

Report of the Head of Planning & Enforcement Services

Address ENTERPRISE HOUSE BLYTH ROAD HAYES

Development: Removal of 4 existing antennas, installation of 5 replacement antennas and ancillary development.

LBH Ref Nos: 11623/APP/2010/1252

Drawing Nos:

- 100 Rev B
- 200 Rev B
- 300 Rev B
- 400 Rev A
- 500 Rev B
- Technical Information (500 Rev B)
- Design & Access Statement

Date Plans Received: 28/05/2010 **Date(s) of Amendment(s):**

Date Application Valid: 28/05/2010

1. SUMMARY

Planning permission is sought for the removal of four existing telecom antennas and replacing them with 5 antennas, which will be attached to the sides of the concrete water tower, as with the existing equipment. The proposal is consistent with Policy BE37 of the Unitary Development Plan and Planning Policy Guidance Note 8 and visual impacts are minimal. As such, approval is recommended subject to a condition regarding the colour of the installation.

2. RECOMMENDATION

APPROVAL subject to the following:

1 T8 Time Limit - full planning application 3 years

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990.

2 NONSC Non Standard Condition

When the installation is no longer required for the purposes of telecommunications, it shall be removed and the site restored to its original state.

REASON

To ensure that the external appearance of the development is satisfactory and complies with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

3 NONSC Non Standard Condition

The dishes shall be painted grey to match the existing antennas attached to the side of the water tower and permanently maintained in this colour.

REASON

To ensure that the external appearance of the development is satisfactory and complies with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

4 OM1 Development in accordance with Approved Plans

The development shall not be carried out otherwise than in strict accordance with the plans hereby approved unless consent to any variation is first obtained in writing from the Local Planning Authority.

REASON

To ensure that the external appearance of the development is satisfactory and complies with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

INFORMATIVES

1 I52 Compulsory Informative (1)

The decision to GRANT planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

2 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (February 2008) and national guidance.

BE37	Telecommunications developments - siting and design
BE8	Planning applications for alteration or extension of listed buildings
BE4	New development within or on the fringes of conservation areas
BE9	Listed building consent applications for alterations or extensions
BE10	Proposals detrimental to the setting of a listed building

3 I60 Cranes

Given the nature of the proposed development it is possible that a crane may be required during its construction. The applicant's attention is drawn to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at www.aoa.org.uk/publications/safeguarding.asp)

3. CONSIDERATIONS

3.1 Site and Locality

Enterprise House is a six-storey industrial building, with a large and prominent water tower on its flat roof that projects partly forward of the building façade. There are existing Vodafone antennas attached to the sides of the tower. The building is bounded by Blyth Road to the south, the other side of which are more industrial buildings. Industrial buildings also lie to the west, north and east. The nearest residential properties are approximately 45m away from the nearest part of the building, to the east along Blyth Road. The building is Grade II Listed and a Listed Building Consent application accompanies this application (ref: 11623/APP/2006/289), which is also reported on this agenda. Enterprise House falls within the Botwell Conservation Area and an Industrial and Business Area, as designated in the Hillingdon Unitary Development Plan.

The application premises are located within an industrial area, characterised by large warehouses and factory units. A small isolated residential area, characterised by two-storey terraced houses lies to the east of the site, the nearest property being approximately 80m from the nearest side of the water tower.

3.2 Proposed Scheme

This application seeks full planning permission because permitted development rights do not apply to listed buildings. The proposal has been submitted by Vodafone in order to facilitate the upgrade of their network to that of a wireless link. Given the existing antennas on the building the applicant has concluded that this is the most suitable location available. In support of the application Vodafone have provided justification for their site selection.

The application proposes removal of four existing antennas and their replacement with five transmission antennas on each of the four corners of the concrete water tower on the roof of the building (over 30m above ground level). The four replacement antenna will be positioned in the same location as the existing and the one new antenna be screened by an antenna shroud. These would be cabled to Vodafone's existing equipment cabinets already located on the roof of the building. The applicant has stated antennas would be grey in colour.

3.3 Relevant Planning History

Comment on Relevant Planning History

There are a series of historical telecoms related applications relating to this site. The most relevant to the current application is:

11623/APP/2006/289 - installation of mobile phone radio base station comprising six transmission dishes and ancillary development on roof of building (application for listed building consent). Permission Granted

11623/APP/2006/288 - Installation of mobile phone radio base station comprising six transmission dishes and ancillary development on roof of building.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

Part 2 Policies:

BE37	Telecommunications developments - siting and design
BE8	Planning applications for alteration or extension of listed buildings
BE4	New development within or on the fringes of conservation areas
BE9	Listed building consent applications for alterations or extensions
BE10	Proposals detrimental to the setting of a listed building

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **7th July 2010**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

ENGLISH HERITAGE

We do not consider that it is necessary for this application to be notified to English Heritage.

