

**ADDENDUM TO PLANNING COMMITTEE
REPORT**

Development Management Service
Planning and Development Division
Environment and Regeneration Department

PLANNING SUB-COMMITTEE A		AGENDA ITEM NO:	
Date:	7 th September 2020	NON-EXEMPT	

Application number	P2018/4275/FUL
Application type	Full Planning Application (council own building)
Ward	Bunhill
Listed building	N/A
Conservation area	N/A
Development Plan Context	Moorfields Archeological Priority Area Bunhill & Clerkenwell Core Strategy Key Area Central Activities Zone Cycle Routes (Local & Major) Bunhill & Clerkenwell Local Plan Area Within 50m of St Luke's Conservation Area Within 50m of Bunhill Fields and Finsbury Square Conservation Area Article 4 Direction A1 to A2 (Rest of Borough) Article 4 Direction B1(c) to C3 Heathrow Safeguarding Area
Licensing Implications	None
Site Address	Braithwaite House, Bunhill Row, Islington, London, EC1Y 8NE
Proposal	The installation of 65 no. small antennas pole mounted on 13 no. free-standing support frames upon the roof of the building, the installation of 2 no. equipment cabinets within an existing plant room and development ancillary thereto.

Case Officer	Ross Harvey
Applicant	N/A
Agent	Mr Chris Andrews – Waldon Telecom Ltd

1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** planning permission subject to the conditions set out in **Appendix 1** of this addendum report;

2. REASON FOR DEFERAL

- 2.1 This application was confirmed for the agenda of Planning Sub-Committee A on 7th November 2019 and was also due for consideration on the agenda at the cancelled Sub-Committee A meeting on the 17th March 2020 just before the government enacted Covid lockdown period on the 23rd March 2020. The application whilst on both published agendas still has not been heard or considered by members to this date.
- 2.2 The reasons for the original deferral relate to the advice of planning officers who confirmed that the Planning Department had not received comments from the Council's Housing Department in relation to the proposed telecoms.
- 2.3 Since the deferral of the item, Officers have received confirmation that the Housing Department do not raise objection to the application. In addition, the applicant has provided further information regarding the type of infrastructure being proposed. The installation of the type of antennas proposed (Siklu and Radwin) is sought in association with extending the fixed broadband wireless network across central London. This type of connection would for example provide a network link between 2 offices which already have fibre broadband without the need for fibre cables to be provided between the 2 buildings. The technology is different to Wi-Fi, with Wi-Fi signals typically designed to cover a wider area to maximise the number of devices that can connect and is substantially different to 4G and 5G technology as fixed broadband wireless relies on point to point connection dependent on a line of site rather than 4G/ 5G signals which can penetrate walls and buildings.
- 2.4 The application had previously been assessed on the basis that it was for the installation of 5G telecoms technology. A new report has been prepared on the basis of the updated information provided, confirming that the scheme is for fixed broadband wireless internet and not 5 G technology, and attached at **Appendix 1** below.

Appendix 1 PLANNING COMMITTEE REPORT

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Application type	Full Planning
Ward	Bunhill
Listed building	N/A
Conservation area	N/A
Development Plan Context	Moorfields Archeological Priority Area Bunhill & Clerkenwell Core Strategy Key Area Central Activities Zone Cycle Routes (Local & Major) Bunhill & Clerkenwell Local Plan Area Within 50m of St Luke's Conservation Area Within 50m of Bunhill Fields and Finsbury Square Conservation Area Article 4 Direction A1 to A2 (Rest of Borough) Article 4 Direction B1(c) to C3 Heathrow Safeguarding Area
Licensing Implications	None
Site Address	Braithwaite House, Bunhill Row, Islington, London, EC1Y 8NE
Proposal	The installation of 65 no. small antennas pole mounted on 13 no. free-standing support frames upon the roof of the building, the installation of 2 no. equipment cabinets within an existing plant room and development ancillary thereto.

Case Officer	Ross Harvey
Applicant	N/A
Agent	Mr Chris Andrews – Waldon Telecom Ltd

1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** planning permission subject to the conditions set out in **Appendix 1** (Recommendation A);

2. SITE PLAN

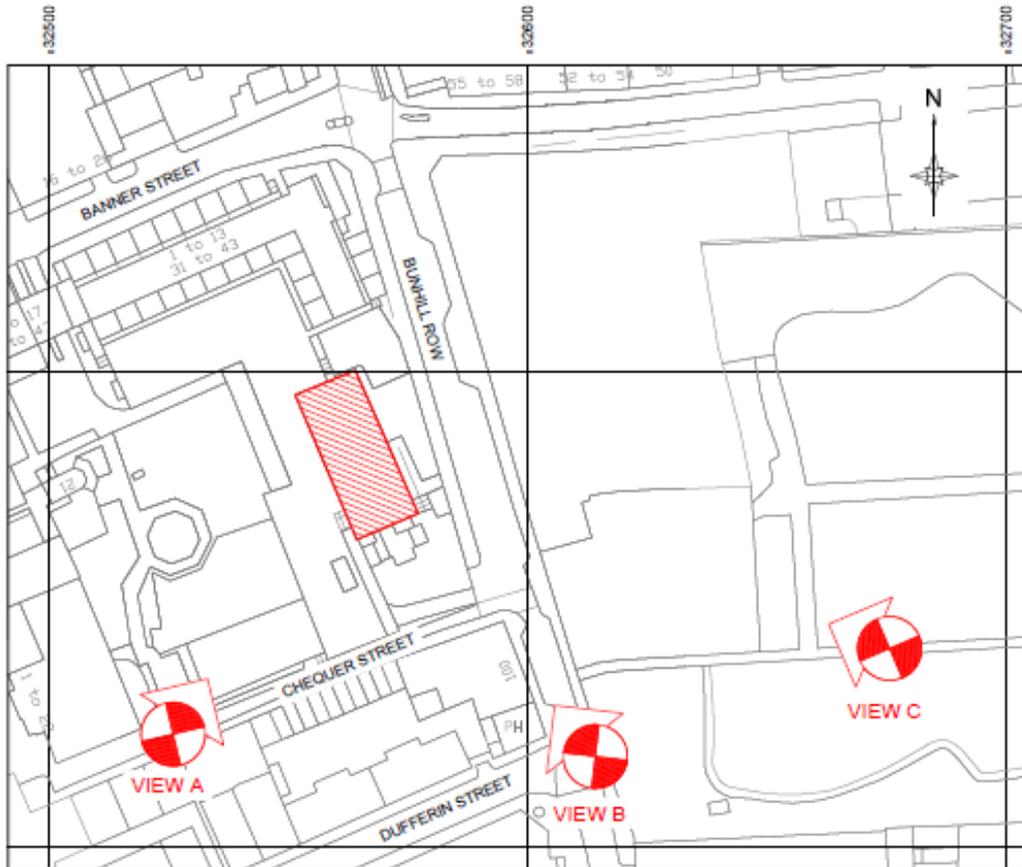


Image 1: Site Location Plan (outlined in red)

