

## **SECTION '2' – Applications meriting special consideration**

**Application No :** 16/00454/TELCOM

**Ward:**  
**Copers Cope**

**Address :** Land Outside 56E And 56F Foxgrove  
Road Beckenham

**OS Grid Ref:** E: 538428 N: 170011

**Applicant :** Telefonica UK Ltd And Vodafone UK Ltd **Objections :** YES

### **Description of Development:**

Installation of 10m high replica telegraph pole telecommunications mast and equipment cabinet (CONSULTATION BY VODAFONE LTD & TELEFONICA UK LTD/O2 REGARDING THE NEED FOR APPROVAL OF SITING AND APPEARANCE).

Key designations:

Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Smoke Control SCA 12

### **Proposal**

It is proposed to erect a 10m high telecommunications mast which would have the appearance of a replica telegraph pole. Adjacent to the mast would be a single equipment cabinet which would be 1.6m high. The mast and associated equipment would be shared by two telecommunications operators.

### Location

The application site lies on the southern side of Foxgrove Road and comprises a grassed verge located between the vehicular highway and the pedestrian footway. There is an existing CATV cabinet and a lamppost location on the grass verge.

The pavement slopes upwards from west to east, rising to the brow of the hill to the west of the application site.

Immediately opposite the site is a row of detached dwellings, with flatted development to the west and opposite the application verge. The dwellings on the southern side of the verge comprise modest maisonettes with blocks of flats on either side.

### **Consultations**

#### Local Residents

Nearby owners/occupiers were notified of the application and representations were received which can be summarised as follows:

- o The mast and box would severely affect the sightline to the property and would therefore be dangerous, hindering visibility to vehicles using the adjacent access
- o There is already a communication box and lamppost which prevent addition to the sightline
- o Health concerns
- o There are other sites which would be preferable, including railway property and Beckenham Place Park.
- o The site is close to the Conservation Area
- o Other proposals have been refused in the past
- o The mast would result in clutter in the location and would be out of character with the area, detracting from the street scene
- o Increased telecommunications coverage in the area is unnecessary and the existing telecommunications infrastructure is robust.
- o The proposal would conflict with an existing planning application for the redevelopment of 56E and 56F Foxgrove Road which incorporates car parking on the front curtilage and the redevelopment would result in the mast and equipment cabinet appearing visually intrusive.

### Technical Comments

From a technical highways perspective no objections are raised to the proposals. Although the proposed cabinet would be close to a driveway, its siting should not have an adverse impact on visibility from the crossover.

No objections are raised from an environmental health perspective to the proposals.

### **Planning Considerations**

The application falls to be determined in accordance with the following policies of the Unitary Development Plan:

#### BE1 Design of New Development

Of particular relevance to this application is BE1(ii) which states that "Development should not detract from the existing street scene and/or landscape and should respect important views, skylines, landmarks or landscape features."

#### BE22 Telecommunications Apparatus

This Policy states that in a development involving telecommunications installation, the developer will be required to demonstrate that there is a need for the development. The equipment should meet the ICNIRP guidelines on the limitation of exposure to electro-magnetic field. The installation shall not adversely affect the character and appearance of the area nor the visual and residential amenities of

neighbouring properties and the visual impact of the development should be minimised by the use of screening by trees or other landscaping.

### T18 Road Safety

This policy provides that when considering planning applications the Council will seek to ensure that road safety is not adversely affected.

### The National Planning Policy Framework

Paragraph 14 of the National Planning Policy Framework states that "At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking."

Chapter 5 of the National Planning Policy Framework relates to "Supporting High Quality Communications Infrastructure. Paragraph 43 states that local planning authorities should support the expansion of electronic communications networks while aiming to keep the number of masts and sites for such installations to the minimum consistent with the efficient operation of the network. The need for a new site must be justified and where new sites are required the equipment associated with the development "should be sympathetically designed and camouflaged where appropriate."

It is emphasised that the planning system is not the appropriate arena for the determination of health safeguards so long as the installation would comply with International Commission guidelines for public exposure.

With regard to the importance of good design, the National Planning Policy Framework states at Paragraph 56 that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to make places better for people. Paragraph 60 states that it is proper to seek to promote or reinforce local distinctiveness.

### London Plan 2015

Paragraphs 1.38 - 1.41 of the London Plan relate to the need to ensure the infrastructure to support growth within London, referring to the strategic importance of providing adequate infrastructure, including modern communications networks.

Chapter 4 of the London Plan includes the strategic objective in Policy 4.11 of "encouraging a connected economy." The policy itself states that the Mayor, GLA and all other strategic agencies should facilitate the delivery of an ICT network to ensure suitable and adequate network coverage across London which will include "well designed and located street-based apparatus."

