

Report of the Head of Planning, Sport and Green Spaces

Address RUISLIP TELEPHONE EXCHANGE HIGH STREET RUISLIP

Development: Installation of replacement stub mast and headframe, the installation of replacement stub mast at roof level, the relocation of existing pole-mounted antenna and transmission dish onto the proposed stub mast and the installation of radio equipment housing at rooftop level.

LBH Ref Nos: 10105/APP/2017/1329

Drawing Nos: Covering Letter
Public RF Compliance Certificate
164967-22-150-MD016 16.A
164967-00-004-MI001 Rev 1
164967-22-100-MD015 15.A
The Benefits of Mobile Connectivity
164967-00-000-MD016 Rev 1c
Planning Statement
164967-00-002-MD016 Rev 1c

Date Plans Received: 11/04/2017 **Date(s) of Amendment(s):**

Date Application Valid: 11/04/2017

1. SUMMARY

The application is being reported to committee as it seeks permission for the installation of telecommunications equipment. The applicant seeks to remove antennas and install radio equipment housing at rooftop level with associated equipment. The proposal is considered to result in substantial harm to the Ruislip Village Conservation Area and this proposal does not provide sufficient benefits to outweigh the visual impact of the proposal. The application is not supported with a noise report and as such fails to demonstrate how noise would be mitigated from the mechanically ventilated equipment. The application is recommended for refusal.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed development by reason of its siting would add visual clutter through the installation of radio equipment at rooftop level. The proposal is therefore considered to detract from the character and appearance of the Ruislip Village Conservation Area. The proposal is contrary to Policies Chapter 5 of the NPPF, Policy BE1, BE4 of the Hillingdon Local Plan: Part 1 Strategic Policies (November 2012), Policies BE13 and BE37 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

2 NON2 Non Standard reason for refusal

The proposal fails to mitigate against noise from the mechanically ventilated equipment, as such it is considered to cause unacceptable noise and disturbance to the detriment of neighbouring occupiers. The proposal is therefore contrary to Policies OE1 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012), Policy 7.15 of the London Plan (2016).

INFORMATIVES

1 I52 **Compulsory Informative (1)**

The decision to REFUSE 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 REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

AM7	Consideration of traffic generated by proposed developments.
BE4	New development within or on the fringes of conservation areas
BE13	New development must harmonise with the existing street scene.
BE37	Telecommunications developments - siting and design
OE1	Protection of the character and amenities of surrounding properties and the local area
NPPF5	NPPF - Supporting high quality communication infrastructure

3 I59 **Councils Local Plan : Part 1 - Strategic Policies**

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2016). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

3. **CONSIDERATIONS**

3.1 **Site and Locality**

The site is located to the west of the High Street, to the rear of Nos 28-40 High Street and the gardens of Nos 2-4 King Edwards Road. The building dates from the Inter-war period and was designed for function. The architectural style is similar to other telephone exchanges built at the time. They were usually associated to a similarly designed post office building nearby. The site itself is positioned behind the shopping parade that faces directly onto the High Street, directly behind 32 High Street, known as The British Legion Hall which is Grade II Listed. It is accessed via a service road of the High Street, adjacent to the Listed Building. The existing building is located within the Ruislip Village Conservation Area. The scale of the building itself as well as the existing infrastructure on the roof makes it highly visible from various parts of the Conservation Area, including The Oaks, King Edwards Road and the High Street.

3.2 **Proposed Scheme**

The proposal seeks the following

- replacement of the stub mast and headframe;
- the removal of a number of existing antenna and head frame supports;
- the removal of an existing pole-mounted antenna and a transmission dish from the existing stub tower, and the relocation of this equipment onto the proposed stub mast;
- the installation of radio equipment housing at rooftop level; and
- the installation of cabling and associated development.

3.3 Relevant Planning History

10105/APP/2001/1404 Ruislip Telephone Exchange High Street Ruislip
INSTALLATION OF VENTILATION LOUVRES IN SIDE ELEVATION

Decision: 02-08-2001 Approved

10105/APP/2001/2338 Ruislip Telephone Exchange High Street Ruislip
INSTALLATION OF ADDITIONAL TELECOM ANTENNAS ON ROOF PLUS EQUIPMENT
CABINETS ON GROUND LEVEL

Decision: 01-02-2002 Approved

10105/APP/2013/237 British Telecom, Telephone Exchange High Street Ruislip
Installation of 5 weather louvres to side elevations.

Decision: 21-03-2013 Approved

10105/E/93/1092 Ruislip Automatic Telephone Exchange High Street Ruislip
Installation of 12 sector antennae (3.5m high) at roof level

Decision: 03-12-1993 Refused **Appeal:** 11-10-1994 Allowed

10105/G/98/1906 Ruislip Telephone Exchange High Street Ruislip
Erection of one 5 metre stub mast complete with 3 cross polar antennas and one radio equipme
housing

Decision: 22-01-1999 Approved

Comment on Relevant Planning History

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

PT1.HE1 (2012) Heritage

Part 2 Policies:

AM7 Consideration of traffic generated by proposed developments.

