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| **SITE SPECIFIC SUPPLEMENTARY INFORMATION** |

1. Site Details

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| Site Name: | The Spaniards Inn | Site Address: | The Spaniards Inn,  Spaniards Road,  Hampstead Heath,  NW3 7JJ |
| NGR: | E: 526612 N: 187163 |
| Site Ref Number: | NW0027 | Site Type: Macro | Upgrade |

1. Pre Application Check List

**Site Selection**

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| Was an LPA mast register used to check for suitable sites by the operator or the LPA? |  | No |
| If no explain why:  After a phone call to the LPA it was felt that the industry database was a more up to date source of information. | | |
| Was the industry site database checked for suitable sites by the operator: | Yes |  |
| If no explain why:  N/A | | |

**Annual roll out consultation with LPA**

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| Date of last annual rollout information/submission: | These can be emailed to the LPA on request |
| Name of Contact: | These can be emailed to the LPA on request |
| Summary of outcome/Main issues raised: | No comments have been received at the time of submission. |

**Pre-application consultation with LPA**

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| Date of written offer of pre-application consultation: |  | |
| Was there pre-application contact: |  | No |
| Date of pre-application contact: | N/A | |
| Name of contact: | The Director of Planning | |
| Summary of outcome/Main issues raised:  No specific comments received to date. | | |

**Ten Commitments Consultation**

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| Rating of Site under Traffic Light Model: | Green |  |  |
| Prior to the submission of this application the applicant initiated pre-consultation discussions with the local planning authority. This provides an opportunity for the LPA to discuss development proposals and identify site specific issues. | | | |
| Summary of outcome/Main issues raised:  No responses had been received at the time of submission. | | | |

**School/College**

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| Location of site in relation to school/college:  There are no schools in close proximity that directly overlook the site. |
| Outline of consultation carried out with school/college:  N/A |
| Summary of outcome/Main issues raised:  N/A |

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

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

**Developer’s Notice**

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| Copy of Developer’s Notice enclosed? | | Yes |  |
| Date served: | 08/10/2014 & 10/7/2015 & 18/08/2015 | | |

1. Proposed Development

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| The proposed site: |
| The proposed site is an established telecommunication installation. This submission is purely to upgrade or “refresh” this existing installation with new equipment to facilitate 4G coverage.  The proposal is merely for an upgrade to an existing 9m high Streetworks Tower to be removed and replaced by a new 9m high Phase 4 Streetworks Pole on the existing root foundation. The existing site is on the east side of Spaniards Road and the current street works installation is being replaced by a proposed new upgraded monopole of almost the same height and very similar design. The visual implications of this upgrade are negligible. The sharing of base stations between multiple operators is one of the key strategic policy principles contained within the NPPF. H3G and EE have a network sharing agreement and thus these installations are fully compliant with the NPPF.  Central Government attaches great importance to the design of the built environment and outlines this within Section 7 (para. 56) of the National Planning Policy Framework. It states:  *“Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people”.*  In keeping with the National Planning Policy Framework (NPPF) guidelines of using: *“high quality communications infrastructure*”, the proposed  street works monopole design has been selected to minimise visual impact upon the street scene by integrating with the existing street furniture, having similar vertical lines and overall appearance to the  street lighting columns that are common feature in the built environment.  The presence of the existing column sets a clear precedent for telecommunications development in this location and indicates that the principle of this proposal is acceptable in terms of siting. As stated above the National Planning Policy Framework advocates site sharing, and as such we believe that there are no sequentially preferable locations within the defined site search area.  The design of the proposed column being virtually the same height as the existing column is considered to be the least visually intrusive option available. Although it is accepted that the diameter of the shroud will be very marginally increased, it is felt that such a minor increase in the overall bulk of the installation would not detract from the character of the area in which the proposal sits.  Any other proposal to satisfy the identified requirement would result in the addition of a separate ground based column elsewhere in close proximity to the existing structure. In our opinion, such a proposal would, in this instance, unnecessarily add to the clutter in the streetscene and result in a greater visual impact. |

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| Enclose map showing the cell centre and adjoining cells: |
| This can be emailed to the LPA on request |