### **Planning History**

The planning history of the site can be summarised as follows:

### 10/03663

Under reference 10/03663 the siting and appearance of a 10m high mast and 2 cabinets was disapproved on the grounds:

"The proposed mast and equipment cabinet, due to their height, siting and design, would be obtrusive and highly prominent features in the street scene, out of character and detrimental to the visual and residential amenities of the surrounding area and contrary to Policies BE1 and BE22 of the Unitary Development Plan."

The mast in this case was 10m high, 0.35m wide at the base and widening to 0.5m wide in the upper section of the mast.

### 15/01992

Under reference 15/01992 prior approval was refused for a 12.5m high streamlined mast with a total of 4 new equipment cabinets. The grounds for disapproval were:

"The proposed telecommunications mast and equipment cabinets, by reason of their height, siting, design and discordant appearance, would result in obtrusive and highly prominent features in the street scene, out of character and detrimental to the visual and residential amenities of the surrounding area and contrary to Policies BE1 and BE22 of the Unitary Development Plan and the National Planning Policy Framework."

An appeal against the Council's decision has been lodged. The appeal is currently in progress and is yet to be determined.

Planning permission was refused under reference 15/05329 for the construction of a three storey block of 6 two bedroom and 3 three bedroom flats with associated car parking and amenity space at the rear of the existing properties at 56 Foxgrove Road. This application was referred to in the local representations as potentially conflicting with the telecommunications proposal as a consequence of a part of the front boundary screening being removed to facilitate reconfigured parking and refuse storage.

### **Conclusions**

The main issues relating to this application are the effect that the proposals would have on the character and visual amenities of the area and nearby residential properties as well as the potential impact of the development on highways safety.

In assessing the proposals the planning history of the site is a material planning consideration. It is necessary to consider whether the current proposals represent a significant improvement over the previous telecommunications proposals, the siting and appearance of which was disapproved in past applications.

It is noted that concerns have been expressed regarding the potential health impacts of the proposals. The applicant has submitted a declaration of conformity

with the ICNIRP Public Exposure Guidelines, and it is considered as a consequence that this cannot be an influence in the determination of this application.

The grounds for disapproving the previous scheme referred specifically to the height, design and siting of the mast and cabinet. The height and siting of the mast is substantially similar to that proposed under 10/03663.

However, with regards to the visual impact of the proposals the current proposal incorporates a single equipment cabinet and the mast has a more streamlined appearance in comparison with the previous proposal. The widening of the mast towards the top of the installation, proposed under reference 10/03663, contributed to the prominence of the mast, appearing incongruous and out of character with the other street works in the locality.

The current proposed mast has a more neutral impact on the visual amenities of the street scene. While its height matches that of the refused scheme, it is considered that in reducing the bulk at high level by providing a replica mast with a uniform width for its full height, the visual impact of the mast would be lessened. The extent to which the mast would be appreciably higher than existing lampposts would be reduced as a result of the amended design.

On balance, the alterations to the design of the mast and the provision of a single equipment cabinet may be considered to overcome the previous grounds for disapproval in respect of 10/03663 in terms of the impact on the visual amenities of the street scene and the surrounding area. The additional clutter that was considered unacceptable would be lessened by the provision of a single equipment cabinet, and by the mast having the more streamlined appearance of a replica telegraph pole which would not constitute a significantly alien and incongruous feature in the street scene.

With regards to the impact of the proposal on the residential amenities of the locality, it is considered that the separation of the mast to nearby dwellings and flats would be satisfactory, taking into account the appearance of the mast more closely following that of traditional utility/infrastructure installations.

The development of the electronic communications system and networks is supported by local, regional and national planning policies and guidance. On balance it is considered that the proposed mast and equipment cabinet would not have such an adverse impact on the visual and residential amenities of the area as would warrant the disapproval of the siting and appearance of the installation.

The strong concerns of local residents regarding the impact of the proposal on conditions of safety for users of the vehicular access adjacent to the site warrant careful consideration. However, Members will note that no technical objections are raised to the proposals from a highways perspective, nor were there highways grounds for disapproval on the previous applications. It is not therefore considered that the impact of the proposal on highways safety would represent a strong ground for disapproval of this current application.

**RECOMMENDATION: PRIOR APPROVAL REQUIRED AND GRANTED**

- 1 The siting and appearance of the mast and associated cabinet 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.**

- 2 Any telecommunications equipment hereby permitted which subsequently becomes redundant shall be removed from the site within a period of 2 months and the land shall be reinstated to its former condition.**

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

- 3 Before the operation of the development hereby approved the equipment cabinet shall be painted in a colour and finish to be submitted to and approved in writing by the Local Planning Authority. Thereafter the facility shall be retained in that colour and finish and kept free of graffiti.**

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