

1 APPLICATION DETAILS

Ref: 19/01168/FUL
Location: 1-18 The Pines, Purley, CR8 2DZ
Ward: Purley and Woodcote
Description: Replacement of 6 antennas on building roof-top with 12 up-graded antennas and 4x600mm diameter dishes, installation of 8 equipment cabinets at ground-level, plus ancillary works.
Drawing Nos: Site Location Plan (Drawing no.002), Existing Site Plan (Drawing no.100), Existing Site Elevation (Drawing no.150), Proposed Max Configuration Site Plan (Drawing no.215), (Proposed Max Configuration Elevation Drawing no.265) Received 01/02/2019.
Applicant: Daly International
Agent: Daly International
Case Officer: Joe Sales

1.1 This application is being reported to Planning Sub Committee in view of the number of objections received, above the threshold outlined in the Committee Consideration Criteria and the Council Constitution.

2.0 RECOMMENDATION

2.1 That the Planning Committee resolve to GRANT planning permission.
2.2 That the Director of Planning and Strategic Transport has delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

1. In accordance with the approved plans
2. Works to commence within 3 years
3. Noise levels from fixed external machinery to be 10dB below existing background noise levels
4. Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

Informatives

- 1) Code of practise for construction sites
- 2) Any other informative(s) considered necessary by the Director of Planning and Strategic Transport

3.0 PROPOSAL AND LOCATION DETAILS

Proposal

3.1 The applicant seeks full planning permission for the following:

- Removal of the existing roof top equipment
- Installation of 12 upgraded antennas, 4x600mm diameter dishes and 8 equipment cabinets to facilitate the upgrade of the telecommunications network to 5G capability

Site and Surroundings

3.4 The Pines is a 3 storey residential block which is situated on the southern side of The Pines – just off St James Road (which links Downs Court Road with Godstone Road). The surrounding area is residential in character and comprises of a mix of two storey semi-detached properties. On the opposite side of St James Road lies the Church of St James, which is a Grade II* Listed Building.

3.5 The property currently accommodates multiple pieces of telecommunication apparatus on the existing rooftop with supporting equipment at the ground floor level.

3.6 The application site lies within an area at risk of surface water flooding as identified by the Croydon Flood Maps.

Planning History

3.7 The existing installation has been in place over a number of years (since around 2006-2007) which was carried out without the need for planning permission.

4.0 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposed masts would help in the delivery of 5G technology and enhanced communication, supporting the expansion of electronic communications networks.
- The proposed installation seeks to replace existing mast arrangements, already located within a residential area.
- The existing masts can already be viewed from surrounding properties (including the listed Church of St James) and whilst it is accepted and acknowledged that the masts would be more prominent, in view of the neighbouring context and the appearance of the existing structure, the visual impact of the replacement mast installations would be acceptable.
- The application has been accompanied by an ICNIRP Certificate which suitably satisfies International Guidelines associated with on-ionising radiation levels.

5.0 CONSULTATION RESPONSE

5.1 The views of the Planning Service are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.

6.0 LOCAL REPRESENTATION

6.1 The application has been publicised by way of notification letters. The number of representations received from neighbours, local groups etc. in response to notification and publicity of the application were as follows:

Total Consulted: 55 No. of individual responses: 21 Objecting: 20 Supporting: 0

6.2 The following issues were raised in representations. Those that are material to the determination of the application, are addressed in substance in the MATERIAL PLANNING CONSIDERATIONS section of this report:

Objections:

- Obtrusive design and will detract from the residential character of the immediate area
- Detrimental effect on neighbouring trees
- The scheme not only proposes larger installations (of an industrial magnitude) but also a third mast installation which would add significantly to the industrial appearance of the residential block of flats.
- This enlarged installation represents over-development of the site
- Not in keeping with the area and no attempt to identify alternative (more suitable) locations – plenty of alternative commercial buildings which would prove more suitable.
- Concerns raised over the health effects of such an installation – especially for young children
- Residents were never notified when the masts were first installed on the building

6.3 The following issues were raised – but are not material to the determination of the planning application

- The installation will affect property prices within the area. (OFFICER COMMENT) The value of property is not a planning consideration
- The existing installation is causing damage to the existing roof of the apartment block. (OFFICER COMMENT) This is a matter between the owners of the block and the telecoms operator.

