Delegated Report

(Members Briefing)

Analysis sheet	**Expiry Date:**	**08/11/2006**
N/A	**Consultation Expiry Date:**	18/10/2006

Officer	**Application Number(s)**
Cassie Plumridge	2006/3671/P
Application Address	**Drawing Numbers**
Buckland Court 37 Belsize Park London NW3 4EB	Refer to draft decision notice.

PO 3/4	**Area Team Signature**	**C&UD**	**Authorised Officer Signature**	**Date:**

Proposal(s)

Installation of telecommunications equipment comprising 4 antennae within GRP Shrouds, 4 equipment cabinets and ancillary equipment at roof level.

Recommendation(s):	**Grant conditional permission**
Application Type:	**Full Planning Permission**

Conditions or Reasons for Refusal:	**Refer to Draft Decision Notice**					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	**46**	No. of responses	**46**	No. of objections	**45**
Summary of consultation responses:	A comment was received requesting that the scheme meet the relevant government health and safety standards. The applicants have certified that the scheme complies with ICNIRP guidelines. 46 letters of objection have been received from local residents. The following concerns have been raised: • *Mobile phone antennas may be harmful to human health. The site is located close to a school.* Response: The applicants have certified that the scheme complies with ICNIRP guidelines. The Government has stated that where telecommunications equipment complies with such guidelines, then health and safety concerns regarding radiation are not a material planning consideration. With regard to the school, The Hall Junior School is approximately 50 metre due south (180 degrees) from the site. The application proposes an antenna orientated at 130 degrees. The peripheral edge of the beam from this antenna (the weakest part) would pass over the school. The Field Strength Prediction graph, submitted as part of the application, demonstrates the absolute maximum exposure possible from the centre line of the antenna at a horizontal level. At this distance, 50 metres, the maximum exposure within the school grounds would be between 0.05% (2,000 times less) and 0.25% (400 times less) than the ICNIRP guidelines if the antenna was pointed directly at the school. Given the orientation and position of the school further to the south, it is expected that the maximum exposure will be significantly less than the above figures. • *There is no demonstrated need for additional antennas in the area.* Response: The applicant has provided evidence regarding the need for the new apparatus. The proposed site is required to fill a 2G and 3G coverage gap as part of the improvement of both coverage and capacity of the O2 network. The proposal has been designed to enable O2 to provide increased capacity 2G services and extend the coverage of their 3G services to the surrounding area and link in with other sites. • *The development is not in keeping with the character of this area which is predominantly residential.* Response: There is no guidance or policy that directs telecommunications developments to any particular area, or away from any particular area. • *The antennas would have a detrimental impact on the character and appearance of the conservation area.* Response: The antennas would be installed within GRP shrouds that appear as chimneys. They are consistent with the character and appearance of the building and would preserve the character and appearance of the conservation area. For further comments please see the assessment section of the report. • *The development has been proposed as a money-making exercise by the residents.* Response: This is not a material planning consideration.					

CAAC/Local groups* comments: *Please Specify	**Belsize Residents Association** • *Mobile phone antennas may be harmful to human health. The site is located close to a school.* Response: See comments above. • *The antennas would have a detrimental impact on the character and appearance of the conservation area.* Response: See comments above. • *The leaseholders of Buckland Court have not been properly notified.* Response: Notice has been served on the leaseholders and Certificate B has been completed. All residents of Buckland Court were consulted by the Council. **Belsize CAAC** • *Additional structures at roof level will be visually prominent* Response: In the context of the existing plant room, chimneys and other apparatus these additional structures will not appear as unduly bulky or intrusive items at roof level.

Site Description

Buckland Court is one half of a semi-detached pair at Nos. 37-38 Belsize Park. It comprises a purpose-built 5-storey block of flats with a flat roof. Located centrally on the roof is a plant room with 4 chimneys. Two dummy chimney stacks have been erected on the roof of 38 Belsize Park.

The property was built in 1950's, it is brick with a stone-clad ground floor, and has a square symmetrical appearance with flat roof, bulky roof projections and front balconies. It adjoins another post-war block of flats on the west side, but otherwise the street is characterised by typical 3 storey plus basement and attic semi-detached villas, mostly divided into flats.

The building lies within the Belsize Conservation Area. The Conservation Area Statement (along with its three neighbours on the east side) does not classify it as a building that makes a positive contribution to the character of the Conservation Area.