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| Type of Structure | | |
| Description:  Description: It is imperative to consider from a planning perspective that this is purely an upgrade to existing installation – The structure already exists.  **Tower Details:**  9.2m Phase 4 Special Streetworks Tower with GRP Shrouded Headframe mounted on new root foundation.  Colour: Black  Headframe Shroud Colour: Black    **Cabinet Details:**  POGONA on root foundation.  Dimensions: 1230 x 400 x 1032 High  Material: Steel  Colour: Black  Existing Tower, Antenna and Feeders to be replaced with similar Streetworks Tower mounted on new root foundation. Existing Wideband LNA’s to be re-used and new Feeders to run along existing route to UCU’s to maintain existing system. New LNA’s and Feeders installed to new POGONA Cabinet. New 40A breaker to be installed in existing distribution board for AC POGONA power supply. | | |
| Overall Height: 9.0m AGL | | |
| Height of existing building | | N/A |
| Equipment Housing: | | |
| Length: | | See drawings |
| Width: | | See drawings |
| Height: | | See drawings |
| Materials | | |
| Tower/mast etc – type of material and external colour: | See drawings | |
| Equipment housing – type of material and external colour: | See drawings | |

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| Reasons for choice of design: |
| Central Government attaches great importance to the design of the built environment and outlines this within Section 7 (para. 56) of the National Planning Policy Framework. It states “Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people”.  The sharing of base stations between multiple operators is one of the key strategic policy principles contained within the NPPF. EE Ltd is the new operating company which used to be T Mobile and Orange.  In keeping with the National Planning Policy Framework (NPPF). guidelines of using “high quality communications infrastructure”, the proposed design has been selected to minimise visual impact upon the street scene |

1. Technical Information

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| ICNIRP Declaration attached  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. | Yes |  |

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| Frequency: | This information can be emailed to the LPA on request |
| Modulation characteristics[[1]](#footnote-1) | As above |
| Power output (expressed in EIRP in dBW per carrier)  In order to minimise interference within its own network and with other radio networks, (EE Ltd ) 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 EE Ltd’s network, the radio base station that is the subject of this application will be configured to operate in this way. | As above |
| Height of antenna (m above ground level) | See drawings |

1. Technical Justification

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| Reason(s) why site required |
| The National Planning Policy Framework clearly states that authorities should not question the need for the service, nor seek to prevent competition between operators. Notwithstanding this fact, the Applicant considers it to be important to explain the technical justification for the site and how the facility fits into the overall network.  The site is required to provide enhanced coverage for EE Ltd. |

1. Site Selection Process – alternative sites considered and not chosen

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| Discounted Options |
| In accordance with the sequential approach outlined in the National Planning Policy Framework (NPPF) following search criteria have been utilised. Firstly consideration is always given to sharing any existing telecommunication structures in the area, secondly consideration is then given to utilising any suitable existing structures or buildings and thirdly sites for freestanding ground based installations are investigated.  This sequential approach is outlined below:   1. Mast and Site Sharing 2. Existing Buildings Structures 3. Ground Bases Installations   In compliance with its licence and the sequential approach outlined in the NPPF all attempts to utilise any existing telecommunication structures where they represent the optimum environmental solution have been employed. The Ofcom Site Finder mast register is always examined prior to the submission of an application. |

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| If no alternative site options have been investigated, please explain why:  This is an upgrade to existing sites thus no other standalone new facilities have been investigated. A new additional mast to facilitate the upgrade would not be in line with NPPF by upgrading the current facility the most sequentially preferable option has been progressed. |

