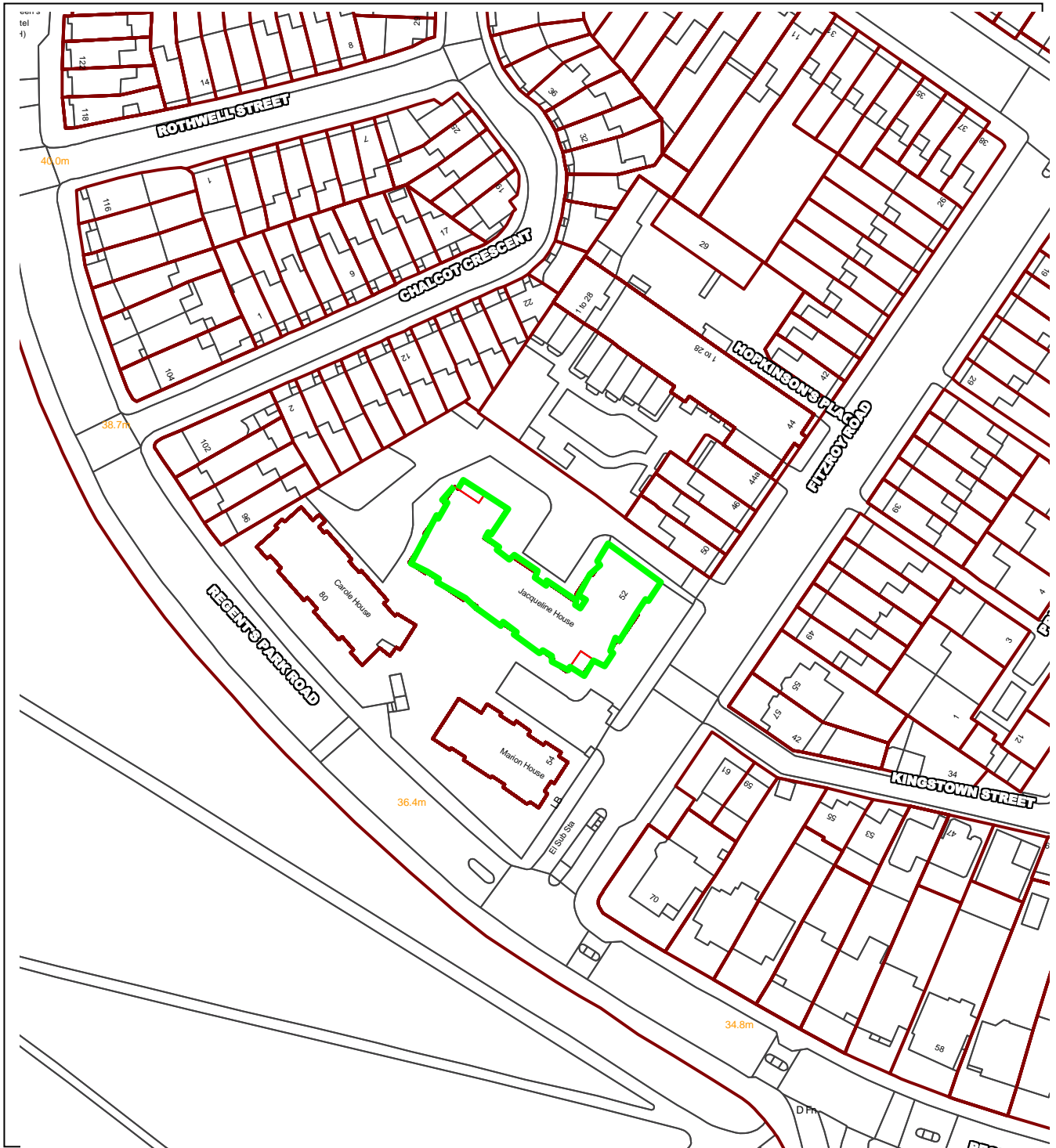
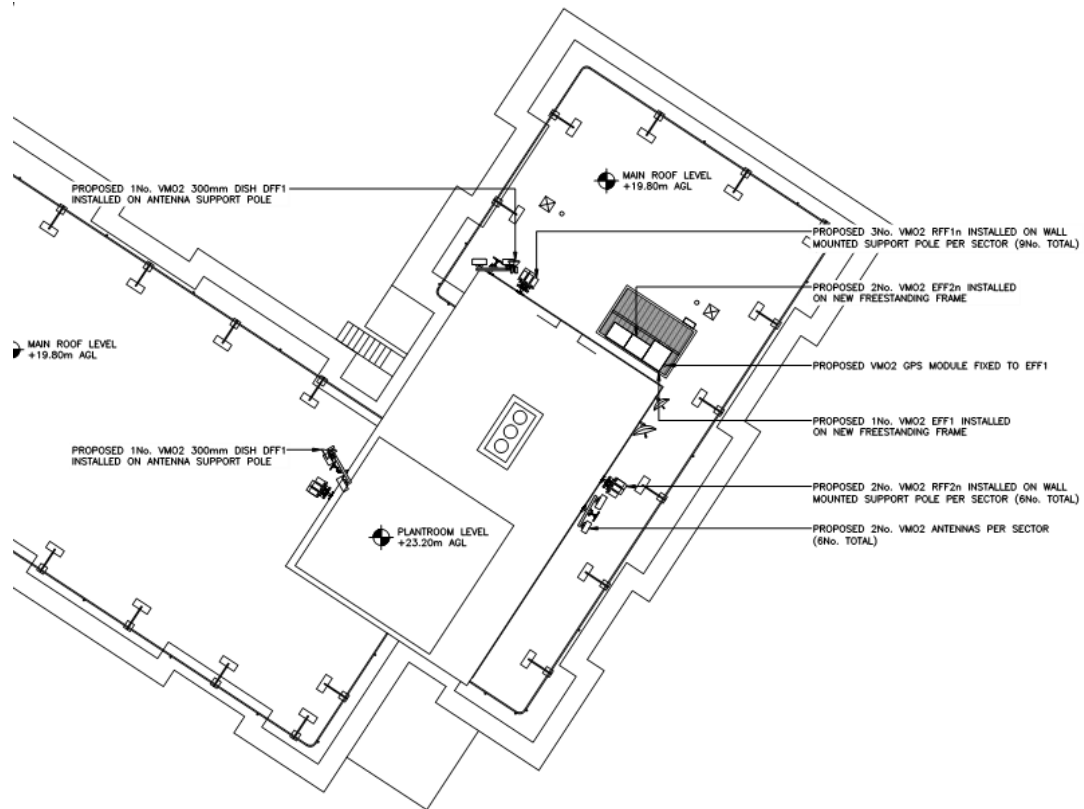


