

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:	18/09/2023
		N/A / attached		Consultation Expiry Date:	18/10/2023
Officer				Application Number(s)	
Brendan Versluys				2023/3015/P	
Application Address				Drawing Numbers	
Romney Court 139 Haverstock Hill Belsize Park London NW3 4RX				<i>See draft decision notice</i>	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Installation of 3 x panel antennas, 2 x dish antenna and 1 x equipment cabinet, all located within 2 x replica brick Glass Reinforced Plastic (GRP) enclosures on the roof of the building.					
Recommendation:		Grant conditional planning permission			
Application Type:		Full Planning Permission			

Conditions or Reasons for Refusal:	<i>Refer to Draft Decision Notice</i>			
Informatives:				
Consultations				
Summary of consultation:	<p>A site notice(s) was displayed near to the site on the 20/09/2023 (consultation end date 14/10/2023).</p> <p>A press notice was advertised 21/09/2023 (consultation end date 15/10/2023)</p>			
Adjoining Occupiers:	No. of responses	6	No. of objections	6
Summary of consultation responses:	<p><u>Objections:</u></p> <p>6 objections have been received.</p> <p>A summary of the responses are as follows:</p> <ul style="list-style-type: none"> • Lack of consultation from applicant • No financial compensation would be provided to residents • The equipment would look unsightly • The residents association is proposing separate repair/upgrade works to the roof. There may be a need to site the equipment in a different location on the roof. <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>The applicant has advised that under normal circumstances they would have consulted with residents of the host building (prior to submitting a planning application), however due to an administrative error consultation was not undertaken on this occasion, and residents were only informed of the proposal when the planning application was submitted.</i></p> <p><i>The applicant did send letters to a number of surrounding properties at over 15 separate sites (full details under 'Community Consultation' section of the submitted 'Supplementary Information' document).</i></p>			
Belsize Park Conservation Area Advisory Committee (CAAC):	<p>An objection on behalf of the Belsize Park CAAC was received on 7/10/2023.</p> <p><i>Belsize Park object to the application as they consider these enclosures would be visible from both Haverstock Hill and Belsize Grove and would cause harm to the skyline, they would neither preserve nor enhance the Conservation Area.</i></p>			

Officer's response:

Design and heritage effects is assessed in section 3.

Site Description

The application proposal relates to a six storey building occupied by residential flats, located on the southern side of Haverstock Hill, east of its junction with Belsize Grove.

The building has a western and eastern wing, which are positioned at a slightly lower level than the central section of the building.

The surrounding area is predominantly residential in character, although there are a number of retail and commercial premises along Haverstock Hill to the north-west.

The application site is located within the Belsize Park Conservation Area. The building is not Listed and is not described as making either a positive or a negative contribution to the special character and appearance of the area in the Belsize Park Conservation Area Statement.

Relevant History

4979 - The redevelopment of Nos. 139-141 Haverstock Hill, Hampstead, by the erection of a six-storey block containing forty-one flats. **Conditional planning permission granted 17/11/1961**

Relevant policies

National Planning Policy Framework (2023)

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)

Belsize Park Conservation Area Statement (2003)

Assessment

1. The proposal

The application seeks to erect 3 x panel antenna, 2 x dish antenna, and associated cabinet/ancillary equipment on new freestanding frames, contained within 2 x Glass Reinforced Plastic (GRP) enclosures, on the roof of the existing building.

The antennas would be supported by steel poles fixed to the roof level.

One of the antennas would be contained in the enclosure positioned at the south-west corner of the roof, along with a cabinet and another ancillary plant equipment.

The other two antenna would be contained in the enclosure positioned at the north-west corner of the roof.

The enclosures made from Glass Reinforced Plastic would be 3.4m in height. The proposed antenna would be 4.3m in height.

The enclosures would screen the majority of the antenna and poles from view, with the upper parts protruding above the enclosures.

The equipment would be installed on new freestanding frames.

Revisions

Concerns were raised by Council Officers regarding the size and overall dominance of the GRP enclosures. Design amendments have subsequently been made, these are summarised in the response from the applicant, copied in below:

- *The height of the enclosures has been reduced so that approximately half of the antennas protrude above the top of the enclosures – the effect from ground level would be less than half being visible. The aim of this is to reduce the overall bulk of the scheme.*
- *The enclosure where the cabinets are proposed to be located has been swapped from the enclosure close to the front elevation, to the enclosure towards the rear of the building. Again, this is to reduce the overall impact of the development, now having the larger enclosure towards the rear of the building and away from the main front building elevation.*

Photomontages of the enclosures, showing the original design (left) and proposed design (right) are copied in below:



