

Section '4' - Applications recommended for REFUSAL or DISAPPROVAL OF DETAILS

Application No : 16/01288/FULL5

Ward:
**Bromley Common And
Keston**

Address : Keston Village Hall Heathfield Road
Keston BR2 6BF

OS Grid Ref: E: 541581 N: 163882

Applicant : CTIL & Vodafone Limited

Objections : YES

Description of Development:

22.5m high telecommunications mast with 6no antenna, 2no dishes and 3no equipment cabinets sited within proposed fence compound adjacent to keston village hall.

Key designations:

Conservation Area: Keston Village
Smoke Control SCA 22

Proposal

This application seeks full planning permission for the installation of a 22.5m high telecommunications mast with 6 antennae, 2 dishes and 3 equipment cabinets on land at the rear of Keston Village Hall.

The equipment cabinets and mast would be sited within a fenced compound measuring 8.2m long and 4.7m wide. The mast itself would be approx. 0.4m wide for a height of approx. 19m, above which a headframe would be mounted with the panel antennae attached. The mast and equipment would be shared by Vodafone and Telefonica and would be finished in green.

The compound would be sited at the rear of the Village Hall, between the hall and the woods beyond. The ground level at this point of the unmade track is uneven, with the land sloping down from the rear of the hall building before rising a little where the track is closest to the adjacent office building at 132 Heathfield Road.

The unmade track leads from the side of the hall building to the rear and provides access and informal parking. It is bounded to the west by woodland which separates the hall site from the access leading to the dwellings at 122 - 126 Heathfield Road, which are locally listed.

The site lies within the Keston Village Conservation Area and the Green Belt. It lies also with a Site of Interest for Nature Conservation and an Area of Archaeological Significance. The Grade I listed Keston Windmill is located to the north of the application site.

The applicant has submitted a declaration of conformity with the ICNIRP public exposure guidelines.

Consultations

Local Residents

Nearby owners/occupiers were notified of the application and the proposal was further advertised by way of a press advertisement and site notice.

A number of letters were received in response to the public consultation, with an approximately equal proportion of letters of support in relation to the letters objecting to the proposal. The representations raised are summarised as follows:

In support

- o The mobile reception in Keston Village is poor and a mobile mast is essential to improve coverage
- o The siting is the least obtrusive as only the top of the mast would be visible
- o A dark green mast in the middle of trees shouldn't be too obtrusive
- o Safety issue of lack of mobile signal if unable to reach the landline, for walkers on the common, and for fire crews dealing with heath fires
- o Income from the mast would ensure the continuity of the village hall
- o Could a condition be imposed requiring replacement trees if any of the screening is lost?
- o Could the mast be disguised as a tree?

Objecting

- o The mast will be clearly visible from neighbouring residential properties
- o The height of the mast in the conservation area would set a precedent
- o It would be 4 times the height of the village hall and would represent an eyesore
- o It is located close to the historic windmill (Grade I listed) and the war memorial
- o Health impacts
- o Impact on rural character
- o Would be harmful to the conservation area and the village as a whole
- o Is it necessary in view of technological advances
- o Impact on television reception nearby
- o Loss of trees
- o Potential impact on flooding
- o The compound would be directly visible from the ground floor office and residential unit on the first floor at No. 130
- o Even painted green, the mast would look ridiculous
- o Reception in the area is adequate
- o Smaller masts that are the height of street lights should be installed
- o Impact on local wildlife
- o The information submitted with the application is misleading.

The Advisory Panel for Conservation Areas has objected to the proposal on the basis that the scale and design would be a discordant and detrimental feature in the Conservation Area and would neither preserve nor enhance the CA. It is suggested that the installation be relocated well outside the Conservation Area.

The Campaign to Protect Rural England (CPRE) have objected to the application on the grounds that it contravenes both the London Plan and the National Planning Policy Framework. It is stated that sections 88-90 of the NPPF do not list communications masts as an exception to building restrictions on protected land and the development would be inappropriate. The mast would be situated on high ground in the Green Belt and would tower over the valley behind and the common and woodland in front, greatly harming the openness of the Green Belt and its visual amenity.

Technical Comments

No technical objections are raised from an environmental health perspective.

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.

BE11 Conservation Areas

This policy states that in order to preserve or enhance the character or appearance of conservation areas, development will be expected to respect or complement the layout, scale, form and materials of existing buildings and spaces. Existing landscape or other features that contribute to the character, appearance or historic value of the area should be respected and incorporated into the design of development.

SPG - Supplementary Planning Guidance for the Keston Village and Nash Conservation Area.

The SPG describes the area, stating "Keston is still surrounded by undeveloped land. Its relationship with surrounding common land and countryside is a key element of its character. Views to the village cross Hayes Common at Commonsides, or the setting of the former School, the Windmill or the Village Hall are very important to the retention of this rural village character. Although most of the open land is protected (it is designated as Green Belt and the common land is in public ownership), the protection of these cherished views and the rural character of the village will also be a key conservation area objective." Policy G1 of the UDP relates to the Green Belt, stating that permission will not be given for inappropriate development unless very special circumstances can be demonstrated that clearly outweigh the harm by reason of inappropriateness and any other harm. The material change of use of land, engineering and other operations within the Green Belt will be inappropriate unless they maintain the openness and do not conflict with the purposes of including land in the Green Belt.

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.

