

APPLICATION: MA/09/1830 Date: 8 October 2009 Received: 3 February 2010

APPLICANT: HUTCHINSON 3G (UK) & T-MOBILE (UK) LTD

LOCATION: RUMWOOD GREEN FARM, SUTTON ROAD, LANGLEY, MAIDSTONE, KENT, ME17 3ND

PARISH: Langley

PROPOSAL: Installation of 20m high lattice tower supporting three antennas, two dish antennas and radio equipment housing ancillary development as shown on drawing numbers 101, 102, 103, 104, 106 received on 9/10/09; as amended by email dated 03/2/10.

AGENDA DATE: 25th February 2010

CASE OFFICER: Geoff Brown

The recommendation for this application is being reported to Committee for decision because:

- it is contrary to views expressed by the Parish Council

1.0 POLICIES

Maidstone Borough-Wide Local Plan 2000: ENV28
The South East Plan 2009: CC1, C4
Village Design Statement: N/A
Government Policy: PPS1, PPS7, PPG8

2.0 HISTORY

2.1 The relevant planning history is as follows:

MA/05/1482 – Erection of a 20m high telecommunications [with antennae and equipment housing] - Permitted

3.0 CONSULTATIONS

3.1 LANGLEY PARISH COUNCIL “wishes to see the application refused for the following reasons:

- The Parish Council is not opposed to the installation of telecommunications masts in suitable and sensitively chosen locations.
- The Parish Council support the improvement of mobile telecommunication infrastructure.

- This mast is proposed to be sited in an open landscape and will result in a significant character change of the skyline.
- Although the application refers to an integrated structure, please refer to the site photograph which clearly shows the open background.
- We note that Section 6 of the Site Specific Supplementary Information states that other sites have not been considered and the Parish Council is disappointed that this is the case. There may be other sites where a mast may be constructed against a skyline of tall trees and would therefore be less obtrusive.
- Finally, we note the Design and Access Supporting Statement confirms the nearest residential properties are 150m south east of the proposed site but the Parish Council is aware that in the immediate vicinity there are in excess of 40-60 caravans used by large numbers of workers and some of these caravans have continuous occupation recently granted by MBC.”

3.2 KENT HIGHWAYS has no objection.

4.0 REPRESENTATIONS

- 4.1 ONE LOCAL HOUSEHOLD OBJECTS (via an agent) on the following grounds:
- The proposed mast would be clearly visible and far more prominent than the existing slender pole mast. It would be visible from the A274 and the public footpath network and would be an intrusive and damaging development, harmful to the countryside.
 - The facility should be sited at the industrial estate or coverage should be provided by smaller masts. Other solutions should be explored rather than allow such a large and intrusive feature.
- 4.2 OFFICER COMMENT: I have re-notified all parties on some additional information from the agents re: the colour of the mast, etc and reasons as to why a mast at the Parkwood Industrial Estate could not provide adequate coverage. Any further views received will be reported at committee.

5.0 CONSIDERATIONS

5.1 Background

The development proposed here is very similar to that previously approved under reference MA/05/1482; however that permission was not implemented. That previous scheme was for Hutchison only whereas this current scheme before Members proposes a Hutchison/ T Mobile ‘mast share’. PPG8 encourages companies to share facilities in order to avoid the proliferation of masts.

5.2 Description of the Site

The application site is located at Rumwood Green Farm on the north side of the A274. This is land in the countryside that is not the subject of any particular landscape designation. The vehicular access to the farm runs north from the main road and passes between farm buildings: beyond that a group of caravans is found to the west and a field to the east. The site for the compound is in the south west corner of that field, bordered by the road to the west with a modern agricultural building approx. 15m to the south. There is an existing T Mobile slender pole mast set amidst the farm buildings to the south west of the site for the proposed mast.

5.3 The Proposal

The application proposes a 20m high, lattice style mast with antennae and ancillary equipment at ground level within a fenced compound. The mast would be coloured bottle green and the equipment housing would have a galvanised finish. The existing T Mobile slender pole mast would be decommissioned.

5.4 Planning Considerations

- 5.4.1 This application needs to be considered against those policies aimed at the protection of the countryside and particularly in the light of the central government guidance in PPG8 which governs telecommunications development. Local Plan Policy ENV48 which covered telecommunications development has not been 'saved' as part of the Local Development Framework process, nor is there significant guidance in The South East Plan.
- 5.4.2 Looking at the need for the development, Hutchison and T Mobile require an additional facility in this area in order to provide adequate '3G' service: coverage plots are provided to demonstrate this and these show a 'hole' in the current pattern of provision around the A274.
- 5.4.3 In terms of impact on health, and fears over health matters, the application is accompanied by an ICNIRP certificate: therefore I conclude that health issues are not a significant issue in this case. In any event, I note that the site is quite well divorced from dwellinghouses, although quite close to the aforementioned group of farm worker caravans. I do not consider that there would be any adverse impact on residential amenity.
- 5.4.4 There is no objection from Kent Highways and there is no reason to refuse this application on highways grounds.
- 5.4.5 The most significant issue here is the impact of the mast on the appearance of the countryside. It should be noted that Planning Committee have previously permitted a 20m high lattice mast in the same part of the farm complex under reference MA/05/1482, although that consent has now time expired without being implemented.

5.4.6 Whilst this area is part of the countryside it is not the subject of any particular landscape designation. The site has the advantage of being set well back into the farm so that it is approx. 120 to 130m from the main road. It is well related to the group of farm buildings there (it is only around 15m away from a modern farm building) rather than being situated in an isolated and exposed position and the site benefits, to a certain extent, from the screening effect of the tree belts and hedging around the field boundaries and along the main road. Against this must be balanced the location of the site on slightly higher ground than the main road and the fact that there is a public footpath running across the land to the south and east. Whilst this facility will undoubtedly be visible from some public vantage points I do not consider that it would be unduly prominent and harmful to the countryside. Again, I would remind Members that a very similar development was previously deemed acceptable.

5.4.7 I have specifically raised the issue of whether the facility could be accommodated in the more urban surroundings of the Parkwood Industrial Estate. The response from the transmission network planner is that the industrial estate is too far away to provide the necessary coverage to the target area and even a large mast there would not make a significant difference to the coverage in the target area.

5.4.8 In conclusion I consider the scheme acceptable. Whilst the countryside is protected, this is not a specially designated area and the general theme of PPG8 is that new telecommunications development should be accepted unless there are sound reasons for objection. I recommend that planning permission be granted.

6.0 RECOMMENDATION

GRANT PLANNING PERMISSION subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission;

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, using indigenous species which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development and a programme for the approved scheme's implementation and long term management. The scheme shall be designed using the principles established in the Council's adopted Landscape Character Assessment

and Landscape Guidelines;

Reason: No such details have been submitted.

3. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation;

Reason: To ensure a satisfactory setting and external appearance to the development This in accordance with Policy ENV28 of the Maidstone Borough-Wide Local Plan 2000.' to the end of the reason for conditions 2 and 3.

4. The mast and associated development shall be removed from the land and the land restored to its former condition in the event that the equipment is no longer required for telecommunications use;

Reason: To prevent unjustified development in the countryside in accordance with Policy ENV28 of the Maidstone Borough-Wide Local Plan 2000.

The proposed development, subject to the conditions stated, is considered to comply with the policies of the Development Plan (Maidstone Borough-Wide Local Plan 2000 and South East Plan 2009) and there are no overriding material considerations to indicate a refusal of planning consent.