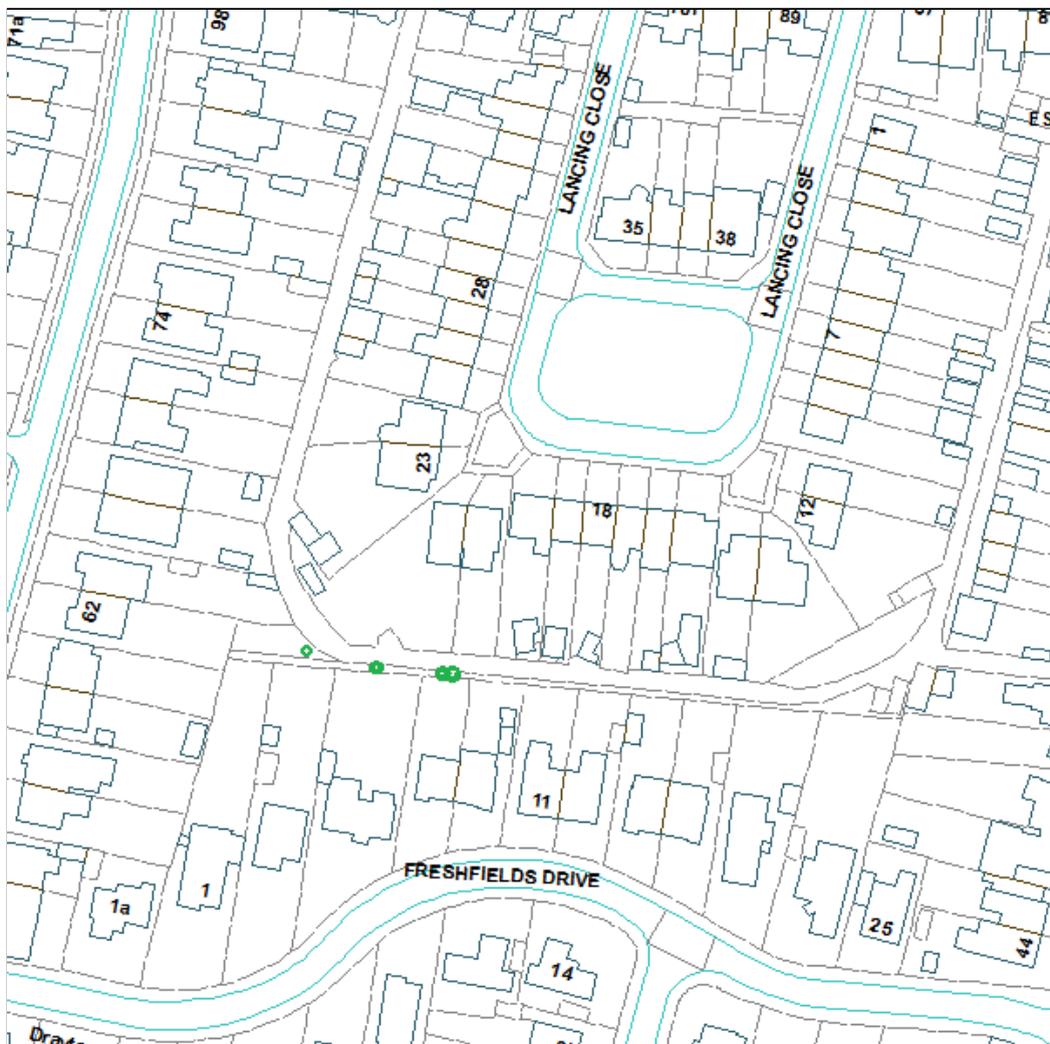
**3**

**Application Number: AWDM/0790/21      Recommendation – Approve**

**Site:            The Shoreham Centre, Pond Road, Shoreham-By-Sea**

**Proposal: Installation of 8no. air source heat pumps on the roof.**

<b>Application Number:</b>	<b>AWDM/0478/21</b>	<b>Recommendation - Approve</b>
<b>Site:</b>	<b>20 Lancing Close Lancing West Sussex BN15 9NJ</b>	
<b>Proposal:</b>	<b>Application for consent under Adur Tree Preservation Order No. 13.53/1/01 (L) of 2001 to pollard at 14 metres to previous points Poplar trees T3 T4 T5 and T6.</b>	
<b>Applicant:</b>	Mrs Ruth Nicol	Ward: Manor
<b>Agent:</b>	Mr Stephen Duance South Coast Tree Care Ltd	
<b>Case Officer:</b>	Jeremy Sergeant	



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## **Proposal, Site and Surroundings**

The application refers to four large tall Poplar trees growing in the rear access way between Lancing Close and Freshfields Drive. The trees are a prominent part of the street scene and make a contribution to the character and visual amenities of the area.