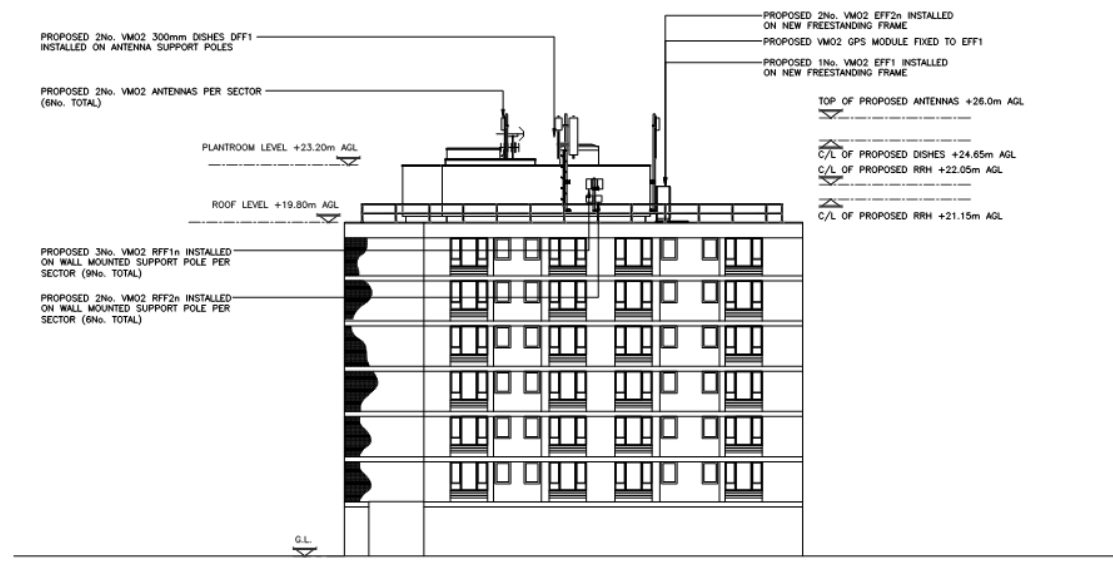
52 Fitzroy Road, Jacqueline House – 2023/2480/P



