

5.2 - SE/17/00475/TELNOT Date expires: 10 April 2017

PROPOSAL: Proposed telecommunications mast and base station installation.

LOCATION: Land adjacent Haresfield, Badgers Road, Badgers Mount.

WARD(S): Halstead, Knockholt & Badgers Mount

ITEM FOR DECISION

This application has been referred to Development Control Committee by Councillor Williamson on grounds of harm to the Area of Outstanding Natural Beauty.

RECOMMENDATION: Prior approval is NOT required.

Note to Applicant

In accordance with paragraphs 186 and 187 of the NPPF Sevenoaks District Council (SDC) takes a positive and proactive approach to development proposals. SDC works with applicants/agents in a positive and proactive manner, by;

- Offering a duty officer service to provide initial planning advice,
- Providing a pre-application advice service,
- When appropriate, updating applicants/agents of any small scale issues that may arise in the processing of their application,
- Where possible and appropriate suggesting solutions to secure a successful outcome,
- Allowing applicants to keep up to date with their application and viewing all consultees comments on line (www.sevenoaks.gov.uk/environment/planning/planning_services_online/654.asp),
- By providing a regular forum for planning agents,
- Working in line with the NPPF to encourage developments that improve the improve the economic, social and environmental conditions of the area,
- Providing easy on line access to planning policies and guidance, and
- Encouraging them to seek professional advice whenever appropriate.

Description of Proposal

- 1 The proposal includes a lattice tower (as labelled on submitted plans), with 6No. antennas of 2m installed at the very top of the tower, and 6No.
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dishes sited upon the tower. The total proposed height of the structure is 18m.

- 2 The proposal includes the installation of 2No. cabinets at the base of the lattice tower.
- 3 The site upon which the tower and its supporting cabinets are installed is to be surrounding by a 1.8m fence.

Description of Site

- 4 The application site is located in a field to the east of Badgers Mount, bounding the M25 Motorway.
- 5 The position within the field upon which the proposed mast sits is close to the highest point of the hill. The site is isolated in its nature despite its proximity to the edge of Badgers Mount and the motorway.

Constraints

- 6 Green Belt
- 7 Area of Outstanding Natural Beauty
- 8 Biodiversity Opportunity Area

Planning History (relevant only)

- 9 None

Consultations

Parish/Town Council

- 10 Badgers Mount Parish Council - Objection - Councillors object to the proposed application on the following grounds:

Inappropriate development within the AONB and the greenbelt land. The development is also harmful to a number of residential properties due to the mast within the sight lines of these properties.

Representations

- 11 1x Support

2 x Objection. The issues raised are summarised as follows:

- Harm to AONB/Green Belt;
- Impact on local character;
- Impact on health;
- Impact on property value (Officer note: this is not a material planning consideration).

Chief Planning Officer's Appraisal

Principal issues

- 12 This proposal is not a planning application, as under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) the proposal is considered by the applicant to fall within the permitted development limits of Part 16, Class A. The applicant requests that the local authority determines whether prior approval is needed for this application.
- 13 Assessing the scheme under the prior approval process it is for the Local Planning Authority to consider the siting and appearance of the development.
- 14 In addition to the above, Section 5 of the National Planning Policy Framework (NPPF) supports high quality communications infrastructure.
- 15 Paragraph 43 states that, 'where new sites are required, equipment should be sympathetically designed and camouflaged where appropriate'.
- 16 Paragraph 45 of the NPPF sets out a list of evidence that should be included to justify the proposed development:
 - Consultations with organisations with an interest in the proposed development;
 - For a new mast or base station, that erecting antennas on other buildings or other masts has been explored and that when operational, the International Commission guidelines will be met
- 17 Local Planning Authorities are encouraged to determine applications on planning grounds.

Council's Options

- 18 In assessing an application of this type, the local planning authority can only determine:
 - Whether the proposal complies with the permitted development rights under Class A, Part 16 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended;
- And
- That prior approval is required for the siting, design and external appearance of the building or,
 - That prior approval is not required.

