

Delegated Report		Analysis sheet		Expiry Date:		09/03/2012	
		N/A		Consultation Expiry Date:		20/02/2012	
Officer				Application Number(s)			
Ben Le Mare				2012/0507/P			
Application Address				Drawing Numbers			
Pavement opposite 42B Primrose Hill Road London NW3 3AA				Refer to decision notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Installation of 1 x BT equipment cabinet on the footway.							
Recommendation(s):		Prior Approval Required - Approval Given					
Application Type:		GPDO Prior Approval Determination					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	25	No. of responses	01	No. of objections	00
				No. electronic	00		
Summary of consultation responses:		<p>A site notice was displayed between 30/01/2012 and 20/02/2012 on the nearest lamppost to the proposal.</p> <p>No letters of objection have been received to date.</p> <p>One letter of support has been received from a neighbouring resident.</p>					
CAAC/Local groups comments:		N/A					

Site Description

The DSLAM is proposed to be sited on the western footpath of Primrose Hill Road, which is within close proximity to the entrance into No.42b. The site is not within a designated conservation area and none of the buildings or walls nearby are listed.

Relevant History

None relevant to this application.

Relevant policies

The London Plan (July 2012)

LDF Core Strategy and Development Policies

CS1 Distribution of growth

CS5 Managing the impact of growth and development

CS14 Promoting high quality places and conserving our heritage

DP17 Walking, cycling and public transport

DP21 Development connecting to highway

DP24 Securing high quality design

DP26 Managing the impact of development on occupiers and neighbours

Camden's Streetscape Design Manual

Camden Planning Guidance 2011

CPG1 (Design)

Assessment

GPDO prior approval is sought for a telecommunications (DSLAM) cabinet. The Town and Country Planning (General Permitted Development) Order (GPDO) 1995 (as amended) sets out the details of the types of developments for which planning permission is 'deemed' to be granted, more commonly known as 'permitted development'. Much of the work carried out by a telecommunications operator would be permitted development under Part 24 of Schedule 2 of the Town and Country Planning (General Permitted Development) (amendment) Order 2001. The proposed works fall under the criteria for the works to be permitted development under Part 24 because of the cabinet's limited height and cubic content, however, as the site is within a conservation area the applicant is required to submit plans and specifications of the equipment for a determination as to whether prior approval is required. The Order states that the only issues which the Council can consider in relation to such prior approval applications are those relating to siting and design. It is not possible to raise objections on any other grounds. A decision has to be made within 56 days of the application's receipt, i.e. by the expiry date referred to above; otherwise the applicants have deemed approval by default according to GPDO legislation.

The applicant (BT Openreach) is rolling out a series of new cabinets within each of their telephone exchange areas that would be used to provide high-speed broadband services in the exchange area ('Super Fast Fibre Access'). The proposed cabinets are in addition to the existing BT Cabinets and the existing cabinets would remain. In order to provide the broadband services proposed each new cabinet would be supplied by fibre optic cables. Each new cabinet would then be linked to an existing BT cabinet and the existing distribution system from the existing cabinet would be used to supply homes and customer's premises. In this regard each new cabinet needs to be located within close proximity of an existing BT cabinet (they cannot be located more than 50m apart).

The cabinet would have the following dimensions; 1600mm height x 1200mm width x 450mm depth and is proposed to be located along the western footpath of Primrose Hill Road, opposite the netrnace to No.48b. The applicant has confirmed in writing that the cabinet would be positioned approx. 100mm away from the boundary wall.

Although the proposal is not located within a designated conservation area, the design guidance in CPG1 and the Camden's Streets Manual requires the proposal to have regard to the streetscene and

the character and appearance of the surrounding area.

The proposed cabinet is considered not to result in any significant harm to the streetscene, buildings or the existing wall which it abuts. However, to ensure that any visual impact of the cabinet is kept to a minimum a condition requiring for it to be stipple finished painted black should be appended to any planning approval.

The introduction of the cabinet in this precise location would not result in any significant obstruction to pedestrian flows. The pavement is approximately 3m wide in this location ensuring a minimum pavement width of at least 1.8 is maintained, in accordance with Camden's Streetscape Design Manual (minimum pavement width guidelines).

The proposal is considered not to impinge on any amenity issues such as privacy, outlook, or sunlight and daylight.

In respect of any noise emanating from the cabinets internal cooling fans it is reminded that the only issues which the Council can consider in relation to such prior approval applications are those relating to siting and appearance as stipulated under the Town and Country Planning (General Permitted Development) (amendment) Order 2001, of Schedule 2, Part 24, Class A, Conditions, A.3, (3). Noise impacts are considered to fall beyond the remit of siting and design and therefore prevent this prior approval application from being refused for such a reason. On the basis of the dB ratings described in the application details it is envisaged that even in a worst case scenario noise emanating from the cabinets would not be significantly above background noise levels in such a residential location.

Recommendation

Grant Prior Approval under Part 24, Schedule 2 of the General Permitted Development Order (1995).

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