

## SUPPLEMENTARY INFORMATION TEMPLATE

### 1. Site Details

Site Name:	39 Whitfield Street	Site Address:	39 Whitfield Street, Fitzrovia, London W1T 2SF
NGR:	529485 / 181785	Site Type: <sup>1</sup>	Macro
Site Ref Number:	O2 43356 Vodafone 78234		

#### 1.1 Background

The Telefónica Group has formed a strategic partnership with the Vodafone Group to share mobile assets here in the UK and across Europe. In the UK this means Vodafone will be working closely together with O2. In essence this agreement allows both organisations to:

- Consolidate the number of base stations required through sharing which is in accordance with Government Policy
- Significantly reduce the environmental impact of network development

Accordingly the key focus will be on the joint build of new sites and consolidation of existing 2G and 3G sites. The site the subject of this application will enable O2 and Vodafone to share a new street furniture site.

### 2. Pre Application Check List

#### Site Selection

Was an LPA mast register used to check for suitable sites by the operator or the LPA?	<b>Yes</b>	<b>No</b>
Refer to Part 6. The on-line planning history available on the local planning authority's website was searched to ascertain the location of existing / planned base stations for the area.		
Was the industry site database checked for suitable sites by the operator:	<b>Yes</b>	<b>No</b>
Both <a href="http://www.site-share-olo.com">www.site-share-olo.com</a> and <a href="http://www.sitefinder.ofcom.org.uk">www.sitefinder.ofcom.org.uk</a> were checked to locate potentially suitable sites within the coverage target area. No suitable available existing sites were found within the search area. For further details on alternative sites, please refer to Section 6.		

#### Annual roll out consultation with LPA

Date of last annual rollout information/submission:	Autumn 2009
Name of Contact:	Chief Planning Officer
Summary of outcome/Main issues raised:	Forthcoming rollout submitted as part of a joint submission from all 5 Operators collated and submitted by the MOA.

<sup>1</sup> Macro or Micro

	No comments noted as having been raised.
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### Pre-application consultation with LPA

Date of written offer of pre-application consultation:	11 <sup>th</sup> December 2009	
Was there pre-application contact:	Yes	No
Date of pre-application contact:	12 <sup>th</sup> January 2010 & 28 <sup>th</sup> January 2010	
Name of contact:	Ms Aysegul Olcar-Chamberlin	
Summary of outcome/Main issues raised:		
<p>The original design scheme proposed at the application site was for two flagpole antennas, one located towards the front of the building (at the southeast corner of the roof) and a second fixed to the stairwell roof, to the rear of the building.</p> <p>On receipt of the applicant's letter seeking pre-application comments on the proposal, the planning officer sought guidance from the council's conservation and urban design officer. In response, it was advised that the proposed telecom equipment was likely to give rise to an unacceptable level of clutter on the roof, subsequently causing harm to the appearance and character of the existing building and wider conservation area.</p> <p>The officer noted that the building is five storeys high and located at a prominent corner of Whitfield Street and Scala Street in the Charlotte Street Conservation area. it was the considered opinion of the officer that the proposed antenna above the highest parapet wall in particular would draw undue attention to the building when viewed from Scala Street. It was felt that a higher building with a different roof profile able to accommodate the proposed base station without harming public realm would be more appropriate.</p> <p>On behalf of the applicant, Waldon Telecom confirmed that the whole of the search area was within a designated Conservation Area and that 39 Whitfield Street was the best available option in both planning and technical terms to meet the coverage objective. With reference section six below, no taller buildings, or buildings with different roof profiles were made available to the operator and without the owner's permission, O2 was unable to develop these.</p> <p>It was agreed to look at re-designing the flagpole antenna on the roof of the stairwell, which was causing the greatest concern. It was noted that the parapet wall extended above the stairwell roof, which meant that a mock glass reinforced glass (GRP) 'chimney stack' could be proposed to accommodate the antennas required to the rear of the building. The net effect of this change was a two metre reduction in height to this element of the scheme and a design that fits with the characteristics of the rear of building and will be painted to match the existing render.</p> <p>However, it was not possible to provide the requisite radio coverage at 90 degrees from the rear of the roof space (due to clipping issues) therefore an antenna to the front of the building was still required. It was suggested that the flagpole to the front of the building was still the best design available to O2 given the existence of other flagpoles on buildings nearby. The absence of any existing masonry / chimney stacks realistically precluding the introduction of a mock chimney stack to the front of the roof space.</p>		

With regard to the technical equipment, the officer was advised that this was to be enclosed within a timber screen enclosure, which was effectively a small extension of the water tank room and therefore considered to be an appropriate design for the equipment accommodation.

Finally, as will be detailed within section 6 of this statement, there were no existing telecommunications facilities within the given search area that O2 could utilise. Notwithstanding this, the thrust of PPG8 is met in that an existing building is to be utilised and the equipment proposed is to be shared by two operators. In addition to this, had a sharing opportunity within the Conservation Area presented itself, it is highly unlikely that enhancements in siting and appearance could be achieved on the design proposed for 39 Whitfield Street.

