

SECTION '2' – Applications meriting special consideration

**Application No :** 12/01060/FULL5

**Ward:**  
**Orpington**

**Address :** Tripes Farm Chelsfield Lane Orpington  
BR6 7RS

**OS Grid Ref:** E: 547998 N: 165855

**Applicant :** Telefonica UK Ltd

**Objections : NO**

**Description of Development:**

Retention of 23m high temporary mast supporting 2 antennas, temporary radio equipment housing and development ancillary thereto including temporary fenced compound for a period of twelve months.

Key designations:

Special Advertisement Control Area  
Green Belt  
Local Distributor Roads

**Proposal**

Planning permission is sought for the retention of an existing 23m temporary mast supporting 2 antennas, temporary radio equipment housing and development ancillary thereto including temporary fenced compound for a period of twelve months.

The mast was erected using O2's emergency powers in August 2011 to provide coverage for the removal of an existing O2 site at Orpington Fire Station. An Emergency Notice under Schedule 2 Part 24 of the GPDO, which allows temporary and mobile telecommunications masts and equipment for a period of 6 months, was sent to the Council on 11th August 2011. A permanent replacement site was constructed in August 2011 and has been integrated into the network, at the junction of Spur Road and Court Road. It has been found that this mast did not provide as good a level of coverage to the area east of the fire station as was expected. O2's radio planner has advised that it would be beneficial to retain the temporary mast until all permanent solutions for replacement coverage to the wider area have been built, tested and fully integrated into the network.

It is therefore proposed to retain the mast for a period of 12 months.

**Location**

The site is located on the eastern side of Chelsfield Lane and to the east of the main buildings at Tripes Farm. The site lies within the Green Belt. To the west of Chelsfield Lane is the statutory Listed Building 'Alma' which formed the original farmhouse for Tripes Farm.

### **Comments from Local Residents**

Nearby owners/occupiers were notified of the application and no representations have been received.

### **Comments from Consultees**

No objections have been raised by Environmental Health and no technical highways objections are raised.

### **Planning Considerations**

Policies relevant to the consideration of this application are BE1 (Design of New Development), BE8 (Statutory Listed Buildings), BE22 (Telecommunications Apparatus) and G1 (Green Belt) of the adopted Unitary Development Plan.

The National Planning Policy Framework is of relevance.

### **Planning History**

There is an extensive planning history at the site, however concerning telecommunications, under ref. 03/01172 the Council considered that approval of siting and appearance would be required for a 15m high telecommunications mast with 3 panel antennae and two equipment cabinets and associated equipment (consultation by Hutchinson). A subsequent appeal was allowed as the Inspector accepted that very special circumstances existed.

### **Conclusions**

The main issues to be considered in this case are the visual impact of the proposal, the impact on the character and rural appearance of the Green Belt, the impact on the setting of the listed building, the investigation of alternative sites and the impact on the amenities of nearby residential properties.

In the accompanying supporting statement the Applicant's Agent has included justification for the siting and design of the installation, which is required to provide coverage to the surrounding area until permanent solutions have been found in other locations.

The agents have provided documentation to confirm compliance with the International Commission on Non Ionizing Radiation Protection (ICNIRP) and Government advice states that in such cases any health concerns should not be grounds for refusing a proposed telecommunications installation.

In this case, the proposal would involve the retention of an existing temporary mast, which was sited on the land on a moveable structure under Part 24 of the General Permitted Development Order which allows the use of land in a telecommunications 'emergency' in such a way for 6 months. Although the telecommunications column is substantial in appearance, Members will need to bear in mind the need for such a column in order to facilitate the service provided on a temporary basis and that the applicant has demonstrated the consideration of alternative sites. The mast has a clear impact on the Green Belt and would under normal circumstances be considered unacceptable. The mast is narrow and not bulky in appearance, and given the temporary nature of the proposal, the Council can control the removal of the mast in a 12 month period and the reinstatement of the Green Belt land to its previous state. Under the somewhat unusual circumstances demonstrated, it is considered that the proposal would not result in a serious harm to the Green Belt in light of the design of the mast and the proposal to remove all equipment in the near future, and its temporary nature and the telecommunications need constitute very special circumstances in this case.

The NPPF aims to encourage telecommunications development whilst keeping the number of masts to a minimum, whilst retaining a suitable service. Where new masts are proposed, these must be considered favourably subject to sympathetic design, should a justification for their use be forthcoming. Whilst this location would not normally be suitable for such a prominent structure, the circumstances of this case and temporary nature of the mast weigh in favour of the proposal.

The proposal is not considered to harm the setting of the statutory listed building, which is sited 130m away on the opposite side of Chelsfield Lane.

On balance on the basis that the installation will only be in place for a temporary period Members may agree that the proposal would have a limited overall impact on the character of the Green Belt and the visual amenities of the area, including the street scene. It is therefore recommended that planning permission is granted subject to a condition that the equipment is removed in 12 months.

Background papers referred to during production of this report comprise all correspondence on file ref. 12/01060, excluding exempt information.

