



Appeal Decision

Site visit made on 18 April 2012

by Sue Glover BA(Hons) MCD MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 13 June 2012

Appeal Ref: APP/V5570/A/11/2166532

Highbury Barn Tavern, 26 Highbury Park, London N5 2AB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Telefonica UK Ltd against the decision of the Council of the London Borough of Islington.
 - The application Ref P111633, dated 22 July 2011, was refused by notice dated 26 September 2011.
 - The development proposed is the installation of 3 no. Telefonica 3G antennas mounted onto 2 no. pole mounts within 2 no. GRP chimney shrouds, and 2 no. radio equipment cabinets together with ancillary equipment on the roof of Highbury Barn Tavern.
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Decision

1. The appeal is allowed and planning permission granted for the installation of 3 no. Telefonica 3G antennas mounted onto 2 no. pole mounts within 2 no. GRP chimney shrouds, and 2 no. radio equipment cabinets together with ancillary equipment on the roof of Highbury Barn Tavern at Highbury Barn Tavern, 26 Highbury Park, London N5 2AB in accordance with the terms of the application, Ref P111633, dated 22 July 2011, subject to the following conditions:
 - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: drawing nos. 100 Issue B, 200 Issue B, 300 Issue B, 301 Issue B, 400 Option B, 500 Issue B.
 - 3) The 2 no. GRP chimney shrouds hereby approved shall match the appearance of the existing chimneys on the roof of The Highbury Barn Tavern in respect of colour, texture and architectural detailing, and shall thereafter be maintained as such.

Main Issue

2. The main issue is whether the proposal would preserve or enhance the character or appearance of the Highbury Fields Conservation Area and the locally listed host building.

Reasons

3. The Highbury Tavern is a 3-storey corner building, a focal point in the street with viewpoints from Kelvin Road at the side and rear as well as from Highbury

- Park. The conservation area in this part is a mix of commercial and residential buildings of varying designs but predominantly 3-storey.
4. The appeal proposal is to introduce 2 “fake chimneys” on the roof to accommodate the 3G antennas. The roof has a 1.3m high parapet with several low chimneys close to the perimeter, but it otherwise appears uncluttered. There are a profusion of chimneys of different sizes and designs on buildings nearby.
 5. There would be one “fake chimney” on the front elevation and one at the rear. Both would be clearly seen close to the edge of the roof. The drawings indicate that the height of the “chimneys” would appear greater than the bricked part of the existing chimneys, but a little lower than the chimney pots and with a similar width. Assuming that the glass reinforced plastic shroud is made to the exact likeness of the existing brickwork as stated, the simple shape and matching materials would simulate the appearance of the existing low chimneys. Seen at a distance high above street level it is likely that the contrived appearance and plastic shrouds of the simulated chimneys would be less apparent at close quarters and scarcely noticeable as part of the wider roofscape.
 6. The proposal is an innovative solution intended as a sympathetic design to camouflage the telecommunications equipment that must for operational purposes be “visible” at street level. A condition could be imposed to ensure a matching appearance. The equipment cabinets would be hidden behind the parapet. The addition of 2 more “chimneys” would in my view no more undermine the strong parapet roof line of the building than the existing chimneys. I also recognise that the telecommunications equipment on nearby Ladbroke House is significantly larger without any camouflage.
 7. On balance and taking all these matters into account, I find that the proposal would have a neutral effect. It would preserve the character and appearance of the Highbury Fields Conservation Area and the locally listed building in accordance with Policy CS 9 of the *Core Strategy*, which seeks to protect and enhance Islington’s built and historic environment. I also find no conflict with the objectives of Saved Policies C17, D4, D11 and D22 of the *Unitary Development Plan 2002* or the relevant policies in *The London Plan*. In reaching my decision I have also taken into account the objectives of the *Islington Urban Design Guide* and the Council’s Conservation Area principles.
 8. Evidence has been provided that alternative sites have been explored in accordance with advice in the *National Planning Policy Framework* (NPPF). There is also a statement that self-certifies that, when operational, International Commission on Non-ionizing Radiation (ICNIRP) public exposure guidelines will be met. It is not for the planning system to determine health safeguards where the proposal meets the ICNIRP guidelines. I have considered all other matters including the policies in the NPPF as a whole, but I find none that justify dismissal of this appeal.
 9. In order to ensure a satisfactory finished appearance I have imposed a condition to require that the GRP chimney shrouds shall match the appearance of the existing chimneys. Otherwise than as set out in this decision and conditions, it is necessary that the development shall be carried out in accordance with the approved plans for the avoidance of doubt and in the interests of proper planning.

Sue Glover

INSPECTOR