### **Ten Commitments Consultation**

Rating of Site under Traffic Light Model:	<b>Green</b>	<b>Amber</b>	<b>Red</b>
Outline Consultation carried out:			
<p>The Code of Best Practice on Mobile Phone Network Development (ODPM, 2002) outlines that for amber rated sites, the operator as a minimum should send letters to the parish council and ward councillors. No parish council was identified but pre-application correspondence dated 11 December 2009 was issued to the ward Councillors for the Bloomsbury Ward and the local MP Frank Dobson. No responses have been received to date.</p>			

### **School/College**

Location of site in relation schools/childcare facilities:
<p>The nearest educational establishment identified is located approximately 100 metres away from the site proposal.</p>
Outline of consultation carried out with school/college (include evidence of consultation):
<p>Consultation letters were issued to the following educational establishments.</p> <p>Fitzrovia Nursery, Whitfield Street, London W1T 4ER – approx 100m away.</p> <p>All Souls CoE Primary School, Foley Street, London W1W 7JJ – approx 200m away</p>
Summary of outcome/Main issues raised:
<p>No responses have been received to date.</p>

**Civil Aviation Authority/Secretary of State for Defence/Aerodrome Operator consultation (only required for an application for prior approval)**

Will the structure be within 3km of an aerodrome or airfield?	Yes	<b>No</b>
Has the Civil Aviation Authority/Secretary of State for Defence/Aerodrome Operator been notified?	Yes	<b>No</b>
Details of response: N/A		

**Notice to Owner?**

Copy of Notice to Owner enclosed?	<b>Yes</b>	No
Date served:	12/03/2010	

**3. Proposed Development**

The proposed site:
<p>The application site is 39 Whitfield Street in Fitzrovia and the proposal relates specifically to the roof of the 5 storey building, which is located at the junction with Scala Street. The roof is flat and measures 16.975 metres above ground level, although a 350mm wide parapet wall raises the main building height to 17.85 metres. There is a raised water tank room located on the northwest section of the roof adjacent to an access staircase. The top of this staircase is 19.950 metres above ground level and is the highest point of the building. Two existing satellite dishes are located to the northern edge of the roof space.</p> <p>The building has mixed uses, class A1 (k) B1, historically an internet cafe and offices. The surrounding area has an urban character with mixed residential and business uses. The site is contained within the Charlotte Street Conservation Area. Building types include 3-5 storey Georgian style terraced towns houses, many with commercial or retail uses at ground level, as well, larger scale, more modern commercial buildings, particularly to the east and south. The two main thoroughfares of the area are Tottenham Court Road approximately 50 metres to the east of the site and Goodge Street approximately 50 metres to the south east. The application site is not a listed building.</p>

Type of Structure (e.g. tower, mast, etc):	
Rooftop	
Description:	
The installation of 2No. antennas concealed within a 2.5m tall glass reinforced plastic (GRP) 'chimney stack' on top of the existing roof access stairwell (painted to match the existing render), 1No. replica flagpole with integrated antennas located towards the front of the building, along with 3No. equipment cabinets located within a timber screen enclosure adjacent the water tank housing (finished to match existing) and ancillary development thereto on the roof.	
Overall Height:	22.2 metres to top of flagpole finial

	22.38 metres to top of GRP 'chimney stack'
Height of existing building (where applicable):	17.85 metres to top of parapet wall (main building) 20.78 metres to top of parapet wall above rear stairwell access
Height of proposed structure (where applicable):	Flagpole - 4.5 metres to top of finial GRP 'chimney stack' – 2.5m
Equipment Housing:	2 no. Flexi BTS Modules (stacked) and 1 no. RBS 3106
Length:	Flexi – 560mm / 3106 - 1300mm
Width:	Flexi – 490mm / 3106 - 926mm
Height:	Flexi – 133mm / 3106 - 1626mm
Materials (as applicable):	Flagpole - Steel flagpole tube with (GRP) shrouded antennas on a freestanding support frame.  'Chimney Stack' – GRP painted to match existing render accommodating two half height panel antennas  Equipment housing – Steel cabinets within timber framed screen adjacent water tank housing.