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Above: Plan Showing Proposed Location of Equipment



Above: Proposed South-East elevation, showing the installation as viewed from Fitzroy Road



Above: Aerial view of the site looking north, Primrose Hill is to the left of the image

Delegated Report		Analysis sheet		Expiry Date:		09/08/2023	
(Members Briefing)		N/A / attached		Consultation Expiry Date:		20/08/2023	
Officer				Application Number(s)			
Brendan Versluys				2023/2480/P			
Application Address				Drawing Numbers			
Jacqueline House 52 Fitzroy Road London NW1 8UB				<i>See draft decision notice</i>			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Erection of 6 x panel antennas, 2 x dish antennas, associated RRFs, and 3 x equipment cabinets on a new free standing frame, at the roof level.							
Recommendation:		Grant conditional planning permission					
Application Type:		Full Planning Permission					

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Summary of consultation:	<p>A site notice(s) was displayed near to the site on the 21/07//2023 (consultation end date 14/08/2023).</p> <p>A press notice was advertised 27/07//2023 (consultation end date 20/08/2023)</p>			
Adjoining Occupiers:	No. of responses	6	No. of objections	5
Summary of consultation responses:	<p><u>Objections:</u></p> <p>5 objections have been received.</p> <p>A summary of the responses are as follows:</p> <ul style="list-style-type: none"> • The proposed antenna are 'bare' and the installation does not have any consideration to the 'look and feel' of the existing building. • The antenna could be shrouded by planting/greenery • The applicant has not undertaken appropriate consultation with residents of Jacqueline House • The proposals bring the potential for physical harm / health risks for occupiers of the building and neighbouring residents, specifically through the introduction of 5G technology. <p><u>Support</u></p> <p>One letter of support has been received. The letter supports the proposal to improve telecommunications services in the area.</p> <p><u>Officer's response:</u></p> <p><i>Design and heritage effects is assessed in section 3</i></p> <p><i>Residential amenity effects are assessed in section 4</i></p> <p><i>Health effects are assessed in section 5</i></p> <p><i>The applicant has advised that the residents of Jacqueline House and the occupiers of nearby properties in Regent's Park Road and Fitzroy Road were notified of the proposal by post on 30 May 2023. A total of 282 properties were notified.</i></p>			

**Primrose Hill
Conservation Area
Advisory Committee
(CAAC):**

An objection on behalf of the Primrose Hill CAAC was received on 5/08/2023.

Primrose Hill CAACTT object to the application as they consider the proposed masts and plant would be placed in prominent locations on the roof (equivalent 8th floor) of the building, adding significant harm to the valued local views.

The CAAC considers the proposed equipment would in their form, detail, and locations clutter the roof line and add to the visibility, dominance, and negative qualities which already harm the views within the conservation area.

The CAAC are also concerned with the potential negative impacts on health. The CAAC seeks a precautionary approach to protecting the health of children and seniors which would ensure that telecoms equipment is sited safely.

Officer's response:

Design and heritage effects is assessed in section 3

Residential amenity effects are assessed in section 4

Health effects are assessed in section 5

Site Description

The application proposal relates to a seven storey building occupied by residential flats, which is part of a group of three similar buildings within the Oldfield Estate. The building is adjacent to the western side of Fitzroy Road.

The building has two plant rooms on the western and eastern sections of the roof respectively. The roof has existing TV aerials and satellite dishes.

The surrounding area is predominately residential in the form of Victorian era terraces and semi-detached houses.

Nearby to the west of the site and on the opposite side of Regent's Park Road is Primrose Hill.

The application site is located within the Primrose Hill Conservation Area. The building is not Listed but is described as making a negative contribution to the special character and appearance of the area in the Primrose Hill Conservation Area Statement.

Relevant History

The planning history for the application site can be summarised as follows:

2016/0445/P

The installation of 6 No. antennas pole mounted to the plant room walls and shrouded in Glass Reinforced Plastic (GRP), the installation of equipment cabinets on the roof and ancillary development thereto.

