

Headquarters: International House
Canterbury Crescent LONDON SW9 7QE

Stat-Reg
ENVIRONMENTAL SERVICES
Director: Paul Duffield

LAMBETH

London Borough of Lambeth
Courtenay House
9-15 New Park Road
LONDON SW2 4DU

Your Ref: WAC/CS1862/CP237

Our Ref: DC/973/LSA/95/3378

Date: 13 November 1995

Vodafone Limited
The Courtyard
2-4 London Road
Newbury
BERKS RG13 1JL

Direct Line: 0171-926⁶⁸⁰⁰

Fax Line: 0171-9267155

For the attention of the Property Executive

DECISION NOTICE

Dear Sirs

**Town and Country Planning Act 1990 (As Amended)
Town and Country Planning (General Permitted Development) Order 1995 - Part 24;
Development by Telecommunications Code System Operator**

110 Streatham Hill, SW2

The Council has considered the proposal as set out in the Schedule below and hereby determines that Prior Approval is NOT Required as the Development is Permitted by virtue of the above legislation.

Schedule

Application Received 13th September 1995

Registered No. 973/95/3378

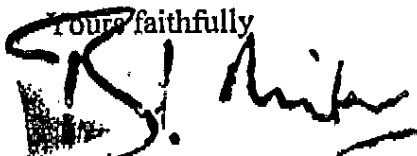
Applicants Plan No. 2444/911

Proposal Roof top installation comprising 3 microwave antennae, 3m in length and not exceeding the building height by more than 6m, together with up to 2 x 0.3m dishes and an equipment cabin not exceeding 30 cu. m.

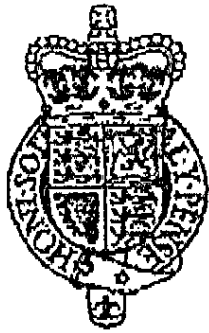
Notes to Applicant

1. You are advised that the development must be carried out in accordance with the details and plans submitted.
2. This decision is valid for a period of 5 years from the date of this letter.
3. This decision does not convey any approval or consent which may be required under any Enactment, Bylaw, Order or Regulation, other than the above legislation.

Yours faithfully



CHIEF PLANNING OFFICER



Appeal Decision

Site visit made on 13 January 2003

By Katie Peerless Dip Arch RIBA

An Inspector appointed by the Secretary of State

The Planning Inspectorate
4/09 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
0117372 6372
e-mail: enquiries@planning-inspectorate.gsi.gov.uk

Date 27 Jan 2003

Appeal Ref: APP/N5660/A/O2/1097991
Mayfair Bingo, 110 Streatham Hill, Lambeth, London SW2.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
- The appeal is made by Hutchison 3G UK Limited against the Council of the London Borough of Lambeth.
- The application (Ref. 01/02090/FUL), is dated 31 July 2001
- The development proposed is a telecommunications installation on the rooftop, comprising 3 antennae & 3 transmission dishes and associated equipment cabinets.

Summary of Decision: The appeal is allowed in part and is dismissed in part as detailed in the Formal Decision below.

Procedural Matters

1. Despite the reference in the supporting statement that this application was for approval for siting and design only, the proposed development is on a site within a conservation area and would be located on a listed building. In these circumstances, an application for planning permission is required and has been made. I have therefore treated this case as described above.
 2. The Council has agreed that, had it determined the application, it would have been refused for the following reasons:
 - (i) The siting and design of the proposed apparatus would combine with the existing installation to have a significant adverse impact on the visual amenity of the Mayfair Bingo building (a Grade II Listed Building) and on the character and appearance of the Streatham High Road and Streatham Hill Conservation Area. This would be contrary to policies CD9, CD12, CD18 and CD22 of the Lambeth Unitary Development Plan (UDP) and is contrary to government guidance in PPG8.
 - (ii) The proposed installation is likely to cause a considerable loss of amenity to the local residents due to the perceived risk to health from the EMF emissions associated with the proposed apparatus.
 3. Since the application was submitted the appellants have agreed that the transmission dish numbered D3 could be omitted, and have confirmed in their statement that this is still the case. As
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this would comply with the requirements to minimise the items of apparatus noted in UDP policy CD22 (d), I have, therefore considered the omission of this dish when reaching my decision.

4. The appellants have submitted information detailing the need for the installation, the attempts to find an alternative location and to share existing masts, and have confirmed that the equipment would meet the ICNIRP guidelines. The Council has not disputed this evidence.

Main Issues

14. I therefore consider that the main issues in this case are:

- (i) the effect of the proposed works on the special architectural and historic character of the listed building and its setting within the Streatham High Road and Streatham Hill Conservation Area.
- (ii) the effect of the proposed development on the living conditions of the occupiers of neighbouring properties.

Planning Policy

5. The Development Plan for the Borough is the Lambeth Unitary Development Plan 1998 (UDP) and policy CD2 from this Plan includes the aim of ensuring that the character or appearance of conservation areas is preserved or enhanced. Policy CD9 deals, amongst other things, with alterations to listed buildings, which must relate sensitively to the original building and policy CD12 encourages the improvement to the appearance of such buildings. Policy CD18 is a policy dealing with extensions to existing buildings and includes design criteria to ensure that they are in keeping with the building and its setting. Fixtures on buildings should be carefully chosen and positioned to minimise their visual impact.
 6. Policy CD22 deals specifically with telecommunications installations and notes that planning permission for such development will normally be granted provided a number of criteria are met. These include considerations of siting and design and the proposals should not have an adverse effect on conservation areas or listed buildings.
 7. The Unitary Development Plan is in the process of being updated and the revised Plan, the London Borough of Lambeth - Deposit UDP, was published in January 2002. The relevant policies within this Plan generally continue and expand those in the adopted UDP. Policy 49, on telecommunications development, now imposes the requirement for more detailed information to be submitted before planning permission for such installations is granted, in accordance with latest Government guidance. However, due to the early stage of development of this emerging Plan, I am able to accord the policies within it only limited weight when reaching my decision.
 8. In addition to Development Plan policies, Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest before granting planning permission. National guidance for development that affects listed buildings and their settings is given in Planning Policy Guidance Note 15 - Planning and the Historic Environment (PPG 15). This document notes that minor additions to listed buildings should be placed only in undamaging and visually unobtrusive positions.
 9. Government guidance on telecommunications installations is given in Planning Policy Guidance Note 8 (PPG8), which was published in August 2001. This document encourages mast sharing where possible between different operators and a sympathetic design for each individual site to minimise the impact on the environment. This document also notes that, whilst health considerations and public concern can be a material consideration in determining applications for planning permission, if a proposed mobile phone base station meets the ICNIRP guidelines for
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public exposure, it should not be necessary for a local planning authority, in processing the application for planning permission, to consider further the health aspects and concerns about them.

Reasons

10. The appeal property is a Grade II listed former theatre dating, according to the listing description, from 1928-9. It is interesting as an example of its type that has survived without the internal subdivision commonly found in such buildings, although the front elevation has undergone some inappropriate changes in respect of its signage and paint colours. Nevertheless, it is still an attractive building and the white terracotta to the main facade, and its extravagant detailing, ensure that it makes an important contribution to the street scene and the character of the conservation area.
11. The development proposed is the installation of two antennae on the south elevation, on the brick elevation behind the main facade, and one antenna and two dishes on the north elevation, with the associated cabinets being positioned towards the centre of the flat roof. The antennae and dishes would be at a height of some 20m above ground level and would not project above the parapet level of the building. The equipment cabinets on the rooftop would not be easily visible from outside the appeal site, neither would they project above the highest part of the building. There is an existing BT telecom mast on the highest part of the roof that can be seen against the skyline from some street level locations to the north of the site.