Reasons for choice of design:
<p>The proposal has been carefully designed, taking into account the Conservation Area designation and the residential use within the area, to minimise the visual impact of the proposed development whilst also ensuring that the technical objective can be achieved.</p> <p>It was noted during the initial design survey that a number of buildings within the locality accommodate flagpoles (this is particularly evident from roof level) and this influenced choice of design for this proposal at 39 Whitfield Street.</p> <p>It was initially proposed to install 2No. 4.5 metre high dual-stack flagpoles containing a total of 6No. antennas, along with 2No. equipment cabinets screened by a new timber enclosure and development ancillary thereto on the roof of the building. The proposal was revised following feedback from the local authority's planning officer and conservation and urban design officer who were unsupportive of the scheme, considering that it would result in the roof appearing cluttered and advising that the replica flagpole located on the top of the roof access stairwell, in particular, would draw undue attention to the building when viewed from Scala Street.</p> <p>In the revised design, for which consent is now sought, the replica flagpole on the access stairwell has been replaced by a 2.5m tall glass reinforced plastic (GRP) 'chimney stack' (painted to match the existing render) which will conceal the 2No. antennas.</p> <p>Utilising a mock 'chimney stack' design and shrouding at the rear of the building effectively disguises the antennas and reduces the capacity of the installation to draw</p>

the eye when viewed from Charlotte Street and Scala Street to the west. As the GRP 'chimney stack' would include the extended parapet wall where it meets the stairwell access, only the top 1.6 metres would protrude above this point.

The replica flagpole, positioned towards the southeast corner of the roof, is of a high standard design. Where views would be available, from the north or south, it would convincingly replicate a standard flagpole whilst effectively concealing the antennas within. Views from the east (Tottenham Court Road in particular) are screened by the existing commercial buildings in the area.

The 275mm diameter of the replica flagpole has been dictated by the size of the antennas and cabling to be housed within. The flagpole would contain 2No. antennas (1No. for each operator), which would provide 3G coverage for both O2 and Vodafone. It was considered that keeping a uniform diameter of 275mm would be preferable visually to tapering from this diameter to a wider base.

Such technical constraints are significant factors in the design and siting characteristics of the proposed telecommunications mast. In line with the guidance contained within paragraph 7 of PPG 8, Council's are advised to take these significant constraints into account when considering applications: 'Each telecommunications system has different antenna types, siting needs and other characteristics. Planning authorities should have regard to any technical constraints on the location and proposed development.'

The 3no. proposed equipment cabinets would be housed within a timber frame with an access door adjacent the water tank housing and thus not visible. The timber would be finished to match the water tank room, thereby minimising the impact of the proposal on the appearance of the site itself and its setting within the Charlotte Street Conservation Area

The design ensures that an onlooker would not see any telecommunications equipment; if viewing the proposal from the west, for example they will simply see a chimney stack; if viewing from the north or south a flagpole would be observed amongst the existing rooftop infrastructure and it is submitted that this would not appear conspicuous.

For these reasons, it is considered that the selected scheme constitutes the best design possible, capable of being visually absorbed into the surrounding features of the landscape, resulting in a far less intrusive facility than any other design. This would preserve the character and appearance of the Conservation Area and allow coverage to be achieved.

It is submitted that the proposed installation at 39 Whitfield Street fully complies with planning policy and strikes an appropriate balance between operational and environmental considerations. Planning policy is discussed later.

#### **4. Technical Information**

ICNIRP Declaration attached	<b>Yes</b>	<b>No</b>
ICNIRP public compliance is determined by mathematical calculation and implemented by careful location of		

antennas, access restrictions and/or barriers and signage as necessary. Members of the public cannot unknowingly enter areas close to the antennas where exposure may exceed the relevant guidelines.		
When determining compliance the emissions from all mobile phone network operators on the site are taken into account.		

	O2	Vodafone
Frequency:	UMTS – 2100Mhz	
Modulation characteristics <sup>2</sup>	QPSK	
Power output (expressed in EIRP in dBW per carrier)  In order to minimise interference within its own network and with other radio networks, Vodafone operates its network in such a way the radio frequency power outputs are kept to the lowest levels commensurate with effective service provision  As part of O2 and Vodafone's networks, the radio base station that is the subject of this application will be configured to operate in this way.	EIRP 32dBW per carrier (maximum)	
Height of antenna (m above ground level)	21.48 to the top of antennas A1 & B1 (within the replica flagpole)  22.28 metres to top of antennas A2 & B2 (within the GRP 'chimney stack')	

## 5. Technical Justification

### Enclose predictive coverage plots.

Reason(s) why site required e.g. coverage, upgrade, capacity:
<p>GIS modelling plots (coverage plots) for each operator are included with the application papers. These provide a geographical representation of coverage levels, with different coloured shading added to a base map to represent the various levels of existing or predicted coverage within an area (as per the plot keys). Where no coverage is recorded, no shading is overlaid, leaving an obvious gap in the colour block to represent the gap in coverage. Where there are gaps in the coverage; users to the system will experience a number of deficiencies including:</p> <ul style="list-style-type: none"> <li>in-building radio coverage will not be obtained; thus customers will be unable to use their mobile phones from within their commercial, industrial or</li> </ul>

<sup>2</sup> The modulation method employed in GSM is GMSK (Gaussian Minimum Shift Keying) which is a form of Phase modulation. The modulation method employed in UMTS is QPSK (Quad Phase Shift Keying) which is another form of Phase Modulation

residential properties.

- when a customer attempts to join the network they will be unable to obtain a link to a base station.
- a telephone user trying to contact a customer in the area will be unable to get through.
- a customer passing through the area using a mobile telephone will be cut off, which is known as "drop out".