Granted 14/04/2016

Relevant policies

National Planning Policy Framework (2021)

The London Plan (2021)

Camden Local Plan (2017)

- **A1** Managing the impact of development
- **D1** Design
- **D2** Heritage

Camden Planning Guidance:

- CPG Amenity (2021)
- CPG Design (2021)
- CPG Digital Infrastructure (2018)

Primrose Hill Conservation Area Statement (2001)

Assessment

1. The proposal

The application seeks to erect 6 x panel antennas, 2 x dish antennas, associated RRFs, and 3 x equipment cabinets on a new free standing frame, at the roof level of the existing building.

The antennas would be installed in pairs supported by steel poles fixed to the roof level plant room walls, in three groups at the northern corner and on the eastern and western side walls respectively.

The three equipment cabinets would be installed on a new freestanding frame, at the roof level of the building adjacent to the north east elevation of the plant room.

The antennas would sit atop the plant room roof level by approximately 2-3m.

2. Assessment

2.1. The principal considerations material to the determination of this application are as follows:

- Design and Conservation
- Residential Amenity
- Planning balance

3. Design and Conservation

3.1. The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy D1 are relevant to the application: development should respect local context and character; comprise details and materials that are of high quality and complement the local character; and respond to natural features. Policy D2 'Heritage' states that in order to maintain the character of Camden's conservation areas, the Council will not permit development within conservation area that fails to preserve or enhance the character and appearance of that conservation area.

3.2. The application site is located within the Primrose Hill Conservation Area but is not listed as making a positive or negative contribution. The host building is a mid-rise residential building constructed in the 1960s which has little architectural or design merit.

3.3. Camden Planning Guidance 'Design' states that 'good design should respond appropriately to the existing context by ensuring the scale of the proposal overall integrates well with the surrounding area, carefully responding to the scale, massing and height of adjoining buildings, the general pattern of heights in the surrounding area, and positively integrating with and enhancing the character, history, archaeology and nature of existing buildings on the site and other buildings immediately adjacent and in the surrounding area, and any strategic or local views, vistas and landmarks'.

3.4. The proposed antennas would protrude above roof level and would be visible from street level as well as from Primrose Hill. The works would be visually intrusive and visible from the public realm and would add clutter to the roofscape. However, views of the antennas would be partly obscured by existing trees and intervening buildings. In particular, the two groups of antenna attached to the northwest elevation and northern corner of the plant room, would be setback from the street facing elevation of the building and face inwards to the Oldfield Estate and would generally have a very limited visibility from the public-realm. It is noted the existing building does not present a clean, unaltered roofline and is already characterised with existing utilitarian equipment.

3.5. The antennas would not be located within the Primrose Hill Designated Viewpoint. While the antennas would be visible from Primrose Hill, the antennas would not appear as overly prominent, disrupt views or appears as incongruent within the wider landscape, sitting just above the existing

building's roofline and being viewed within a landscape which includes an eclectic mix of built-form including vertical oriented utilitarian structures. Overall, the antennas would blend in within the landscape and not harm views from Primrose Hill.

- 3.6. The application site is not listed as a negative contributor to the conservation area. The site is a 1960s residential building of little merit and it is therefore considered that the proposals would not bring harm to the character and appearance of the host property. The Council, including Council's Conservation Officer, considers that the proposal would bring less than substantial harm to the character and appearance of the conservation area.
- 3.7. The applicant has argued that a new telecommunication base is required within the Primrose Hill Conservation Area. A list of discounted sites and their justification has been submitted within the supplementary supporting information. Other sites were discounted on grounds of unsuitable roof typologies, being refused planning permission and dismissed at appeal, insufficient building height, level visual amenity, and pedestrian/transport and conservation harm from erecting a new free-standing pole in the public highway. The Council considers that the proposed works cannot be delivered in a less harmful site within the Primrose Hill Conservation Area.
- 3.8. It is considered that the proposal would cause less than substantial harm to the character and appearance of the conservation area.
- 3.9. The proposal is therefore in accordance with policies D1 and D2 of the London Borough of Camden Local Plan.