Conservation area and listed building considerations

12. The surrounding area is a mixture of commercial properties with residential units above, generally on 3 - 4 storeys, that line the A23 trunk road, Streatham Hill, and smaller scale residential dwellings in the streets leading off, or parallel to, the main road. The appeal site has roads on three sides and is prominent in the street scene. There are a number of residential properties facing the site from the opposite side of the main road and on the same side of the road to the north and south. Blairderry Road to the west is also mainly residential and overlooks the rear of the former theatre.
13. The proposed equipment would be located at high level, above the general line of vision of passers-by at street level, away from the most conspicuous parts of the building. The areas on which it would be set are the more utilitarian parts of the elevations, where there are already drainpipes and railings to the roof areas. I consider that the siting of the equipment, the limited size of the installation, and the fact that the colour of the apparatus would be carefully selected to match the existing fabric of the building, would all prevent it from appearing immediately obvious in views from the surrounding streets. There would be no damage to the fabric of the building and the installation would be entirely reversible, should the need for the equipment cease in future. It seems to me that the installation would be sufficiently inconspicuous to ensure that there would be no detrimental effect on either the listed building or the wider surroundings of the conservation area. In these respects therefore there would be no conflict with the aims of the Unitary Development Plan or national planning guidance.

Health considerations

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14. As previously noted, the appellants have certified that the installation would meet the ICNIRP guidelines and that the emission levels would, in fact, fall well below the levels considered safe in the report issued in May 2000 by the Independent Expert Group on Mobile Phones, chaired by Sir William Stewart. I can therefore, only conclude that there is no reason to dismiss the appeal on health grounds.
 15. However, in some circumstances, it has been held that the prominence of telecommunications equipment could increase the fear of a risk to health to an extent that would have a detrimental effect on the amenity of nearby residents, and this factor could be a material consideration when deciding whether planning permission should be granted. A number of local people have expressed such fears and I have, therefore, considered whether the prominence of the installation would, in this instance, be sufficient to serve as a constant reminder of its presence and thereby cause sufficient stress to prove harmful to their residential amenities.
 16. As noted above, I have found that the equipment would be discreet and unobtrusive and in these circumstances I cannot conclude that, once installed, there would be any undue indication of its existence, sufficient to damage the living conditions of the occupiers of neighbouring properties.

Conditions

17. I have considered the conditions suggested by the Council and the appellants, in the event of the appeal succeeding, in accordance with the guidance given in Circular 11/95. I have amended the suggested wording where necessary to follow this guidance. In addition to the standard commencement condition, I shall require the installation to be removed after it is no longer required for telecommunication purposes in order to restore the listed building to its former state. To prevent noise or disturbance to nearby residents, I shall impose a condition limiting the background noise level of the equipment cabinets.
18. I do not consider it necessary to impose a separate condition requiring the installation to be carried out in strict accordance with the plans, as this will be required in any event, by the wording of the planning permission.
19. The appellants have suggested that the third dish could be omitted by the inclusion of a condition, but I consider that granting a split decision that specifically excludes the dish D3 will be sufficient.

Conclusions

20. The appeal is allowed and planning permission granted subject to conditions set out in the 'Formal Decision below.

Formal Decision

21. In exercise of the powers transferred to me, I dismiss the appeal insofar as it relates to dish D2 and refuse planning permission for the installation of one 0.6m telecommunications dish.
 22. The appeal is allowed insofar as it relates to the remaining equipment, and I grant planning permission for a telecommunications installation on the rooftop, comprising 3 antennae & 2 transmission dishes (D1 and D3 on drawing no 00134509-102A) and associated equipment cabinets at Mayfair Bingo, 110 Streatham Hill, Lambeth, London SW2 in accordance with the terms of the application Ref 01/02090/FUL, dated 31 July 2001, and the plans submitted
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therewith (as amended by drawings 00134509-101C and 102A), subject to the following condition:

- 1) The development hereby permitted shall be begun before the expiration of five years from the date of this decision.
- 2) Any apparatus or structure provided in accordance with this permission shall be removed from the site as soon as is reasonably practical after it is no longer required for telecommunication purposes.
- 3) The level of noise emitted from the equipment cabinets (and any meter cabinet) hereby permitted shall not exceed 56dB(a) at any time, as measured outside the window of the nearest noise sensitive or residential premises.

Information

23. A separate note is attached setting out the circumstances in which the validity of this decision may be challenged by making an application to the High Court.
24. This decision does not convey any approval or consent that may be required under any enactment, by-law, order or regulation other than section 57 of the Town and Country Planning Act 1990.
25. An applicant for any approval required by a condition attached to this permission has a statutory right of appeal to the Secretary of State if that approval is refused or granted conditionally or if the authority fails to give notice of its decision within the prescribed period.
26. Attention is drawn to the provisions of sections 7 and 8 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires consent to be obtained for works for the demolition, alteration, or extension of a listed building which would affect its character as a building of special architectural or historic interest.

Inspector

LAMBETH

London Borough of Lambeth
Town Planning
Acre House
10 Acre Lane
LONDON SW2 5LL

Your Ref: CELL/9314
Our Ref: 99/00882/FUL/GOE/20632
Date: 12 November 1999

Telecom Securicor Radio Ltd (T/A BT Cellnet)
c/o Mason Drage Telecoms - John Macleod
Milton House
12 Cowper Gardens
Wallington
SURREY SM6 9RL

STATUTORY
REGISTER
Direct Line: 020 7926 1204
Fax Line: 020 7926 1171

Dear Sir/Madam

DECISION NOTICE

TOWN AND COUNTRY PLANNING ACT 1990.

PERMISSION FOR DEVELOPMENT

The London Borough of Lambeth hereby permits under the above mentioned Acts and associated orders the development referred to in the schedule set out below **subject to any conditions imposed** therein and in accordance with the plans submitted, save in so far as may otherwise be required by the said conditions.

In accordance with the statutory provisions your attention is drawn to the Statement of Applicant's Rights and General Information attached.

In order to comply with Section 91 of the Town and Country Planning Act 1990 the development to which this permission relates must be begun not later than the expiration of five years from the date hereof.

Application Number: 99/00882/FUL

Date of Application: 10 May 1999

Proposed Development At:	Mayfair Bingo Streatham Hill London SW2 4RS
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For:	Installation of telecommunications apparatus involving equipment cabin and tripod antenna.
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Approved Plans

M23251 01A - 03A,401,401A and 401B.

Conditions and Reasons

1. All new works and works of making good to the retained fabric shall be finished to match the adjacent work with regard to the methods used and to material, colour, texture and profile.

(Reason: To ensure that the external appearance of the building(s) is satisfactory.)

2. The development shall not be carried out otherwise than in strict accordance with the plans herein approved without prior consent in writing of the Local Planning Authority.

(Reason: To ensure that the external appearance of the premises is satisfactory.)

3. The development to which this permission relates must be begun not later than the expiration of five years from the date hereof.

(Reason: To comply with Section 91 of the Town and Country Planning Act 1990.)

Notes to Applicant

1. This decision letter does not convey an approval or consent which may be required under any enactment, by-law, order or regulation, other than Section 57 of the Town and Country Planning Act 1990.

2. Your attention is drawn to the provisions of the Building Regulations, and related legislation which must be complied with to the satisfaction of the Council's Building Control Officer.

3. You are advised that this property is a Grade II Listed Building and listed building consent will be required for any internal and/or external works which materially affect its character as a listed building.

Yours faithfully



Peter Holland
Town Planning Manager

LAMBETH

Your Ref:
Our Ref: 99/00884/LB/GOE 20632
Date: 12 November 1999

London Borough of Lambeth
Town Planning
Acre House
10 Acre Lane
LONDON SW2 5LL

Telecom Securicor Radio Ltd (t/a BT Cellnet)
c/o Mason Drage Telecoms - John MacLeod
Milton House
12 Cowper Gardens
Wallington SURREY SM6 9RL

Direct Line: 020 7926 1204
Fax Line: 020 7926 1171

STATUTORY
REGISTER COM

Dear Sir/Madam

DECISION NOTICE

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990.