BE4 New development within or on the fringes of conservation areas

BE13 New development must harmonise with the existing street scene.

BE37 Telecommunications developments - siting and design

OE1 Protection of the character and amenities of surrounding properties and the local area

NPPF5 NPPF - Supporting high quality communication infrastructure

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- 31st May 2017

5.2 Site Notice Expiry Date:- Not applicable

24th May 2017

6. Consultations

External Consultees

Neighbouring residents were consulted on 28/04/2017. 39 responses including a petition was received to this application. The objections are summarised below:

- the proposed aerials are not in keeping with the character of the area;
- the aerials and structures are visible from neighbouring gardens;
- it is a large, girder like structure full of equipment attached to it;
- the application includes enclosures on the roof for electronic equipment, coupled with mechanical ventilation. No sound level figures have been presented, and there appears to be no provision for measuring the levels and taking remedial action prior to operating the systems;
- rooflights have been kept on all night;
- the planning statement refers to the need for mechanical ventilation. The Council should not approve a system requiring mechanical ventilation in a residential area without an acoustic report giving the calculated level;
- it cannot be assumed that the system would not operate overnight;
- the proposal would add visual clutter;
- there is nothing in the application to assure us that radiation measurements would be taken at the gardens/rooms of the houses affected prior to operating the new aerials, and that remedial action taken prior to commissioning;
- the electronic equipment can be housed indoors. The owners have shown consistent disregard to neighbours over the years, including the use of very loud alarms that have no timers (which is illegal), and leaving the roof lights on all night;
- the proposal will cause radiation;
- no breakdown of total power and ERP or radiation polar patterns has been provided;
- the roof already has aerials, but these were erected despite objections at the time, and the appearance was considerably worse than that anticipated at the time of the planning applications;
- neighbouring notification of the development were not sent by the applicant;
- the applicant has not stated why other less sensitive locations were not considered before an application was made at this site;
- the clutter is of a height of 25 m which is the equivalent of a 6 storey building; and
- the proposal poses a health and safety risk.

A Ward Councillor has stated that: I'd like to place on record my objections to this planning application. There are concerns partly about the health aspects of these masts. I am not sure how well planning policy has developed around this, but even if this is not a sustainable planning objection, I do believe that the proposal as it stands would impact on unacceptably on visual amenity.

Amendments were made to the submitted plans and the neighbouring residents were consulted on 20/06/2017 following the receipt of amended plans. A further objection from a neighbouring resident was received noting:

- Whilst the consolidation of antenna is to be applauded as the building is hardly compatible with the Ruislip Village conservation area. The addition of equipment housed on the roof which needs mechanical ventilation is a worry assertions that the "fan" will only operate on hot days and nights. It is not adequate without a full submission as to baffling and noise mitigation. In the present weather ventilation noises from the Exchange are already a problem - and if global warming is accepted is

likely to become more so. I note a certificate of compliance re RF contamination to the surrounding public however a full ERP and polar patterns for those elements which transmit should be available.
- A petition was received noting the original objections remain relevant.

METROPOLITAN POLICE

No objections

MOD

No objections

Internal Consultees

Conservation Officer

The proposal would add further antennas on the roof of the existing building. Whilst a few would be removed, the addition of the stub tower and delta head frame for the attachment of new and existing antennas would create a bulky highly visible structure. Furthermore the addition of a steel enclosure on a new grillage platform would add further clutter to the roof scape. No attempt to mitigate the detrimental impact the proposed antennas and ancillary structures would cause has been explored. These could be better housed or placed. The proposal would be considered unacceptable.

The amended proposal indicates some removal of existing antennas, which would be considered an improvement to the proposal. However previous comments regarding the stub tower, platforms and other ancillary equipment would still be relevant. No attempt to mitigate the detrimental impact the proposed antennas and ancillary structures would cause has been explored.

Highways

This application is for the installation of replacement equipment on the roof of the Ruislip Telephone Exchange in High Street Ruislip. High Street Ruislip (A4180) is a classified road. I do not feel that the operation of the new equipment will have any significant highways impacts but the construction of the new and de-construction of the existing could have impacts especially if a large mobile crane is used to complete these tasks. If planning permission is likely could you condition a brief Construction Management Plan that sets how the equipment will be constructed.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Policy BE37 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that telecommunications developments will be acceptable in principle provided that any apparatus is sited and designed so as to minimise its effect on the appearance of the surrounding areas. The policy also states that permission for large or prominent structures will only be granted if:

- (i) there is a need for the development in that location;
- (ii) no satisfactory alternative means of telecommunications is available;
- (iii) there is no reasonable possibility of sharing existing facilities;
- (iv) in the case of radio masts there is no reasonable possibility of erecting antennae on an existing building or other structure; and
- (v) the appearance of the townscape or landscape is not seriously harmed.

