



REGULATORY SERVICES COMMITTEE

22 August 2013

REPORT

Subject Heading:

P0241.13 Queen's Theatre, Billet Lane

The installation of 2 No. pole mounted antennas, 2no. 600mm dish antennas, 1no. equipment cabin and development ancillary thereto and handrails (Application received 6 March 2013)

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Policy context:

Local Development Framework

Financial summary:

None

The subject matter of this report deals with the following Council Objectives

Ensuring a clean, safe and green borough	[]
Championing education and learning for all	[]
Providing economic, social and cultural activity in thriving towns and villages	[]
Valuing and enhancing the lives of our residents	[X]
Delivering high customer satisfaction and a stable council tax	[]

SUMMARY

The installation of 2x pole mounted antennas, 2x 600mm dish antennas, 1x equipment cabin and development ancillary thereto and handrails. The proposal is

considered acceptable in all material respects, including design and layout, impact on neighbouring amenity, environmental impact and parking and highway issues. The proposal is judged to be acceptable in all material respects and subject to safeguarding conditions it is recommended that planning permission is granted.

The application site comprises Council owned land.

RECOMMENDATIONS

That the Committee notes that the development proposed is not liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3.

The proposal is acceptable as it stands subject to the conditions set out below.

1. Time limit - The development to which this permission relates must be commenced not later than three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. Accordance with plans - The development hereby permitted shall not be carried out otherwise than in complete accordance with the following plans and documents approved by the local planning authority:

MTR096-GA-01A
MTR096-GA-02A
MTR096-GA-03A

Reason: To accord with the submitted details and LDF Development Control Policies Development Plan Document Policy DC61.

3. Materials - Before any of the development hereby permitted is commenced, a sample of brickwork vinyl sheet to be used in the external finish of the cabinet shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials

Reason:-

To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area and comply with Policy DC61 of the Development Control Policies Development Plan Document.

INFORMATIVES

1. Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.

REPORT DETAIL

1. Site Description

- 1.1 The subject site positioned to the east of Billet Lane and west of North Street consists of the Queens Theatre.
- 1.2 The building is designed with a tower feature situated to the centre of a ground floor element. The roofs of the building consist of a number of external decorations, handrails and air and smoke vents.
- 1.3 To the north of the site are the Havering Social Club and a car park. To the south of the site is open space and further south another car park. To the east of the site is an office block and the Hornchurch Library and to the west of the site are the Fairkytes Arts Centres.
- 1.5 The surrounding area also consists of residential properties to the north east and north west of the site.
- 1.6 The application site falls within the Langtons Conservation Area.

2. Description of Proposal

- 2.1 The application involves the installation of 2x pole mounted antennas, 2x 600mm dish antennas, 1x equipment cabin and development ancillary thereto and handrails.
- 2.2 The two pole mounted antennas at 4.2m high would be above the upper roof level and would also consist of an attached 600m diameter dish. The antennas and dishes would be installed on the eastern elevation of the tower.
- 2.3 The equipment cabin at 3.4m wide, 1.9m deep and 2.81 high would be positioned on a steelwork support frame fixed to the brickwall at one end and situated on concrete plinths at the other end. The cabinet would be finished in a brick vinyl cover to match the existing brickwork. The cabin would be sited on the lower roof level.

- 2.4 A new counterbalanced handrail is proposed that would adjoin the existing handrail. A handrail to the south of the site is also to be removed.

3. Relevant History

- 3.1 P0426.97 - To provide radio coverage to east London Area for the ionica telephone network - approved
- 3.2 A0014.98 - Shop sign – illuminated - approved

4. Consultations/Representations

- 4.1 The application was publicised by the direct notification of adjoining properties. No letters of objection were received.

5. Relevant Policies

- 5.1 Policies CP17, DC61, DC64 and DC68 of the Local Development Framework (LDF) Core Strategy and Development Control Policies Development Plan Document are material considerations.

In addition, Designing Safer Places SPD, Protecting and Enhancing the Borough's Biodiversity SPD and Sustainable Design and Construction SPD are material considerations.

- 5.2 Policies 7.4 (local character), 7.6 (architecture), 7.8 (heritage assets and archaeology) and 7.15 (reducing noise and enhancing soundscapes) of the London Plan are material considerations.
- 5.3 The provisions of the National Planning Policy Framework are also a material consideration.

6. Staff Comments

- 6.1 The issues arising from this application are the principle of development, the impact of its design, scale and massing on the character of Langtons Conservation Area, neighbours living conditions and parking and highway matters.