Consent is sought to pollard at 14 metres to previous points Poplar trees T3, T4, T5 and T6.

The reasons for the works are primarily in the interests of safety, light issues and amenity value.

## **Relevant Planning History**

2001: Adur Tree Preservation order Number 13.53/1/01/L of 2001 made on 30/01/2001.

2011: Application for consent under Adur Tree Preservation Order No. 13.53/1/01 (L) of 2001 to Reduce 3 limbs of 2 poplar trees (subject to TPO 13.53/01/01/L)

2011: Reduce limb of Poplar tree at rear of 21 and 22 Lancing Close back to boundary fence line (subject to TPO 13.53/1/01/L)

## **Consultations**

### **Lancing Parish Council**

Agree that the application should be considered by Members of Adur District Council Planning Committee, due to the large number of objections.

## **Representations**

18 representations received from nearby neighbours in objection. The objections are similar, claiming the works would be damaging to birds and wildlife, with much emphasis on nesting season. It is also claimed that other reduced trees had not re-grown or are now substantially smaller. Other remarks are concerning the location of the trees in regards to the application address, the effect of the works on "Climate Change" and the need for the trees to be assessed.

## **Relevant Planning Policies and Guidance**

Adur Local Plan 2017

Design Bulletin No.1 'Trees and Landscaping' (ADC 1996)

National Planning Policy Framework (February 2019)

## **Relevant Legislation**

The Committee should consider the planning application in accordance with:

Section 70 of the Town and Country Planning Act 1990 (as amended) that provides the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations; and

Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

## **Planning Assessment**

The trees are part of a row of large tall Poplar trees that run from east to west along the rear access way to properties in Lancing Close, adjacent to the boundaries with properties in Freshfields Drive, with tree T6 being inline but in the rear garden of 62 Elms Drive. The trees are prominent to the area, and can be seen from many views. The trees are:

### **Poplar tree T3**

The Poplar tree T3 is to the east of the four Poplars, opposite the southwest corner of the rear garden of 21 Lancing Close. The tree has a large diameter single stem to 6 metres where it then divides into two. The north stem has been reduced at 14 metres, with the south stem persisting to 12, where it then begins to divide. The main crown is dense and wide spread with some slightly over extended laterals, and a heavy insurgence of Ivy that is being managed.

### **Poplar tree T4**

This tree is located within 2 to 3 metres of tree T3 on slightly raised ground to the south of the access way behind Lancing Close. The tree has a large diameter single stem that begins to arch over from 14 metres and mostly persists to the top of the crown. Side stems to the north have been reduced at 12 to 14 metres. The main crown is dense and wide spread partially intertwined with T3, and has the remains of thick ivy growth in the lower sections.

### **Poplar tree T5**

The Poplar tree T5 is the furthest west of the trees within the access way, located to the rear of 22 Lancing Close. The tree has a large diameter single stem to 8 metres where it then begins to divide. The main stem is clear to 4 metres where several large secondary stems emerge. The northern side of the tree has been heavily pruned at 12 metres on its northern side. The main crown is dense and wide spread with some over extended laterals.

### **Poplar tree T6**

This tree is inline with the other trees but fenced off to be included within the rear garden of 62 Elms Drive. The tree has a large diameter single stem to 3 metres,

where it then divides into three large secondary stems that each mostly persist to the top. The main crown is dense and wide spread with some remains of thick Ivy.

The proposed works to all four trees are to initiate a new pollards at 14 metres, where appropriate reduce to previous points and carry associated works, including reduction in radial spread.