The proposed installation is required in order to provide improved mobile connectivity.

The applicant has not carried out a study of alternative sites within the area as the existing building comprises telecommunication equipment. The applicant argues that as this is an existing telecommunications site, it is already accepted that there is a need for the development in this location, as required by the policy. This proposal will upgrade the existing apparatus to provide 4G coverage to the local area. There is no intention to add additional antenna to the rooftop.

The applicant has failed to demonstrate alternative sites were explored, nevertheless the applicant does take the opportunity to optimise the existing equipment. In doing so the applicant seeks to add radio equipment housing on the rooftop and therefore the application increases clutter within the townscape and this part of the Conservation Area which is considered to result in less than substantial harm to the character and appearance of the Conservation Area and the benefit of the proposal does not outweigh the harm to this part of the townscape and it is therefore considered that the proposal would not comply with Policy BE37 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.02 Density of the proposed development

Not relevant to this application.

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

Section 72 of the Planning (Listed Buildings and Conservation Areas Act) 1990 states the statutory duty of Local Planning Authorities in regard to development affecting conservation areas 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'

Paragraphs 129 - 134 of the NPPF consider the conservation of the historic environment. In particular, Paragraph 134 of the NPPF (2012) notes where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

Policy BE4 of the Local Plan: Part Two (November 2012) expects new developments to preserve or enhance the visual quality character of Conservation Areas.

The proposal seeks the replacement and removal of antennas and installation of radio equipment housing at rooftop level. It is acknowledged that antennas would be removed which is of some benefit, however the addition of a highly visible structure from the surrounding Conservation Area is considered to detract from the visual quality of the Conservation Area resulting in less than substantial harm to the Conservation Area. The applicant has failed to demonstrate that this cannot be housed in a less visually prominent location. The applicant has also failed to mitigate the visual impact of the proposal. The proposal is therefore considered to harm the character of the Conservation Area and as such the proposal does not accord with Policies BE4 and BE37 of the Local Plan: Part Two (November 2012) or Paragraph 129-134 of the NPPF (2012).

7.04 Airport safeguarding

Not relevant to this application.

7.05 Impact on the green belt

Not applicable to this application.

7.07 Impact on the character & appearance of the area

See section ' impact on CA'.

7.08 Impact on neighbours

Policy OE 1 of the Local Plan: Part Two (November 2012) notes permission would not normally be granted for structures which are likely to become detrimental to the character and appearance of the properties or the area generally because of siting and appearance or noise and vibration unless sufficient measures are taken to mitigate the development is acceptable.

Although the submitted planning statement refers notes the applicant is willing to discuss solutions. The applicant has not demonstrate that appropriate sound attenuation measures can be provided to mitigate against the noise impact of the development. As such the proposal fails to accord with Policy OE1 of the Local Plan: Part Two (November 2012).

7.09 Living conditions for future occupiers

Not applicable to this application.

7.10 Traffic impact, car/cycle parking, pedestrian safety

Policy AM7 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) considers whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety.

The application is unlikely to result in a highways impact. Should the application have been considered acceptable, a condition would have been attached to secure a Construction Management Plan.

7.11 Urban design, access and security

Covered elsewhere in the report.

7.12 Disabled access

Not applicable to this application.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

Not applicable to this application.

7.15 Sustainable waste management

Not applicable to this application.

7.16 Renewable energy / Sustainability

Not applicable to this application.

7.17 Flooding or Drainage Issues

Not applicable to this application.

7.18 Noise or Air Quality Issues

Covered in 'impact on neighbours'.

7.19 Comments on Public Consultations

The applicant has submitted a safety certificate confirming the equipment complies with radio frequency (RF) public exposure guidelines of the International Commission on Non-Ionizing Radiation Protection (ICNIRP).

7.20 Planning Obligations

Not applicable to this application.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

Not applicable to this application.

8. Observations of the Borough Solicitor

General

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in Probity in Planning, 2009.

Planning Conditions

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

Members should also consider whether a planning decision would affect human rights, in

particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

9. Observations of the Director of Finance

Not applicable to this application.

