



Appeal Decision

Site visit made on 27 October 2025

by **P Terceiro BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 10th November 2025

Appeal Ref: APP/D3830/W/25/3366208

Station Goods Yard, Keymer Road, Hassocks, West Sussex BN6 8JA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Cellnex Connectivity Solutions Ltd against the decision of Mid Sussex District Council.
 - The application Ref is DM/24/2531.
 - The development proposed is the installation of a 25 metre high lattice tower mounted with six antennas, and three GPS modules, 12 cabinets, within a compound comprised of 2.4 metre high palisade fencing, one electrical meter cabinet and associated development thereto.
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Decision

1. The appeal is allowed and prior approval is granted under the provisions of Article 3(1) and Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the installation of a 25 metre high lattice tower mounted with six antennas, and three GPS modules, 12 cabinets, within a compound comprised of 2.4 metre high palisade fencing, one electrical meter cabinet and associated development thereto at Station Goods Yard, Keymer Road, Hassocks, West Sussex BN6 8JA in accordance with the application DM/24/2531 and the details submitted with it, including plans ref. S5-19E-00-004-ML001 rev A; S5-19E-00-001-MD001 rev 1A; S5-19E-00-003-MD001 rev 1A; Legal Plan S5-19E-00-010-ML001 rev 1.

Procedural Matter

2. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (GPDO), under Article 3(1) and Schedule 2, Part 16, Class A, Paragraph A.3(4) require the Local Planning Authority to assess the proposed development solely on the basis of its siting and appearance, taking into account any representations received. My determination of this appeal has been made on the same basis.

Planning Policy

3. By virtue of Part 16 of the GPDO, the proposal is, in principle, permitted development. As such, there is no requirement to have regard to the development plan. Nevertheless, Policies DP12, DP18 and DP23 of the Mid Sussex District Plan 2014-2021 (2018) (DP) and Policy 6 of the Hassocks Neighbourhood Plan (NP), as well as the National Planning Policy Framework (the Framework) are material considerations insofar as they relate to issues of siting and appearance.

4. Reference is made to the Mid Sussex District Plan 2021-2039 Submission Draft (Regulation 19). However, the Council confirms that there are unresolved objections to some of the policies in the emerging District Plan. Accordingly, I give the policies within the emerging District Plan very limited weight in my decision.

Main Issues

5. The main issues are the effect of the siting and appearance of the proposed installation on the character and appearance of the area and, if any harm would occur, whether this is outweighed by the need for the installation to be sited as proposed, taking into account any suitable alternatives.

Reasons

6. The appeal site consists of a small parcel of land that is laid to hardstanding and enclosed by tall metal fencing. It is located within Goods Yard, a commercial area comprising utilitarian buildings which accommodate various businesses. The railway line, which is bound by tall, mature trees is located near the site. The wider area comprises the built-up area of Hassocks, blocks of woodland, and open countryside. The site is close to the South Downs National Park, and the topography in the area is undulating.
7. In terms of local views, the photomontages provided by the appellant show that the installation would be screened from some vantage points by existing buildings and trees. Still, the proposal would be visible from other viewpoints on nearby residential roads, including on Ockenden Way, Bonny Wood Road, South Bank, and tennis club. In such locations, while some screening would be offered by the existing trees and dwellings, the proposal would nonetheless protrude above these features. Therefore, there would be public views towards the installation, even more so in the winter months when the trees are not in leaf. This would introduce a harmfully stark and dominant vertical feature into the local area. The cabinets however would be afforded limited views from public vantage points, given their size and secluded location of the appeal site.
8. The proposal would be perceived on longer reaching views from the Jack and Jill Windmills. However, it would be seen against the backdrop of existing trees and built form, which would assist in its integration with the wider landscape. Consequently, although there would be some visual harm caused to the setting of the National Park, this would be to a modest degree.
9. Reference is made to a number of public footpaths within the wider area. However, having regard to the distances quoted and presence of blocks of woodland, any views towards the proposal would likely be fleeting. Therefore, it is unlikely that the proposal would appear unduly conspicuous when seen from these footpaths.
10. Taken together, the siting and appearance of the mast and associated equipment would result in moderate harm to the character and appearance of the area. So far as they are material to the proposal, there would be conflict with DP Policies DP12, DP18 and DP23 and with NP Policy 6. These policies require new development to protect the countryside in recognition of its intrinsic character and beauty, only permit development within land that contributes to the setting of the National Park where it does not detract from, or cause detriment to its visual and special qualities and support communication infrastructure where its location and

appearance minimises impact on the visual amenity, character or appearance of the surrounding area.