The works are to contain the size and spread of the trees, allowing for more manageable re-growth at a suitable height. The works are proposed so as to prevent the trees from becoming "overgrown" by making excessive weight on the relatively slender stems and limbs. This is a recognised trait of Poplar trees, that if left to grow will often have large breaks, which in turn can cause tear back, where bark is lost and live wood exposed. The works would be conditioned to be carried out to British Standards for Tree Works and will result, in time, to the trees having a similar appearance to the Poplar tree T1 which is to the eastern end of the group close to 13 Lancing Close.

It is considered that the works will have a material impact in relation to the overall size, spread and crown form of the trees and a significant amount of change will take place. However the works are conditioned to be carried out to the relevant British Standards, and an Advisory Note is issued with all consented tree works ensuring that the relevant wildlife requirements are adhered to. The works are, however, considered necessary to preserve the trees by reducing the possibility of damaging failure due to tall and wide spread over laden stems and limbs. In the long term the works will not have adversely affected their appearance, amenity value, or contribution to the character of the area.

The alternative is not to carry out any works, and allow the trees to continue growing as they are but this will risk future failure of the trees. Given that the works are considered acceptable in amenity terms and will contribute to the longevity of the trees, it is considered on balance that the application is acceptable.

## **Recommendation**

### **Grant permission subject to the following conditions:-**

1. Approved Plans.
2. The proposed works, hereby permitted, shall be restricted to those specified in the application only unless otherwise agreed in writing with the Local Planning Authority and carried out within two years from the date of consent and in accordance with the British Standard BS 3998: 2010 Tree Work.

**Reason:** In the interest of visual amenity.



Poplar trees T3,4,5 & 6 - from Freshfields Drive



Poplar trees T3,4,5 & 6 - from Southeast of Freshfields Drive



Previously pollarded Poplar tree T1 of Adur TPO No.13.53/1/01 (L) of 2001



Partially re-pollarded Poplar tree of Adur TPO No.13.53/1/01 (L) of 2001- works carried out in 2020



