

Committee: Development	Date: 31 st January 2006	Classification: Unrestricted	Agenda Item No: 7.6
Report of: Delegated Report		Title: Telecommunications Decision	
Case Officer: Allie Moore		Ref No: PA/06/02262	
		Ward(s): Shadwell	

1. APPLICATION DETAILS

Location:	Proposed Telecommunications Antenna, Land Between South West of 7 Branch Road and North West of Limehouse Basin, Branch Road, London
Reference Number:	PA/06/02262
Existing Use:	
Proposal:	Installation of a 10m slim-line monopole (including shrouded antennas) and associated equipment cabinet.
Drawing Nos/Documents:	100-Rev B, 201-Rev B, 202-Rev B, 203-Rev B, 204-Rev B, ICNIRP statement
Applicant:	T-MOBILE (UK) Ltd
Ownership:	
Historic Building:	-
Conservation Area:	-

2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

2.1 The Local Planning Authority has considered the particular circumstances of this application against the Council's approved planning policies contained in the London Borough of Tower Hamlets Unitary Development Plan and the Council's emerging Local Development Framework Submission Document and has found that:

3. The proposal is unacceptable in terms of siting, design and visual amenity.

3.1 It is therefore recommended that the Committee resolve to **REFUSE** planning permission for the following reason:

The proposed 10 metre monopole by reason of its poor design, excessive height and prominent siting would appear incongruous to the site and setting as a whole. The proposed antenna fails to respect the character and appearance of the Limehouse Basin and as such, the proposal is contrary to policies DEV1, DEV2 and DEV10 of the Tower Hamlets Unitary Development Plan (adopted 1998) and policy U3 of the emerging Local Development Framework Submission Document (2005).

LOCAL GOVERNMENT ACT 2000 (Section 97) LIST OF BACKGROUND PAPERS USED IN THE DRAFTING OF THIS REPORT

Brief Description of background papers:	Tick if copy supplied for register	Name and telephone no. of holder:
Application, plans, adopted UDP. draft LDF and London Plan		Xxxx Xxxx 020 7364 xxxx

4. PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 Installation of a 10 metre slim-line monopole (including shrouded antennas) and associated equipment cabinet.

Site and Surroundings

- 4.2 The application site is located within the Limehouse Basin, an area characterised by its high density residential nature incorporating some 300 residential units. The site for the proposed development is located to the north-western edge of the Limehouse Basin, adjacent to the existing public walkway that circles the marina.

The proposed telecommunications installation is intended to provide 3G coverage to T-Mobile users within the Limehouse Basin service area.

Planning History

- 4.3 There is no planning history for other telecommunications applications within the vicinity of the proposal site.

5. POLICY FRAMEWORK

- 5.1 *Note: For details of the status of relevant policies see the front sheet for "Planning Applications for Decision" agenda items. The following policies are relevant to the application:*

Unitary Development Plan

Proposals:

Flood Protection Area

Policies

DEV1	General Design Requirements
DEV2	Environmental Requirements
DEV9	Control of Minor Works
DEV10	Telecommunications Development

- 5.2 **Emerging Local Development Framework**

Proposals:

LBTH Sites of Nature Conservation
Flood Protection Area

Core Strategies

CP4	Good Design
CP36	The Water Environment and Waterside Walkways

Policies:

U3	Telecommunications Equipment
DEV1	Amenity
DEV2	Character and Design

- 5.3 **Government Planning Policy Guidance/Statements**

PPG8 Telecommunications

5.4 **Community Plan**

The following Community Plan objectives relate to the application:

A better place for living safely
A better place for living well
A better place for excellent public services

6. **CONSULTATION RESPONSE**

The views of officers within the Directorate of Development and Renewal are expressed in the MATERIAL PLANNING CONSIDERATIONS section below. The following were consulted regarding the application:

Highways

No adverse comments.

- 6.1 Informal comments were received from the Councils Environmental Health Officer, who had raised no concerns with regards to Health and Safety.

7. **LOCAL REPRESENTATION**

- 7.1 A total of 179 neighbouring properties within the area shown on the map added to this report were notified about the application and invited to comment. A public notice was posted on site on 5th January 2007. The number of representations received from neighbours and local groups in response to notification and publicity of the application were as follows:

No of individual responses: 72	Objecting: 71	Supporting: 1
No of petitions received: 0		

- 7.2 The following issues were raised in representations that are material to the determination of the application, and they are addressed in the next section of this report:

- The proposed installation of the mast would, by reason of its size and massing, be visually obtrusive.
- The proposed development would detract from the visual amenity of the area.
- The proposed telecommunications apparatus may have potential health implications (*OFFICER COMMENT: The applicant has provided the necessary documentation to verify the development would meet the International Commission on Non-Ionising Radiation Protection (ICNIRP) guidelines for public exposure*)

- 7.3 The following issues were raised in representations, but they are not material to the determination of the application:

- The proposed development would lead to a depreciation of property values in the vicinity.