Whether the proposed tower and antennas are Permitted Development

- 19 The applicant is seeking confirmation that the proposed mast, antennas and cabinet are permitted development under Part 16 Class A of the General Permitted Development Order 2015 (as amended).
- 20 Under the relevant part of the General Permitted Development Order Class 16, Class A, development is not permitted under the following circumstances:
- c) in the case of the installation of a mast, the mast, excluding any antenna, would exceed a height of
 - i. 25 metres above ground level on unprotected land; or
 - ii. 20 metres above ground level on article 2(3) land or land which is on a highways;
- 21 Areas of Outstanding Natural Beauty are one of the constraints included with the Article 2(3) designation.
- 22 The proposal includes a 15m tower, with a further 3m in antennas and supporting equipment.
- 23 Equipment housing does not exceed the limited set within (7) of Class A within the AONB.

Whether the proposal complies with the requirements of the NPPF

- 24 A statement has been provided to confirm that the mast is designed to be in full compliance with the requirements of radio frequency guidelines according to the International Commission on Ionizing Radiation (ICNIRP) for public exposure.
- 25 Due to this, the proposal complies with Paragraph 45 of the NPPF.

The need for the mast

- 26 The erection of a new mast is subject to a sequential test within the NPPF, where antennas should be erected upon existing structures and services shared where possible.
- 27 In this instance, the applicant has submitted no details of a sequential test, although they have included a plans showing the lack of existing coverage in the area, and a review of the local area clearly identifies that there would be no suitable existing structure to share and install the apparatus.

Siting and appearance of mast and Impact on Area of Outstanding Natural Beauty

- 28 In assessing whether the proposal is acceptable, the Local Planning Authority should consider whether the siting and appearance of the equipment is acceptable and in line with the advice within the NPPF. This

- primarily states that the equipment should be sympathetically designed and camouflaged where appropriate.
- 29 Policy SP1 of the Core Strategy states that all new development should be designed to a high quality and should respond to the distinctive local character of the area in which it is situated.
 - 30 Policy EN1 of the Sevenoaks ADMP states that the form of the proposed development should be compatible in terms of scale, height, density and site coverage with other buildings in the locality.
 - 31 The site is located within the Kent Downs Area of Outstanding Natural Beauty. The Countryside and Rights of Way Act 2000 states that the Local Planning Authority should conserve and enhance Areas of Outstanding Natural Beauty. Designating an Area of Outstanding Natural Beauty protects its distinctive character and natural beauty and can include human settlement and development. Policy EN5 of the ADMP states that proposals within AONB will be permitted where the form, scale, materials and design would conserve and enhance the character of the landscape and have regard to the relevant Management Plan and associated guidance.
 - 32 The Sevenoaks Countryside Assessment describes the sensitivity of the Badgers Mount landscape as being 'moderate'. It attributes harm to the landscape from the M25, but reads that its visibility throughout and across the landscape is low due to its wooded nature and undulating topography.
 - 33 The lattice tower is located in an isolated area, although it will be visible from a few residential properties private amenity space, these views will be extremely restricted by trees and distance. The tower will also be visible to users on the M25.
 - 34 Whilst the proposed mast site is itself upon a cleared piece of land, which gives the mast an extensive view, from elsewhere in the landscape the mast would be screened from view to any landscape user by the tree canopy, as well as the local topography.
 - 35 From a local character perspective, the lattice tower will be of minimal harm to the broader landscape and further minimal harm to the immediate area.
 - 36 The AONB is conserved as the proposal has low visual impact upon the landscape. The AONB is enhanced as, as the Council cannot object on the grounds of need in principle, the applicant could propose to construct a mast elsewhere, at a significantly increased impact to the AONB.
 - 37 As a result, it is recommended that Prior Approval is not required with regards to the siting and design of the equipment.

Conclusion

- 38 The proposed mast and antennas are permitted development under Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), and there are no other outstanding reasons to object under the Prior Approval process and therefore Prior Approval is not required.
- 39 It is recommended that Prior Approval is not required.

