

Wateringbury **568428 153704** **30 October 2007** **TM/07/03347/FL**
Wateringbury

Proposal: All weather helicopter landing pad and associated earthworks and lighting
Location: Wateringbury Place 50 Canon Lane Wateringbury Maidstone Kent ME18 5PQ
Applicant: Wateringbury Place Holdings SA

1. Description:

- 1.1 Permission is sought to create an all weather helicopter landing pad with associated earthworks and lighting. The site is a south facing slope of rough mown grassland with no mature trees immediately close by. The helipad would be approximately 100m from the northern and western boundaries.
- 1.2 To create the landing area it will be necessary to cut and fill the sloping site and surface the landing pad in concrete. A circle of lights set into the ground would be provided around the centre of the helipad. It has been stated that these lights would be operated from within the helicopter. The landing area would be approximately 22m in diameter. The helicopter would not be based at Wateringbury Place permanently but would be used to transport the applicant and visiting guests to and from the premises. The approach and take off will concentrate on the routes available towards the east and north of the identified landing site. The need is described in the following way: "The applicants require all year round operational ability to address the secure travel arrangements of Wateringbury Place and their eminent guests for whom the Security Services of the British Government may have responsibility."
- 1.3 The applicant has requested all year round operational ability to allow secure travel arrangements for themselves and their guests. The applicant proposes a maximum of 48 landings and 48 take-off flights each year from the application site. In addition they are prepared to accept a condition restricting the operational hours to between 0800 and 2000 unless this is not possible due to extenuating circumstances. The location chosen is stated to be the safest within the grounds on which to land an 8 person twin engine helicopter. The chosen site will be self draining and as the area is free from obstruction will be able to meet the standard requirements. Whilst it is recognised that there will be some disturbance to wildlife during construction works, wildlife will quickly adjust. The agent considers that there is a generous safety margin in the event of mishap during take-off and landing.
- 1.4 The application is being reported to committee at the request of Cllr English in light of the potential impact.

2. The Site:

2.1 Wateringbury Place is a Grade 2 Listed Building situated within the Green Belt and Wateringbury Conservation Area, but outside of the village confines. The extensive grounds to the east and north of the property also comprise an historic garden/parkland. The application relates to an area towards the northern part of the grounds and to the east of a private dwelling in Canon Lane known as Broomscroft Place.

2.2 This application is considered primarily in relation to the following policies:-

- CP24 general standard of development.
- P4/6 Historic Parks and Gardens.
- CP3 development in the Green Belt.
- PPS23 Light pollution.
- PPG15 impact on Listed Building and Conservation Area.
- PPG24 Planning & Noise.

3. Planning History (selected):

TM/86/11292/FUL Grant with conditions 24 March 1986
(TM/86/23)

Extension to provide private sports facilities, together with the erection of a block of 4 stables and access alterations (revised application).

TM/96/01209/LB Grant With Conditions 18 October 1996

Listed Building Application: Erection of an extension to existing sports complex to provide garaging for six classic cars.

TM/96/01210/FL Grant With Conditions 18 October 1996

Erection of an extension to sports complex to provide garaging for six classic cars.

4. Consultees:

4.1 PC: Strongly object due to location in grounds of listed building and to unacceptable noise, disturbance and safety concerns to residents, lack of necessity.

4.2 KCC Archaeological Officer: No archaeological measures are necessary.

- 4.3 DHH: The environmental health issue raised by this application is noise. PPG24 gives some guidance as to matters which should be addressed in applications such as this.

“Planning applications for helicopter landing/take-off facilities should be accompanied by information about the proposed take-off/landing flight paths and air traffic routes where appropriate. Preferably these should have been discussed and agreed in principle with the National Air Traffic Services (NATS) beforehand.”

The applicant estimates that there will be around 4 to 6 flights per month. In my opinion noise from the arrival and departure of a helicopter and from the associated running of the jet engine and rotors whilst on the ground is likely to cause noise disturbance to nearby residents, particularly those living in Canon Lane, for the several minutes it lasts. This level of noise cannot be reduced; rather a judgement needs to be made as to whether or not it is on balance acceptable in relation to the number of occasions on which it is likely to occur and in the context of the use of the helipad essentially for “private purposes”.

If, on balance, Members are minded to approve the application I recommend that conditions be imposed to restrict the number of flights to no more than 6 per month (12 movements) and, except in case of emergency, to restrict the times of use of the helipad to between 0800 hours and 1900 hours on any day. The applicant should liaise with the Civil Aviation Authority to ensure that the proposed site meets with their safety criteria.

- 4.4 Health & Safety Executive: No comments.
- 4.5 National Air Traffic Service (NATS): The proposed development has been examined from a technical safeguarding aspect and does not conflict with their safeguarding criteria. NATS En Route has no safeguarding objections to this proposal.
- 4.6 English Heritage: Do not wish to offer any comments.
- 4.7 Garden History Society: No response received.
- 4.8 Private Reps: 19/X/8R/2S The following points have been raised:
- Harm to Conservation Area.
 - Noise Pollution in tranquil area.
 - Light pollution from skyward facing landing lights.
 - Harm to wildlife.