Poplar trees T3 & T4 - from East

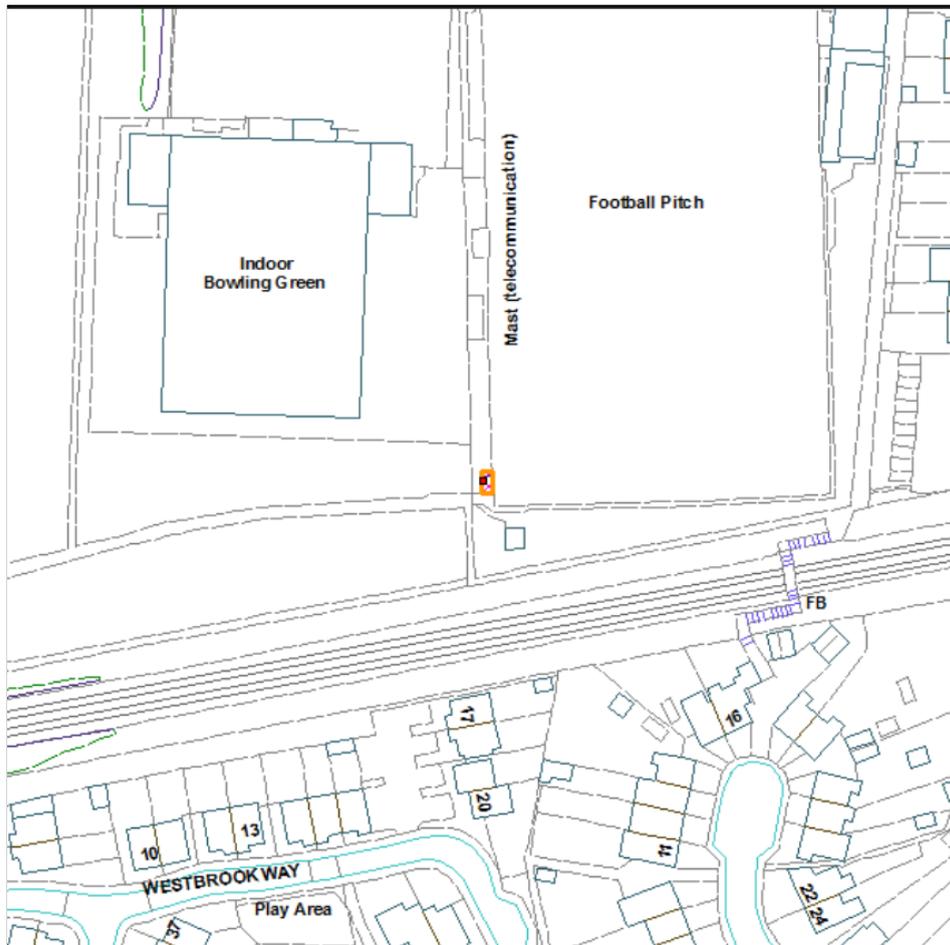


19.05.2021



Poplar trees T5 and T6 from East

<b>Application Number:</b>	<b>AWDM/0886/21</b>	<b>Recommendation - APPROVE</b>
<b>Site:</b>	<b>Telecommunications Site, Southwick Football Club, Old Barn Way, Southwick</b>	
<b>Proposal:</b>	<b>Replacement of existing 17.2m mast with a 20m monopole mast (5G) with 12 antennas and associated enabling radio equipment and development works</b>	
<b>Applicant:</b>	Vodafone Ltd	Ward: Eastbrook
<b>Agent:</b>	Mr John-Paul Robertson, Galliford Try	
<b>Case Officer:</b>	Gary Peck	



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## **Proposal, Site and Surroundings**

This application seeks full permission for the replacement of an existing 17.2m mast with a 20m monopole mast (5G) with 12 antennas and associated enabling radio equipment and development works.

The application site is the south western floodlight serving the Southwick FC ground at Old Barn Way. There are 6 floodlights, 3 on each side of the ground, and the other 2 floodlights on the western side already support telecommunications equipment.

To the west of the application site is the Adur Bowling Club and the Southwick Recreation Ground, the site being in line with the footpath which links the Recreation Ground and the railway footbridge. The railway is to the south, beyond which are residential properties in Eastbrook Way and Westbrook Way. To the east, beyond the football ground are residential properties in Old Barn Way. The football ground is currently vacant for footballing purposes with works taking place to allow football to recommence following agreement to lease the site to the Russell Martin Foundation.

## **Relevant Planning History**

A prior notification was approved in 2014 for the current mast (AWDM/0126/14). There is also telecommunication equipment attached to the other 2 floodlights on the western side of the football ground.

## **Consultations**

**Environmental Health:** No comment

## **Representations**

2 letters of objection have been received on the grounds of adverse public health impacts, negative impact on the environment and that all Chinese 5G hardware has to be removed in the UK by 2027.

## **Relevant Planning Policies and Guidance**

Adur Local Plan 2017

Policy 15: Quality of the Built Environment and Public Realm

Policy 37: Telecommunications

## **Relevant Legislation**

The Committee should consider the planning application in accordance with:

Section 70 of the Town and Country Planning Act 1990 (as amended) states that applications may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any

relevant local finance considerations, and other material considerations; and,

Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

### **Planning Assessment**

The main issue in the determination of the application is the effect of the proposal upon the character and visual appearance of the area.

As the proposed height is 20 metres in height, full planning permission is required, although the government is currently consulting on a proposal that would remove the need for a mast of this height to require planning permission, with the prior notification procedure being used instead. Given that permitted development rights have been extended for telecommunications infrastructure on various occasions in recent years, it is likely that the requirement for planning permission will soon be relaxed. This reflects the government's strong support for the provision of 5G infrastructure.

Government advice in the National Planning Policy Framework (NPPF) is also clear that applications for telecommunications should only be considered on planning grounds. Furthermore, health concerns should not be taken into account by Local Planning Authorities providing that the applicant has provided the appropriate declaration of conformity with the relevant standards (NPPF para 116). The required declaration has been submitted to the Council with the application and hence it is not considered there is any objection to the principle of the development or any objection can be raised on health grounds.

The site has been long established for the siting of telecommunication equipment with all of the western floodlights being attached to such infrastructure. The existing structures are visible from the surrounding area in all directions, although their impact is slightly reduced by the tree line to the south, Bowling Club and Leisure Centre buildings and the existence of other floodlights serving the football pitch on the eastern side of the ground. Given that there is the football pitch and railway line between the site and the nearest residential properties to the east and south respectively, it is not considered that the impact on the increased height of the mast would be sufficient to warrant a refusal of permission.