6.2 Principle of Development

- 6.2.1 Policy DC64 'Telecommunications' states planning permission for telecommunications development will only be granted where:

- it does not have an unacceptable effect on the character and appearance of the surrounding area or in other respects unacceptably harm the amenity of occupiers of neighbouring sites
- the proposal is sufficiently screened, it has no undue effect on the skyline, the height of the proposal is acceptable in relation to the existing

topography and it does not cause an adverse effect on local conservation value

- the applicant has demonstrated the significance of, and need for the proposal as part of a national network
- the applicant has demonstrated that the proposal is the least environmentally intrusive option of all technically feasible alternatives, including those of sharing a mast or site, using an alternative location or using an existing building or structure
- a statement is provided with mobile phone base station applications stating compliance with the ICNIRP (International Commission on Non-Ionizing Radiation Protection) guidelines for public exposure.

6.2.2 The Council recognises that the proposed works are required to support the Airwave emergency services communications system and provided they preserve the appearance of the Conservation Area, do not have a harmful impact on the amenities of neighbouring occupiers or parking and highway implications, the proposal is considered acceptable in principle.

6.3 Design and impact on streetscene

6.3.1 The application site is located within Langtons Conservation Area. The statutory duty applied to planning authorities in the exercise of their planning functions in conservation areas is set out in section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. This is that "special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area". This aim is reflected in Policy DC68 of the LDF Development Control Policies Development Plan Document.

6.3.2 Policy DC68 states that the character of Conservation Areas will be preserved or enhanced. Planning permission for development within a Conservation Area will only be granted where:

- it does not involve the demolition of a building that makes a positive contribution to the character or appearance of the area
- it preserves or enhances the character of the Conservation Area and is well designed
- it does not involve the loss of trees which contribute towards the character of the Conservation Area.

6.3.3 Policy DC61 states that development must respond to distinctive local buildings forms and patterns of development and respect the scale, massing and height of the surrounding context.

6.3.4 The proposed antennas positioned in part above the roof of the building would protrude into the skyline. It is considered that as the antennas by reason of their limited scale and grey finish would have limited visual impact and not become an over prominent feature. It is considered that the proposal would not harm the character and appearance of the building or Conservation Area.

- 6.3.3 The proposed telecommunications cabinet by reason of its positioning set back from the ground floor elevation and limited scale would be in part screened and only visible from the surrounding streetscene at oblique angles. The proposal finished in brick work vinyl sheets of a colour to match existing would also significantly reduce its prominence when visible from the highway.
- 6.3.4 Subject to safeguarding conditions, it is therefore considered that the development would safeguard and preserve the character and appearance of the building and the Langtons Conservation Area. The proposal is therefore acceptable in accordance with Policy DC61 and DC68 and the advice contained within the NPPF.

6.4 Impact on Amenity

- 6.4.1 Policy DC61 considers that new developments should not materially reduce the degree of privacy enjoyed by the occupants of adjoining properties and should not have an unreasonably adverse effect on sunlight and daylight to adjoining properties.
- 6.4.2 The proposed works by reason of their positioning on a non-domestic building, scale and separation distance from neighbouring properties would not impact on any neighbours living conditions.
- 6.4.3 It is therefore considered that the proposal would safeguard the amenities of neighbouring properties. The development is therefore considered acceptable in accordance Policy DC61.

6.5 Highway/Parking

- 6.5.1 No highways or parking issues arise from this proposal. Any vehicles needing to service the antennas and cabinet could park within the site.

8. Conclusion

- 8.1 Having had regard to the LDF Core Strategy and Development Control Policies Development Plan Document, all other relevant local and national policy, consultation responses and all other material planning considerations, it is considered that the telecommunication apparatus would preserve the character of Langtons Conservation Area, the residential amenity of the occupants of neighbouring properties and not result in parking or highway issues.
- 8.2 The application therefore complies with aims and objectives of Policies DC61, DC64 and DC68 of the LDF Core Strategy and Development Control Policies Development Plan Document and approval is recommended accordingly.

IMPLICATIONS AND RISKS

Financial implications and risks:

None

Legal implications and risks:

The application site comprises Council owned land.

The planning merits of the application are considered separately from the land interest.

Human Resources implications and risks:

None.

Equalities implications and risks:

None.

BACKGROUND PAPERS

Application forms, plans and supporting statements received 06 March 2013.