Paragraph 90 of the NPPF states that certain forms of development are not inappropriate in the Green Belt providing they preserve the openness of the Green Belt.

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."

Chapter 7 of the London Plan relates to London's Living Places and Spaces and states at 7.4 that development should have regard to the form, function and structure of an area, place or street.

Policy 7.8 relates to Heritage Assets and Archaeology and states that development should be sympathetic to heritage assets and their significance by being sympathetic to their form, scale, materials and architectural detail.

Policy 7.16 relates to the Green Belt. The London Mayor, within Policy 7.16 strongly supports the current extent of London's Green Belt, its extension in appropriate circumstances and its protection from inappropriate development. The policy states in effect that the strongest protection should be given to London's Green Belt, in accordance with national guidance. Inappropriate development should be refused, except in very special circumstances, and development will only be supported if it is appropriate and helps secure the objectives of improving the Green Belt as set out in national guidance.

Planning History

Planning permission was granted under reference 94/02598 for a single storey rear extension to the village hall.

Planning permission was granted under reference 95/02081 for a two storey rear extension and external staircase.

Planning permission was refused under reference 06/02294 for a single storey side extension and disabled access ramp.

Planning permission was granted under reference 13/00847 for a single storey side extension and access ramp, and permission was subsequently granted for a minor material amendment to the approved scheme.

No objections were raised to a recent application under reference 16/01189 for tree consent for works to/the removal of trees sited at the west side of the car park.

Conclusions

The main issues in the determination of this application are the impact of the proposal on the character and appearance of the Conservation Area, the impact of

the proposal on the open character of the Green Belt and the impact of the proposal on the residential amenities of the occupiers of neighbouring residential properties.

With regards to the impact of the proposal on the character and appearance of the Conservation Area, the intention to paint the installation green and the siting of the installation in the context of neighbouring trees, and at the rear of the village hall are noted. However, while these measures are intended to limit the visual impact of the proposal, it is considered that they would not adequately mitigate the excessive height and bulk of the proposed mast. The mast would be clearly appreciable from outside the site, from within the Conservation Area, from neighbouring buildings and the adjacent Green Belt.

The bulk of the installation would be exacerbated by its design incorporating a cluttered and visually prominent headframe installation with a variety of antennae and dishes which would lead to the mast having an incongruous and alien appearance in the context of the character and appearance of the Conservation Area and the modest height of adjacent buildings. Rather than preserving or enhancing the character and appearance of the Conservation Area, it is considered that its scale, design and unsympathetic siting would have a detrimental impact on the area, which is described as having a rural character. The SPG for the Conservation Area specifically refers to the setting of the village hall as being very important to the retention of this rural village character, and while the mast would be sited at the rear of the building, it would be clearly appreciable in views of the hall in relation to its attractive wooded surroundings, and would harm the setting of the building as a consequence.

With regards to the impact of the proposal on the Green Belt Policy G1 states that the material change of use of land, engineering and other operations within the Green Belt will be inappropriate unless it maintains the openness and does not conflict with the purposes of including land within the Green Belt. It is considered that the height and bulk the topmost part of the mast would result in the installation having an overdominant and visually incongruous appearance in the context of the rural setting, and while the mast would be partially screened by the trees behind the hall, this screening is inadequate in the light of the height of the mast to prevent the mast having a detrimental impact on the openness and character of the Green Belt. The application proposal is considered to comprise inappropriate development which would be harmful to the open character of the Green Belt.

The impact of the proposal on the residential amenities of the occupiers of neighbouring properties is mitigated to an extent by the distance between the mast and the set-back properties at Nos. 122 - 128 Heathfield Road, although in some views the top of the mast would be visible. The major bulk of the mast, and the impression of its height, would be screened from those properties by adjacent trees. It is noted that a neighbouring resident has raised concerns regarding the proximity of the mast and enclosures to the boundary with the Flint Research Institute at 132 Heathfield Road which incorporates a residential unit on the first floor (No. 130). The part of the premises closest to the application site comprises offices, and the residential flat is considered sufficiently distant from the site as to

limit the impact that the proposal would have on the residential amenities of that property.

While it is acknowledged that the mast would be visible from the nearest residential properties, it is considered that the separation between the mast and these properties would be sufficient, in conjunction with the tree screening, to limit the adverse impact on residential amenity and that refusal of planning permission on these grounds alone would not be justified.

That there is a need for telecommunications development in the area is not disputed, and it is acknowledged that a number of letters have been received in response to the public consultation stating that the existing telecommunications signal service in the area is poor. The applicant has submitted limited details of alternative sites which have been discounted, and it is not clear that this site represents the only potential telecommunications site in the locality. It is not considered that a persuasive case has been made for there being very special circumstances which would outweigh the material harm that the proposal would have on the open and rural character of the Green Belt, and the need for improvement of the telecommunication network in the locality is not considered to outweigh the serious harm that the proposal would have on the character and appearance of the Keston Village Conservation Area.

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

- 1 The proposal, by reason of its height, siting and design, would have a seriously detrimental impact on the character and appearance of the Keston Village Conservation Area and the openness of the Green Belt within which it would be sited, thereby contrary to Policies BE1, BE11, BE22 and G1 of the Unitary Development Plan, Supplementary Planning Guidance for the Conservation Area, Policies 7.4, 7.8 and 7.16 of the London Plan, and the National Planning Policy Framework.**