



Friends of Hartley Countryside

Please reply to:

Romney Cottage, Stack Lane, Hartley,
Longfield, Kent DA3 8BL

Mr T James
Planning Officer
Sevenoaks District Council
Argyle Road
Sevenoaks
Kent
TN13 1HG

17 July 2004

Dear Mr James

Re: Telephone Mast, Downs Valley, Hartley (SE/04/01607/FUL)

The Friends of Hartley Countryside would like to object to this application on the following grounds:

- **Green Belt:** PPG2 paragraph 3.1 emphasises that there is "a general presumption against inappropriate development", and in the context of telephone masts, this is supported by PPG8 paragraph 17. Therefore the starting point of the council must be one of refusal. The applicant has not demonstrated any exceptional circumstances why Green Belt presumptions should not apply.
- **Environment:** the proposed mast would be visually intrusive in local amenity woodland adjoining the built up area and an area of local landscape importance. Development here would contravene policies EN1, EN8, EN10, EN11, EN12A and EN29 of the district plan. The woodland is covered by TPO/74/03/DR and is home to wildlife protected by policy EN11 of the district plan.
- **Precedent of previous refusals:** there is clear case law (eg. *R ex parte Rank v East Cambridgeshire District Council [2002] 42 EG 159*) that councils must have regard to previous decisions. Like the East Cambridgeshire case, there is nothing substantively different about this proposed development, and therefore we believe the council must be bound by its previous decisions.
- **Local Amenity:** the application contravenes policy EN1 of the district plan by being visually intrusive and by the provision of an access road, it will potentially encourage unauthorised access to the field and wood. In addition we understand the woodland in question is subject to an agreement for lease dated 1976 made between R J Billings and the residents of Downs Valley, on condition that it be used as amenity land.
- **Site Sharing:** we dispute the applicant's claim about the unsuitability of existing mast sites. For example their claims about Hemesley's Yard are very questionable, in

the light of what Vodafone said when applied to you to upgrade their mast there to 3G. They confirmed that a 15m mast there would provide 3G coverage to the Hartley/Longfield area and *will negate the need for additional sites in the area*. (SE/03/0221). Orange have even less reason to claim otherwise, since they already have 2 masts in Hartley and 1 in New Ash Green (as the NAG mast is new, can the council confirm whether this was even switched on when Orange produced their model maps?). Once again the search for alternative sites has been desultory. For example, why have they not considered utilising existing electricity transmission pylons in the Fawkham Valley as suggested by PPG8, paragraph 21? Hutchison we note have done so at Rabbits Farm.

- **Site Splitting:** the applicant does not appear to have considered this option (PPG8, paragraph 23).
- **Health:** this is not now simply a matter of 'perception', a recent study for the Dutch Government has found statistically significant adverse effects to the well being of people when exposed to as little as $1V/m^2$ from high frequency 3G emissions (see printout from the National Radiological Protection Board and Powerwatch). The applicant's own ICNIRP certificate (page 4) confirms that even at over 500m from the mast the exposure will exceed the $1V/m^2$. A broad swathe of Hartley from Stack Lane to Wellfield are within 500m of the site and much of the area will receive three times the levels used in the Dutch government study. PPG8, paragraph 29 makes it clear that health considerations are a material consideration. As you are aware the council must also have regard to articles 2 and 8 of the Human Rights Act 1998.

To conclude we believe that there are no grounds for granting permission, and we therefore request that this application be refused once again.

Yours sincerely

Peter Mayer
Secretary
Enclosures: NRPB press release, Powerwatch press release.