LISTED BUILDING CONSENT FOR WORKS

Notice is hereby given that the Council, in pursuance of its powers under the above mentioned Act and Rules, Orders and Regulations made thereunder, grants consent for the works referred to in the undermentioned Schedule subject to any conditions set out therein and in accordance with the plans submitted, save in so far as may otherwise be required by the said conditions.

In accordance with the statutory provisions your attention is drawn to the Statement of Applicant's Rights and General Information attached.

Application Number: 99/00884/LB

Date of Application: 24 August 1999

Proposed Development At:	Mayfair Bingo Streatham Hill London SW2 4RS
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For:	Installation of telecommunications apparatus involving equipment cabin and tripod antenna.
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Approved Plans

M23251 01A - 03A, 401, 401A & 401B.

Conditions

1. All new works and works of making good to the retained fabric, whether internal or external, shall be finished to match the adjacent work with regard to the methods used and to material, colour, texture and profile.
(Reason: In order to safeguard the special architectural or historic interest of the building.)

2. The works hereby approved are only those specifically indicated on the approved drawings.
(Reason: In order to safeguard the special architectural or historic interest of the building.)

3. The development to which this permission relates must be begun not later than the expiration of five years from the date hereof.

Reason:(To comply with Section 18 of the Planning (Listed Building and Conservation Area) Act 1990)

Notes to Applicant

1. This decision letter does not convey an approval or consent which may be required under any enactment, by-law, order or regulation, other than Section 57 of the Town and Country Planning Act 1990.
2. Your attention is drawn to the provisions of the Building Regulations, and related legislation which must be complied with to the satisfaction of the Council's Building Control Officer.
3. You are advised that this property is a Grade II Listed Building and listed building consent will be required for any internal and/or external works which materially affect its character as a listed building.

Yours faithfully



Peter Holland
Town Planning Manager

Your Ref:
Our Ref: 98/02250/LB/SW 20632
Date: 17 March 1999

Mayfair Bingo Ltd
c/o Admiral Signs
Sainsbury Way
Hessle
HULL HL113 9NX

Direct Line: 0171 926 1205
Fax Line: 0171 926 1171

Dear Sir/Madam

DECISION NOTICE

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990.

LISTED BUILDING CONSENT FOR WORKS

Notice is hereby given that the Council, in pursuance of its powers under the above mentioned Act and Rules, Orders and Regulations made thereunder, grants consent for the works referred to in the undermentioned Schedule subject to any conditions set out therein and in accordance with the plans submitted, save in so far as may otherwise be required by the said conditions.

In accordance with the statutory provisions your attention is drawn to the Statement of Applicant's Rights and General Information attached.

Application Number: 98/02250/LB

Date of Application: 10 February 1999

Proposed Development At:	Mecca Bingo Streatham Hill London SW2 4RS
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For:	Installation of internally illuminated fascia sign.
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Approved Plans

1 Unnumbered drawing and letter dated 10.2.99.

Conditions

1. The red neon strip should be recessed into the canopy light box.
Reason: To safeguard the special architectural and historic character of the Listed Building.
2. - The background shall not be other than dark blue coloured translucent perspex, which shall not emit light exceeding 300 candela per square metre.
Reason: To safeguard the special architectural and historic character of the Listed Building.
3. The development to which this permission relates must be begun not later than the expiration of five years from the date hereof.
Reason: To comply with section 18 of the Planning (Listed Buildings and Conservation Area) Act 1990.

Notes to Applicant

Yours faithfully

A handwritten signature in cursive script, appearing to read "P. J. Holland".

Peter Holland
Town Planning Manager

Stat Reg
LAMBETH

London Borough of Lambeth
 Town Planning
 Acre House
 10 Acre Lane
 LONDON SW2 5SG

Your Ref:
 Our Ref: 98/02249/ADV/SW/20632
 Date: 17 March 1999

Mayfair Bingo Ltd
 c/o Admiral Signs Of Hull Ltd
 Sainsbury Way
 Hessle
 HULL HL113 9NX

Direct Line: 0171 926 1205
 Fax Line: 0171 926 1171

Dear Sir/Madam

DECISION NOTICE

TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) REGULATIONS, 1992.

CONSENT TO DISPLAY AN ADVERTISEMENT

The London Borough of Lambeth, in pursuance of its powers under the above mentioned Regulations hereby consents to the Advertisement referred to in the under mentioned schedule (in accordance with the plan(s) submitted), for the period and subject to the conditions specified below.

In accordance with the statutory provisions your attention is drawn to the Statement of Applicant's Rights and General Information attached.

Unless otherwise conditioned below, the period of validity of this consent is for five years only from the date of this letter.

Application Number: 98/02249/ADV Date of Application: 10 February 1999

Proposed Development At:	Mecca Bingo Streatham Hill London SW2 4RS
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For:	Installation of internally illuminated fascia sign.
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Approved Plans

1 Unnumbered drawing, letter dated 10.2.99.

Standard Conditions

1. All advertisements displayed, and any land used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the local planning authority.
2. Any hoarding or similar structure, or any sign, placard, board or device erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition to the reasonable satisfaction of the local planning authority.

3. Where any advertisement is required under the Regulation to be removed, the removal thereof shall be carried out to the reasonable satisfaction of the local planning authority.

Further Conditions

1. The red neon strip should be recessed into the canopy light box.
Reason: To safeguard the special architectural and historic character of the Listed Building.
2. The background shall not be other than dark blue coloured translucent perspex which shall not emit light exceeding 300 candela per square metre.
Reason: To safeguard the special architectural and historic character of the Listed Building.

Notes to Applicant

Yours faithfully



Peter Holland
Town Planning Manager

WA/1137/A

DC/TW/EDC/20632

21 MAY 1980

LAMBETH

London Borough of Lambeth
138-146 Clapham Park Road
London SW4

01-274 7722 extension

674 9544 ext. 337

Dear Sir(s),

Town and Country Planning Act 1971 and Orders made thereunder

Conditional Permission for Development

The London Borough of Lambeth hereby permits under the above mentioned Act and the Orders made thereunder the development referred to in the under mentioned schedule subject to the conditions set out therein and in accordance with the plans submitted, save in so far as may otherwise be required by the said conditions.

In accordance with the statutory provisions, your attention is drawn to the Statement of Applicant's Rights endorsed hereon.

Schedule

Date of application:

17th January, 1980

Plans submitted:

Regd. No. 20632/3. Applicant's plan Nos. 547/2C & 3A

Development:

The erection of a new fascia with back lighting, and the provision of a new soffit and new roof to the canopy, new floodlighting to the upper elevations, 6 poster panel frames a new door, and remedial work to the elevations at Streatham Hill Theatre, 110 Streatham Hill, Lambeth.

Conditions:

1. All new external finishes shall be carried out in materials to match the existing facing work.
2. The development to which this permission relates must be begun not later than the expiration of five years from the date hereof.

Reasons:

1. To ensure that the external appearance of the building is satisfactory.
2. To comply with Section 41 of the Town and Country Planning Act, 1971.

Note to applicant:

You are advised that the proposed advertisements will require consent under the Town and Country Planning (Control of Advertisements) Regulations, 1969.

Mr. Norman Gray

Yours faithfully,

Edward Hollamby OBE FRIBA MTPI DipTP(Lond)
 Director of Development

REF: DC/AC/JWP/MGG/20632

LAMBETH

19 JAN 1972

London Borough of Lambeth
 138-146 Clapham Park Road
 London SW4

01-274 7722 extension 82

Dear Sir(s),

**Town and Country Planning Acts, 1962 to 1968 and Orders made thereunder
 London Government Act 1963**

Refusal of Permission to Develop

The London Borough of Lambeth hereby refuses to permit under the above mentioned Acts and the Orders made thereunder the development referred to in the under mentioned schedule as shown on the plans submitted.

Your attention is drawn to the Statement of Applicant's Rights which is set out overleaf.

