

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

**Application No :** 16/02870/TELCOM

**Ward:**  
**Bromley Common And  
Keston**

**Address :** Land Adjacent 26 Hazel Walk Bromley

**OS Grid Ref:** E: 543331 N: 167067

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

### **Description of Development:**

Installation of 10m high telecommunications replica telegraph pole and 1 no. equipment cabinet (CONSULTATION BY TELEFONICA AND VODAFONE REGARDING THE NEED FOR APPROVAL OF SITING AND APPEARANCE)

Key designations:

Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Smoke Control SCA 22

### **Proposal**

The application comprises a consultation regarding the need for approval of the siting and appearance of a telecommunication mast.

The mast would be a 10m high replica telegraph pole. An associated equipment cabinet is proposed to be sited 1.3m to the south west of the mast on the wide asphalt footway.

The site comprises an area of pavement situated to the front of No. 26 Hazel Walk which is a residential flatted block in front of which is a small grassed area and a detached bin store servicing the flats. The position of the mast and cabinet would broadly align with the north eastern elevation of Nos. 1 - 12 Hornbeam Way.

The mast and cabinet would be sited approx. 3.7m from the kerb.

The site is not located in a Conservation Area.

### **Consultations**

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

- A neighbouring property already has bad reception (television etc.) and the proposal would make that worse.

## Technical comments

No technical highways objections are raised to the proposal.

Environmental Health were consulted with regards to the previous application and raised no objections.

## **Planning Considerations**

### 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.

#### Policy T18 - Road safety

This policy states that in all planning applications the Council will consider the potential impact on road safety.

### 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**

Under reference 15/03309 the siting and appearance of a 12.5m high mast and 4 cabinets was disapproved on the grounds that:

"1. *The proposed equipment, by reason of its location and size would result in a significant obstruction to visibility for vehicles exiting the store parking/servicing area detrimental to highway safety and contrary to saved Policy T18 of the Unitary Development Plan.*

2. *The proposed equipment, by reason of its height, size, location and prominence would appear intrusive and dominant within the streetscene harmful to the visual amenities of the area and contrary to Policy BE1 Design of New Development and Policy BE22 of the Unitary Development Plan."*

The mast and cabinets in this previous application were proposed to be sited adjacent to No. 29 Hazel Walk, on the other side of the road.

Under reference 15/05535 the siting and appearance of a 12.5m high mast and associated equipment cabinet was disapproved on the grounds:

"1 *The proposal, by reason of its location and size, would result in a significant obstruction to visibility for vehicles entering and exiting the adjacent off-street parking bay, thereby detrimental to highway safety and contrary to saved Policy T18 of the Unitary Development Plan.*

2 *The proposed equipment by reason of its height, size, siting and prominence, would appear intrusive and unduly dominant within the streetscene, thereby harmful to the visual amenities of the area and contrary to Policies BE1 and BE22 of the Unitary Development Plan."*

The mast and cabinet under reference 15/05535 were proposed to be sited on the same side of Hazel Walk as this current application, positioned immediately adjacent to the kerb.

## **Conclusions**

The main issues relating to the application are the effect that it would have on the character of the area and highway safety.

The application site was visited by the case officer and the aims and objectives of the above policies, national and regional planning guidance, all other material planning considerations including any objections, other representations and relevant planning history on the site were taken into account in the assessment of the proposal.

It is necessary to consider whether the current proposals overcome the previous grounds for disapproval under reference 15/05535. The proposed mast would be sited closer to the nearest residential properties than the previous scheme and it is therefore also appropriate to assess the impact of the proposal on residential amenity.

### Impact on visual amenity

The wide forecourt and grassed area in front of the flatted blocks provides an open and reasonably uncluttered appearance to this section of the street. The site is reasonably clutter free, and the most prominent feature in the streetscene is the brick built refuse enclosure situated adjacent to the grassed area. The proposed mast would be 2.5m lower than that previously proposed and at 10m high would complement more satisfactorily the height of standard lighting columns/telegraph poles. Furthermore, it would be set back from the front of the pavement and would therefore be less prominently sited than the previous proposed mast which was positioned immediately adjacent to the kerb. The proposed mast and cabinet would align with the front of the brick built enclosure and would relate more closely to the existing layout of street furniture and enclosures than the previous proposal.

On balance it is considered that the proposed mast and cabinet would not have a significantly detrimental impact on the visual amenities and character of the area.

### Residential amenity

The mast and cabinet would be positioned approx. 10.5m from the flank elevation of flats fronting Hornbeam Avenue and a similar distance to flats fronting Hazel Walk. While the mast would be visible from residential properties it is not considered that this visibility would constitute harm. The 10m high mast would not appear unacceptably prominent or overbearing in the context of the street scene and on

balance the impact on the living conditions of nearby residents in terms of loss of outlook would not be so significant as to justify the refusal of the application on that basis.

The local representation regarding the reception with the nearby flat is noted. However, the impact of the mast on radio/television reception is not considered to comprise a material planning consideration, being a technical issue that would fall to be addressed by the applicant as a private matter.

### Highways safety

The previous application was refused in part on grounds relating to the impact of the proposal on highways safety as a consequence of the siting of the equipment to the front of the kerb and close to a nearby parking bay.

The current proposal moves the proposed mast and cabinet further back from the kerb and there are no technical Highways objections to the proposal.

### Conclusion

The applicants have submitted a technical justification for the need for additional telecommunications equipment in the area. It is considered that the proposal would not have a detrimental impact on highways safety and that the impact on residential and visual amenity would be acceptable.

## **RECOMMENDATION: PRIOR APPROVAL REQUIRED AND GRANTED**

- 1 The siting and appearance of the mast and equipment 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 Policies BE22 and BE23 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 Policies BE22 and BE23 of the Unitary Development Plan and in the interest of the visual amenities of the area.**

- 3 Before the operation of the development hereby permitted the mast and equipment cabinet shall be painted in British Standard colour BS4800 12-B-25 paint. Thereafter the facility shall be retained in that colour and kept free of graffiti.**

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