The mast will be more visible from the Recreation Ground, although this would be primarily from the footpath to its immediate west which also serves as a link to the footbridge crossing the railway line. Given that there is an existing mast already and arguably those to the north are perhaps more visible in the wider area, it is felt that the additional visual impact of the proposed mast would not materially affect the visual amenities of the area to justify a refusal of planning permission.

If permission were to be refused, it would be likely that an alternative site would need to be found and given the nature of the surrounding area, it seems unlikely that a

visually preferable site could be found. In this respect even without a telecommunications mast, there would still be floodlighting at the site, it seems sensible to utilise the necessity of some sort of tower in the area to host telecommunications infrastructure, and certainly it is not uncommon for floodlighting to be used in this way. Accordingly, it is considered that planning permission should be granted.

## **RECOMMENDATION**

To GRANT permission subject to the following conditions:

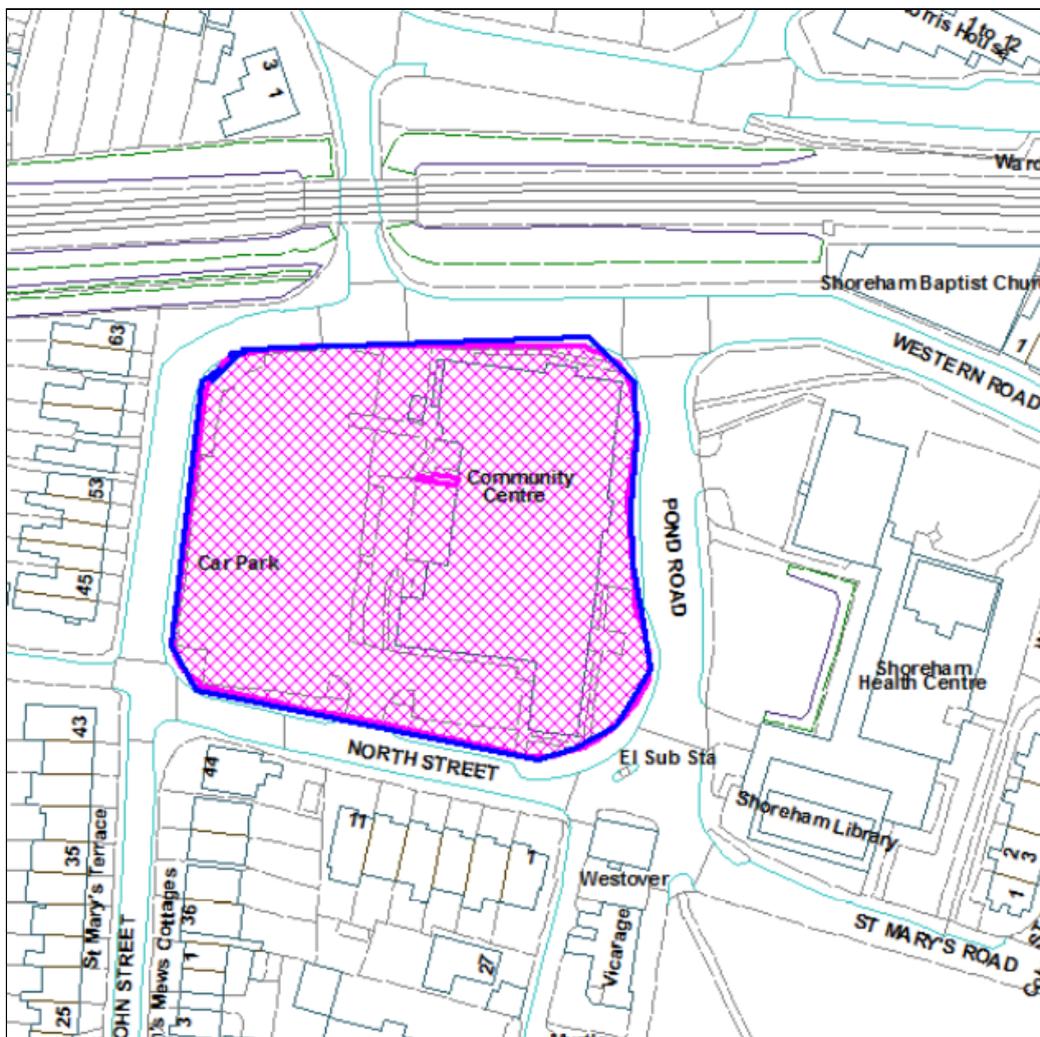
1. Approved Plans
2. Full Permission
3. The monopole and associated equipment hereby approved shall be removed from the site within 3 months of becoming redundant and the land shall be restored to its former condition or to a condition as agreed with the Local Planning Authority.