10. CONCLUSION

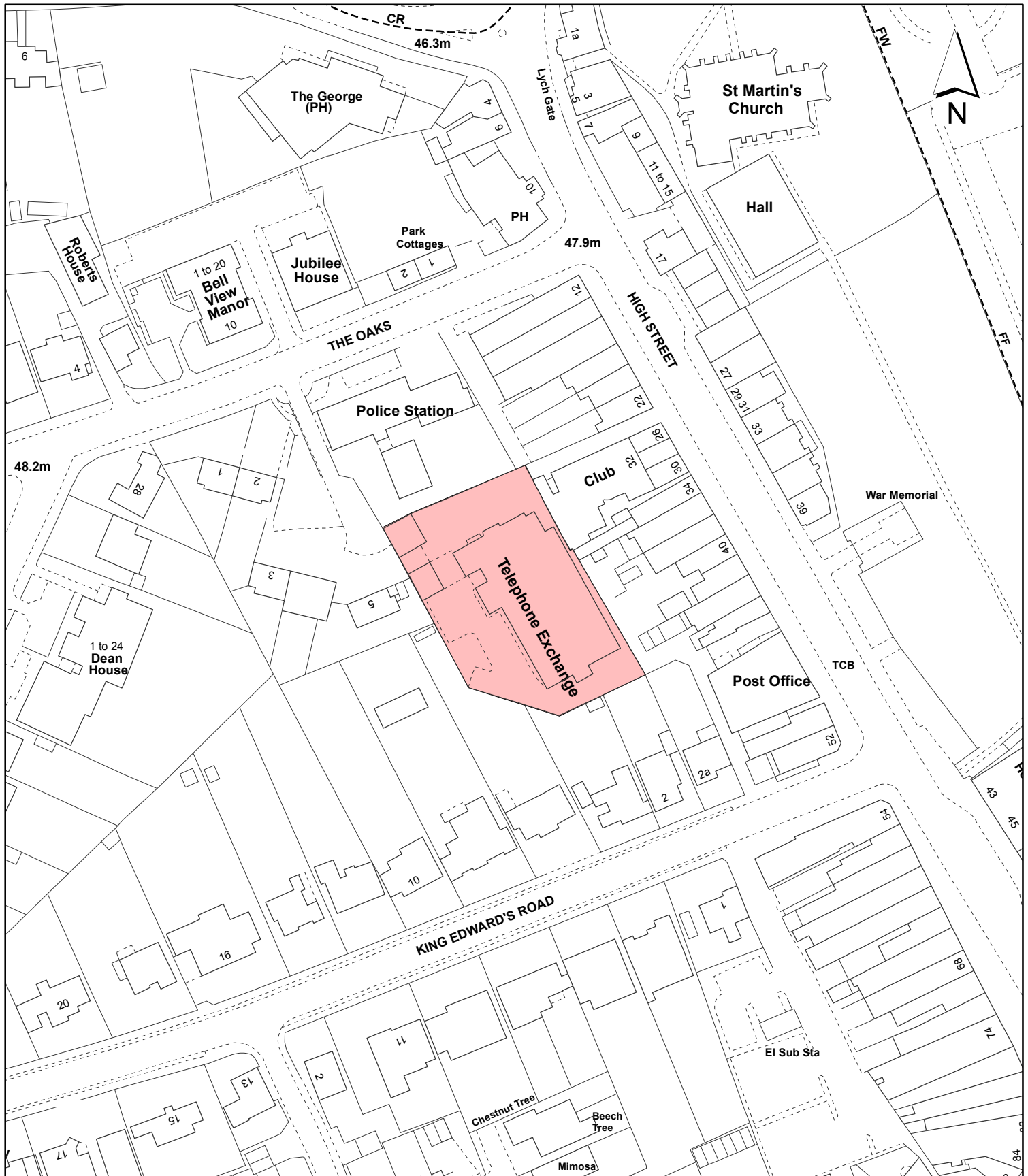
The applicant seeks to remove antennas and install radio equipment housing at rooftop level with associated works. The proposal is considered to result in substantial harm to the Ruislip Village Conservation Area and this proposal does not provide sufficient benefits to outweigh the visual impact of the proposal. The application is not supported with a noise report and as such fails to demonstrate how noise would be mitigated from the mechanically ventilated equipment. The application is recommended for refusal.

11. Reference Documents

Hillingdon Local Plan Part 1 - Strategic Policies (November 2012)
Hillingdon Local Plan Part 2
The London Plan (2016)
Supplementary Planning Document 'Accessible Hillingdon'
National Planning Policy Framework

Contact Officer: Zenab Haji-Ismail

Telephone No: 01895 250230



Notes:

 Site boundary

For identification purposes only.
 This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act).
 Unless the Act provides a relevant exception to copyright.
 © Crown copyright and database rights 2016 Ordnance Survey 100019283

Site Address:

**Ruislip Telephone Exchange,
 High Street**

**LONDON BOROUGH
 OF HILLINGDON**
 Residents Services
 Planning Section
 Civic Centre, Uxbridge, Middx. UB8 1UW
 Telephone No.: Uxbridge 250111

Planning Application Ref:
10105/APP/2017/1329

Scale:
1:1,250

Planning Committee:
North

Date:
July 2017