3. PHOTOS OF SITE/STREET



Image 2: Aerial view in northerly direction



Image 3: Aerial view in southerly direction



Image 4: View towards Braithwaite House from Old Street (outside Conservation Area)



Image 5: View from Grade I Listed Bunhill Fields Burial Ground



Image 6: View from Chequer Court (St Lukes Conservation Area)

4. SUMMARY

- 4.1 Planning permission is sought for the installation of 65 no. small antennas pole mounted on 13 no. free-standing support frames upon the roof of the building, the installation of 2 no. equipment cabinets within an existing plant room and development ancillary thereto. The installation of the type of antennas proposed (Siklu and Radwin) is sought in association with extending the fixed broadband wireless network across central London.
- 4.2 This type of connection would for example provide a network link between 2 offices which already have fibre broadband without the need for fibre cables to be provided between the 2 buildings. The technology is different to Wi-Fi, with Wi-Fi signals typically designed to cover a wider area to maximise the number of devices that can connect and is substantially different to 4G and 5G technology as fixed broadband wireless relies on point to point connection dependent on a line of site rather than 4G/ 5G signals which can penetrate walls and buildings.
- 4.3 The application building is known as Braithwaite House - a 19 storey (57m) mid-twentieth century building in an area which exhibits a wide variety of building sizes and typologies. The site is not situated within a conservation area but is immediately adjacent to the St Luke's and Bunhill Fields and Finsbury Square Conservation Areas. Adjacent to the site is also the Grade I Listed Bunhill Fields Burial Ground, with the Grade II* Armoury House being approximately 150m to the south east.
- 4.4 The application is being brought to committee due to the nature of development on the roof of a tall building with historically sensitive buildings and protected spaces adjacent to the site.
- 4.5 The main considerations in this assessment include the impact of the proposals on the historic setting of the adjacent Grade I Listed Bunhill Fields Burial Ground and the character and appearance of the Conservation Area, as well as considering the potential neighbor amenity impacts and public benefits of the proposals. The application had previously been assessed on the basis that it was for the installation of 5G technology. The report has been amended on the basis of the updated information provided, confirming that the scheme is for fixed broadband wireless internet. The assessment outlined in the chapters below is reflective of the updated information provided.

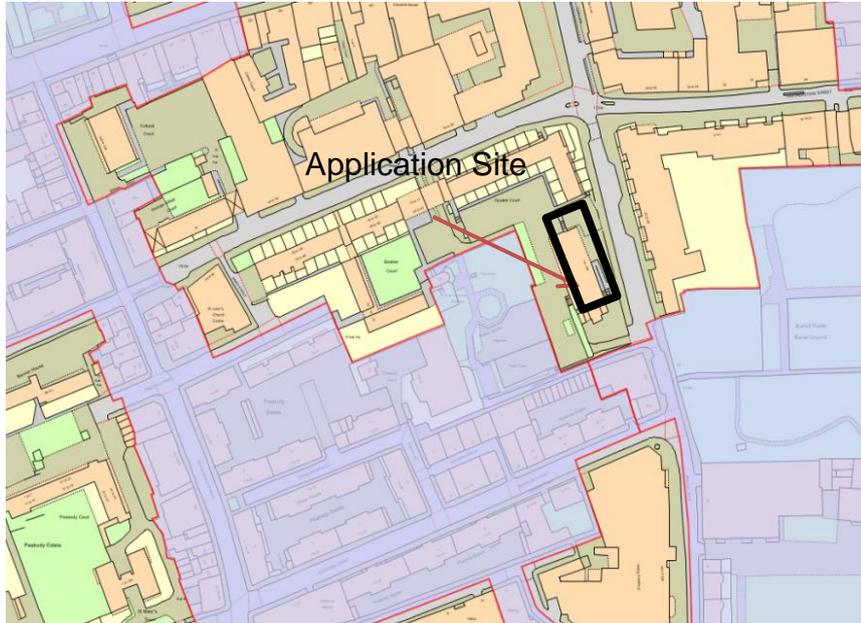


Image 7: Nearby Conservation Area Boundaries (site outlined in black)

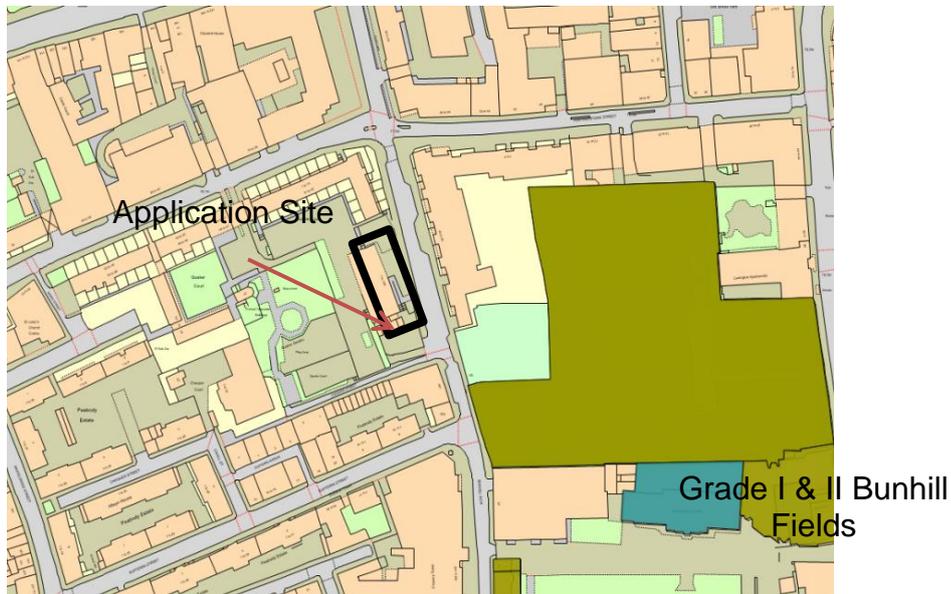


Image 8: Nearby Statutory Listings

6. PROPOSAL (in detail)

- 6.1 Planning permission is sought for the installation of 65 no. small antennas pole mounted on 13 no. free-standing support frames upon the roof of the building, the installation of 2 no. equipment cabinets within an existing plant room and development ancillary thereto.
- 6.2 The drawings show the proposed infrastructure arranged along the outer edge of the roof, generally along the eastern and western parapets. In terms of their overall height, the proposed 13no. free standing support frames would measure approximately 3.1m above the existing roof level and approximately 1m above the existing parapet wall, when measured from their highest point being the top antenna. The 2no. equipment cabinets would measure approximately 2.5m above roof level and approximately 0.4m above the existing parapet wall.