7.0 RELEVANT PLANNING POLICIES AND GUIDANCE

7.1 In determining any planning application, the Council is required to have regard to the provisions of its Development Plan so far as is material to the application and to any other material considerations. The determination shall be made in accordance with the plan unless material considerations indicate otherwise. The Council's adopted Development Plan consists of the Consolidated London Plan 2015, the Croydon Local Plan 2018 (CLP) and the South London Waste Plan 2012.

7.2 Government Guidance is contained in the National Planning Policy Framework (NPPF), issued in February 2019. The NPPF sets out a presumption in favour of sustainable development, requiring that development which accords with an up-to-date local plan should be approved without delay. The NPPF identifies a number of key issues for the delivery of sustainable development, those most relevant to this case are:

- Requiring good design.
- Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions

1.3 The main policy considerations raised by the application that the Committee are required to consider are:

Consolidated London Plan 2015 (LP):

- 4.11 Encouraging a Connected Economy
- 7.4 Local Character
- 7.6 Architecture

Croydon Local Plan 2018 (CLP 2018):

- DM10 Design and Character
- DM18.3 Preserve or Enhance Listed Buildings
- DM 17 Views and Landmarks
- DM33 Telecommunications

8.0 MATERIAL PLANNING CONSIDERATIONS

8.1 The principal issues relate to:

- The continued desire to enhance mobile technology – as a contributor to economic growth;
- The appearance of the proposed replacement installation and the extent of harm caused to existing visual amenities, including the setting of the neighbouring listed Church of St James
- Other residential amenity considerations
- The location of the proposed installation and the extent to which health concerns should be taken into consideration as part of this determination process

Enhanced Mobile Technology – Contributing to Economic Growth

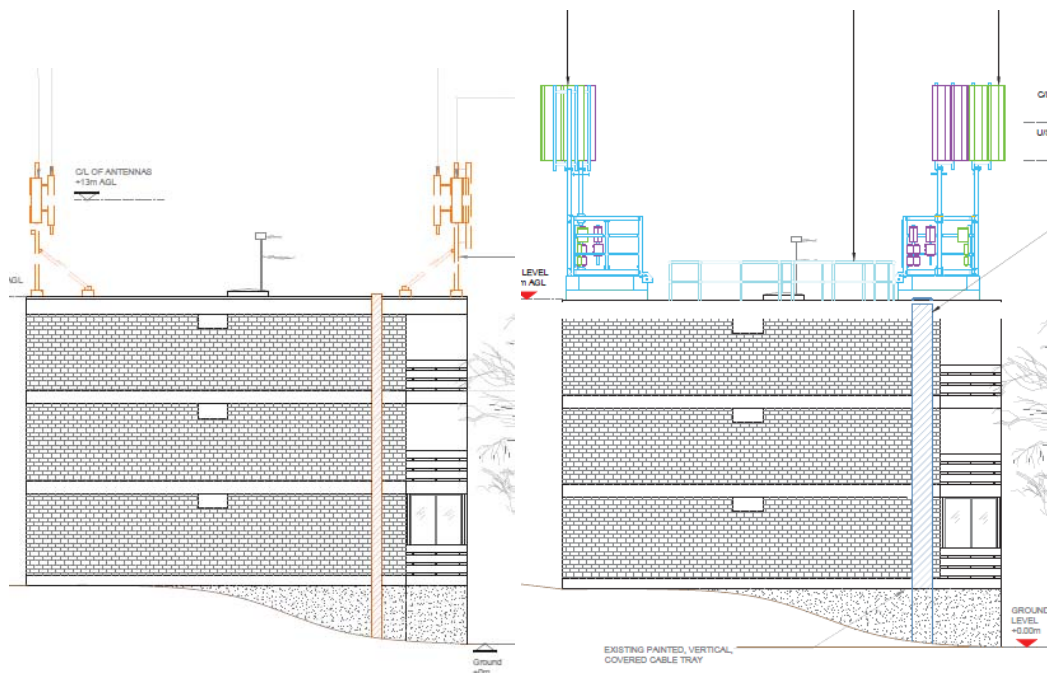
8.2 Section 10 of the National Planning Policy Framework (NPPF) focusses specifically on supporting mobile technology, which Government considers is essential for economic growth and social well-being. It states that planning policy and decisions should support expansion of next generation mobile technology (such as 5G). It advises that the number of masts should be kept to a minimum consistent with the needs of customers, with use of existing masts being

encouraged. It states that where new masts are proposed, equipment should be sympathetically designed and camouflaged where appropriate. It also states that local planning authorities should not impose a ban on new electronic communications development.