- Helipad is not a necessity and there is no justification unless for national security. Convenience of users would be at the expense of quality of life of community.
- Distraction for drivers.
- Loss of privacy due to overlooking.
- Hours of operation should be limited and night flying would be unacceptable.
- Need for screening prior to the development commencing, to reduce the invasion of privacy.
- Need to restrict the type of helicopter visiting the premises.

5. Determining Issues:

- 5.1 This proposal has raised a number of issues for consideration and various concerns amongst nearby residents. These include the following:-
- 5.2 Impact on the Green Belt - The aim of policy CP3 is to maintain openness within the Green Belt. I do not consider that the formation of a helipad involving ground level work only causes harm to openness. There is no objection in Green Belt terms.
- 5.3 Impact on Conservation Area, setting of Listed Building and Historic Garden - The helipad would be sited at least 300m away from Watringbury Place and the more formal garden area. In light of the distance involved I do not consider it would harm the setting of the Listed Building, any particular features of the garden or the Conservation Area generally. If the proposal is found to be acceptable and there is concern about long term harm to the character of the Conservation Area, then a condition could be imposed requiring the concrete landing area to be removed and the land to be re-instated to its former condition if the helipad was no longer required.
- 5.4 Proximity to dwellings and effect on residential amenities - the position of the proposed helipad will undoubtedly have some impact on the amenities of the occupants of adjacent houses and it is necessary to give careful consideration to the effects on neighbours. In particular the development will result in the introduction of outdoor lighting, noise and down draught.
- 5.5 With regard to lighting it has been indicated that the landing lights can be operated from the helicopter and consequently they should only be on for a limited time during the approach. It is suggested that this matter can be covered by a condition. I am satisfied that this can be achieved.
- 5.6 NATS has confirmed that the proposed development has been examined from a technical safeguarding aspect and does not conflict with safe-guarding criteria.

- 5.7 With regard to noise and disturbance, it is accepted that a helicopter cannot function without making some noise from the engine(s) and main and tail rotor blades. This is likely to be noticeable to those living nearby, in particular the occupants of the house to the west, in Canon Lane. As highlighted above a judgement needs to be made about noise impact taking all matters into consideration. The applicant has indicated that between 4 and 6 flights would take place per month. This would therefore be around 1 or 2 a week, which is a fairly limited number. The applicant has also indicated that they intend to arrive during the day time/early evening subject to the normal weather and air traffic control delays experienced by all aircraft. It is not the intention to fly at night time. The applicant has also indicated that they are prepared to accept a restriction to 48 flights per year which would be an average of 4 each month.
- 5.8 Given the above information it is recognised that whilst associated noise cannot be removed from the development, the level of disturbance can be reduced by conditions restricting the number of flights and the operation of the helipad, including hours of use and duration of lighting. In this way any impact can be minimised.
- 5.9 Neighbours have questioned the necessity for the helipad. As with many planning applications the need for a particular form of development is not directly germane to the decision except as it may be considered in balancing against other matters such a breach of policy and amenity considerations. There has also been reference to overlooking, loss of privacy and the introduction of physical screening. The agent has indicated that the helicopter is likely to be approaching from the north over farm land. There is already a mix of mature trees and established hedges along the site boundaries and I am unclear how additional landscaping could provide effective screening without interfering with the flight requirements.
- 5.10 The introduction of a helipad within the grounds of a Listed Building and Conservation Area and near to some private houses is a very sensitive proposal. It is recognised that the helipad cannot function without an element of disturbance but that on balance the level of disturbance can be limited to short and infrequent periods. This impact can only be justified in the context of the need for security flights described in section 1. of the report.
- 5.11 Provided that the helipad is operated with consideration to the amenities of the neighbours and in accordance with any Civil Aviation Authority standards, then it is concluded that there are no objections.

6. Recommendation:

- 6.1 **Grant Planning Permission** in accordance with the following submitted details: Letter dated 10.09.2007, Design and Access Statement dated 10.09.2007, Drawing 07.86.01 dated 10.09.2007, Letter dated 30.10.2007, Letter dated 22.11.07, Letter dated 14.12.07, subject to:

Conditions / Reasons

- 1 No more than 48 flights (96 movements) shall take place at the site per calendar year.

Reason: In the interests of the residential amenities of the occupants of the adjacent properties.

- 2 Take-offs and landings shall take place (with the exception of extenuating circumstances) only between the hours of 0800 and 1900 on any day.

Reason: In the interests of the residential amenities of the occupants of the adjacent properties.

- 3 The ground level lights hereby approved shall only be switched on during the helicopter landing approach or take-off period.

Reason: In order to protect the visual amenities of the area.

- 4 Within 3 months of the helipad hereby permitted no longer being necessary, the helipad works shall be removed from the site and the land returned to its original condition.

Reason: In order to maintain the character and appearance of the area.

Informative

- 1 You are reminded of the need to operate the helipad in accordance with the requirements of the Civil Aviation Authority and to ensure that the proposal meets with their safety criteria.

Contact: Hilary Johnson