It is for these reasons that it is important to achieve and maintain a comprehensive service of quality for mobile users. The main complaints received by mobile telephone operators about their service relate to the problems associated with dropped calls and no service.

#### O2 Plots:

The application site will offload traffic from surrounding sites that are suffering from channel element blocking which is causing poor customer experience during call set up and in some cases no throughput in the voice busy hour. The surrounding sites are currently at a maximum configuration and require a new site in the area to reduce the traffic carried by the cell experiencing blocking.

With regard to on-going coverage requirements, plot A shows the current O2 3G coverage afforded to the surrounding areas by neighbouring cell sites and clearly demonstrates that the proposal is required to ensure that the necessary urban (in building) coverage level is achieved. The necessary level of radio coverage is shown as the orange shading and the plot shows that large areas of Fitzrovia are currently well short of this requirement.

Plots B and C shows the proposed O2 3G coverage specifically provided by the establishment of the application site and clearly demonstrate that this site would provide new and enhanced coverage to the commercial and residential areas within the target area.

In conclusion, the existing network coverage, coupled with the proposed site at 39 Whitfield Street, would fill the identified coverage gap and help with channel element blocking within the O2 network around this area resulting in low call drop rate and call establishment failures back within acceptable limits.

#### Vodafone plots:

An ongoing deficiency 3G (UMTS) coverage has been identified by Vodafone in the Fitzrovia area of London, particularly to the south and east of Goodge Street Station, including Tottenham Court Road and Gower Street.

Plot 1 shows the current Vodafone 3G coverage afforded to the surrounding areas by neighbouring cell sites and clearly demonstrates that the application site is required to ensure that the necessary urban radio (in building) coverage level is achieved. The necessary radio coverage level is represented on the plots by orange shading and it is evident from them that levels within large parts of Fitzrovia are currently well short of this requirement.

Plot 2 shows the proposed Vodafone 3G coverage in isolation, with plot 3 demonstrating how the site would fit into the overall network. It is clear that the proposed development at the application site would provide the necessary in building



radio coverage level to the commercial and residential areas within the target coverage area. As such, the proposed site will ensure that Vodafone customers do not also experience non-coverage, dropped calls and an inability to transfer data.

Paragraph 5 of Planning Policy Guidance Note 8 draws attention to the significance of proposed sites as part of a national network and how this should be a material consideration. Both the technical requirement for the site and its importance to the national network for both operators is evidenced by the coverage plots.

## 6. Site Selection Process – alternative sites considered and not chosen

Prior to selecting the application site, a comprehensive investigation was undertaken within the locality. Sites are considered in terms of their technical suitability to provide the required level of service for both operators, the effect on visual amenity, character and appearance, and their ability to be acquired, built and maintained. The aim of site identification is to find the most technically efficient site, which has the minimum impact on visual amenities, and preserves the character and appearance of an area.

In terms of alternative sites, PPG8 is clear that *‘In order to limit visual intrusion, the Government attaches considerable importance to keeping the numbers of radio and telecommunications masts, and of the sites for such installations, to the minimum consistent with the efficient operation of the network.’* (paragraph 19). Paragraph 21 advises *‘Use should also be made of existing buildings and other structures...’*.

The whole of the given search area, the designated area established by the radio planner from within which the required coverage levels can be achieved, falls within the Charlotte Street Conservation Area. Therefore, on this occasion it has not been possible to source a technically suitable site outside of this designation. As part of the pre-application consultation process, the local authority indicated that the use of taller commercial buildings with different roof profiles would be preferable options. Such buildings were fully considered and discounted for the reasons below.

39 Whitfield Street is ideally located to enable both O2 and Vodafone to meet their 3G network requirements in this area. By installing antennas camouflaged as a chimney stack and flagpole on a tall commercial building rooftop, the proposed scheme eliminates the need for two separate installations in the area and ensures the visual impact is kept to the absolute minimum.

Site ref	Site <sup>3</sup>	Site Name and address	Indicative NGR	Reason for not choosing <sup>4</sup>
1	RT	Scala House, 21 Tottenham Street, London	529440 181795	SP – There was no response to correspondence from the site provider. The operators cannot compel a response from a site provider, and the need for a

<sup>3</sup> ETS – Existing Telecomm site, ES – Existing Structure, RT – Roof Top, GF – Greenfield, SF – Street Furniture