NATS

No Safeguarding objections.

Internal Consultees

The Council's Urban Design & Conservation Officer does not wish to support any further antennas on the listed building.

OFFICER COMMENT:

The replacement 4no antennas are to be located in the exact same position as the same 4no existing antennas. The new antenna to be located within a redundant GRP shroud from a previous telecommunications installation was consulted. Following initial concerns regarding the shrouding of the proposed antennas a revised plan was submitted demonstrating how they would be shrouded. This was deemed acceptable by The Conservation officer.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The application has been assessed against policy BE37 of the Unitary Development Plan and Planning Policy Guidance Note 8: Telecommunications. Both seek to find solutions which minimise the impact of telecommunications development on the appearance of the surrounding area. Policies BE8, BE9 and BE10, which relate to Listed Buildings, and policy BE4, which seeks to preserve or enhance the appearance and character of conservation areas, are also relevant.

The application premises are located within an industrial area, characterised by large warehouses and factory units. A small isolated residential area, characterised by two-storey terraced houses lies to the east of the site, the nearest property being approximately 80m from the nearest side of the water tower.

Planning policy seeks to minimise the visual impact of telecommunications installations by locating them in less sensitive locations including existing telecommunications sites and on buildings, particularly large commercial or industrial buildings. Given the existing telecoms equipment already located on the roof of Enterprise House, officers are satisfied that this building offers the most appropriate option within the area, compliant with current planning policy.

7.02 Density of the proposed development

Not applicable.

7.03 Impact on archaeology/CAs/LBs or Areas of Special Character

Enterprise House site falls within the Botwell Conservation Area. However, the proposed antennas are relatively discreetly located and it is considered that the proposal will blend in with the existing building. They could be coloured to match the building. Four are replacements of existing antennas. Although it could be argued that the redundant GRP shroud should have been removed it is unobtrusive and did benefit from a previous planning permission. It is therefore difficult to sustain any objection to.

Overall it is not considered that the antennas will have any detrimental impact upon either the appearance or the setting of the Listed Building or upon the character and appearance of the Conservation Area.

7.04 Airport safeguarding

Not applicable.

7.05 Impact on the green belt

Not applicable.

7.07 Impact on the character & appearance of the area

Refer to paragraph 7.3.

7.08 Impact on neighbours

The application premises are located within an industrial area, characterised by large warehouses and factory units. A small isolated residential area, characterised by two-storey terraced houses lies to the east of the site, the nearest property being approximately 80m from the nearest side of the water tower. None of the existing antenna are visible from this residential area and given that the proposed 4no. replacement antenna and 1 no. new antenna will be located in the same locations as those existing. It is not considered that the proposal would have any greater impact than currently exists. In relation to potential health concerns arising from telecommunication equipment, refer to section 7.22 of this report.

7.09 Living conditions for future occupiers

Not applicable.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Not applicable.

7.11 Urban design, access and security

For Urban Design analysis please see paragraph 7.3.

7.12 Disabled access

Not applicable.

7.13 Provision of affordable & special needs housing

Not applicable.

7.14 Trees, landscaping and Ecology

Not applicable.

7.15 Sustainable waste management

Not applicable.

7.16 Renewable energy / Sustainability

Not applicable.

7.17 Flooding or Drainage Issues

Not applicable.

7.18 Noise or Air Quality Issues

Not applicable.

7.19 Comments on Public Consultations

No comments received.

7.20 Planning obligations

Not applicable.

7.21 Expediency of enforcement action

There are no outstanding enforcement issues relating to this site.

7.22 Other Issues

In terms of potential health concerns, the applicant has confirmed that the proposed installation complies with the ICNIRP (International Commission for Non-Ionising Radiation Protection) guidelines. Accordingly, in terms of Government policy advice, there is not considered to be any direct health impact. Therefore, further detailed technical information about the proposed installation is not considered relevant to the Council's determination of this application.

8. Observations of the Borough Solicitor

When making their decision, Members must have regard to all relevant planning legislation, regulations, guidance, circulars and Council policies. This will enable them to make an informed decision in respect of an application.