- 6.3 The proposed infrastructure is in addition to permission granted for the installation of 10no. 3.5m long support poles each supporting 4no. 300mm diameter transmission dishes at roof level, along with 1no. Optimity comms cabinet, 6no. self-closing safety gates which were granted in March 2019, but not yet implemented. The approved support poles measured approximately 2.4m above the existing parapet wall and will be operated by Optimity, rather than Luminet. It is understood that the intention is for both applications to be implemented when permission is granted.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS

Braithwaite House

- 7.1 P2018/3215/FUL - Installation of wireless internet services infrastructure comprising 10no. 3.5m long support poles each supporting 4no. 300mm diameter transmission dishes at roof level, along with 1no. Optimity comms cabinet, 6no. self-closing safety gates to be installed in existing safety hand railing and development ancillary thereto. Approved with conditions 15/03/2019
- 7.2 P101335 - Change of use of self-contained flat to tenant management office. Approve with conditions 28/09/2019
- 7.3 P100865 - Erection of full-height riser on north side of building plus works associated with the creation of a plant room enclosure at ground floor level. Approve with conditions 12/08/2010
- 7.4 P090863(MA01) - Enlargement of powder coated steel lettering as a minor amendment to advertisement consent reference P090863 (dated 25/06/2009) for display of name sign and relocation of existing sign to the front elevation of Braithwaite House, fronting Bunhill Row. Non-material amendment agreed 20/07/2009
- 7.5 P090863 - Display of name sign and relocation of existing sign to the front elevation of Braithwaite House, fronting Bunhill Row. Approve with conditions 25/06/2009

Finsbury Tower - 103 - 105 Bunhill Row

- 7.10 P2016/3939/FUL - Erection of a 12 storey extension to the existing 16 storey building and a 3 to 6 storey extension to the existing podium block up to 7 storeys to provide additional office (Use Class B1a) floorspace; recladding of the existing building to match the materials of the extensions; change of use of part of the ground floor accommodation to flexible Class A1 (retail) and A3 (restaurant/cafe) uses; demolition of single storey structures and the erection of 6 storey block adjacent to the western elevation to provide 25 affordable dwellings; alterations to the public realm, including landscaping and highways improvements and other associated works. Approved with conditions 24/08/2017

ENFORCEMENT

- 7.5 None

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to 218 occupants of adjoining and nearby properties at Banner Street, Bunhill Row, Chequer Street, and Dufferin Avenue on 18 February 2019. A Site Notice and Press Advert were also displayed. The public consultation exercise therefore expired on 17 March 2019. further documents from the applicant a further round of consultation was undertaken on 13 January 2020 with letters sent to the 218 addresses and an accompanying site and press displayed on 16 January 2020.

8.2 The latest round of public consultation on the application therefore expired on 09 February 2020, however it is the Council's practice to continue to consider representations made up until the date of a decision. At the time of writing of this report a total of 4 no. objections had been received from the public. The following issues were raised:

- environment and health impacts associated with the proposed antenna installation. The objector requested a report to address these concerns. (See paragraphs 10.30 to 10.39)
- roof is used as a means of fire escape (See paragraph 10.40)
- guarantee that the antennas will not be used for 5G in the future (See paragraph 10.41)
- concerns regarding the infrastructure being installed on social housing (See paragraph 10.42)

Internal Consultees

8.3 **Design and Conservation Officer:** *Braithwaite House is a tower block in close proximity to the Grade I listed Bunhill Fields, which is an open space directly opposite. It is also in the setting of the Grade II* listed Armoury House and Nos. 20-29 Bunhill Row (Grade II listed), both to the south. In addition, it is visible from within two neighbouring Conservation Areas – St Luke's and Bunhill Fields & Finsbury Square.*

8.4 *In addition to the policies set out within the development plan, section 72(1) of the Planning (Listed Building & Conservation Areas) Act 1990 requires local authorities, in the exercise of their planning functions with respect to any buildings or land, to pay special attention to the desirability of preserving or enhancing the character and appearance of conservation areas. Section 66(1) of The Act requires that local authorities have special regard to preserving or enhancing listed buildings and their settings in considering whether or not to grant permission for development which affects a listed building or its setting. Additionally, paragraph 190 of the NPPF 2019 requires local authorities to assess the significance of any heritage assets that may be affected by a proposal (including development affecting the setting of a heritage asset), and paragraph 192 directs local authorities to take account of the desirability of preserving and enhancing that significance in determining applications.*

8.5 *The proposed installation of tall, contemporary telecommunications equipment on the roof of the tallest and most incongruous building in the area would draw the eye away from those buildings of special interest and adds visual clutter to the roofline of an already dominant building. The resulting impact on views from the public realm is considered to harm the character and appearance of the area and the setting of the listed buildings, and visual amenity generally.*

8.6 *Alternative sites should be explored, or the impact reduced by locating the telecommunications in the centre of the roof, set back from the edges as much as possible.*

8.7 **Public Health:** Islington Council takes the health, wellbeing and safety of its residents very seriously. Having due regard to an assessment of the available national and international scientific evidence and current national guidance for the installation of telecommunications infrastructure, including masts, we do not consider that the deployment of 5G poses a threat to the health and safety of our residents. This position is consistent with the latest guidance from Public Health England (PHE), the statutory body responsible for protecting the nation from public health hazards.

Radiofrequency electromagnetic field exposures include exposures to radio waves produced by Wi-Fi equipment, smart meters and mobile phone base stations. PHE guidance on this matter was last updated in May 2019. Extensive research has been conducted for many years on the impact of exposure to radio waves on health. This research has been examined by groups of UK and international independent experts, and their conclusions from this accumulated evidence is that adverse health effects are unlikely to occur if exposures are below the levels set in current standards.

The management of telecommunications is governed by national and international legislation and guidance, with installations needing to comply with the limitations imposed by the International Commission on Non-Ionising Radiation Protection (ICNIRP). These instruct that the design and placement of sites must ensure that exclusion zones are either in areas that individuals cannot enter (for example in inaccessible clear space adjacent to a rooftop) or be signposted and in a controlled area. Moreover, emissions surveys and audits of similar existing telecommunications installations have found that the levels of all types of radio frequency transmissions found near to mobile phone base stations remain hundreds or even thousands of times lower than the permissible limits set by ICNIRP.

I understand that the applicant for this particular planning application has provided a declaration of conformity with ICNIRP guidelines. Moreover, the National Planning Policy Framework is explicit in that local planning authorities must determine applications for telecommunications equipment on planning grounds only. Local planning authorities cannot set health safeguards that are different to the International Commission's guidelines.

This link (<https://www.gov.uk/government/publications/mobile-phone-base-stations-radio-waves-and-health/mobile-phone-base-stations-radio-waves-and-health>) includes detailed information on exposure guidelines and health-related evidence and reviews. PHE continues to monitor the latest scientific evidence on this topic and update its advice, and Islington Council will regularly review its position in light of the latest available evidence and national guidance on the health impacts of mobile phone installations.