Relevant History

Portland Court, 38 Belsize Park
Planning permission (ref 2004/3594/P) was granted on 19/11/2004 for the erection of two 2.5m high GRP fake chimney stacks, containing 3 telecommunications antennae, and 2 associated equipment cabinets on the roof.

Relevant policies

Set out below are the UDP policies that the proposals have primarily been assessed against, together with officers' view as to whether or not each policy listed has been complied with. However it should be noted that recommendations are based on assessment of the proposals against the development plan taken as a whole together with other material considerations.

Camden's Revised Replacement Unitary Development Plan 2004
- SD1 – Quality of Life
- SD6 – Amenity for Occupiers & Neighbours
- B1 – General Design Principles
- B5 – Telecommunications
- B7 – Conservation Areas

Supplementary Planning Guidance 2002 & 2006

Belsize Conservation Area Statement

Planning Policy Guidance 8 Note: Telecommunications

Assessment

PROPOSAL:

The application seeks permission for the installation of a mobile phone base station comprising

- 4 x telecommunications antennae, within two GRP shrouds designed to resemble chimney stacks,
- 4 x equipment cabinets; and
- ancillary equipment.

The proposed four antennae are pole-mounted. The 2 fake brick GRP chimney stacks, each contain two antennae, have a height of 3.25 metres above roof level (2.5 metres high above the surrounding parapet) and a footprint of 1.5 metres X 1.75 metres.

They would be located on the northern side of the roof, north of the existing plant room, with one at the front and one at the rear of the roof, each would be set back 250mm behind the front and rear parapets and set away from the side parapet by 2.1 metres at the rear chimney and 1 metre at the front chimney.

The application also includes the erection of 4 equipment cabinets; three would sit adjacent to the plant room (dimensions 770mm x 770mm x 1940mm high), and the fourth would sit closer to the northern edge of the roof (dimensions 1198mm x 746 mm x 1300mm high).

ASSESSMENT:

Policy B5 (telecommunications) states:

The Council will only grant planning permission for telecommunication development where consideration has been given to minimising harm to visual amenity and the environment. The Council will consider:

a) the appearance of the development including materials, colour, design, dimensions, overall shape, and type of construction, as well as alternative designs which may be more suitable for the building or environment;

b) the siting of the development, including the height of the building or site, its relationship to existing topographical features and natural vegetation, its effect on the skyline and views; and its relationship to conservation areas, listed buildings and residential properties;

c) the relationship of the development to existing telecommunications equipment, any technical constraints on the location and design and the cumulative impact of additional equipment on visual clutter;

d) the effects on pedestrian and road safety;

e) the scope for landscaping and screening to reduce the impact of the development on its surroundings;

f) the scope for sharing of masts and sites and the opportunity to use existing buildings and other structures; and

g) self-certification to the International Commission on Non-Ionizing Radiation Protection (ICNIRP) guidelines.

With regard to policy B5 the following is noted:

a) It is noted that points (a), (b) and (c) of Policy B5 deal with siting and design issues and as such shall be addressed together. The proposed antennae would be shrouded by GRP enclosures resembling chimney stacks and thus there would not be obvious telecom clutter at roof level. The enclosures will be visible. At present, the building is dominated at roof level by the brick plant room which has 4 chimneys on top of it at each corner, as well as the two T-Mobile fake chimney additions granted planning permission in 2004.

While the proposed 'chimneys' are slightly larger and set closer to the front of the roof than those erected on Portland Court, given the height of the building and the width of the street it will be difficult to appreciate this. Relocating the apparatus was discussed with the applicant, however, this is not a feasible option as the antennas are located closer to the roof edge to prevent the signal from the down-tilted antennas from 'clipping' the edge of the roof and depleting the signal; the applicant has indicated that different apparatus is used by O2 than T-Mobile and as such this does not allow for easy comparison.

The roof form of the subject building contrasts with surrounding buildings which are classically-styled villas in the Belsize tradition with shallow pitched roofs, and is overall slightly higher than surrounding buildings, which is one of the reasons why this property was chosen. The proposal has been specifically designed to appear as 'natural additions' to the property in the form of large chimney-like structures on the roof.

It is considered that in the context of the current plant room, chimneys and other apparatus, these additional structures will not appear as unduly bulky or intrusive items at roof level; they will effectively appear as additional chimney stacks, and in long views (especially from the rear streets) will be subsumed within the general mass of brick roof top blocks visible at this level.

The structures, in the context of this modern building and its modern neighbours, would not harm the character and appearance of the conservation area. It should be noted that, although the structures would add extra bulk, they would not create excessive clutter, in the way that individual aerials on the roof edge would. A condition would be attached for the shrouds to match the colour and texture of brickwork used on the plant room.