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware

of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

9. Observations of the Director of Finance

10. CONCLUSION

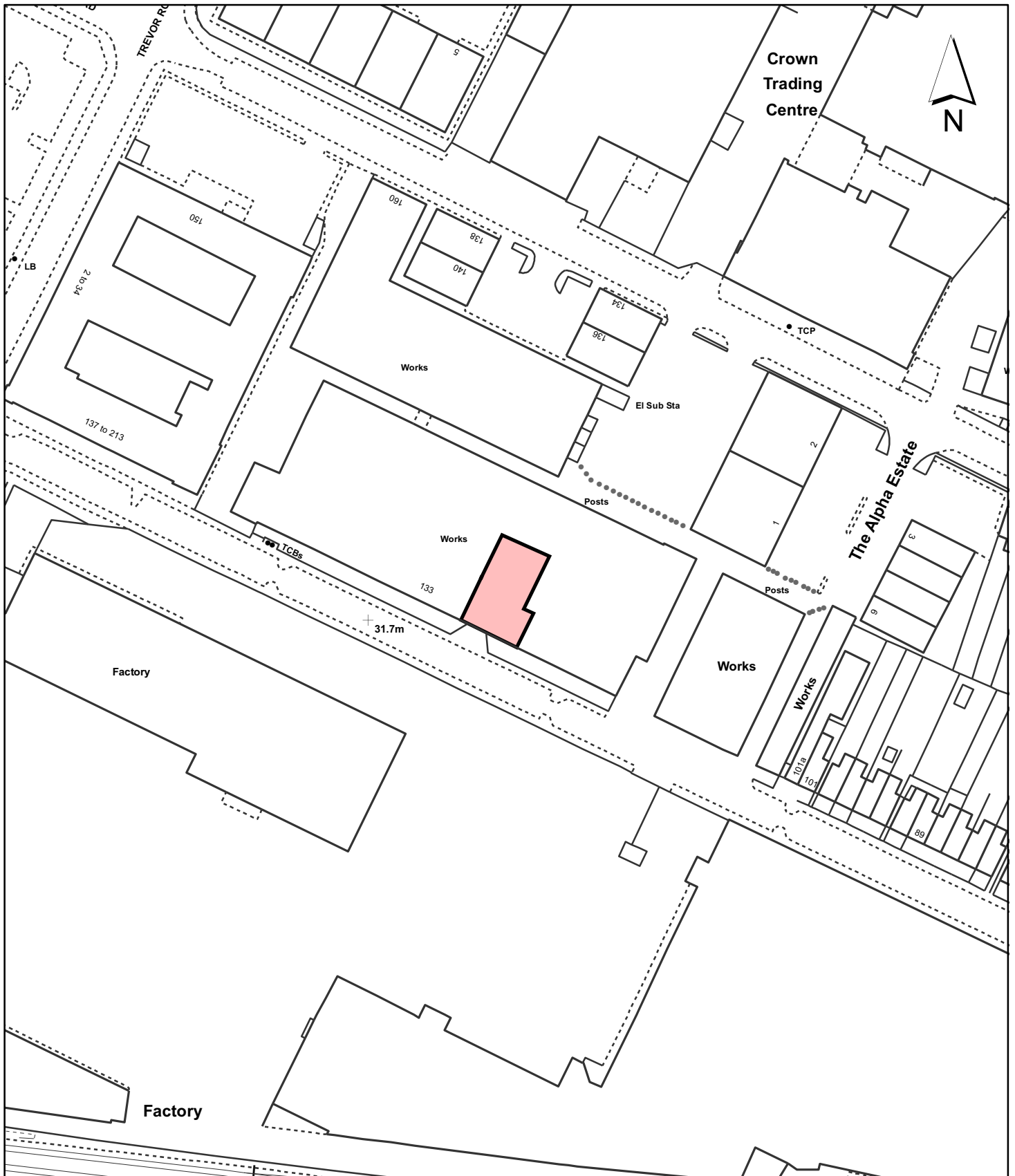
The proposal is consistent with Policy BE37 of the Unitary Development Plan and Planning Policy Guidance Note 8 and visual impacts are minimal. As such, approval is recommended subject to a condition regarding the colour of the installation.

11. Reference Documents


Hillingdon Unitary Development Plan Saved Policies (September 2007).
PPS 8.

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Notes

 Site boundary

For identification purposes only.

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London Borough of Hillingdon
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Site Address	
Enterprise House Blyth Road Hayes	
Planning Application Ref:	Scale
11623/APP/2010/1252	1:1,250
Planning Committee	Date
Central and South	July 2010

LONDON BOROUGH OF HILLINGDON

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