<sup>4</sup> SP – Site Provider, RD – Redevelopment Not Possible, T – Technical Difficulties, P – Planning, O – Other

				site in the area remains. As the operators did not have the site provider's permission to develop the land, this option was discounted.
2	RT	31-37 Whitfield Street, London W1T 2SF	529492 181771	SP – There was no response to correspondence from the site provider. The operators cannot compel a response from a site provider, and the need for a site in the area remains. As the operators did not have the site provider's permission to develop the land, this option was discounted.
3	RT	44-46 Whitfield Street, London	529490 181807	SP – There was no response to correspondence from the site provider. The operators cannot compel a response from a site provider, and the need for a site in the area remains. As the operators did not have the site provider's permission to develop the land, this option was discounted.
4	RT	40 Whitfield Street, London	529505 181790	SP – The owners of the property (Estates & Agency Properties Ltd) have confirmed that they are not interested in a proposal. As the operators did not have the site provider's permission to develop the land, this option was discounted.
5	RT	30-32 Whitfield Street, London	529515 181772	T – The building is much lower than the surrounding building clutter and, therefore, the signal from antennas on the roof here would be blocked and the coverage objective would not be met. As such, this option had to be discounted on technical grounds.
6	RT	Fitzrovia Public House, 18 Goodge Street, London W1T 2QF	529506 181750	T – The building is much lower than the surrounding building clutter and therefore antennas installed here could not meet the coverage objective. As such, this option was discounted.
7	RT	10-16 Goodge Street, London	529531 181760	SP – The owners of the property (Estates & Agency Properties Ltd) have confirmed that they are not interested in a proposal. As the operators did not have the site provider's permission to develop the land, this option was discounted.
8	RT	48-54 Charlotte Street, London	529435 181737	SP – The potential site provider has confirmed that they are not interested in a proposal from O2 to host telecoms

				equipment. As the operators did not have the site provider's permission to develop the land, this option was discounted.
9	RT	60 Charlotte Street, London	529413 181770	SP – There was no response to correspondence from the site provider. The operators cannot compel a response from a site provider, and the need for a site in the area remains. As the operators did not have the site provider's permission to develop the land, this option was discounted.
10	RT	16-24 Whitfield Street and 55 Tottenham Court Road, London	529590 181738	SP – There was no response to correspondence from the site provider. The operators cannot compel a response from a site provider, and the need for a site in the area remains. As the operators did not have the site provider's permission to develop the land, this option was discounted.
11	RT	Glen House, 200-208 Tottenham Court Road, London	529555 181833	SP - The owners of the property (The City of London Corporation) have confirmed that they are not interested in a proposal. As the operators did not have the site provider's permission to develop the land, this option was discounted.
12	RT	2 Goodge Street & 64 Tottenham Court Road, London	529555 181783	SP - The owners of the property (Estates & Agency Properties Ltd) have confirmed that they are not interested in a proposal. As the operators did not have the site provider's permission to develop the land, this option was discounted.
13	RT	72 Tottenham Court Road, London	529526 181830	SP – The owners of the property (London Underground Ltd) do not permit telecoms installations on their land as a matter of policy. As the operators did not have the site provider's permission to develop the land, this option was discounted.
14	RT	44 Goodge Street, London	529450 181715	SP – There was no response to correspondence from the site provider. The operators cannot compel a response from a site provider, and the need for a site in the area remains. As the operators did not have the site provider's permission to develop the land, this option was discounted.
15	RT	15-17 Goodge Street, London	529535 181745	SP & P – There was no response to correspondence from the site provider.

				The operators cannot compel a response from a site provider, and the need for a site in the area remains. Further, it was felt that this location was inferior in planning terms given its location at the junction of Goodge Street and Whitfield Street. With very little block screening available (by way of taller, adjacent buildings), it was felt an installation here would be less visually acceptable than at the application site and was therefore discounted.
16	RT	19 Goodge Street, London	529520 181735	P – Although the owner of the property was interested in a proposal in principle, it was felt that this location was inferior in planning terms given its location at the junction of Goodge Street and Whitfield Street. With very little block screening available (by way of taller, adjacent buildings), it was felt an installation here would be less visually acceptable than at the application site and was therefore discounted.
17	RT	Kirkman House, 12-14 Whitfield Street, London	529567 181700	T – Although the owner of the property was interested in a proposal in principle the building is much lower than the surrounding building clutter and therefore antennas on the roof space here would not meet the whole coverage objective. As such, this option was discounted.
18	RT	10 Whitfield Street, London	529577 181680	T – The building is much lower than the surrounding building clutter and therefore antennas on the roof space here could not meet the whole coverage objective. As such, this option was discounted.
19	RT	31 Windmill Street, London	529590 181660	T – SP & P – There was no response to correspondence from the site provider. The operators cannot compel a response from a site provider, and the need for a site in the area remains. In addition, the building is much lower than the surrounding building clutter and therefore antennas on the roof space here would not meet the whole coverage objective. As such, this option was discounted.

If no alternative site options have been investigated, please explain why: N/A

The Planning Inspectorate has specifically addressed discounting alternative options

based upon a landlord's unwillingness to accommodate a facility. Vodafone appealed against the decision of Three Rivers District Council to refuse prior approval for the siting and appearance of a 15m high lattice mast and ancillary development (APP/P1940/A/01/1077913). The Inspector recognised that the Appellant had undertaken a thorough investigation of the area. In relation to sites not available due to landlord issues, the Inspector concluded '*I consider that alternative sites need to be genuinely available to be given serious consideration in an assessment of options.*'

Orange PCS against Stafford Borough Council has also addressed the issue of alternative sites. In allowing the appeal the Inspector stated in addressing local plan policies '*Nor do I consider it is either realistic or reasonable to take the view that the absence of consideration of every possible option and alternative would mean that this policy was complied with ... PPG8 does not indicate the need to embark on an examination of every possible alternative in an iterative process ... the adequate analysis of feasible alternatives is a more realistic approach.*' (APP/Y3425/A/02/1084110).