8. **MATERIAL PLANNING CONSIDERATIONS**

The main planning issues raised by the application that the Committee must

consider are:

- The suitability of the proposed site for telecommunications development
- The impact that the installation would have in terms of design, scale and visual amenity

8.1 **Summary**

The site of the proposed installation is located to the north-western edge of the Limehouse Basin, adjacent to the existing footpath that circles the basin. From here, the basin continues to the east and south-east whilst residential blocks are located in all directions. The area is therefore characterised by its predominant residential nature and aesthetic qualities, with the Limehouse marina and pontoon docks as its dominant feature. Due to the uniqueness of the site, the Council considers the area worthy of protection. The Limehouse Basin has been reviewed under the Local Development Framework Submission Document (2005) and duly added to the Boroughs listing of Sites of Importance for Nature Conservation. It is considered that the proposed siting of the telecommunications equipment is unsympathetic and detrimental to the overall character and appearance of the site and its setting.

The area surrounding the pontoons within the marina has been distinctively modelled in a consistently planned design approach. The marina walkway is enclosed by a series of low-level poles interlinked by chains to form a fenced off area along the existing walkway. A number of street lamps that are uniform in colour, design, height and spacing are also featured along the pedestrian walkway. The proposed 10 metre high monopole would exceed the height of the tallest street lamp structure by at least 6 metres, resulting in an over-bearing and incongruous addition to the area with the potential to set an unwelcome precedent for further development within the Limehouse Basin.

Policy DEV10 of the Borough's Unitary Development Plan (1998) states that telecommunications equipment should be sited as to minimise its impact on visual amenity. The proposal site is a dominant focal point for occupants of the residential towers that surround the Limehouse Basin, as well as pedestrians and visitors to the area. The anticipated 10 metre high mast would be an obtrusive and unsightly intrusion resulting in a material loss of visual amenity to the many surrounding residential occupants within the vicinity of the application site.

9. **Other Considerations:**

The 3G Coverage Map submitted with this application indicates that there is a varying level of coverage available in the Branch Road/Horseferry Road area, demonstrating that an installation in this area may provide a benefit.

9.1 Under the requirements of the Act for the determination of telecommunications applications, the applicant must provide evidence that they have considered alternative locations for the siting of the proposed apparatus. The following sites were considered by the service provider and discounted for the following reasons:

1. Westferry, 90-162 Milligan St- Peabody Trust was unwilling to accommodate a mast due to Health and Safety concerns.
2. Brewster House, rooftop option- Under the ownership of Tower Hamlets Borough Council. The Local Authority has a moratorium against accommodating telecommunications equipment on land or property in

- their ownership.
3. Malting House, possible rooftop option- Under the ownership of Tower Hamlets Borough Council. The Local Authority has a moratorium against accommodating telecommunications equipment on land or property in their ownership.
 4. Consideration was given to a DNS structure on Branch Road, where it converges with the tunnel approach and Ratcliff Road- The site is on a red route, as a result there would be significant restrictions with regard to the construction and maintenance of this particular installation. The site was therefore discounted.
 5. The Limehouse and Westferry DLR Stations- Serco/Dockland Light Railway were unwilling to accept telecommunications equipment on land and property in their ownership.
 6. The Holiday Inn Express, rooftop option- Attempts to contact this company with regards to the installation of equipment failed. The site may infact be too far out to provide the necessary coverage. Further confirmation from T-Mobile is required.
 7. Salmon Lane and Three Colts Street (DS style installation) - Due to the proximity of residential properties and high level of underground services, the agent believes these two locations would not be acceptable to T-Mobile.
 8. Cape House- The agent is unable to establish the owner of the site, and is therefore unable to provide this as a candidate.