Background Papers

Site and Block Plan

Contact Officer(s): Matthew Besant Extension: 7235

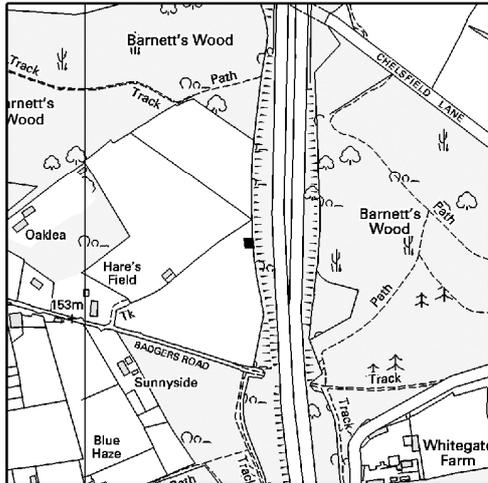
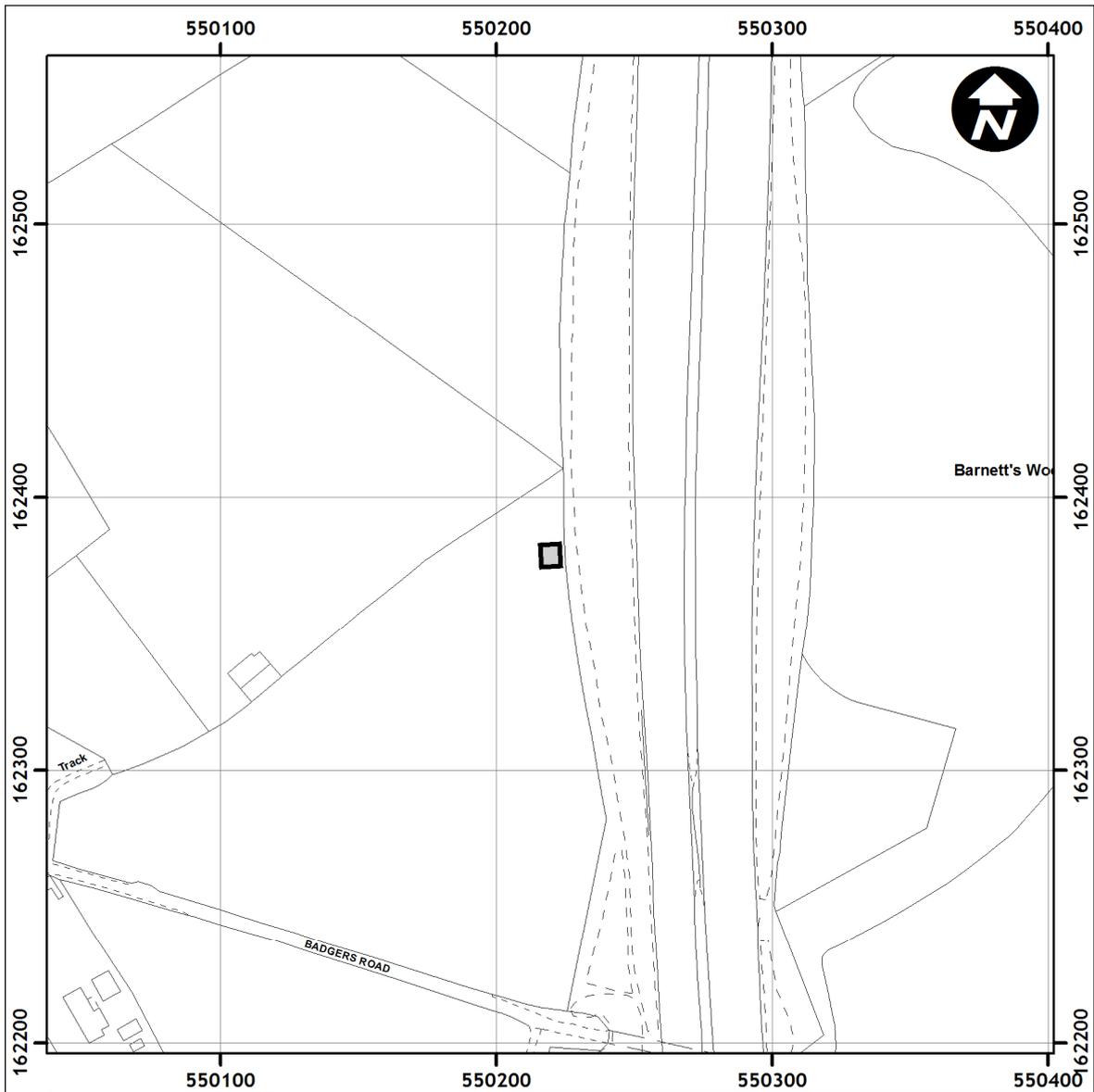
Richard Morris
Chief Planning Officer

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OLGP8DBK0LO00>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OLGP8DBK0LO00>



Site Plan

Scale 1:2,500

Date 03/04/2017

Sevenoaks
DISTRICT COUNCIL

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Ordnance Survey 100019428.

Block Plan