7. Additional Relevant Information

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| Background to the Proposal |
| Mobile phone base stations operate on a low power and accordingly base stations therefore need to be located in the areas they are required to serve. Increasingly, people are also using their mobiles in their homes and this means we need to position base stations in, or close to, residential areas.  A further limiting factor is that the position has to be one that fits in with the existing network. Sites have to form a patchwork of coverage cells with each cell overlapping to a limited degree with the surrounding base stations to provide continuous network cover as users move from one cell to the other. However if this overlap is too great unacceptable interference is created between the two cells.  **DEVELOPMENT PLAN POLICY.**  Development plan considerations have a special significance in law. Section 54A of the Town and Country Planning Act 1990 (The Act), and re-iterated in Section 38 of the Planning and Compensation Act 2004, it is stated that:  *“Where in making any determination under the Planning Acts regard is to be had to the Development Plan, determination shall be made in accordance with the Development Plan unless material considerations indicate otherwise.”*  **NATIONAL PLANNING POLICY**  PPG8 and PPS1 have been replaced by the National Planning Policy Framework (NPPF) (March 2012). This document condenses the advice outlined previously although the broad principles of promoting the expansion of electronic communication networks remain the same:  The Government remain committed to promoting telecommunications and place emphasis on the importance of telecommunications to the wider economy. The National Planning Policy Framework (NPPF) sets out the Government’s planning policies for England and how these are expected to be applied at the Local level. It provides a framework within which local people and their accountable Councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities.  The purpose of the planning system is to contribute to the achievement of sustainable development. There are three dimensions of sustainable development, each of which give rise to the need for the planning systems to perform a number of roles including;   * Economic Role – contributing to building strong, responsive and competitive economy; * Social Role – Supporting strong vibrant and healthy communities; and * Environmental Role – Contributing to protecting and enhancing our natural, built and historic environment.   The NPPF contains at its core a presumption in favour of sustainable development which runs through both plan-making and decision-making processes.  Paragraph 19 states that “The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system”.  It continues in Paragraph 20 to confirm Central Government advice that “To help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century”. The following paragraph states “Planning policies should recognise and seek to address potential barriers to investment, including a poor environment or any lack of infrastructure”  Section 4 of the NPPF (Paragraph 29) encourages the “smarter use of technologies” to reduce the need to travel and promote sustainable transport methods in accordance with the central sustainable development thread which travels through the Framework.  The most pertinent section of the NPPF to the proposed development is that contained within Section 5: Supporting High Quality Communications Infrastructure.  There is recognition from Central Government in Paragraph 42 that “Advanced, high quality communications infrastructure is essential for sustainable economic growth” which will in turn play a vital role in developing provisions within the local community of both facilities and services.  The proposed development accords with all these aspects of the NPPF in that it will provide EE Ltd with new coverage in the NW3 area of London bringing a range of associated economic and technical benefits.  Paragraph 43 identifies the need to “keep the number of radio and telecommunications masts and the sites for such installations to a minimum consistent with the efficient operation of the network”. In doing so, Central Government encourages the use of existing masts, buildings and other structures unless the need for a new site can be justified. Where such new sites are required, it is suggested that, where appropriate, equipment should be sympathetically designed and camouflaged.  In accordance with paragraph 43 the proposal is for an upgrade to shared facility which will provide improved network capacity for both EE Ltd and H3G UK Ltd.  Paragraph 45 defines the evidence that should be supplied to justify the proposed development. This should include:   * “The outcome of consultations with organisations with an interest in the proposed development, in particular with the relevant body where a mast is to be installed near a school or college or within a statutory safeguarding zone surrounding an aerodrome or technical site; and * for an addition to an existing mast or base station, a statement that self-certifies that the cumulative exposure, when operational, will not exceed International Commission on non-ionising radiation protection guidelines; or * for a new mast or base station, evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure and a statement that self-certifies that, when operational, International Commission guidelines will be met.”   In accordance with Paragraph 45 this application has been submitted with the relevant supporting documentation.  Confirmation that Local planning authorities must determine applications on planning grounds is also contained in Paragraph 46. In determining applications, it is the contention of Central Government that LPAs should not seek to prevent competition between different operators, question the need for the telecommunications system, or determine health safeguards if the proposal meets International Commission (ICNIRP) guidelines for public exposure.  Central Government attaches great importance to the design of the built environment and outlines this within Section 7 (para. 56). It states “Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people”.  In accordance with Paragraph 46 this application has been submitted with the requisite ICNIRP certificate.  In respect to good design, decision making should aim to ensure that any proposal deemed appropriate would “function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development” and “respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation”.  In determining planning applications “great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area”. Paragraph 63.  