For your reference, I set out below some further background scientific and technical references.

A general overview of High Frequency Electro-Magnetic Frequency, 100Khz to 300Ghz (HF EMF), can be found [here](#). With all the telecoms installations in the borough, operators must ensure that all equipment is ICNIRP (International Committee on Non-Ionising Radiation Protection) compliant, as stated in the Department for Communities and Local Government's National Planning Policy Framework (<https://www.gov.uk/government/publications/national-planning-policy-framework--2>).

- Radio base stations and handsets use Electromotive Force (EMF) to transfer information and make mobile phone communications possible. EMFs are used for television and radio transmissions, by the police, fire and ambulance services, by taxi firms and public utilities. EMFs are also used for a wide range of personal and commercial equipment from electronic car keys, Wi-Fi equipment and baby monitoring devices to shop security tag systems. They are also produced by household electrical appliances like fridges, vacuum cleaners or electric shavers.
- In terms of health concerns regarding installations of this type, mobile phones and devices are new but the technology is not, and research has been ongoing in this area for almost 75 years. After a thorough review of the available scientific findings, the World Health Organization (WHO) reported: "To date, the only health effect from radiofrequency (RF) fields identified in scientific reviews has been related to an increase in body temperature (> 1 °C) from exposure at very high field intensity found only in certain industrial facilities, such as RF heaters. The levels of RF exposure from base stations and wireless networks are so low that the temperature increases are insignificant and do not affect human health" [Source: World Health Organisation, Fact Sheet 304, Base stations and wireless technologies, 2006]. In addition, the WHO notes that "Based on a recent in-depth review of the scientific literature, the WHO concluded that current evidence does not confirm the existence of any health consequences from exposure to low level electromagnetic fields" (<http://www.who.int/peh-emf/about/WhatisEMF/en/index1.html>).

- The Advisory Group on Non-ionising Radiation summarised that: "...although a substantial amount of research has been conducted in this area, there is no convincing evidence that RF field exposure below guideline levels causes health effects in adults or children." [Health Effects from Radiofrequency Electromagnetic Fields – RCE 20, 2012].
- In addition, the report 'Recent Research on EMF and Health Risk – Tenth report from SSM's Scientific Council on Electromagnetic Fields, 2015' notes that: "new studies on adult and childhood cancer with improved exposure assessment do not indicate any health risks for the general public related to exposure from radiofrequency electromagnetic fields from far-field sources, such as base stations and radio and TV transmitters.
- Radio base stations are designed to comply with the stringent, precautionary public exposure guidelines set out by ICNIRP (International Commission on Non-Ionizing Radiation Protection). These guidelines have been developed following a thorough review of the science including both thermal and non-thermal effects. UK radio base station installations have been surveyed by independent bodies and found to be hundreds, and sometimes thousands, of times below these guidelines. When ICNIRP reviewed their guidelines in 2009 they concluded: "ICNIRP reconfirms the 1998 basic restrictions in the frequency range 100 kHz–300 GHz until further notice." [Source: ICNIRP statement on the "Guidelines for limiting exposure to time-varying electric, magnetic and electromagnetic fields (up to 300 GHz)"] (As above, these guidelines are currently being revised, with consultation having been undertaken in July to October 2018 and the results being collated at the moment.)

8.8 **Housing:** *The Housing Department does not raise objection to the application.*

9. RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATIONS & POLICIES

9.1 Islington Council (Planning Committee), in determining the planning application has the following main statutory duties to perform:

- To have regard to the provisions of the development plan, so far as material to the application and to any other material considerations (Section 70 Town & Country Planning Act 1990);
- To determine the application in accordance with the development plan unless other material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004) (Note: that the relevant Development Plan is the London Plan and Islington's Local Plan, including adopted Supplementary Planning Guidance.)
- As the development affects the setting of listed buildings, Islington Council (Planning Committee) is required to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses (S66 (1) Planning (Listed Buildings and Conservation Areas) Act 1990) and;
- As the development is within or adjacent to a conservation area(s), the Council also has a statutory duty in that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area (s72(1)).

9.4 At paragraph 8 the NPPF (2019) states: "that sustainable development has an economic, social and environmental role".

9.6 Since March 2014 Planning Practice Guidance for England has been published online.

- 9.7 In considering the planning application account has to be taken of the statutory and policy framework, the documentation accompanying the application, and views of both statutory and non-statutory consultees.
- 9.8 The Human Rights Act 1998 incorporates the key articles of the European Convention on Human Rights into domestic law. These include:
- Article 1 of the First Protocol: Protection of property. Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.
 - Article 14: Prohibition of discrimination. The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.
- 9.9 Members of the Planning Committee must be aware of the rights contained in the Convention (particularly those set out above) when making any Planning decisions. However, most Convention rights are not absolute and set out circumstances when an interference with a person's rights is permitted. Any interference with any of the rights contained in the Convention must be sanctioned by law and be aimed at pursuing a legitimate aim and must go no further than is necessary and be proportionate.
- 9.10 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty *inter alia* when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Telecommunications

- 9.11 Chapter 10 of the NPPF is entitled Supporting high Quality communications. It is stated at Paragraph 112 that, '*Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology and full fibre broadband connections. Policies should set out how high quality digital infrastructure, providing access to services from a range of providers, is expected to be delivered and upgraded over time; and should prioritise full fibre connections to existing and new developments (as these connections will, in almost all cases, provide the optimum solution).*'
- 9.12 Paragraph 113 further clarifies that '*The number of radio and electronic communications masts, and the sites for such installations, should be kept to a minimum consistent with the needs of consumers, the efficient operation of the network and providing reasonable capacity for future expansion. Use of existing masts, buildings and other structures for new electronic communications capability (including wireless) should be encouraged. Where new sites are required equipment should be sympathetically designed and camouflaged where appropriate.*'
- 9.13 Paragraph 114 establishes that '*Local planning authorities should not impose a ban on new electronic communications development in certain areas, impose blanket Article 4 directions over a wide area or a wide range of electronic communications development, or insist on minimum distances between new electronic communications development and existing development. They should ensure that: a) they have evidence to demonstrate that electronic communications infrastructure is not expected to cause significant and irremediable interference with other electrical equipment, air traffic services or instrumentation operated in the national interest; and b) they have*

considered the possibility of the construction of new buildings or other structures interfering with broadcast and electronic communications services.

