

<b>Delegated Report</b> (Members' Briefing)		Analysis sheet		Expiry Date:	01/11/2006
		N/A / attached		Consultation Expiry Date:	20/10/2006
Officer			Application Number(s)		
Grant Leggett			2006/3063/P		
Application Address			Drawing Numbers		
The Duke of St Albans PH Highgate Road London NW5 1QU			Site Location Plan 1168/594/001; Drawing No. 1168/594/002 Rev A; 1168/594/003 Rev A; 1168/594/004 Rev A; 1168/594/007; 1168/594/008; Supplementary Information; Supporting Statement; ICNIRP Certificate; Map Of Directed Search Area; 3G Coverage Plots Ref: 40485; 40487; 40488		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		Date:
<b>Proposal(s)</b>  Erection of 6 x antennas located within two GRP chimneys together with the installation of 3 equipment cabinets to roof of public house (Class A4).					
Recommendation(s):		Grant Planning Permission			
Application Type:		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	37	No. of responses	65	No. of objections	58
Summary of consultation responses:	<ul style="list-style-type: none"><li>The appearance of the antennas would harm the character and appearance of the conservation area. Response: <i>The antennas would be installed within chimney shrouds that are consistent with the character and appearance of the building and would preserve the character and appearance of the conservation area.</i></li></ul>					
	<ul style="list-style-type: none"><li>Mobile communications antennas cause radiation which is harmful to human health. Response: <i>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.</i></li></ul>					
	<ul style="list-style-type: none"><li>There is no demonstrated need for additional antennas in the area. Response: <i>The applicant has provided evidence regarding the need for the new apparatus.</i></li></ul>					
	<ul style="list-style-type: none"><li>Development would affect value of neighbouring properties. Response: <i>Effects on property values are not a relevant planning consideration.</i></li></ul>					
	<ul style="list-style-type: none"><li>Development not in keeping with the character of the area which is predominantly residential. Response: <i>There is no guidance or policy that directs telecommunications developments to any particular area, or away from any particular area subject to their visual impacts being mitigated. The shrouding of the antennas within chimneys reduces their visual impact acceptably.</i></li></ul>					
	<ul style="list-style-type: none"><li>The masts would affect the view of the skyline from Hampstead Heath. Response: <i>The effect of the development on the setting of the Heath would not be significant.</i></li></ul>					
	<ul style="list-style-type: none"><li>The development has been proposed as a money-making exercise by the brewery. Response: <i>This is not a relevant planning consideration.</i></li></ul>					
	<ul style="list-style-type: none"><li>The apparatus would affect television reception in the vicinity. Response: <i>There is no evidence to suggest the development would cause any such effects.</i></li></ul>					
	<ul style="list-style-type: none"><li>The application is for 6 antennas which is more than is normally applied for. It is therefore a test case and might be followed by several more cases. Response: <i>It is not unusual for applications for multiple antennas to be lodged. All applications are assessed on their merits.</i></li></ul>					
	<ul style="list-style-type: none"><li>The assessment of alternatives is not satisfactory. Response: <i>It is considered that the assessment of alternative sites is acceptable.</i></li></ul>					
<ul style="list-style-type: none"><li>The development would cause undue stress on local residents. Response: <i>The potential for developments to cause stress in local communities is a material consideration and it has been considered in this case. However the effect of the development on the community has not been considered to be so significant as to warrant refusal of the application.</i></li></ul>						