It is the intention of the NPPF that “Local planning authorities should not refuse planning permission for buildings or infrastructure which promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design (unless the concern relates to a designated heritage asset and the impact would cause material harm to the asset or its setting which is not outweighed by the proposal’s economic, social and environmental benefits)”. Paragraph 65.  Paragraph 66 clarifies that “Applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in developing the design of the new development should be looked on more favourably”.  **LOCAL PLAN POLICY**  The Development Plan as defined by the Planning and Compulsory Purchase Act 2004 for the London Borough of Barnet currently comprises the following documents:   * The London Plan: Spatial Development Plan for Greater London, February 2008 which comprises the Spatial Development Strategy for Greater London; * The saved policies of the Barnet Unitary Development Plan ( Adopted 2006)   Relevant Policies of the London Plan  The London Plan sets out the Mayor’s planning strategy for Greater London and contains strategic thematic policies, general crosscutting policies and more specific guidance for sub-areas within the Metropolitan Area. Paragraphs 1.58-1.60 ‘Impact of new technology’ of the Plan recognises the growing strategic importance of new communications technology services, such as 4G coverage, will help to deliver:  *1.58 – Transactions using increasingly sophisticated communication technologies have grown enormously, affecting every aspect of everyday life. E-tailing, e-commerce and e-government are all likely to have an impact on London and its place at the core of local networks. This plan addresses issues of the digital divide between those who have and do not have access to the new technologies, distinguishing between the needs of commerce and residents. Economic and population growth in higher density, intensive development will make it more economical to ensure the provision of broadband and new technologies.*  *1.59 – In the emerging information society, London will need to become increasingly a learning city in which skills and the ability to use information will be essential. This will place heavy demands on education and training resources.*  *1.60 – Finally, information technology will add to the flexibility of home and work environments, but will not replace the need for regular face-to-face meetings. It may lead to work journeys being spread over a longer part of the day, and to more local journeys being made, for example to services and cafes.*  **UDP Policy D16 Telecommunications**  Proposals for the installation of telecommunications equipment will be permitted where it can be demonstrated that:   * There are no significant adverse visual effects on the skyline or the openness of Green Belt and Metropolitan Open Land, the nature conservation value of a SSSI, or the character of Heritage Land or Area of Special Character; * There is no significant adverse effect on the external appearance of the building on which they are located; * The special character and appearance of Listed Buildings or Conservation Areas are preserved or enhanced; * The possibility of sharing facilities such as masts and satellite dishes, and erecting antennae on existing buildings or other structures has been fully explored; * Technologies to miniaturise and camouflage any telecommunications apparatus have been fully explored; * They are appropriately designed, coloured and landscaped to take account of their setting; and * There is no significant adverse impact on the visual amenities of neighbouring occupiers.   **Policy Compliance**  In view that Policy D16 stipulates that operators must demonstrate that “the possibility of sharing facilities such as masts and satellite dishes, and erecting antennae on existing buildings or other structures has been fully explored”, the proposal is for an upgrade to an existing facility already deemed acceptable in terms of siting and design that is required to facilitate improved 2G and 3G coverage and new 4G coverage within the NW3 area of Hampstead Heath.  In accordance with the policy requirement for minimising visual impact, the replacement installation has been carefully selected so as to minimise the difference in design between the new facility and the existing and is to be sited in almost the same position. The proposal to upgrade an existing facility has been specified in order to remove the need for a separate ground based installation within the vicinity of the site. The existing site has been carefully selected in a position benefitting from the screening effects provided by banks of mature trees on both sides of Spaniards Road so as to provide the required coverage to the area whilst minimising visual intrusion for residential properties.  In keeping with the policy requirement that proposals are “appropriately designed, coloured and landscaped to take account of their setting”, the slim line streetworks design of the proposed upgraded facility has been carefully specified due to have similar vertical lines to the numerous vertical elements of street furniture distributed around the vicinity of the site thereby allowing the proposal to merge with its surroundings.  **Conclusion**  We consider that the development is compliant with the council’s policy and that in accordance with Section 38 (6) of the Planning and Compensation Act 2004 permission should be granted for the installation.  We consider the development complies with both central government and local planning policy guidance where the underlying aim is to provide an efficient and competitive telecommunication system for the benefit of the community while minimising visual impact.  Taking into account the factors of technical constraints, available sites and planning constraints we consider that this site and design clearly represents the optimum environmental solution.  On the basis of a recognised need to expand and promote telecommunications networks across the region, it is considered that the proposal fully accords with the requirements of the National Planning Policy Framework and Local Plan Policies.  Damian Hosker BA(Hons) MA MRTPI  [d.hosker@wilkinson-helsby.co.uk](mailto:d.hosker@wilkinson-helsby.co.uk)  07771527070 |

Contact Details

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| --- | --- | --- | --- |
| Name: (Agent) | Damian Hosker BA(Hons) MA MRTPI | Telephone: | 01132583565  07771527070 |
| Operator: | EE Ltd | Fax no: | N/A |
| Address: | WHP  Ponderosa Scotland Lane  Horsforth  Leeds  LS18 5SF | Email Address: | [d.hosker@wilkinson-helsby.co.uk](mailto:d.hosker@wilkinson-helsby.co.uk) |
|  |  |  |  |
| Signed: |  | Date: | 19th August 2015 |
| Position: | Planning Manager | Company:  (on behalf of above operator) | WHP |

1. 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 [↑](#footnote-ref-1)