There are no alternative sites available with siting and appearance options superior to the application site. The proposed installation is sited on an existing commercial building utilising a camouflage design reflecting existing rooftop infrastructure in the area. This is in line with national and local planning policy guidance relating to telecommunications. It is strongly considered that the application site represents the most suitable option to minimise impact on the surrounding area and achieve technical requirements.

## 7. VISUAL IMPACT AND APPEARANCE

In line with national planning policy guidance and the relevant policies of the Development Plan, O2 and Vodafone have minimised the impact of the proposed installation through siting and design initiatives. The site was specifically selected following a sequential site selection process to provide a balance between achieving technical objectives and reducing environmental and visual impact.

As outlined in section 6 above, a number of alternative locations were investigated and it is firmly considered that the proposal is the least visually intrusive site and design option available to the applicant. As such, equilibrium will be achieved between technical requirements and environmental impact.

The mock 'chimney stack' has been designed to overcome local authority concerns with regard to views towards the application site from the west. The proposed GRP extension, finished to match the existing render, will protrude above the raised parapet wall by 1.6 metres, reinforcing its appearance as a conventional chimney stack, which are prevalent features on many of the nearby terraced properties. Chimney pots are not proposed as this will keep the overall height to the absolute minimum.

The replica flagpole to the front (southwest corner) of the building has been designed, as far as is practicable, to replicate a standard flagpole, of the sort observed in the surrounding area, in order to minimise the impact of the proposal within the Conservation Area. When viewed from the north the flagpole will be seen

against the steel framed backdrop of the adjacent, taller building. When viewed from the south / south east, the visual impact will be considerably mitigated by 31-37 Whitfield Street as from ground level, the eye will be drawn to the tall, substantial steel framed building, as opposed to the flagpole, the height of which has been deliberately restricted so not to protrude above the roof line of the adjacent building.

The equipment cabinets are also to be located at roof level, within a timber framed enclosure, finished to match the adjacent water tank room, and will not be visible. This is considered to be a suitable solution as the screen will not be seen from ground level and at roof level, it will appear as an extension to what is already in-situ. The cable trays proposed along the flat roof area will be screened by the parapet wall.

The proposed design has taken account of the important features of the Conservation Area designation and the environmental imperative to conceal and camouflage telecoms installations. The use of a GRP 'chimney stack' and flagpole design means that no telecommunications equipment will be visible and there will, therefore, be no obvious daily reminder of the presence of the mobile phone equipment for any nearby occupiers, users of 39 Whitfield Street or members of the public travelling past the site. In this way, it is considered impacts on amenity will be minimised, thus preserving the character and appearance of the Conservation Area.

It is therefore submitted that the area will not be unacceptably visually compromised by the introduction of the proposed installation.

In summary, it is submitted that the design and siting initiatives outlined throughout this document afford a level of protection to the site and surrounding environment that cannot be bettered, resulting in no materially adverse change to views. Given the location of the site and the general requirement to minimise environmental impact, the proposed GRP 'chimney stack' and replica flagpole is considered to be a highly sympathetic, innovative and suitable design which serves to preserve the appearance and character of the conservation area. In this respect the proposal complies with the guidance contained within PPS1 – Delivering Sustainable Development, PPG2 Conservation Areas and PPG8 – Telecommunications and PPG15 – Planning and the Historic Environment.

## 8. PLANNING POLICY

### **National Planning Policy Guidance**

#### National Planning Policy Guidance

#### Planning Policy Guidance 8: Telecommunications (PPG8)

The Government's policy regarding telecommunications development is outlined in PPG8. The overriding principle is set out in paragraph 1: *'The Government's policy is to facilitate the growth of new and existing telecommunications systems whilst keeping the environmental impact to a minimum.'*

Paragraph 2 follows with *'The aim of telecommunications policy is to ensure that people have a choice as to who provides their telecommunications service, a wider range of services from which to choose and equitable access to the latest technologies as they become available.'*

Paragraph 4 encourages LPA's to *'respond positively to telecommunications development proposals...'*

Paragraph 5 emphasises that *'In making an application for planning permission or prior approval, operators may be expected to provide evidence regarding the need for the proposed development.'*

The proposed installation is part of a planned network expansion that is evidenced by the enclosed coverage plots. The plots fully demonstrate how this proposal fits into the overall network plans of each operator, and how this base station is required to ensure that customers in this area benefit from the provision of effective modern communications networks.

Environmental considerations are addressed by paragraphs 14 to 28 of the policy. *'Protection from visual intrusion ... will be important considerations in determining applications.'* (paragraph 14).