- 9.14 Paragraph 115 states that '*Applications for electronic communications development (including applications for prior approval under the General Permitted Development Order) should be supported by the necessary evidence to justify the proposed development. This should include: a) the outcome of consultations with organisations with an interest in the proposed development, in particular with the relevant body where a mast is to be installed near a school or college, or within a statutory safeguarding zone surrounding an aerodrome, technical site or military explosives storage area; and b) for an addition to an existing mast or base station, a statement that self-certifies that the cumulative exposure, when operational, will not exceed International Commission guidelines on non-ionising radiation protection; or c) for a new mast or base station, evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure 34 and a statement that self-certifies that, when operational, International Commission guidelines will be met.*'
- 9.15 In addition, Paragraph 116 states that '*Local planning authorities must determine applications on planning grounds only. They should not seek to prevent competition between different operators, question the need for an electronic communications system, or set health safeguards different from the International Commission guidelines for public exposure*

Development Plan

- 9.16 The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013 and the Finsbury Local Plan 2013. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.
- 9.17 The site has the following designations under the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013:
- Moorfields Archeological Priority Area
 - Bunhill & Clerkenwell Core Strategy Key Area
 - Central Activities Zone
 - Cycle Routes (Local & Major)
 - Bunhill & Clerkenwell Local Plan Area
 - Within 50m of St Luke's Conservation Area
 - Within 50m of Bunhill Fields and Finsbury Square Conservation Area
 - Article 4 Direction A1 to A2 (Rest of Borough)
 - Article 4 Direction B1(c) to C3
 - Heathrow Safeguarding Area

Supplementary Planning Guidance (SPG) / Document (SPD)

- 9.18 The SPGs and/or SPDs which are considered relevant are listed in Appendix 2.

10. ASSESSMENT

- 10.1 The main issues arising from this proposal relate to:

- Design and harm to the conservation area, the statutory listed building and nearby statutory listed buildings
- Neighbours Amenity
- Public Benefit

Design and Conservation

Policy context

- 10.2 Section 72 (1) of the of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Authority to pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas.
- 10.3 Under s66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the local planning authority has a duty in considering whether to grant planning permission for development which affects a listed building or its setting to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. This is also the wording of the duty the local planning authority has when considering applications for listed building consent
- 10.4 Paragraph 114 of the NPPF 2019 states that local planning authorities should not impose a ban on new electronic communications development in certain areas, impose blanket Article 4 directions over a wide area or a wide range of electronic communications development, or insist on minimum distances between new electronic communications development and existing development. They should ensure that:
- a) they have evidence to demonstrate that electronic communications infrastructure is not expected to cause significant and irremediable interference with other electrical equipment, air traffic services or instrumentation operated in the national interest; and
 - b) they have considered the possibility of the construction of new buildings or other structures interfering with broadcast and electronic communications services.
- 10.5 Paragraph 192 of National Planning Policy Framework (2019) states in determining applications, local planning authorities should take account of
- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation
 - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - c) the desirability of new development making a positive contribution
- 10.6 Paragraphs 194-196 of the NPPF (2018) deals specifically with harm to the significance of a designated heritage asset and whether this harm is substantial or less than substantial. In cases where the harm is less than substantial harm, this should be weighed against the public benefits of the proposal.
- 10.7 Policy CS9 of Islington's Core Strategy (CS) 2011 and Policy DM2.1 of Islington's Development Management Policies 2013 accord with the National Planning Policy Framework (NPPF) in seeking to sustain and enhance Islington's built environment. Taken together, they seek to ensure that proposed development responds positively to existing buildings, the streetscape and the wider context, including local architecture and character, surrounding heritage assets, and locally distinctive patterns of development.
- 10.8 Policy DM2.3 states that Islington's historic environment is an irreplaceable resource and the council will ensure that the borough's heritage assets are conserved and enhanced in a manner appropriate to their significance. It also states that the council will require that alterations to existing buildings in conservation areas conserve or enhance their significance.

- 10.9 Development Management Policy DM2.7 states that telecommunications and utilities equipment will only be permitted where they are sited and designed to minimise their visual impact, do not have a detrimental effect upon the character or appearance of the building or area, innovative design and technological solutions have been explored to minimise visual impact, and there is no reasonable possibility of sharing facilities.
- 10.10 According to the Urban Design Guide (paragraph 5.189) telecommunication aerials and equipment often contribute to physical clutter. It states that every opportunity should be made to rationalise and reduce their impact within the public realm.
- 10.11 Paragraph 190 of the Islington Urban Design Guide SPD states that particular care needs to be taken with mobile phone/telecommunication masts to ensure their size, height and positioning does not dominate the surrounding public realm. Where it will not have a detrimental impact on performance, they should be located where they are largely obscured from the surrounding public realm and do not impact adversely upon the skyline from longer views.
- 10.12 The application site is not within a conservation area but is within close proximity to the St Lukes Conservation Area and the Bunhill Fields and Finsbury Square Conservation Area. Whilst limited it is acknowledged that the proposed infrastructure would be visible from long views within the surrounding conservation areas. The Bunhill Fields and Finsbury Square Conservation Area Design Guidelines are relatively quiet with regards to plant or roof equipment in areas away from City Road and Tabernacle Street. It states at paragraph 22.23 that Bunhill Fields, which is a quiet retreat from the busy streets, has a very special character. Its seclusion and tranquillity (Grade I Listed Bunhill Fields Rural Grounds) must not be threatened by any increase in scale of buildings on City Road, Bunhill Row and Featherstone Street which back onto the Fields.
- 10.13 The St Lukes Conservation Area Design Guidelines at paragraph 16.15 states the Council is opposed to the erection of plant rooms, air conditioning units and other services including water tanks and radio satellite or telecommunications equipment at roof level where this can be seen from street level or public space, including long views from side streets.