Schedule

Date of application: 15th July, 1971.

Plans submitted: Regd. No. 20632/1 (Applicant's Plan No. 1395/1A)

Development: Erection at Streatham Hill Theatre, Streatham Hill,
 Lambeth of a communications mast on the roof.

110/114

Reason:

The proposal would be detrimental to the visual amenities of the surrounding area and would set a precedent for further development of this kind.

E. Hollamby

D

T.P.6a

LONDON BOROUGH OF LAMBETH

DEPARTMENT OF ARCHITECTURE AND PLANNING

E. HOLLAMBY, A.R.I.B.A., A.M.T.P.I., D.I.P.T.P.(LOND.)
Borough Architect & T.P.O.,

Telephone ~~BR 4444~~ 01-274 7722
Extension 124

Replies to be sent to the Borough Architect & T.P.O.,
quoting DC/AC/MGG/20632

Your reference

~~EXPERIMENTAL~~

~~EXPERIMENTAL~~

~~EX-112~~

11th June, 1969.

Dear Sir(s)

Town and Country Planning Acts, 1947 to 1962 and Orders made thereunder
1962-1968
London Government Act 1963

PERMISSION FOR DEVELOPMENT, (CONDITIONAL)

The London Borough of Lambeth hereby permits under the above mentioned Acts and the Town and Country Planning General Development Order 1963 the development referred to in the under mentioned schedule and in accordance with the plans submitted save in so far as may otherwise be required by the said conditions.

In accordance with the provisions of the Order, your attention is drawn to the Statement of Applicant's Rights endorsed hereon.

The permission is given subject also to due compliance with any local Acts, regulations, building by-laws and general statutory provisions in force in the area and nothing herein shall be regarded as dispensing with such compliance or be deemed to be a consent by the Council thereunder.

Your particular attention is drawn to the provisions of the London Building Acts 1930-1939 and the by-laws in force thereunder which must be complied with to the satisfaction of the District Surveyor, whose address, in case of doubt, may be obtained from this office.

I would also remind you that the Council's permission does not modify or affect any personal or restrictive covenants, easements, etc., applying to or affecting the land or the rights of any person entitled to the benefits thereof.

SCHEDULE

Date of application :

28th April, 1969.

Plans submitted No.

Regd No. 37221

Development :

Retention for a further limited period of three wooden sheds at the rear of Streatham Hill Theatre, 110 Streatham Hill, Lambeth.

Conditions

(1) The limited period for the continuation of the use hereby permitted shall be until 30th June, 1969 on or before the expiration of which period the buildings shall be removed. (2) The use of the buildings, whether as originally erected or as subsequently extended or altered, shall be restricted so that (whether in consequence of a change of use or otherwise) they do not at any time contain office premises having an aggregate office floor space which exceeds the prescribed exemption limit.

DIRECTOR OF PLANNING THE GREATER LONDON COUNCIL	
DISTRICT SURVEYOR	
FILE	✓

Reasons for the imposition of conditions:

(1) As requested by applicant.

(2) To comply with the requirements of Section 7 of the Control of Office and Industrial Development Act, 1965.

Yours faithfully,

Edmund Hallamby

BOROUGH ARCHITECT and
Town Planning Officer.

Statement of Applicant's rights arising from the refusal of planning permission or from the grant of permission subject to conditions

(1) If the Applicant is aggrieved by this decision he may by notice served within ^{51K} ~~one~~ month of receipt of this notice, appeal to the Minister of Housing and Local Government in accordance with Section 23 of the Town and Country Planning Act, 1962. The Minister has power to allow a longer period for the giving of a Notice of Appeal and he will exercise his power in cases where he is satisfied that the applicant has deferred the giving of notice because negotiations with the planning authority in regard to the proposed development are in progress. The Minister is not, however, required to entertain such an appeal if it appears to him that permission for the proposed development could not have been granted by the planning authority, or could not have been granted otherwise than subject to the conditions imposed by them, having regard to the provisions of the Development Order and to any directions given under the order.

(2) If permission to develop land is refused, or granted subject to conditions, whether by the planning authority or by the Minister of Housing and Local Government, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the London Borough of Lambeth a purchase notice requiring that council to purchase his interest in the land in accordance with Section 129 of the Town and Country Planning Act, 1962.

(3) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused, or granted subject to conditions by the Minister on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 124 of the Town and Country Planning Act, 1962.

WA/1148/D
T.P.6a

LONDON BOROUGH OF LAMBETH

DEPARTMENT OF ARCHITECTURE AND PLANNING

E. HOLLAMBY, A.R.I.B.A., A.M.T.P.I., DIP.T.P.(LOND.)
Borough Architect & T.P.O.,

Telephone BRIXTON 7755-01-274 7722
Extension 124

Replies to be sent to the Borough Architect & T.P.O.,
quoting DC/AC/MGG/22020632

Your reference

XXXXXXXXXXXX

XXXXXXXXXXXX

XXXXXX

11th June, 1969.

Dear Sir(s)

Town and Country Planning Acts, 1947 to 1962 and Orders made thereunder

1962-1968
London Government Act 1963

PERMISSION FOR DEVELOPMENT, (CONDITIONAL)

The London Borough of Lambeth hereby permits under the above mentioned Acts and the Town and Country Planning General Development Order 1963 the development referred to in the under mentioned schedule and in accordance with the plans submitted save in so far as may otherwise be required by the said conditions.

In accordance with the provisions of the Order, your attention is drawn to the Statement of Applicant's Rights endorsed hereon.

The permission is given subject also to due compliance with any local Acts, regulations, building by-laws and general statutory provisions in force in the area and nothing herein shall be regarded as dispensing with such compliance or be deemed to be a consent by the Council thereunder.

Your particular attention is drawn to the provisions of the London Building Acts 1930-1939 and the by-laws in force thereunder which must be complied with to the satisfaction of the District Surveyor, whose address, in case of doubt, may be obtained from this office.

I would also remind you that the Council's permission does not modify or affect any personal or restrictive covenants, easements, etc., applying to or affecting the land or the rights of any person entitled to the benefits thereof.

SCHEDULE

Date of application :

25th April, 1969.

Plans submitted No.

Regd No. 37221

Development :

Retention for a further limited period of three wooden sheds at the rear of Streatham Hill Theatre, 110 Streatham Hill, Lambeth.

Conditions

(1) The limited period for the continuation of the use hereby permitted shall be until 30th June, 1969 on or before the expiration of which period the buildings shall be removed. (2) The use of the buildings, whether as originally erected or as subsequently extended or altered, shall be restricted so that (whether in consequence of a change of use or otherwise) they do not at any time contain office premises having an aggregate office floor space which exceeds the prescribed exemption limit.

DIRECTOR OF PLANNING THE GREATER LONDON COUNCIL	
DISTRICT SURVEYOR	
FILE	
STATUTORY REGISTER	

Reasons for the imposition of conditions:

- (1) As requested by applicant.
- (2) To comply with the requirements of Section 7 of the Control of Office and Industrial Development Act, 1968.

Yours faithfully,

Edmund Hallamby

BOROUGH ARCHITECT and
Town Planning Officer.

Statement of Applicant's rights arising from the refusal of planning permission or from the grant of permission subject to conditions

- (1) If the Applicant is aggrieved by this decision he may by notice served within ~~two~~ ^{six} months of receipt of this notice, appeal to the Minister of Housing and Local Government in accordance with Section 23 of the Town and Country Planning Act, 1962. The Minister has power to allow a longer period for the giving of a Notice of Appeal and he will exercise his power in cases where he is satisfied that the applicant has deferred the giving of notice because negotiations with the planning authority in regard to the proposed development are in progress. The Minister is not, however, required to entertain such an appeal if it appears to him that permission for the proposed development could not have been granted by the planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the provisions of the Development Order and, to any directions given under the order.
- (2) If permission to develop land is refused, or granted subject to conditions, whether by the planning authority or by the Minister of Housing and Local Government, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the London Borough of Lambeth a purchase notice requiring that council to purchase his interest in the land in accordance with Section 129 of the Town and Country Planning Act, 1962.
- (3) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused, or granted subject to conditions by the Minister on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 123 of the Town and Country Planning Act, 1962.