The use of an existing building is in direct compliance with paragraph 21 of PPG8, which explicitly states that use should be made of existing buildings and other structures to site new antennas.

Specifically in relation to design initiatives, PPG8 outlines in paragraph 24 that *'In seeking to arrive at the best solution for an individual site, authorities and operators should use sympathetic design and camouflage to minimise the impact of development on the environment. ... the aim should be for apparatus to blend into the landscape.'*

Paragraph 25 follows with *'The telecommunications industry is encouraged to continue to develop innovative design solutions, in terms not only of the structure of masts and antennas but also the materials and colouring.'*

The innovative design chosen of a GRP 'chimney stack' and replica flagpole is highly appropriate and sympathetic, and serves to camouflage the antennas, preserving the character and appearance of the area. Consequently, there will be no significant harm to amenity and the character and appearance of the Conservation Area will not be compromised.

A Declaration of Conformity with ICNIRP Public Exposure Guidelines has been submitted with this planning application. This documentation confirms that the installation has been designed to comply with the international guidelines, in accordance with the requirements of paragraph 99 of the Appendix to PPG8.

It is considered that the precepts of PPG8 have been adhered to in the site selection, siting and design of the proposed development, as well as the demonstration of need. It is strongly considered that compliance with this policy has been demonstrated.

PPG8 can be viewed at

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/ppg8>.

Planning Policy Guidance 15 (PPG15) Planning and the Historic Environment

The guidance sets out the current government policy in relation to listed buildings and conservation areas:

*“Many conservation areas include the commercial centres of the towns and villages of which they form part. While conservation (whether by preservation or enhancement) of their character or appearance must be a major consideration, this cannot realistically take the form of preventing all new development.”*

As previously detailed, the proposal will not have a significant adverse effect on the character or appearance of the Conservation Area.

#### Planning Policy Statement 1 Delivering Sustainable Development (PPS 1)

PPS1 advises that the appearance of the proposed development and its relationship to its surroundings are material considerations in determining planning applications. As has been demonstrated above and in the accompanying plans, consideration has been had to PPS1, in terms of the setting of 39 Whitfield Street, and the relationship in general of the proposed development to its surroundings. In particular, the nature of the proposal ensures there will be little change to existing views or impact on the Conservation Area.

#### **Development Plan Policy**

Section 54A of the Town and Country Planning Act 1990 (as amended) states that *‘in making any determination under the planning Acts, regard is to be had to the development plan, the determination is to be made in accordance with the plan unless material considerations indicate otherwise.’*

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that *‘if regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.’*

The relevant development plan in this instance is The London Borough of Camden Replacement Unitary Development Plan Adopted June 2006 (saved policies version) confirms. Following a direction from the secretary of state, policy B5 Telecommunications is no longer available for use in the determination of planning applications, effective from June 26<sup>th</sup> 2009 onwards.

#### Planning policy B7 Conservation Areas:

*“The Council will only grant consent for development in a conservation area that preserves or enhances the special character or appearance of the area. The Council will not grant planning permission for development outside of a conservation area that it considers would cause harm to the conservation area’s character, appearance or setting.”*

As discussed in the above sections, all of the given search area was within the Charlotte Street Conservation Area and therefore it was not possible to source a suitable site outside of this designation. The innovative and considerate design for a telecommunications base station at 39 Whitfield Street is representative of meeting the local authority’s desire to ensure development proposals with Conservation Areas preserve and enhance the fabric, character and appearance of the designated area.

The development has also been strictly limited to what is required in order to meet O2’s and Vodafone’s 3G network requirements to Fitzrovia. The GRP ‘chimney stack’ to the rear of the building protrudes over the extended parapet wall by the bare



minimum to reduce visual impact, whilst the proposed flagpole benefits from the screening afforded by the adjacent, substantial commercial building. As such, it is submitted that this very modest development proposal will preserve both the character and appearance of the building and the Conservation Area.

In terms of enhancing the Conservation Area, this is best illustrated by highlighting the clear economic benefits of a modern telecommunications facility to the Fitzrovia area of London. Today, a business that ignores the benefits of mobile communications is rare. The ability to react to customer and client demands and being able to access remote workers or employees is of paramount importance and even in the most sensitive of areas, such as a Conservation Area, a good communications system is seen as essential by local residents, workers and visitors alike.

The proposal at 39 Whitfield Street will enable O2 and Vodafone to fulfil these expectations, whilst maintaining the character and appearance of the Conservation Area.

### **Relevant Appeal Decision**

The Planning Inspectorate has recently specifically addressed flagpole antenna proposals within Conservation Areas. Telefónica O2 appealed the decision made by Sedgemoor District Council (appeal ref App/V3310/A/09/2097905) to refuse permission for a 5m tall flag-pole structure containing three antennas and ancillary development on the roof of the Ritz Cinema, Burnham on Sea, Somerset, which is located within the Burnham on Sea Town Centre Conservation Area.