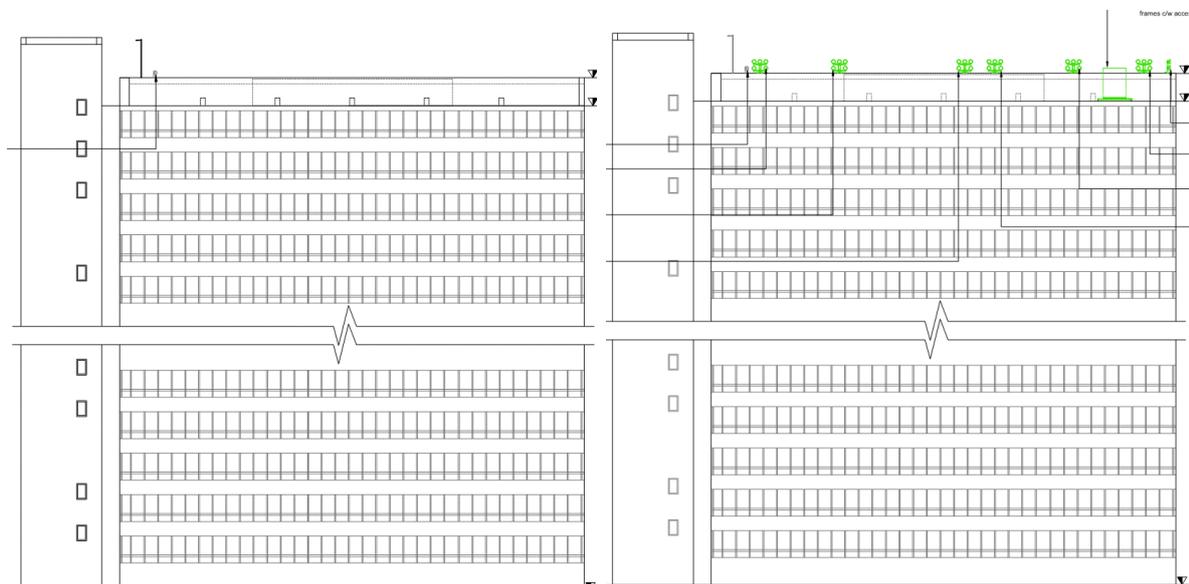


Image 9: Existing and Proposed East Elevation

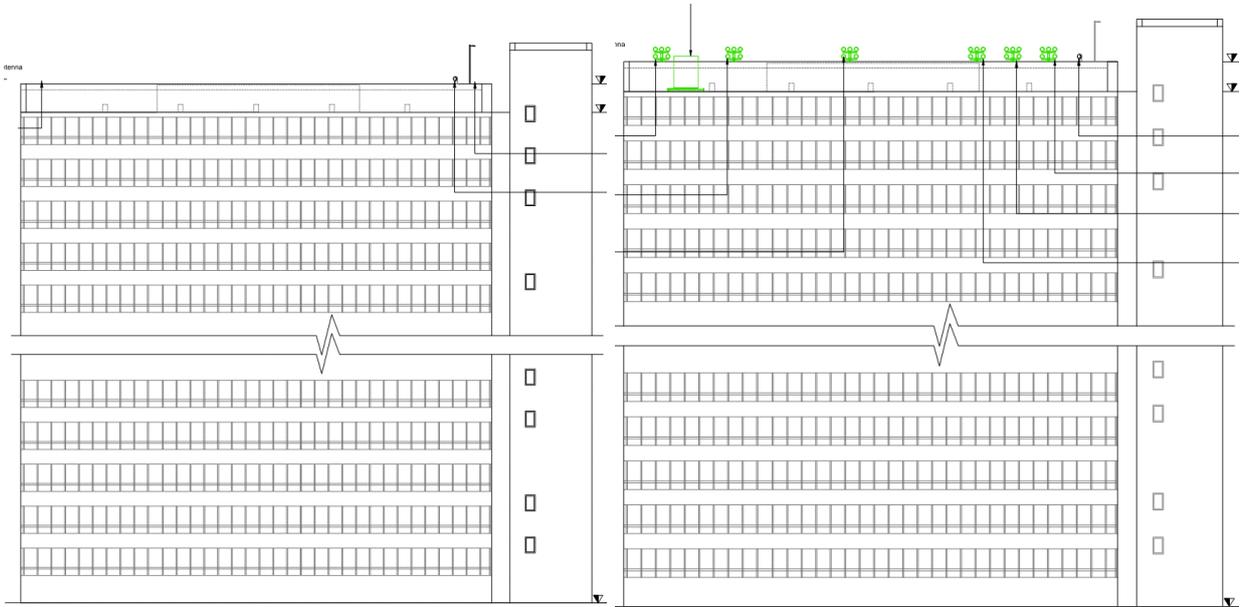


Image 11: Existing and Proposed West Elevation

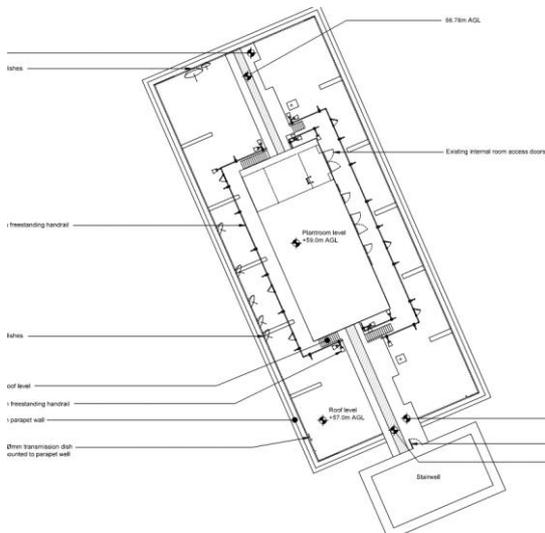


Image 13: Existing Site Plan

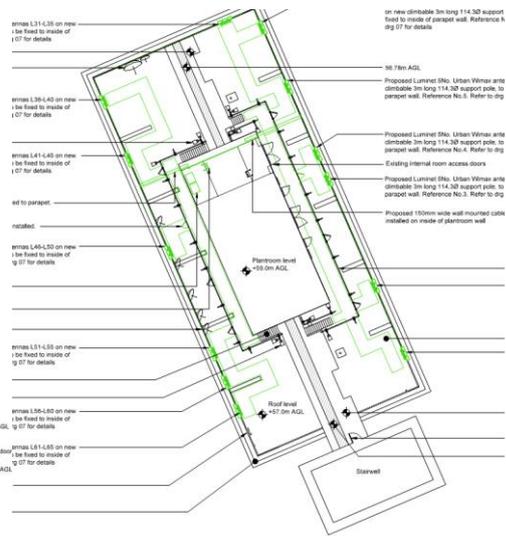


Image 14: Proposed Site Plan

Assessment of Proposals

10.14 Braithwaite House is a mid-twentieth century building in an area which exhibits a wide variety of building sizes and typologies. Whilst the St Luke's Conservation Area is to the immediate south and west of the application site, the majority of nearby properties are of mid to late 20th century construction, at heights much lower than Braithwaite House. The more traditional Peabody Estate and Chequer Court are located approximately 20m and 55m from Braithwaite House.