LONDON BOROUGH OF LAMBETH

DEPARTMENT OF ARCHITECTURE AND PLANNING

L. HOLLAMBY, A.R.I.B.A., A.M.T.P.I., DIP.T.P.(LOND.)

Borough Architect & T.P.O.,

Telephone 7501-274 7722

Extension 124

Replies to be sent to the Borough Architect & T.P.O.,

quoting DC/AG/MGG/20532

Your reference

RORDEN ROAD

STREATHAM HILL

S.W.2

14th October, 1968.

Dear Sir(s)

Town and Country Planning Acts, 1947 to 1962 and Orders made thereunder

London Government Act 1963

PERMISSION FOR DEVELOPMENT, (CONDITIONAL)

The London Borough of Lambeth hereby permits under the above mentioned Acts and the Town and Country Planning General Development Order 1963 the development referred to in the under mentioned schedule and in accordance with the plans submitted save in so far as may otherwise be required by the said conditions.

In accordance with the provisions of the Order, your attention is drawn to the Statement of Applicant's Rights endorsed hereon.

The permission is given subject also to due compliance with any local Acts, regulations, building by-laws and general statutory provisions in force in the area and nothing herein shall be regarded as dispensing with such compliance or be deemed to be a consent by the Council thereunder.

Your particular attention is drawn to the provisions of the London Building Acts 1930-1939 and the by-laws in force thereunder which must be complied with to the satisfaction of the District Surveyor, whose address, in case of doubt, may be obtained from this office.

I would also remind you that the Council's permission does not modify or affect any personal or restrictive covenants, easements, etc., applying to or affecting the land or the rights of any person entitled to the benefits thereof.

SCHEDULE

Date of application :

6th September, 1968.

Plans submitted No,

Regd. N.o. 30856

Development :

Retention for a further limited period of 3 wooden sheds at rear of Streatham Hill Theatre, 10 Streatham Hill, Lambeth.

Conditions: (1) The limited period for the retention of the building shall be until 31st March 1969 or before the expiration of which period the building shall be removed. (2) The use of the building, whether as originally erected or as subsequently extended or altered, shall be restricted so that (whether in consequence of a change of use or otherwise) it does not at any time contain office premises having an aggregate office floor space which exceeds the prescribed exemption limit.

COPY FOR

DIRECTOR OF PLANNING THE GREATER LONDON COUNCIL	
DISTRICT SURVEYOR	
FILE	

WA 1142/T.P.6
LONDON BOROUGH OF LAMBETH

DEPARTMENT OF ARCHITECTURE AND PLANNING

E. HOLLAMBY, A.R.I.B.A., A.M.T.P.L., DIP.T.P.(LOND.)

Borough Architect

and T. P. O.

Telephone BRIXton 7755

Extension ~~XXXXXXXX~~ 01-274 7722

Replies to be sent to the Borough Architect quoting

Your reference

124
DC/AC/JES/20692

and T. P. O.

PORDEN ROAD

BRIXTON HILL

S.W.2

4th June, 1968.

Dear Sir(s),

Town and Country Planning Acts 1947 to 1962 and Orders made thereunder

London Government Act, 1963

PERMISSION FOR DEVELOPMENT

The London Borough of Lambeth hereby permits under the above mentioned Acts and the Town and Country Planning General Development Order 1963 the development referred to in the under mentioned schedule and in accordance with the plans submitted.

The permission is given subject also to due compliance with any local Acts, regulations, building by-laws and general statutory provisions in force in the area and nothing herein shall be regarded as dispensing with such compliance or be deemed to be a consent by the Council thereunder.

Your particular attention is drawn to the provisions of the London Building Acts, 1930-1939 and the by-laws in force thereunder which must be complied with to the satisfaction of the District Surveyor, whose address, in case of doubt, may be obtained from this office.

I would also remind you that the Council's permission does not modify or affect any personal or restrictive covenants, easements, etc., applying to or affecting the land or the rights of any person entitled to the benefit thereof.

SCHEDULE

Date of application : 17th April, 1968.

Plans submitted No. Regd. No. 25783 (Applicant's No. 207/7/Rev. II)

Development: Execution of alterations to the front elevation of Streatham Hill Theatre, Streatham Hill, Lambeth.

Yours faithfully,

Edmund Hollamby

BOROUGH ARCHITECT: and TOWN PLANNING OFFICER.

COPY FOR :-

DIRECTOR OF PLANNING
THE GREATER LONDON
COUNCIL

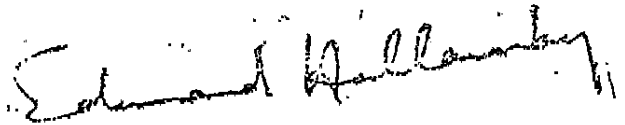
Messrs. Hewitt Mitchell & Partners

Reasons for the imposition of conditions:

(1) Requested by applicant

(2) To comply with the requirements of Section 7 of the Control of Office and Industrial Development Act, 1965.

Yours faithfully,



BOROUGH ARCHITECT and
Town Planning Officer.

Statement of Applicant's rights arising from the refusal of planning
permission or from the grant of permission subject to conditions

(1) If the Applicant is aggrieved by this decision he may by notice, served within one month of receipt of this notice, appeal to the Minister of Housing and Local Government in accordance with Section 23 of the Town and Country Planning Act, 1962. The Minister has power to allow a longer period for the giving of a Notice of Appeal and he will exercise his power in cases where he is satisfied that the applicant has deferred the giving of notice because negotiations with the planning authority in regard to the proposed development are in progress. The Minister is not, however, required to entertain such an appeal if it appears to him that permission for the proposed development could not have been granted by the planning authority, or could not have been so granted otherwise that subject to the conditions imposed by them, having regard to the provisions of the Development Order and to any directions given under the order.

(2) If permission to develop land is refused, or granted subject to conditions, whether by the planning authority or by the Minister of Housing and Local Government, and the owner or the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the London Borough of Lambeth a purchase notice requiring that council to purchase his interest in the land in accordance with Section 129 of the Town and Country Planning Act, 1962.

(3) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused, or granted subject to conditions by the Minister on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 123 of the Town and Country Planning Act, 1962.

LONDON BOROUGH OF LAMBETH

DEPARTMENT OF ARCHITECTURE AND PLANNING

E. HOLLAMBY, A.R.I.B.A., A.M.T.P.I., DIP.T.P.(LOND.)

Borough Architect & T.P.O.

Telephone ~~BR 4447~~ 01-274 7722

Extension 124

Replies to be sent to the Borough Architect & T.P.O., quoting

Your reference **AC/DC/JHS/ 20692**

PORDEN ROAD

BRIXTON HILL

S.W.2

22nd March, 1968.

Dear Sir(s)

Town and Country Planning Acts, 1947 to 1962 and Orders made thereunder

London Government Act 1963

PERMISSION FOR DEVELOPMENT, (CONDITIONAL)

The London Borough of Lambeth hereby permits under the above mentioned Acts and the Town and Country Planning General Development Order 1963 the development referred to in the under mentioned schedule and in accordance with the plans submitted save in so far as may otherwise be required by the said conditions.

In accordance with the provisions of the Order, your attention is drawn to the Statement of Applicant's Rights endorsed hereon.

The permission is given subject also to due compliance with any local Acts, regulations, building by-laws and general statutory provisions in force in the area and nothing herein shall be regarded as dispensing with such compliance or be deemed to be a consent by the Council thereunder.