11. Chapter 10 of the Framework makes it clear that high quality and reliable communications infrastructure is essential for economic growth and social well-being. Equipment should be sympathetically designed and camouflaged where appropriate.
12. It is therefore necessary to consider whether there are any alternative, preferable sites where the proposal could be located. The proposed development seeks to improve railway connectivity along the length of the Brighton main line. Therefore, I have had regard to evidence submitted by the appellant in respect of the site selection process, including evidence related to the constraints associated with the deployment of new connectivity infrastructure along a relatively high-speed railway line. The installation needs to be located close enough to the railway line to remedy the gaps in the Mobile Network Operators coverage and it also needs to be located so that safe means of access can be provided. This heavily restricts the search area for new installation sites.
13. A schedule of other options was considered and discounted by the appellant. These predominantly relate to ground-based installations and existing monopoles in the vicinity of the railway line. Various reasons are given for discounting each option, including (but not limited to) failure to provide the required levels of coverage to the railway line, need to fell trees, lack of screening, and insufficient space available to accommodate the necessary installation. Rooftop installations were discarded because buildings within the search area are of unsuitable construction for the installation of the required electronic communications apparatus by virtue of their design and height.
14. No alternative sites for the installation have been suggested by the Council, nor has the Council indicated that any of the alternate sites investigated by the appellant would be preferable to that proposed. Third parties suggest that areas to the north of Hassocks station have not been explored, however I was not directed to any specific site. While a different location within Hassocks station car park has been suggested by a third party, this is located outside of the search area shown in the appellant's Statement of Case.
15. In light of the above, a robust search and assessment of alternative sites has been undertaken, and no demonstrably more suitable site has been identified within the search area. The appellant has satisfied the Framework's requirement to explore the possibility of installing the equipment on an existing building or other structure. The lack of feasible alternative locations to deliver improved mobile signal coverage and capacity within the required area is a factor which weighs in favour of the proposal.

Other Matters

16. Paragraph A.3(6)(d) of Part 16 of the GPDO requires public consultation in the form of a site notice to be erected for 21 days or by serving notice on any adjoining owner or occupier. The Council's Appeal Questionnaire confirms that all notifications or consultations under any Act, Order or Departmental Circular, necessary before granting permission, have taken place. On this basis, I am satisfied that the occupiers of nearby properties have had an opportunity to comment on the proposal and that no party was prejudiced in this case.

17. Concerns have been raised about potential effects on health. However, the appellant has provided a certificate to confirm that the proposal has been designed to comply with the guidelines published by the International Commission on Non-ionizing Radiation Protection (ICNIRP). In these circumstances, the Framework advises that health safeguards are not something which a decision-maker should determine. No compelling evidence has been provided to indicate that the ICNIRP would not be complied with or that a departure from national policy would be justified.
18. There is limited substantive evidence before me to demonstrate that the proposed siting would result in unacceptable harm to the outlook, daylight/sunlight of nearby properties or would result in an unacceptable level of noise that would cause disturbance for nearby residents. While there may be some noise and increased traffic during construction phase, given the scale of the proposed installation, it is unlikely this would extend for a considerable period. Therefore, the proposal would not be unduly harmful in this regard.
19. I note the concerns regarding the impact of the lattice tower on local wildlife. However, there is no persuasive evidence before me to suggest it would be unacceptably harmful in this regard. The proposal would be installed on an area currently laid to hardstanding and, given the distance in relation to the Ancient Woodland, it is unlikely that the proposal would cause significant harm to this designated area. Further, there is no compelling evidence to suggest that the proposal would harm the railway line.
20. Concerns relating to the effect on property values are noted, but as the planning system is primarily concerned with the public interest, these private interests have little bearing on my decision. Further, there is limited evidence before me to suggest that the proposal would set a precedent for similar developments in the area.
21. Additionally, whilst I acknowledge that interested parties may experience adequate mobile signal in the area, this does not result in a complete assessment of need or capacity in terms of strength.

Conclusion

22. The Framework recognises that advanced, high quality and reliable communications infrastructure is essential for economic growth and social wellbeing and supports the expansion of electronic communications networks.
23. The proposal would generate moderate harm to the character and appearance of the area through the siting and design of the proposed equipment. Nonetheless, the proposal would provide improved connectivity to the Brighton Main Line, as well as to areas either side of the rail corridor and to the people living, working or visiting such areas. These matters weigh significantly in favour of the proposal. Along with the lack of any suitable alternative sites, this would outweigh the harm identified.
24. For the reasons given above the appeal should be allowed and prior approval should be granted.

Conditions

25. The GPDO does not provide any specific authority for imposing additional conditions beyond the deemed conditions for development by electronic communications code operators contained within it. These specify that the development must be carried out in accordance with the details submitted with the application, begin within 5 years of the date of the approval and be removed as soon as reasonably practicable after it is no longer required for electronic communications purposes and the land restored to its condition before the development took place.

P Terceiro

INSPECTOR