- 10.15 The application property is 19 storey building in residential use, located near a busy main road in a mixed use area. It is located in the Central Activities Zone and within the Bunhill and Clerkenwell Core Strategy Key Area. The proposal would lead to the installation of pole mounted dishes on the roof of the property in addition to existing equipment. The purpose of these would be to provide improved wireless internet services in this dense urban location.
- 10.16 The proposed development would lead to the placing of the equipment on all sides of the roof of the building, largely hidden by the high parapet and the sheer height of the building. It is understood that in order to receive sufficient signal, the proposed equipment is required to be sited towards the edge of the roof. In this instance the siting of the proposed equipment is considered to be placed appropriately to reduce its prominence from the public realm. This is on the basis that the height of the building ensures that views are heavily obscured from nearby the public realm, and the equipment not large enough to be noticeably visible from most longer views. It is acknowledged these would be visible from some longer views from the St Lukes Conservation Area and the Bunhill Fields and Finsbury Square Conservation Area resulting in some limited harm in design and conservation terms. Similarly, the application site is within close proximity to the Grade I Listed Bunhill Fields Burial Ground. Whilst it is acknowledged that the proposals would result in some limited harm to the character and appearance of the surrounding conservation areas and the setting of the Grade I Listed burial grounds, it would be less than substantial. This is due to their lack of obvious visibility, even during winter months from within the Burial Ground and wider public views within the conservation areas.
- 10.17 Overall, the proposed development would cause some limited visual harm to the character and appearance of the surrounding St Lukes and Bunhill Fields and Finsbury Square Conservation Areas. It complies with the Framework and to Core Strategy policy CS9, which together amongst other things, seek to protect local character, Policy DM2.1, Policy DM2.3 and Policy DM2.7 of the Development Management Policies.
- 10.18 Also recognised is the importance the Government attaches to a high quality communications infrastructure, and the related benefits this brings, in this case, the public benefits of allowing the proposal would not contravene the statutory requirement to pay special regard to the conservation area, a designated heritage asset
- 10.19 The paragraphs above outline the impact of the proposals on the special architectural and historic interest of the Grade I Listed Bunhill Field Burial Ground and Grade II* Listed Armoury House and well as the character or appearance of nearby conservation areas, as well as the Council's Design and Conservation Team's rationale for objecting to the application. The Design and Conservation Team consider that the proposals would cause less than substantial harm to significance of the designated heritage assets, due to the visibility of the infrastructure from the Grade I Listed burial grounds and proximity to the Grade II* Armoury House. In accordance with the NPPF, public benefits are looked at. In this situation, there is clear public benefit from the improved wireless mobile internet network.
- 10.20 According to the National Planning Policy Framework section 16 and paragraph 196 which states the following "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 including, where appropriate, securing its optimum viable use". The weighing of public benefits against harm is carried out at Paragraphs 10.27 to 10.30 below.

Public Benefits

- 10.21 Paragraph 112 of the National Planning Policy Framework Infrastructure is essential for economic growth and social well-being. The Paragraph states that planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology and full fibre broadband connections".

- 10.22 Paragraph 196 of the National Planning Policy Framework states that 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 proposals, including where appropriate, securing its optimum viable use.
- 10.23 Paragraph 114 of the NPPF 2019 states that “*local planning authorities should not impose a ban on new electronic communications development in certain areas, impose blanket Article 4 directions over a wide area or a wide range of electronic communications development, or insist on minimum distances between new electronic communications development and existing development. They should ensure that:*
- a) they have evidence to demonstrate that electronic communications infrastructure is not expected to cause significant and irremediable interference with other electrical equipment, air traffic services or instrumentation operated in the national interest; and*
 - b) they have considered the possibility of the construction of new buildings or other structures interfering with broadcast and electronic communications services”*
- 10.24 As demonstrated above, the proposals would cause less than substantial harm to the character and appearance of the surrounding conservation areas. The setting of the adjacent Grade I Listed Bunhill Fields and Burial Ground will not be harmed by the proposals. It is considered that the public benefit of the of the wireless broadband provided by the proposals outweigh the less than substantial harm caused to the character and appearance of the conservation area. In accordance with Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposal hereby under consideration, special regard has been paid (and great weight given to “doing no harm”) to the desirability of preserving or enhancing the character or appearance of the nearby Grade I Listed Building and surrounding conservation areas. In this instance there are several mitigating factors to consider, including the height and scale of the existing building, limiting public views to infrastructure at roof level, as well as the strong government support within the updated NPPF (2019) for improved wireless broadband across London.
- 10.25 The benefits of the proposal, including efforts to improve wireless internet infrastructure and the resulting fast and ubiquitous access to the internet from mobile and fixed devices is considered to outweigh the less than substantial harm caused to the nearby heritage assets. The proposals would be either not visible or of limited glimpsed visibility from Bunhill Fields and Burial Ground, Whitecross Street, and Chequer Street. Whilst visible from some public views within the Conservation Area, the design of the proposals and their siting are for the purpose of achieving maximum efficiency.
- 10.26 The benefits of improved mobile infrastructure form the basis of public benefits that tips the planning balance to outweigh the limited visual harm, in a manner that gives great weight to “preserving” or doing no harm on nearby heritage assets. Therefore, it is considered that the visual harm created would be limited and would be mitigated by the public benefits of increased broadband and telecommunications coverage within a dense urban and central London location in this case.

Impacts to Neighbour Amenity

- 10.27 Policy 7.6 of the London Plan and Development Management Policy DM2.1 requires that development should have regard to the form and layout of existing and adjacent buildings; good level of amenity including consideration of noise and the impact of disturbance, hours of operation, vibration, pollution, fumes between and within developments, overshadowing, overlooking, privacy, direct sunlight and daylight, over-dominance, sense of enclosure and outlook.
- 10.28 Paragraph 116 of the Framework states that the need for the telecommunication system should not be questioned, nor should health safeguards be determined if the proposal meets International Commission guidelines for public exposure.

- 10.29 That would be the case here, within the application having submitted an appropriate Declaration of Conformity by way of the ICNIRP evidence provided by the applicant.

Health Risks

- 10.30 Paragraph 116 of the National Planning Policy Framework states that Local authorities must determine applications on planning grounds only. They should not question the need for an electronic communications system, or set health safeguards different from the International Commission guidelines for public exposure.
- 10.31 Luminet regulates the operation of mobile networks in relation to their use of radio frequencies and whilst it does not have any duties related to the recommendations for exposure to Electromagnetic radiation emissions, it does set out the need for certificates of International Commission on Non-Ionizing Radiation Protection (ICNIRP) compliance to be provided with planning applications and for operators to continue to ensure all sites remain compliant.
- 10.32 An ICNIRP Declaration from the manufacturer (Siklu Communication Ltd) was submitted with the application confirming that the proposed antennas would not generate Electromagnetic radiation above thresholds that would pose a risk to the general public or workers responsible for maintaining the equipment.
- 10.33 Further, Public Protection Officer from both Islington and Camden Boroughs have reviewed the proposals with their comments as follows.
- 10.34 *In terms of health concerns regarding installations of this type, mobile phones and devices are new but the technology is not, and research has been ongoing in this area for almost 75 years. After a thorough review of the available scientific findings, the World Health Organization (WHO) reported: "To date, the only health effect from radiofrequency (RF) fields identified in scientific reviews has been related to an increase in body temperature (> 1 °C) from exposure at very high field intensity found only in certain industrial facilities, such as RF heaters. The levels of RF exposure from base stations and wireless networks are so low that the temperature increases are insignificant and do not affect human health" [Source: World Health Organisation, Fact Sheet 304, Base stations and wireless technologies, 2006]. In addition, the WHO notes that "Based on a recent in-depth review of the scientific literature, the WHO concluded that current evidence does not confirm the existence of any health consequences from exposure to low level electromagnetic fields" (<http://www.who.int/peh-emf/about/WhatisEMF/en/index1.html>).*
- 10.35 *The Advisory Group on Non-ionising Radiation summarised that: "...although a substantial amount of research has been conducted in this area, there is no convincing evidence that RF field exposure below guideline levels causes health effects in adults or children." [Health Effects from Radiofrequency Electromagnetic Fields – RCE 20, 2012].*
- 10.36 *In addition, the report 'Recent Research on EMF and Health Risk – Tenth report from SSM's Scientific Council on Electromagnetic Fields, 2015' notes that: "new studies on adult and childhood cancer with improved exposure assessment do not indicate any health risks for the general public related to exposure from radiofrequency electromagnetic fields from far-field sources, such as base stations and radio and TV transmitters.*
- 10.37 *Radio base stations are designed to comply with the stringent, precautionary public exposure guidelines set out by ICNIRP (International Commission on Non-Ionizing Radiation Protection). These guidelines have been developed following a thorough review of the science including both thermal and non-thermal effects. UK radio base station installations have been surveyed by independent bodies and found to be hundreds, and sometimes thousands, of times below these guidelines. When ICNIRP reviewed their guidelines in 2009 they concluded: "ICNIRP reconfirms the 1998 basic restrictions in the frequency range 100 kHz–300 GHz until further notice." [Source: ICNIRP statement on the "Guidelines for limiting exposure to time-varying electric, magnetic and electromagnetic fields (up to 300 GHz)"] (As above, these guidelines are currently being revised, with consultation having been undertaken in July to October 2018 and the results being collated at the moment.)*