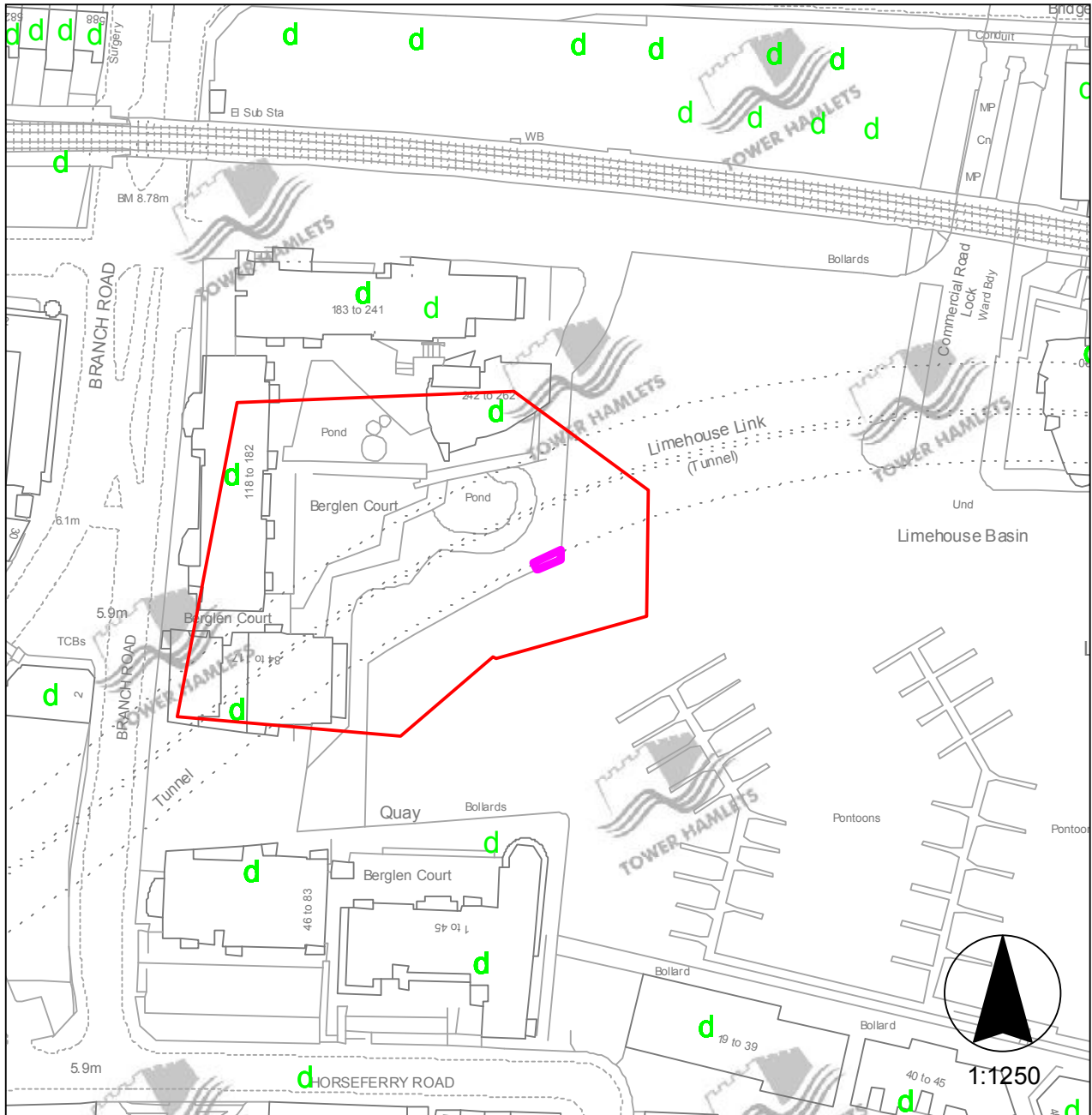
Furthermore, whilst it is accepted that there is a requirement for an installation to provide 3G coverage in this area and alternative sites have been considered, the search for alternative sites is not exhaustive and many of the discounted options are not confirmed to be unacceptable sites. Further investigation of a number of the above options should be sought by the developer before they can be ruled out as possible sited for development. It should also be noted that the agent has not investigated the possibility of shared facilities with other existing telecommunications equipment providers in the area, as required by policy DEV10 of the Tower Hamlets Unitary Development Plan (1998).

To summarise the above, the need for the installation is not considered to outweigh the harm to the character of the area and impact on the amenity of nearby residents.

10. Conclusions

All other relevant policies and considerations have been taken into account. Planning permission should be refused for the reasons set out in the **SUMMARY OF MATERIAL PLANNING CONSIDERATIONS** and the details of the decision are set out in the RECOMMENDATION at the beginning of this report.

Site Map



Legend

- Planning Application Site Boundary
- Consultation Area
- Land Parcel Address

This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process. The Site Map was reproduced from the Ordnance Survey mapping with the permission of Her Majesty's Stationery Office © Crown Copyright. London Borough of Tower Hamlets LA086568