In refusing the initial application, the council were concerned that at approximately 5.7m high with a diameter of 230mm, the flagpole proposed would be sturdier and taller than many flagpoles. It was also noted by the council that the proposed flagpole would not taper towards the top, which, in their opinion, is usual on most flagpoles.

Taking each point separately, the planning inspector commented that the mass of the development would be small and comparatively slender and therefore it was considered that the flagpole antenna would not look conspicuous or bulky, or that it would give the building a top heavy appearance.

With regard to the uniform diameter, the inspector commented that this would not appear obvious from ground level either close to or in longer views for the flagpole to appear as an incongruous or alien feature on the cinema or within the Conservation Area. Indeed, it was felt that the disguise would be successful and that it would not be harmfully apparent that the structure was a telecommunications installation rather than a flagpole.

The inspector also recognised that the diameter of the flagpole reflected the type of radio base station being proposed (in this case accommodating two operator networks).

In that case the building was 2 storeys high and the flagpole clearly visible from ground level. In the case of the application site on Whitfield Street, the building is five storeys high. The height of the proposed replica flagpole above ground level combined with the screening available from the adjacent commercial building and the visual dominance of the commercial buildings located on this specific stretch of

Whitfield Street, will result in an entirely acceptable structure on the rooftop.

At 275mm in diameter, the proposed flagpole antenna aspect of this application is not considerably more than the 230mm flagpole considered in the appeal and it is therefore submitted that the proposal before Camden Council will preserve the character and appearance of the Conservation Area, and provide essential telecommunications services to the coverage objective as identified by both operators.

A copy of the decision is included, along with the application drawings, although it is clear from the decision letter that minor alterations were made to the approved drawings.

## 9. OTHER CONSIDERATIONS

### Code of Best Practice

The Office of the Deputy Prime Minister released the Code of Best Practice on Mobile Phone Network Development in November 2002. The code provides a principled approach to best practice for voluntary and compulsory planning procedures, and for the siting and design of telecommunication installations.

Paragraph 135 of the code sets out design aims when equipment is to be located on buildings or structures. Development should:

**Be painted to correspond with the background or to reduce contrast** – The GRP ‘chimney stack’ will be coloured to match the existing render, The replica flagpole will be coloured white, which is the standard colour for flagpoles located elsewhere in the city. The equipment cabinet accommodation shall be finished to match the water tank enclosure.

**Keep in proportion to the building or structure** – The overall height of the proposed GRP ‘chimney stack’ will be 1.6m above the extended parapet wall to enable the radio signal to work effectively by clearing the building clutter. The replica flagpole will be 4.5 metres in height and crucially will not protrude above the roof line of the adjacent building.

**Not be detrimental to views and general skyline** – As above.

The proposal is situated in a suitable location given the alternatives available. The proposed GRP ‘chimney stack’ and replica flagpole, blending exceptionally well into its environment, fully embraces the good practice principles contained within the code.

The code can be viewed in full at

<http://www.communities.gov.uk/publications/planningandbuilding/codemobilenetwork>.

## 10. Summary:

There is a requirement by O2 and Vodafone to provide 3G network coverage, quality and capacity in this locality. Network planners have identified a need for an

installation, which is demonstrated in the coverage plots to be forwarded shortly. The proposed development will address this identified need and improve the operators' networks in line with their licence requirements and customer demands.

National planning policy as set out in PPG8 is to facilitate the growth of new and existing telecommunications systems, and operators have obligations to meet customer demands for improved quality of service. This application demonstrates the technical need for the installation to provide improved customer service.

In terms of design, scale and layout, it is considered that the proposal responds positively to the character, appearance of variety of the local environment and will not have an unacceptable adverse impact on the application site or nearby buildings. It does not detract from important public views and skyline features. The design is of a high standard, maintaining the visual and environmental character of the area and preserving the qualities of the Conservation Area.

In accordance with PPG8, a sequential assessment of the site and potential alternatives, including other existing buildings and installations, has been undertaken. The site identified is considered to be the most appropriate site that meets the required criteria for this cell, given the options available to the operators.

Consideration has been taken with respect to the form and appearance of the proposed development, the relationship with its surroundings and the impact on the wider area in general.

The telecommunications infrastructure proposed in this application has been designed using appropriate camouflage techniques and sited, having regard to technical, engineering and land use planning considerations, in order to minimise its impact on the character and appearance of the conservation area. Its appearance will not be materially alter existing views, and accordingly, the proposed development is considered to conform to local and national planning guidance.

The proposal represents an appropriate siting and design solution for this locality, balancing environmental and planning considerations.

The proposal is ICNIRP compliant.

## Contact Details

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Position:	Surveyor	Company: (for & on behalf of Telefónica O2 (UK) Ltd)	Waldon Telecom (Agent)

## **Appendix 1:**

Appeal Decision App/V3310/A/09/2097905

Telefónica O2 UK Limited appeal against Sedgemoor District Council