- 10.38 In this case the planning application proposal has provided the required declaration of conformity with ICNIRP guidelines. Moreover, the National Planning Policy Framework is explicit in that local planning authorities must determine applications for telecommunications equipment on planning grounds only. Local planning authorities cannot set health safeguards that are different to the International Commission's guidelines.
- 10.39 With telecommunications equipment Public Health confirm that risks from EMF are low. Overall, it is considered that the electromagnetic radiation emitted by the proposed antennas would be minimal and would conform with ICNIRP Guidelines. As a result, it is considered that the proposed installation of antennas atop the roof of the building would not pose a risk to Public Health to existing or adjoining residents in the area.

Other Matters

- 10.40 Concerns have been raised regarding impacts of the proposals as the roof is used for fire escape from the upper floor levels. Any permission will be required to be developed in accordance with building control regulations, including Approved Document B which relates to fire safety. In planning terms, the antennas are not designed to prevent access to large parts of the roof and therefore no objections would be raised in this regard, provided that the relevant building control regulations are complied with.
- 10.41 Concerns have also been raised regarding the potential use of the infrastructure for 5G telecommunications in the future. A letter from the applicant dated 30/12/2019 states that Luminet has no future plans to start 4G/5G mobile services that require a different set of equipment and infrastructure. Equipment and infrastructure associated with 4G/5G would likely require separate planning permission, if proposed in the future.
- 10.42 Finally, concerns have been raised regarding the installation of the proposed antennas on social housing. Whilst the LPA have limited control over the location of this infrastructure and equipment, the assessment process considers their potential impacts on neighbour amenity and health risks to residents who occupy the building and within close proximity of the site. In this instance the LPA's Housing Department has raised no objections and, as detailed in the sections above, the scheme is not considered to result in significant health impacts, nor will it result in significant harm to the amenities of neighbouring occupiers. Officers and committee members must assess the individual planning merits of each individual planning application submitted to the LPA for formal decision.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 A summary of the proposal and its impacts and acceptability is set out at paragraphs 4.1 to 4.5 of this report. Great weight has been afforded to the desirability to "preserve" the character and appearance of the Conservation area (Section 72) and the special architectural interest of the adjacent statutory listed Bunhill Fields and Burial Ground (Section 66). Whilst the proposed antennas will be visible from some public views within the Conservation Area and Grade II Listed burial ground, given the size of the proposed building and the surrounding large scale surrounding development, the harm caused is considered to be less than substantial.
- 11.2 The benefits of improved wireless fibre broadband infrastructure form the basis of public benefits that tips the balance to outweigh harm, in a manner that gives great weight to "preserving" or doing no harm.
- 11.3 As such, the proposed development is considered to accord with the policies in the London plan, Islington Core Strategy, Islington Development Management Policies and the National Planning Policy Framework and as such is recommended for an approval subject to appropriate conditions.

Conclusion

- 11.4 It is recommended that planning permission be granted subject to conditions as set out in Appendix 1 - RECOMMENDATION.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That the grant of planning permission be subject to conditions to secure the following:

List of Conditions:

1	Commencement
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved plans list
	<p>CONDITION: The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>DWG LUM0006-03 Rev C; DWG LUM0006-05 Rev C; DWG LUM0006-07 Rev C; Declaration of Conformity for RF Exposure; Luminet Background Information July 2017; LUM0006-PM01 Rev A; LUM0006-PM02 Rev A; LUM0006-PM03 Rev A; LUM0006-PM04 Rev A; Supporting Planning Statement; Cover Letter by Waldon dated 21 December 2018</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Planning Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Materials (Compliance)
	<p>CONDITION: The hereby approved development shall be constructed in accordance with the schedule of materials noted on the approved plans and within the Design and Access Statement. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter into perpetuity.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>

APPENDIX 2: RELEVANT POLICIES

This appendix lists all relevant development plan policies and guidance notes pertinent to the determination of this planning application.

1. National Guidance

The National Planning Policy Framework 2019 and Planning Policy Guidance (PPG) seek to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF and PPG are material considerations and have been taken into account as part of the assessment of these proposals.

2. Development Plan

The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013, and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2016 - Spatial Development Strategy for Greater London

Policy 7.4 Local character
Policy 7.5 Public realm
Policy 7.6 Architecture
Policy 7.8 Heritage assets and archaeology

B) Islington Core Strategy 2011

Strategic Policies

Policy CS 8 – Enhancing Islington’s character
Policy CS 9 - Protecting and enhancing Islington’s built and historic environment

C) Development Management Policies June 2013

- Policy DM2.1 – Design
- Policy DM2.3 – Heritage
- Policy DM2.7 – Telecommunications and utilities

3. Designations

- Moorfields Archeological Priority Area
- Bunhill & Clerkenwell Core Strategy Key Area
- Central Activities Zone
- Cycle Routes (Local & Major)
- Bunhill & Clerkenwell Local Plan Area
- Within 50m of St Luke’s Conservation Area
- Within 50m of Bunhill Fields and Finsbury Square Conservation Area
- Article 4 Direction A1 to A2 (Rest of Borough)
- Article 4 Direction B1(c) to C3
- Heathrow Safeguarding Area

4. SPD/SPGS

Urban Design Guidelines