4. Residential Amenity

- 4.1. Policy A1 seeks to protect the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of residents. This includes factors such as privacy, outlook, implications to natural light, artificial light spill, odour and fumes as well as impacts caused from the construction phase of development. This is supported by CPG Amenity.
- 4.2. A number of objections received cite the proposed facility as having the potential to harm human health. The supporting information submitted with the application states that the balance of evidence to date suggests that exposures to radio frequency radiation below National Radiological Protection Board and International Commission on Non-ionising Radiation Protection Guidelines do not cause a general risk to the health of people living near to the base station. The applicant has submitted information that states that the equipment will meet the ICNIRP guidelines and is therefore acceptable in environmental health terms. Chapter 10 of the NPPF states that local planning authorities must determine applications on planning grounds only and does not give scope for the authority to determine health safeguards beyond compliance with ICNIRP guidelines for public exposure. There is no justification for refusing this application on environmental health grounds.
- 4.3. It is considered that the antennas would not have any adverse impacts on the amenity of residents with regards to privacy, outlook, light, odour or noise.
- 4.4. The proposal is therefore in accordance with policy A1 of the London Borough of Camden Local Plan.

5. Planning balance

- 5.1. Local Plan policy D1 along with chapter 16 of the NPPF, seeks to preserve and enhance heritage assets, and states that the Council will not permit the loss of or substantial harm to a designated

heritage asset, including conservation areas, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

- 5.2. The assessment outlined in section 3 of the report states that the proposal would result in less than substantial harm to the character and appearance of the conservation area. The proposed telecommunications equipment is considered a significant public benefit. The supporting information recognises the high level of mobile use in the UK, and 5G systems would serve to provide additional public benefits through greater bandwidth and connectivity. It is argued that local communities can benefit from the new development through greater connectivity which would bring enhanced social interaction and inclusion, improved local economy and services and greater productivity.
- 5.3. It is noted that 5G has more complex requirements and require taller antennas compared to 2G, 3G and 4G, to avoid signals being interrupted.
- 5.4. Weighing the less than substantial harm caused by the development against the demonstrable public benefit, it is considered on balance that the benefit to the public arising from enhancing the local telecommunication coverage and increased capacity outweighs the less than substantial harm caused to the conservation area.
- 5.5. Therefore, on balance the proposed development accords with chapter 16 of the NPPF, which seeks to preserve and enhance heritage assets and the proposal is considered on balance to be acceptable in design terms.

6. **Recommendation**

- 6.1. Grant conditional Planning Permission

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 18th September 2023, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Application ref: 2023/2480/P
Contact: Brendan Versluys
Tel: 020 7974 1196
Email: Brendan.Versluys@camden.gov.uk
Date: 12 September 2023

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk

Waldon Telecom Ltd
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Rosemount Avenue
Surrey
West Byfleet
KT14 6LB
United Kingdom

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Jacqueline House
52 Fitzroy Road
London
NW1 8UB

DECISION

Proposal:

Erection of 6 x panel antennas, 2 x dish antennas, associated RRFs, and 3 x equipment cabinets on a new free standing frame, at the roof level.

Drawing Nos: 100, rev A; 200, rev A; 201, rev A; 300, rev A; 301, rev A; 302, rev A; 303, rev A; 304, rev A; 305, rev A; 306, rev A; 307, rev A; Cover letter prepared by Waldon Telecom Ltd, dated 14/06/2021; ICNIRP Declaration and Clarification Letter prepared by Waldon Telecom Ltd, dated 14/06/2021; Supplementary Information document, prepared by Waldon Telecom Ltd, dated 14/06/2021; Coverage Plots prepared by CTiL

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans 100, rev A; 200, rev A; 201, rev A; 300, rev A; 301, rev A; 302, rev A; 303, rev A; 304, rev A; 305, rev A; 306, rev A; 307, rev A; Cover letter prepared by Waldon Telecom Ltd, dated 14/06/2021; ICNIRP Declaration and Clarification Letter prepared by Waldon Telecom Ltd, dated 14/06/2021; Supplementary Information document, prepared by Waldon Telecom Ltd, dated 14/06/2021; Coverage Plots prepared by CTiL

Reason: For the avoidance of doubt and in the interest of proper planning.

- 3 The colour of the proposed microwave antenna shall match as closely as possible the background, or the part of the building to which it is attached. The supporting mount shall be designed to be as unobtrusive as possible, and should be painted the same colour as the antenna.

Reason: In order to minimize the impact on the appearance of the building and local environment in accordance with the requirements of Policies D1 and D2 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 2 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 3 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2021.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-planning-decision>.

If you submit an appeal against this decision you are now eligible to use the new *submission form* (Before you start - Appeal a planning decision - GOV.UK).

Yours faithfully

Chief Planning Officer

DRAFT

DECISION