**Reason:** In the interest of visual amenity having regard to policies 15 and 37 of the Adur Local Plan.

4. The monopole hereby approved shall be grey coloured.

**Reason:** In the interests of visual amenity having regard to policy 15 of the Adur Local Plan.

<b>Application Number:</b>	<b>AWDM/0790/21</b>	<b>Recommendation - Approve</b>
<b>Site:</b>	<b>The Shoreham Centre, Pond Road, Shoreham-By-Sea</b>	
<b>Proposal:</b>	<b>Installation of 8no. air source heat pumps on roof</b>	
<b>Applicant:</b>	<b>Adur District Council</b>	<b>Ward: St Mary's</b>
<b>Agent:</b>	<b>Mr Dan Goodchild</b>	
<b>Case Officer:</b>	<b>Peter Barnett</b>	



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## **Proposal, Site and Surroundings**

This application seeks permission to install eight 43kw monobloc air to water heat pumps to the flat roof of the Shoreham Centre, on the upper section of flat roof behind the monopitch roof on the east elevation. The pumps will be positioned in two blocks of four, one at the north end of the roof and one at the south end. They will stand 1.8m high above the flat roof.

The application has been submitted by Adur District Council as part of the commitment to reduce carbon emissions from their properties. Grant funding has been secured to provide and install Air Source Heat Pumps which will serve a significant proportion of the Shoreham Centre's energy demand for heating and hot water, instead of solely being served by the existing gas-fired boilers.

The site lies within the Shoreham Conservation Area.

## **Relevant Planning History**

None of direct relevance

## **Consultations**

**Adur & Worthing Councils:** The *Environmental Health* officer advises that, given the location and distance of the proposed air source heat pumps from the nearest residential dwelling, she does not believe that noise generated by these units will negatively affect amenity.

She understands that these air source heat pumps will only operate during daytime hours and recommends a condition restricting the hours of use to between 07:00hrs - 23:00hrs on any day.

**Adur District Conservation Advisory Group:** Although members have recommended approval of this Application they wish to record their concern re the possible noise level of this equipment which, if it is felt to be intrusive to the neighbouring residential properties, appropriate measures should be taken to negate such intrusion.

## **Representations**

None received

## **Relevant Planning Policies and Guidance**

Adur Local Plan 2017 Policy 1, 15, 17, 18, 19, 34  
Sustainable Energy SPD (August 2019)  
CarbonNeutralPlan (Adur & Worthing Dec 2019))  
Carbon Neutral Study for Adur & Worthing June 2020

Shoreham by Sea Conservation Area Character Appraisal & Management Strategy  
(ADC 2008)

National Planning Policy Framework (February 2019)

## **Relevant Legislation**

The Committee should consider the planning application in accordance with:

Section 70 of the Town and Country Planning Act 1990 (as amended) that provides the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations; and

Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

## **Planning Assessment**

### ***Principle***

One of the main visions and objectives of the Adur Local Plan is to make progress *“towards a low carbon, sustainable community through sustainable construction, energy efficiency, the use of renewable energy, water efficiency measures, waste reduction measures and appropriate location of development and transport infrastructure to reduce air pollution and noise; and to make a significant contribution to low and zero carbon energy production.”*

Policy 19 encourages the use of *“low carbon energy, renewable energy and residual heat/ cooling for both domestic and non-domestic developments.”*

At a local level, Adur District Council has declared a Climate Emergency and committed to being carbon neutral as a council by 2030. The council has also made the UK100 Cities Pledge to achieve 100% clean energy by 2050. The council has committed to work with partners to ensure all energy use be delivered through zero carbon sources. To help meet these objectives, the development of renewable, low carbon, or decentralised energy schemes should be supported through the planning system and those based on fossil fuel combustion should not be supported.

The Council has produced its own Carbon Neutral Plan for the council decarbonisation. This has a strong focus on moving away from gas fired heating systems towards renewable and low carbon alternatives, in particular heat pumps. This approach is aligned with national policy approaches to move away from gas based systems towards non-fossil fuel alternatives as set out in the Clean Growth Strategy.