	<ul style="list-style-type: none"> <li>• Installation, access and maintenance will create additional traffic problems in Swain's Lane.</li> </ul> <p>Response: <i>The effect of servicing the site is considered likely to be minimal on the traffic and amenity conditioned of the area.</i></p>
<p><b>CAAC/Local groups' comments:</b></p>	<p>Holly Lodge Estate CAAC. Objection.</p> <ul style="list-style-type: none"> <li>• Area is frequented by young people and it is inappropriate to locate telecommunications equipment in the vicinity.</li> </ul> <p>Response: <i>The applicants have certified that the scheme complies with ICNRP 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.</i></p> <p>Dartmouth Park CAAC. Objection.</p> <ul style="list-style-type: none"> <li>• The building is very prominent and the development would be contrary to the policy EN52 (2000 UDP) protecting the borders of the Heath.</li> </ul> <p>Response: <i>The development is not considered to affect the setting of the Heath, or the replacement policy N2B.</i></p> <ul style="list-style-type: none"> <li>• Health effects.</li> </ul> <p>Response: <i>The applicants have certified that the scheme complies with ICNRP 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.</i></p> <ul style="list-style-type: none"> <li>• The apparatus would have very little benefit.</li> </ul> <p>Response: <i>The applicant has provided evidence regarding the need for the new apparatus.</i></p> <p>St Albans Villas and Oak Court Residents' Association (include petition with 31 signatories). Objection.</p> <ul style="list-style-type: none"> <li>• The site is within a conservation area and would be an eyesore.</li> </ul> <p>Response: <i>The antennas would be installed within chimney shrouds that are consistent with the character and appearance of the building and would preserve the character and appearance of the conservation area.</i></p> <ul style="list-style-type: none"> <li>• Health effects.</li> </ul> <p>Response: <i>The applicants have certified that the scheme complies with ICNRP 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.</i></p> <p>The Highgate Society. Comment.</p> <ul style="list-style-type: none"> <li>• Installations within the chimney structures appear to be acceptable.</li> <li>• Concerned with possible visibility of steel cabinets and railings proposed to rear of building.</li> </ul> <p>Response: <i>The cabinets and railings would be visible in glimpse views from Highgate Road but would not harm the character and appearance of the CA. They appear like any normal external plant.</i></p>

## Site Description

The application relates to the three-storey Duke of St Albans Public House (Class A4), situated on the south side of Highgate Road at its intersection with Swain's Lane.

The site is within the Dartmouth Park Conservation Area and the Swain's Lane District Centre.

## Relevant History

None.

## Relevant Policies

London Borough of Camden Replacement Unitary Development Plan 2006

B5 – Telecommunications

B7 – Conservation areas

N2 – Protecting open space

## Assessment

Permission is sought to erect 6 x pole-mounted antennas within GRP chimney shrouds to the roof of the building, along with ancillary equipment cabinets and support structures.

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.*

The proposed antennas are proposed to be installed within false chimneys and are therefore not visible. The false chimneys would be the only structures visible in the public realm. The relevant matter is therefore whether the proposed false chimneys minimise harm to the visual amenity of the environment, which in this case includes the Dartmouth Park Conservation Area.

The proposed chimneys represent only minor interventions to the existing public house. Their dimensions, materials, colour and shape are consistent with the character and appearance of the host building and the conservation area. The chimneys would be prominent but this is acceptable given that chimneys are by their nature a roof development. While it would be inappropriate to site the antennas without shrouding in this position the chimneys are entirely consistent with the building and conservation area.

It cannot be seen how the development would cause any harm to pedestrian and road safety. The amount of servicing required would be minimal and no servicing would need to be done from the pavement.

The proposed chimney shrouds obviate the need for further screening. Planting on the roof to provide screening would cause more visual harm than the chimneys.

The proposed external cabinets and ancillary equipment to the external rear of the building would not be readily visible in the public realm and not cause harm to the character and appearance of the conservation area.

The applicant has submitted a statement including evidence that there is a shortfall in coverage for the mobile provider T-Mobile in the area. A robust list of alternative sites considered by the applicant was provided, along with reasons why they were not chosen. In general this was because the owners of suitable buildings did not wish to have telecommunications equipment on their properties. The applicant also stated that there are no other existing telecommunications installations or structures in the necessary search area, thus mast-sharing was ruled out.

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." A relevant ICNIRP certificate has been provided.

All the relevant considerations from Policy B5 have been addressed and comply with the policy. The development is considered to preserve the character and appearance of the conservation area (policy B7) and would not affect the setting of the nearby Hampstead Heath (policy N2).

#### **Recommendation**

Planning permission should be **granted** subject to conditions.

#### **Disclaimer**

***This is an internet copy for information purposes. If you require a copy of the signed original please contact the Culture and Environment Department on (020) 7974 5613***