Your particular attention is drawn to the provisions of the London Building Acts 1930-1939 and the by-laws in force thereunder which must be complied with to the satisfaction of the District Surveyor, whose address, in case of doubt, may be obtained from this office.

I would also remind you that the Council's permission does not modify or affect any personal or restrictive covenants, easements, etc., applying to or affecting the land or the rights of any person entitled to the benefits thereof.

SCHEDULE

Date of application :

Plans submitted No. **6th February, 1968.**

Development : **Regd. No. 24926 Applicant's No. 1024/6 - revised)**

Erection and retention for a limited period of 3 wooden sheds on the forecourt at the rear of the Streatham Hill Theatre, 110 Streatham Hill, Lambeth
conditions (1) The limited period for the retention of the building shall be until 30th September, 1968, on or before the expiration of which period the building shall be removed. (2) The use of the building, whether as originally erected or as subsequently extended or altered, shall be restricted so that (whether in consequence of a change of use or otherwise) it does not at any time contain office premises having an aggregate office floor space which exceeds the prescribed exemption limit.

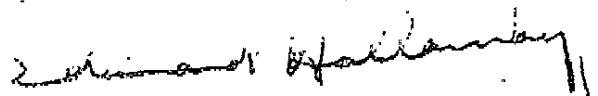
COPY FOR

DIRECTOR OF PLANNING THE GREATER LONDON COUNCIL	
DISTRICT SURVEYOR	
FILE	

Reasons for the imposition of conditions:

- (1) Requested by applicant
- (2) To comply with the requirements of Section 7 of the Control of Office and Industrial Development Act 1965.

Yours faithfully,



BOROUGH ARCHITECT and
TOWN PLANNING OFFICE

Statement of Applicant's rights arising from the refusal of planning
permission or from the grant of permission subject to conditions

(1) If the Applicant is aggrieved by this decision he may by notice served within one month of receipt of this notice, appeal to the Minister of Housing and Local Government in accordance with Section 23 of the Town and Country Planning Act, 1962. The Minister has power to allow a longer period for the giving of a Notice of Appeal and he will exercise his power in cases where he is satisfied that the applicant has deferred the giving of notice because negotiations with the planning authority in regard to the proposed development are in progress. The Minister is not, however, required to entertain such an appeal if it appears to him that permission for the proposed development could not have been granted by the planning authority, or could not have been so granted otherwise that subject to the conditions imposed by them, having regard to the provisions of the Development Order and to any directions given under the order.

(2) If permission to develop land is refused, or granted subject to conditions, whether by the planning authority or by the Minister of Housing and Local Government, and the owner or the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the London Borough of Lambeth a purchase notice requiring that council to purchase his interest in the land in accordance with Section 129 of the Town and Country Planning Act, 1962.

(3) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused, or granted subject to conditions by the Minister on appeal or on a reference of the application to him. The circumstances in which such a claim may be made are set out in Section 130 of the Town and Country Planning Act, 1962.

WA 1148/D
T.P.6

LONDON BOROUGH OF LAMBETH

DEPARTMENT OF ARCHITECTURE AND PLANNING

E. HOLLAMBY, A.R.I.B.A., A.M.T.P.I., DIP.T.P.(LOND.)
Borough Architect

& T.P.O.,
Telephone BRixton 7755 01-274 7722
Extension 124

Replies to be sent to the Borough Architect & T.P.O.,
quoting **DC/AC/EDC/20632**
Your reference

PORDEN ROAD
BRIXTON HILL
S.W.2

13th November, 1967.

Dear Sir(s),

Town and Country Planning Acts 1947 to 1962 and Orders made thereunder

London Government Act 1963

PERMISSION FOR DEVELOPMENT

The London Borough of Lambeth hereby permits under the above mentioned Acts and the Town and Country Planning General Development Order 1963 the development referred to in the under mentioned schedule and in accordance with the plans submitted.

The permission is given subject also to due compliance with any local Acts, regulations, building by-laws and general statutory provisions in force in the area and nothing herein shall be regarded as dispensing with such compliance or be deemed to be a consent by the Council thereunder.

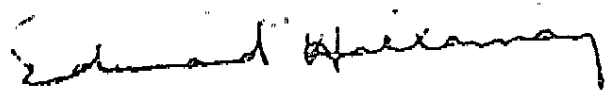
Your particular attention is drawn to the provisions of the London Building Acts, 1930-1939 and the by-laws in force thereunder which must be complied with to the satisfaction of the District Surveyor, whose address, in case of doubt, may be obtained from this office.

I would also remind you that the Council's permission does not modify or affect any personal or restrictive covenants, easements, etc., applying to or affecting the land or the rights of any person entitled to the benefit thereof.

SCHEDULE

Date of application : **25th May, 1967.**
Plans submitted No. **Regd. Nos. 18626, 19387 & 21997.**
Development: **Applicant's Nos. 297/2 and 7 Rev. 1)**
Alterations to elevation of Streatham Hill Theatre,
Streatham Hill, Lambeth.

Yours faithfully,



BOROUGH ARCHITECT. AND TOWN
PLANNING OFFICER

COPY FOR :-

DIRECTOR OF PLANNING THE GREATER LONDON COUNCIL	
---	--



Copy for G.L.C.
District Surveyor
Stat. Reg.
File.

T.P.6

LONDON

BOROUGH OF LAMBETH

DEPARTMENT OF ARCHITECTURE

Please quote the
following reference:-

DC/JB/MGG/20682

~~TOWN HALL PARADE, BRIXTON HILL, S.W.2~~

BRIXTON 2755 157

10th June, 1965.

Dear Sir(s)

PORDEN ROAD, BRIXTON HILL, S.W.2

Town and Country Planning Acts, 1947 to 1962 and Orders
made thereunder
London Government Act, 1963

PERMISSION FOR DEVELOPMENT

The London Borough of Lambeth hereby permits under the above mentioned Acts and the Town and Country Planning General Development Order 1963 the development referred to in the under mentioned schedule and in accordance with the plans submitted.

The permission is given subject also to due compliance with any local Acts, regulations, building by-laws and general statutory provisions in force in the area and nothing herein shall be regarded as dispensing with such compliance or be deemed to be a consent by the Council thereunder.

Your particular attention is drawn to the provisions of the London Building Acts, 1930-39 and the by-laws in force thereunder which must be complied with to the satisfaction of the District Surveyor, whose address, in case of doubt, may be obtained from this office.

I would also remind you that the Council's permission does not modify or affect any personal or restrictive covenants, easements, etc., applying to or affecting the land or the rights of any person entitled to the benefit thereof.

SCHEDULE

Date of application: 10th May, 1965.

Plans submitted No.: 645

Development: Erection of a projecting illuminated Canopy over
existing doorway in Barrhill Road at Streatham Hill Theatre,
Streatham Hill, Lambeth.

Your Ref:

Our Ref: 05/00560/LB/DC_CM/20632

O2 (UK) Ltd
C/o Pasterfields
Studio 15
Orchard Wharf
42-44 Orchard Place
London
E14 0JU



Date Printed 7th April 2005

RE: LISTED BUILDING CONSENT FOR WORKS

Dear O2 (UK) Ltd

DECISION NOTICE.

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990

Notice is hereby given that the Council, in pursuance of its powers under the above mentioned Act and Rules, Orders and Regulations made thereunder, grants consent for the works referred to in the undermentioned Schedule subject to any conditions set out therein and in accordance with the plans submitted, save in so far as may otherwise be required by the said conditions.

In accordance with the statutory provisions your attention is drawn to the Statement of Applicant's Rights and General Information attached.

Application Number: 05/00560/LB Date of Application: 14.02.2005 Date of Decision 07.04.2005

Proposed Development At:
110 Streatham Hill London SW2 4RD

For: Upgrade of an existing telecommunications base station on the rooftop of the Theatre (now operated as Mayfair Bingo), with three additional antennas (3G) on the existing steel tripod (which currently supports three existing 2G antennas). A planning application has also been lodged.