The application also includes the erection of 4 equipment cabinets; three would sit adjacent to the plant room (dimensions 770mm x 770mm x 1940mm high), and a fourth would sit closer to the northern edge of the roof (dimensions 1198mm x 746 mm x 1300mm high). The cabinets are to be located towards the middle of the roof and as such only limited views of the cabinets would be possible from street level given the height of the subject building, the layout of the surrounding properties, and the width of the street.

d) The development would not cause harm to pedestrian and road safety.

e) The proposed chimney shrouds provide adequate screening. Planting on the roof to provide screening would cause more visual harm than the chimneys.

f) The proposed site is required to fill a 2G and 3G coverage gap as part of the improvement of both coverage and capacity of the O2 network. The proposal has been designed to enable O2 to provide increased capacity 2G services and extend the coverage of their 3G services to the surrounding area and link in with other sites.

- The coverage 'hole' for 3G is to the northwest of the proposed site (however, the applicant has indicated that given the limited coverage characteristics of 3G, it would not be possible to entirely fill the coverage 'hole' from one 3G site even if it were located in the middle of the coverage 'hole').
- The 2G 'hole' is similarly located to the northwest of the site and the applicant has indicated that it can be comfortably addressed from the proposed location. The applicant has indicated that it may achieve 2G coverage from a building to the west in Swiss Cottage, however, this location would not address the 3G coverage needs, and this would lead to the development of two sites, which is not considered desirable.

The application site is one of the few buildings in this area which is available to address the 'hole' in both the 2G and 3G service; properties considered included the Tavistock Centre 120 Belsize Lane; 44 Belsize Lane; The Belsize 39 Belsize Lane; and St Peters Church, Belsize Lane. The applicants confirmed that none of these properties have proved feasible due to either no response or refusal of landlords' consent to use their buildings.

With regard to the other half of this semi-detached pair (Portland Court) the applicant considered that the roof area remaining following the T-Mobile installation is limited, and it was more technically feasible and more visually sympathetic to utilise the adjacent building where the scheme could balance the existing installation. It is noted that this property, Portland Court, has a different landlord.

Although mast and site sharing is encouraged, other sites used by other operators are also not available. In the absence of suitable alternatives, it is considered on balance that the proposal is acceptable on the basis of that it causes no harm in terms of health and safety, and urban design, as discussed, and that it could not be refused alone on grounds of inadequate justification and the possibility of more suitable alternative sites elsewhere.

g) A relevant ICNIRP certificate has been provided. While it is recognized that there are a lot of emotive objections to the development based largely on the grounds that it would cause harm to human health, central Government Guidance in the form of PPG8 states that *"it is the Governments firm view that the planning system is not the place for determining health safeguards. It remains central Governments responsibility to decide what measures are necessary to protect public health. In the Governments view, if a proposed mobile phone base station meets the ICNIRP guidelines for public exposure it should not be necessary for a local planning authority, in processing an application for planning permission or prior approval, to consider further the health aspects and concerns about them."* As noted a relevant ICNIRP certificate has been provided.

Interest in the application largely related to the siting of the scheme in relation to The Hall Junior School. The Hall Junior School is approximately 50 metre due south (180 degrees) from the site. The application

proposes an antenna orientated at 130 degrees, and thus only the peripheral edge of the beam from this antenna (the weakest part) would pass over the school. The Field Strength Prediction graph, submitted as part of the application, demonstrates the absolute maximum exposure possible from the centre line of the antenna at a horizontal level. At this distance, 50 metres, the maximum exposure within the school grounds would be between 0.05% (2,000 times less) and 0.25% (400 times less) than the ICNIRP guidelines if the antenna was pointed directly at the school. Given the orientation and position of the school further to the south, it is expected that the maximum exposure will be significantly less than the above figures.

It should be noted that, contrary to popular assertion, the Stewart Report (which advised the Government in production of the revised PPG8) does NOT state that masts should not be located on or near school grounds - it only recommends that the beam of greatest intensity should not fall on school grounds without the consent of the school or parents. As discussed, this is addressed satisfactorily by the application.

The scheme is therefore not considered to cause any detrimental harm to the appearance of the existing building or the character and appearance of the conservation area. The application complies with the Councils policies and other relevant guidance and therefore planning permission should be granted. The proposals also comply with the ICNIRP public exposure guidelines as proved by the submitted certificate.

RECOMMENDATION: Approve