8.3 Policy 4.11 of the London Plan (Consolidated with Alterations since 2011) seeks to facilitate the provision and delivery of the information and communications technology infrastructure and supports the use of information and telecommunications technology.

8.4 It is clear that this proposed installation would provide enhanced telecommunications coverage (with enhanced signal as a consequence of additional height and more sophisticated antennae) seeking to deliver enhanced 5G technology. This is fully in accordance with the NPPF.

Visual Amenities and Setting of Listed Building



8.5 The Croydon Local Plan (Policy DM33) advises that when proposing a new mast, the applicant is required to demonstrate that there are no existing buildings, masts or other structures on which the apparatus could be sited. It also directs such development (where possible) away from Green Belt and Metropolitan Open Land and seeks to ensure that such installations do not impact on the operation of other electronic devices in the immediate area. Finally, the policy advises that the proposed development should be sited and designed to minimise the impact to the external appearance of the building or structure.

8.6 The proposal would involve the removal of the existing two rooftop communications masts and replacement with the installation of three masts

involving 12 upgraded antennas, 4x600mm diameter dishes and 8 equipment cabinets to facilitate 5G technology.

- 8.5 It is clear that the installation will be more prominent when viewed from St James Road and The Pines and a number of residents have raised concern about this increased prominence. The installation will also be more prominent when viewed from within the grounds of the listed Church of St James, further affecting its setting; albeit causing less than substantial harm to that setting in view of the presence of trees which would help screen the proposed installation. Whilst the installation would be larger and more extensive, given the overall scale, positioning and massing of the works and that existing installations are already prominent, both in terms of the visual amenities of immediate neighbours and the setting of the neighbouring listed building, when balanced against the positive approach offered when seeking to respond to changes in telecommunications technology, it is unlikely that a refusal of planning permission on grounds of the impact of the development on the character and appearance of the area/host building and the setting of the neighbouring listed building would be supported on appeal. Whilst it is acknowledged that the mast installation will be more prominent, in view of the appearance of the existing structures, considered alongside the need to deliver 5G technology (as highlighted by the NPPF), officers are satisfied on balance, that the harm caused as a consequence of the replacement/additional masts would not be sufficient to sustain a sound reason for refusal.
- 8.7 Whilst policy requires exploration of site sharing of telecommunication masts and other building installations, the replacement of the existing mast (which has been in place for a number of years) represents a suitable solution.

Residential Amenities

- 8.8 Local residents have raised issues of over-development, increased overlooking and an increase in noise levels. It is very difficult to understand how these issues apply to this proposed replacement telecommunications mast (albeit in a larger form) and conditions are recommended to ensure that noise levels arising out of the base station cabinets are set at reasonable levels.

Health Impacts

- 8.9 The NPPF advises that applications for telecommunications equipment should be supported by necessary evidence, including consultation with local schools or colleges alongside the submission of a self-certification statement to certify the cumulative exposure, to confirm that when operational, the installation would not exceed International Commission guidelines on non-ionising radiation.
- 8.10 There is one school in the immediate vicinity (Oakwood School) which is an independent Catholic School and the application was accompanied by the required ICNIRP Certificate which satisfies the requirements as laid down by the NPPF. Health considerations and public concern, including perceived fear of health risks can in principal be considerations in determining applications for planning permission. However it is for the decision maker (generally the local

planning authority) to determine the weight to be afforded to such considerations in any particular case. In the Government's view, if the development meets the ICNIRP guidelines for public exposure, it should not be necessary for a local planning authority, in processing a planning application, to further consider health aspects and concerns. The applicant, in this case, has confirmed that the proposed installation would comply with the relevant ICNIRP guidelines and a Certificate has been provided to this effect.

- 8.12 Whilst it is clear that residents remain concerned about increased exposure through the introduction of 5G technology, the applicant has satisfied requirements and there is no basis to refuse planning permission on grounds of potential health effects of the proposed installation. Whilst the health effects of such installations is a material consideration, the presence of a valid ICNIRP Certificate satisfactorily deals with the issue.

Conclusion

- 8.13 Taking all of the above planning considerations into account, it is recommended that planning permission should be granted. Whilst it is appreciated that the replacement installation would be more prominent (both in terms of scale and number) the scheme would replace an existing installation and would deliver enhanced mobile phone technology. Therefore, on balance, planning permission should be granted, albeit subject to conditions to limit noise breakout from any of the base station cabinets.
- 8.14 All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted subject to a legal agreement for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.