Approved Plans

Drawing P/9314U/001/A, P/9314U/002/A, P/9314U/003/A, P/9314U/004/A,
P/9314U/005/A, P/9314U/006/A, P/9314U/007/A, P/9314U/008/A, P/9314U/009/A, P/9314U/010/A,
P/9314U/011/A.

Lambeth Planning
Development Control
Acre House
10 Acre Lane
London SW2 5LL

Telephone 020 7926 1180
Facsimile ~020 7926 1171
www.lambeth.gov.uk



Conditions

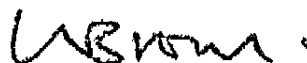
1 The works to which this consent relates must be begun not later than the expiration of five years beginning with the date of this decision notice.

Reason: To comply with the requirements of Section 18(1)(a) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Notes to Applicants:

1 In determining this application policies G18, CD9, CD18 and CD22 of the Adopted Unitary Development Plan and policies 41 and 49 of the London Borough of Lambeth Deposit Replacement Unitary Development Plan (2002 - 2017) were relevant.

Yours sincerely



Les Brown

Assistant Director Planning

Date letter printed: 7th April 2005

Your Ref:

Our Ref: 05/00559/FUL/DC_CM/20632

O2 (UK) Ltd
C/o Pasterfields
Studio 15
Orchard Wharf
42-44 Orchard Place
London
E14 0JU



Date Printed 7th April 2005

RE: PERMISSION FOR DEVELOPMENT

Dear O2 (UK) Ltd

DECISION NOTICE

TOWN AND COUNTRY PLANNING ACT 1990

The London Borough of Lambeth hereby permits under the above mentioned Acts and associated orders the development referred to in the schedule set out below **subject to any conditions imposed** therein and in accordance with the plans submitted, save in so far as may otherwise be required by the said conditions.

In accordance with the statutory provisions your attention is drawn to the statement of Applicant's Rights and General Information attached.

In order to comply with Section 91 of the Town and County Planning Act 1990 the development to which this permission relates must be begun not later than the expiration of five years from the date hereof.

Application Number: 05/00559/FUL Date of Application: 14.02.2005 Date of Decision 07.04.2005

Proposed Development At:
110 Streatham Hill London SW2 4RD

For: Upgrade of an existing telecommunications base station on the rooftop of the Theatre (now operated as Mayfair Bingo), with the addition of three new antennas (3G) on the existing steel tripod (which currently supports three existing 2G antennas). A listed building consent application has also been lodged (05/00560/LB).

Lambeth Planning
Development Control
Acre House
10 Acre Lane
London SW2 5LL

Telephone 020 7926 1180
Facsimile ~020 7926 1171
www.lambeth.gov.uk



Approved plans

Drawing P/9314U/001/A, P/9314U/002/A,
P/9314U/003/A, P/9314U/004/A, P/9314U/005/A,
P/9314U/006/A, P/9314U/007/A, P/9314U/008/A,
P/9314U/009/A, P/9314U/010/A, P/9314U/011/A.

Conditions


1 Any apparatus or structure provided in accordance with this permission shall be removed from the site as soon, as is reasonably practicable after it is no longer required for telecommunications purposes.

Reason: To safeguard the visual amenities of the area. (Policies G18 and CD22 of the adopted Lambeth Unitary Development Plan (1998) and policy 49 of the Deposit Replacement Unitary Development Plan (2002 - 2017) refer.)

Notes to Applicants:

1 In determining this application policies G18, CD9, CD18 and CD22 of the Adopted Unitary Development Plan and policies 41 and 49 of the London Borough of Lambeth Deposit Replacement Unitary Development Plan (2002 - 2017) were relevant.

Yours sincerely



Les Brown

Assistant Director Community Renewal (Planning)



Appeal Decision

Site visit made on 13 January 2003

by **Katie Peerless** Dip Arch RIBA

an Inspector appointed by the First Secretary of State

The Planning Inspectorate
4/09 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
☎ 0117 372 6372
e-mail: enquiries@planning-
inspectorate.gsi.gov.uk

Date **27 JAN 2003**

Appeal Ref: APP/N5660/A/02/1097991

Mayfair Bingo, 110 Streatham Hill, Lambeth, London SW2.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
- The appeal is made by Hutchison 3G UK Limited against the Council of the London Borough of Lambeth.
- The application (Ref. 01/02090/FUL), is dated 31 July 2001
- The development proposed is a telecommunications installation on the rooftop, comprising 3 antennae & 3 transmission dishes and associated equipment cabinets.

Summary of Decision: The appeal is allowed in part and is dismissed in part as detailed in the Formal Decision below.

Procedural Matters

1. Despite the reference in the supporting statement that this application was for approval for siting and design only, the proposed development is on a site within a conservation area and would be located on a listed building. In these circumstances, an application for planning permission is required and has been made. I have therefore treated this case as described above.
2. The Council has agreed that, had it determined the application, it would have been refused for the following reasons:
 - (i) The siting and design of the proposed apparatus would combine with the existing installation to have a significant adverse impact on the visual amenity of the Mayfair Bingo building (a Grade II Listed Building) and on the character and appearance of the Streatham High Road and Streatham Hill Conservation Area. This would be contrary to policies CD9, CD12, CD18 and CD22 of the Lambeth Unitary Development Plan (UDP) and is contrary to government guidance in PPG8.
 - (ii) The proposed installation is likely to cause a considerable loss of amenity to the local residents due to the perceived risk to health from the EMF emissions associated with the proposed apparatus.
3. Since the application was submitted the appellants have agreed that the transmission dish numbered D3 could be omitted, and have confirmed in their statement that this is still the case. As this would comply with the requirements to minimise the items of apparatus noted in UDP policy CD22 (d), I have, therefore considered the omission of this dish when reaching my decision.
4. The appellants have submitted information detailing the need for the installation, the attempts to find an alternative location and to share existing masts, and have confirmed that the equipment would meet the ICNIRP guidelines. The Council has not disputed this evidence.

Main Issues

4. I therefore consider that the main issues in this case are:
- (i) the effect of the proposed works on the special architectural and historic character of the listed building and its setting within the Streatham High Road and Streatham Hill Conservation Area.
 - (ii) the effect of the proposed development on the living conditions of the occupiers of neighbouring properties.

Planning Policy

5. The Development Plan for the Borough is the Lambeth Unitary Development Plan 1998 (UPD) and policy CD2 from this Plan includes the aim of ensuring that the character or appearance of conservation areas is preserved or enhanced. Policy CD9 deals, amongst other things, with alterations to listed buildings, which must relate sensitively to the original building and policy CD12 encourages the improvement to the appearance of such buildings. Policy CD18 is a policy dealing with extensions to existing buildings and includes design criteria to ensure that they are in keeping with the building and its setting. Fixtures on buildings should be carefully chosen and positioned to minimise their visual impact.
6. Policy CD22 deals specifically with telecommunications installations and notes that planning permission for such development will normally be granted provided a number of criteria are met. These include considerations of siting and design and the proposals should not have an adverse effect on conservation areas or listed buildings.
7. The Unitary Development Plan is in the process of being updated and the revised Plan, the London Borough of Lambeth -- Deposit UDP, was published in January 2002. The relevant policies within this Plan generally continue and expand those in the adopted UDP. Policy 49, on telecommunications development, now imposes the requirement for more detailed information to be submitted before planning permission for such installations is granted, in accordance with latest Government guidance. However, due to the early stage of development of this emerging Plan, I am able to accord the policies within it only limited weight when reaching my decision.
8. In addition to Development Plan policies, Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest before granting planning permission. National guidance for development that affects listed buildings and their settings is given in Planning Policy Guidance Note 15 -- Planning and the Historic Environment (PPG15). This document notes that minor additions to listed buildings should be placed only in undamaging and visually unobtrusive positions.
9. Government guidance on telecommunications installations is given in Planning Policy Guidance Note 8 (PPG8), which was published in August 2001. This document encourages mast sharing where possible between different operators and a sympathetic design for each individual site to minimise the impact on the environment. This document also notes that, whilst health considerations and public concern can be a material consideration in determining applications for planning permission, if a proposed mobile phone base station meets the ICNIRP guidelines for public exposure, it should not be necessary for a local planning authority, in processing the application for planning permission, to consider further the health aspects and concerns about them.