## **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- 1      ACA01          Commencement of development within 3 yrs  
        ACA01R        A01 Reason 3 years
- 2      The siting and appearance of the equipment shall be carried out in complete accordance with the submitted drawing(s) unless previously agreed in writing by the Local Planning Authority.

**Reason:** In order to comply with Policy BE22 of the Unitary Development Plan and in the interest of the visual amenities of the area.

- 3      The mast and all associated equipment hereby permitted shall be removed and the land reinstated to its former condition on or before the 19th July 2013.

**Reason:** In order that the situation can be reconsidered in light of the circumstances at that time in the interest of the amenities of the area and to comply with Policies G1 and BE22 of the Unitary Development Plan.

**Reasons for granting permission:**

In granting planning permission the Local Planning Authority had regard to the following policies of the Unitary Development Plan:

BE1 Design of New Development  
BE8 Statutory Listed Buildings  
BE22 Telecommunications Apparatus  
G1 Green Belt

The development is considered to be satisfactory in relation to the following:

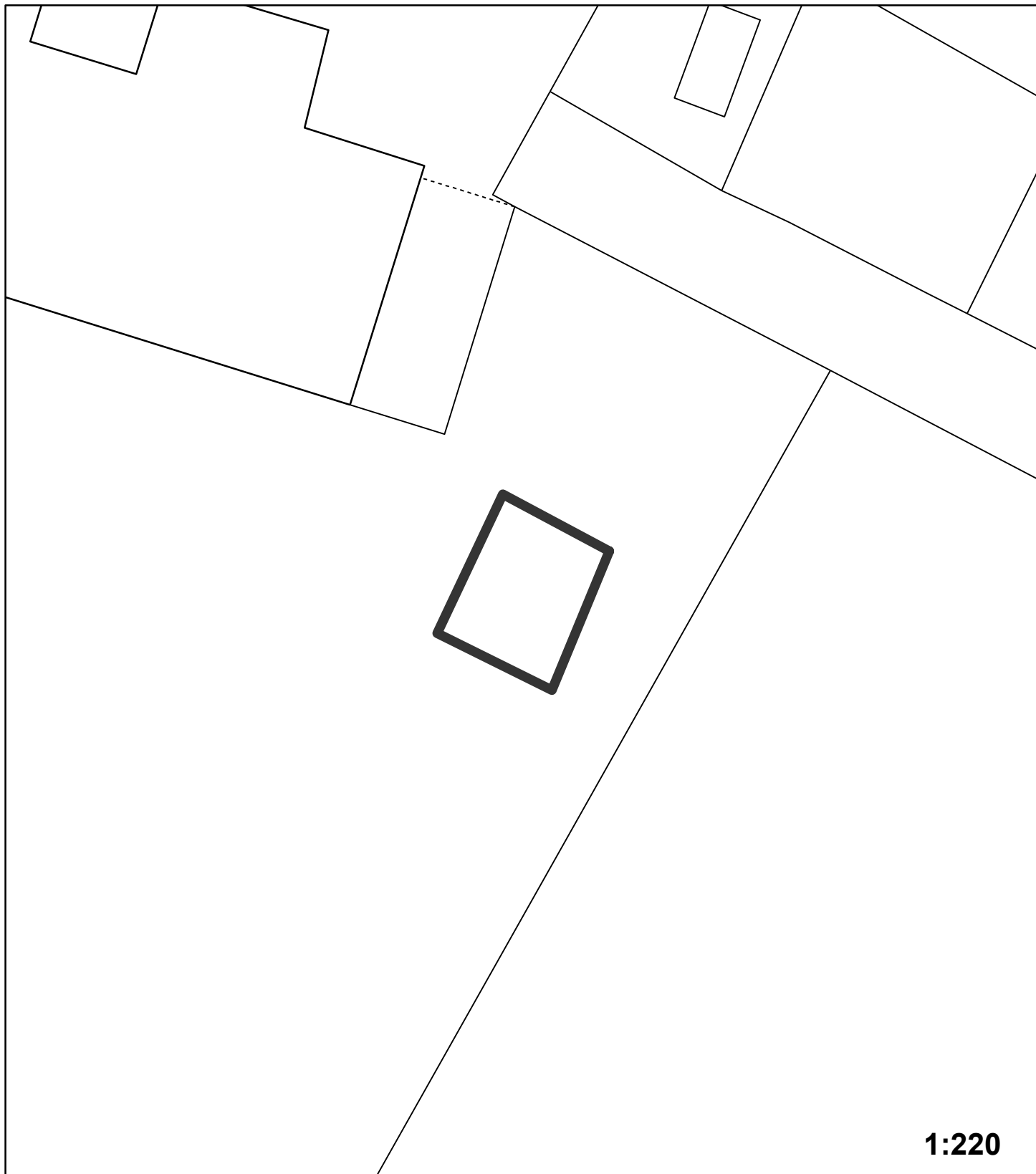
- (a) the impact of the development on the character and appearance of the area;
- (b) the relationship of the development to surrounding properties and the street scene in general;
- (c) the impact on the setting of the nearby statutory listed building;
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties;
- (e) the light and outlook of occupiers of adjacent and nearby properties;
- (f) the impact on the openness of the Green Belt

and having regard to all other matters raised.

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