The proposed air source heat pumps are therefore supported in principle.

## **Visual amenity and impact on Conservation Area**

The proposed pumps are to be sited on a section of flat roof behind the monopitch roof at the front of the building. They will therefore be screened by the monopitch roof in views from the east (front). The four units at the northern end are likely to be visible from John Street/Western Road which runs around the north side of the building, and form the railway line. From street level any views of the units is likely to be restricted by the angle of sight up towards the roof and it is not considered that they will be unduly intrusive. They should also be far enough away from the pavement in North Street to the south to not intrude into views from that road.

However, from the west more open views of the units will be possible from across the car park at the rear of the building. They will be clearly visible on the flat roof but will be seen against the backdrop of the vertical wall of the monopitch roof behind. On balance, it is not considered that they will cause visual harm and the character and appearance of the Conservation Area will be preserved.

## **Residential amenity**

The nearest dwellings are 75m away to the west and 40m to the south. With regard to noise, the Design & Access Statement explains that:

*“The heat pumps are inverter driven which means that the noise levels vary dependant on the building's heating demand. By calculation, the sound pressure level at 20m from the source will reduce to approx. 33dB and at 40m it will be approx. 27dB which is anticipated to be far below the background noise level at roadside.”*

On this basis it is not expected that the units will cause harm to residential amenity. The EHO has no objection subject to a restriction on the hours of use.

## **Recommendation**

### **Approve**

#### **Subject to conditions:**

1. Approved Plans
2. Standard time limit
3. Hours of use restricted to between 07:00hrs - 23:00hrs on any day.

5th July 2021

## **Local Government Act 1972**

### **Background Papers:**

As referred to in individual application reports

**Contact Officers:**

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Jeremy Sergeant  
Senior Tree and Landscape Officer  
Portland House  
01273 263477  
[jeremy.sergeant@adur-worthing.gov.uk](mailto:jeremy.sergeant@adur-worthing.gov.uk)

## **Schedule of other matters**

### **1.0 Council Priority**

- 1.1 As referred to in individual application reports, the priorities being:-
- to protect front line services
  - to promote a clean, green and sustainable environment
  - to support and improve the local economy
  - to work in partnerships to promote health and wellbeing in our communities
  - to ensure value for money and low Council Tax

### **2.0 Specific Action Plans**

- 2.1 As referred to in individual application reports.

### **3.0 Sustainability Issues**

- 3.1 As referred to in individual application reports.

### **4.0 Equality Issues**

- 4.1 As referred to in individual application reports.

### **5.0 Community Safety Issues (Section 17)**

- 5.1 As referred to in individual application reports.

### **6.0 Human Rights Issues**

- 6.1 Article 8 of the European Convention safeguards respect for family life and home, whilst Article 1 of the First Protocol concerns non-interference with peaceful enjoyment of private property. Both rights are not absolute and interference may be permitted if the need to do so is proportionate, having regard to public interests. The interests of those affected by proposed developments and the relevant considerations which may justify interference with human rights have been considered in the planning assessments contained in individual application reports.

## **7.0 Reputation**

7.1 Decisions are required to be made in accordance with the Town & Country Planning Act 1990 and associated legislation and subordinate legislation taking into account Government policy and guidance (and see 6.1 above and 14.1 below).

## **8.0 Consultations**

8.1 As referred to in individual application reports, comprising both statutory and non-statutory consultees.

## **9.0 Risk Assessment**

9.1 As referred to in individual application reports.

## **10.0 Health & Safety Issues**

10.1 As referred to in individual application reports.

## **11.0 Procurement Strategy**

11.1 Matter considered and no issues identified.

## **12.0 Partnership Working**

12.1 Matter considered and no issues identified.

## **13.0 Legal**

13.1 Powers and duties contained in the Town and Country Planning Act 1990 (as amended) and associated legislation and statutory instruments.

## **14.0 Financial implications**

14.1 Decisions made (or conditions imposed) which cannot be substantiated or which are otherwise unreasonable having regard to valid planning considerations can result in an award of costs against the Council if the applicant is aggrieved and lodges an appeal. Decisions made which fail to take into account relevant planning considerations or which are partly based on irrelevant considerations can be subject to judicial review in the High Court with resultant costs implications.