Reasons

10. The appeal property is a Grade II listed former theatre dating, according to the listing description, from 1928-9. It is interesting as an example of its type that has survived without the internal sub-division commonly found in such buildings, although the front elevation has undergone some inappropriate changes in respect of its signage and paint colours. Nevertheless, it is still an attractive building and the white terracotta to the main façade, and its extravagant detailing, ensure that it makes an important contribution to the street scene and the character of the conservation area.
11. The development proposed is the installation of two antennae on the south elevation, on the brick elevation behind the main façade, and one antenna and two dishes on the north elevation, with the associated cabinets being positioned towards the centre of the flat roof. The antennae and dishes would be at a height of some 20m above ground level and would not project above the parapet level of the building. The equipment cabinets on the rooftop would not be easily visible from outside the appeal site, neither would they project above the highest part of the building. There is an existing BT telecom mast on the highest part of the roof that can be seen against the skyline from some street level locations to the north of the site.

Conservation area and listed building considerations

12. The surrounding area is a mixture of commercial properties with residential units above, generally on 3 – 4 storeys, that line the A23 trunk road, Streatham Hill, and smaller scale residential dwellings in the streets leading off, or parallel to, the main road. The appeal site has roads on three sides and is prominent in the street scene. There are a number of residential properties facing the site from the opposite side of the main road and on the same side of the road to the north and south. Blairderry Road to the west is also mainly residential and overlooks the rear of the former theatre.
13. The proposed equipment would be located at high level, above the general line of vision of passers-by at street level, away from the most conspicuous parts of the building. The areas on which it would be set are the more utilitarian parts of the elevations, where there are already drain pipes and railings to the roof areas. I consider that the siting of the equipment, the limited size of the installation, and the fact that the colour of the apparatus would be carefully selected to match the existing fabric of the building, would all prevent it from appearing immediately obvious in views from the surrounding streets. There would be no damage to the fabric of the building and the installation would be entirely reversible, should the need for the equipment cease in future. It seems to me that the installation would be sufficiently inconspicuous to ensure that there would be no detrimental effect on either the listed building or the wider surroundings of the conservation area. In these respects therefore there would be no conflict with the aims of the Unitary Development Plan or national planning guidance.

Health considerations

14. As previously noted, the appellants have certified that the installation would meet the ICNIRP guidelines and that the emission levels would, in fact, fall well below the levels considered safe in the report issued in May 2000 by the Independent Expert Group on Mobile Phones, chaired by Sir William Stewart. I can therefore, only conclude that there is no reason to dismiss the appeal on health grounds.

15. However, in some circumstances, it has been held that the prominence of telecommunications equipment could increase the fear of a risk to health to an extent that would have a detrimental effect on the amenity of nearby residents, and this factor could be a material consideration when deciding whether planning permission should be granted. A number of local people have expressed such fears and I have, therefore, considered whether the prominence of the installation would, in this instance, be sufficient to serve as a constant reminder of its presence and thereby cause sufficient stress to prove harmful to their residential amenities.
16. As noted above, I have found that the equipment would be discreet and unobtrusive and in these circumstances I cannot conclude that, once installed, there would be any undue indication of its existence, sufficient to damage the living conditions of the occupiers of neighbouring properties.

Conditions

17. I have considered the conditions suggested by the Council and the appellants, in the event of the appeal succeeding, in accordance with the guidance given in Circular 11/95. I have amended the suggested wording where necessary to follow this guidance. In addition to the standard commencement condition, I shall require the installation to be removed after it is no longer required for telecommunication purposes in order to restore the listed building to its former state. To prevent noise or disturbance to nearby residents, I shall impose a condition limiting the background noise level of the equipment cabinets.
18. I do not consider it necessary to impose a separate condition requiring the installation to be carried out in strict accordance with the plans, as this will be required in any event, by the wording of the planning permission.
19. The appellants have suggested that the third dish could be omitted by the inclusion of a condition, but I consider that granting a split decision that specifically excludes the dish D3 will be sufficient.

Conclusions

20. The appeal is allowed and planning permission granted subject to conditions set out in the Formal Decision below.

Formal Decision

21. In exercise of the powers transferred to me, I dismiss the appeal insofar as it relates to dish D2 and refuse planning permission for the installation of one 0.6m telecommunications dish.
22. The appeal is allowed insofar as it relates to the remaining equipment, and I grant planning permission for a telecommunications installation on the rooftop, comprising 3 antennae & 2 transmission dishes (D1 and D3 on drawing no 00134509-102A) and associated equipment cabinets at Mayfair Bingo, 110 Streatham Hill, Lambeth, London SW2 in accordance with the terms of the application Ref. 01/02090/FUL, dated 31 July 2001, and the plans submitted therewith (as amended by drawings 00134509-101C and 102A), subject to the following condition:
- 1) The development hereby permitted shall be begun before the expiration of five years from the date of this decision.

- 2) Any apparatus or structure provided in accordance with this permission shall be removed from the site as soon as is reasonably practical after it is no longer required for telecommunication purposes.
- 3) The level of noise emitted from the equipment cabinets (and any meter cabinet) hereby permitted shall not exceed 56dB(a) at any time, as measured outside the window of the nearest noise sensitive or residential premises.

Information

23. A separate note is attached setting out the circumstances in which the validity of this decision may be challenged by making an application to the High Court.
24. This decision does not convey any approval or consent that may be required under any enactment, by-law, order or regulation other than section 57 of the Town and Country Planning Act 1990.
25. An applicant for any approval required by a condition attached to this permission has a statutory right of appeal to the Secretary of State if that approval is refused or granted conditionally or if the authority fails to give notice of its decision within the prescribed period.
26. Attention is drawn to the provisions of sections 7 and 8 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires consent to be obtained for works for the demolition, alteration, or extension of a listed building which would affect its character as a building of special architectural or historic interest.

Catie Pearce

Inspector

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Canterbury Crescent LONDON SW9 7QE

Stat-Reg
ENVIRONMENTAL SERVICES
Director: Paul Duffield

LAMBETH

London Borough of Lambeth
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Your Ref: WAG/CS1862/CP237

Our Ref: DC/973/LSA/95/3378

Date: 13 November 1995

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For the attention of the Property Executive

DECISION NOTICE

Dear Sirs

**Town and Country Planning Act 1990 (As Amended)
Town and Country Planning (General Permitted Development) Order 1995 - Part 24;
Development by Telecommunications Code System Operator**

110 Streatham Hill, SW2

The Council has considered the proposal as set out in the Schedule below and hereby determines that Prior Approval is NOT Required as the Development is Permitted by virtue of the above legislation.

Schedule

Application Received 13th September 1995

Registered No. 973/95/3378

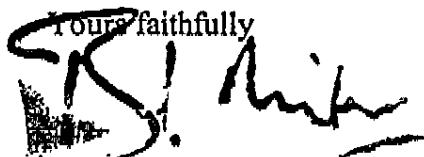
Applicants Plan No. 2444/911

Proposal Roof top installation comprising 3 microwave antennae, 3m in length and not exceeding the building height by more than 6m, together with up to 2 x 0.3m dishes and an equipment cabin not exceeding 30 cu. m.

Notes to Applicant

1. You are advised that the development must be carried out in accordance with the details and plans submitted.
2. This decision is valid for a period of 5 years from the date of this letter.
3. This decision does not convey any approval or consent which may be required under any Enactment, Bylaw, Order or Regulation, other than the above legislation.

Yours faithfully



CHIEF PLANNING OFFICER