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 Belsize Park 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 limited architectural or design merit in terms of its contribution to the conservation area and consistency with the architectural form of other, period buildings more reflective of the conservation area.
- 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 and GRP enclosures would protrude above roof level and would be visible from street level and may be visible from Haverstock Hill and Belsize Grove. While views of the antennas and enclosures would be partly obscured by existing trees in the road reserve and intervening buildings, the photomontages presented evidence that the enclosures would be visible from Belsize Grove and Romney Court, and be visible above or outside the canopy of mature trees at the front of the site. Further, the enclosures and antenna would be more visible from Romney Court, directly outside the site, during winter time, when the tree canopies would be bare of leaves/greenery.
- 3.5. The enclosures would be constructed with Glass Reinforced Plastic with a mock brick finish to match the brick (including the colour of the brick) used on the existing building. However, the enclosures would not appear as an integral part of the building. The building was constructed in the 1960s and the flat roof form of the building is an integral element to the building as well as how it is read from the street. The enclosures would have the form not dissimilar to a lift overrun or small plant room, or large chimney, however their positioning directly adjacent to the roof edge would not be consistent with where a lift overrun or plant room could be anticipated to be located. Nor would a residential building of this nature be expected to accommodate chimneys of a similar form as the enclosures. Therefore, despite the amendments to the design made by the applicant, the enclosures and associated antenna would still appear as an incongruous addition, out of place and not in keeping with the character of the building.
- 3.6. The antennas would not be located within any Designated Viewpoint. However, the antennas and enclosures may be visible from surrounding vantage points, including Haverstock Hill and Belsize

Grove. Given the height and positioning of the antennas and enclosures, they may appear as overly prominent and incongruent within the wider landscape. The rooflines of surrounding buildings is relatively clean and not cluttered with indiscreetly located antennas and enclosures like those proposed at the application site.

- 3.7. The application site is neither listed as a positive or negative contributor to the conservation area. While of limited architectural merit, the host building presents as largely unaltered and well-maintained. The indiscreet location of the enclosures would harm the proportions of the building when viewed from surrounding streets, and the proposals would therefore bring harm to the character and appearance of the host property.
- 3.8. The applicant has argued that a new telecommunication base is required within the Belsize Park 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 the application site providing better coverage to the target area, being located too close to an existing telecommunications facility, visual amenity, pedestrian/transport and conservation harm from erecting a new free-standing pole in the public highway, unsuitable roof typologies, a site being refused planning permission and dismissed at appeal, insufficient building height. However, the Council does not consider sufficient evidence has been provided to discount the locations at 2 Antrim Grove, Elaine Court, and Homefield Court. These locations were each disregarded as *'although it is located close to preferred radio coverage area, the subject site is in a better position in terms of providing the required coverage to the target area along Haverstock Hill and to Belsize Park Station.'* It is not clear however the extent to which the application site provides better coverage, and whether the same coverage could be achieved using antenna positioned at a combination of the other sites, where the equipment could be designed in a less harmful manner to the proposal.
- 3.9. Overall, the Council does not consider that the proposed works cannot be delivered in a less harmful site within the Belsize Park Conservation Area.
- 3.10. It is considered that the proposal would cause unacceptable harm to the character and appearance of the host property and the wider conservation area.

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. The submitted supporting information 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 NPPF in Paragraph 209 states: *“The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”*
- 5.3. It is clear from CPG Digital Infrastructure guidance and Paragraph 119 of the NPPF that the number of radio and electronic communications masts and sites should be kept to a minimum, and that where new sites are required (such as for new 5G networks), equipment should be sympathetically designed and camouflaged where appropriate.
- 5.4. In terms of alternative site locations, the submitted documents indicate that the applicant has identified and undertaken consideration for a number of sites within the locality and that these were not chosen as being suitable for various reasons. However, it is considered the applicant has not explored alternative to give sufficient justification for the establishment of the facility at the application site. In particular, it is considered the applicant has also not explored the feasibility of establishing multiple facilities on other sites in the area which would provide the same coverage provided at the application. In addition, it is not clear the extent to which the facility at the application site provides better coverage than the other three sites which were discounted due to being less better positioned to providing coverage to the target area. The applicant has not provided a clear and convincing justification for the harm (NPPF para 206) and has not maximised the opportunity to avoid or minimise the harm.
- 5.5. Council acknowledges that the proposal would have public benefits in the sense that it would provide new 5G coverage and reception in the area and would enable enhanced connectivity for residents, students, businesses and services. This has been given moderate weight in this particular case. It is assumed there would be some negligible benefits in terms of employment and economic activity from installation and operation, but this has been given minimal weight. Nevertheless, weighing the harm caused to the building itself, the heritage assets and streetscape character, it is considered on balance that the benefit to the public arising from the proposal would not outweigh the harm arising to Belsize Park Conservation Area. The harm to the host building, Belsize Park Conservation Area, and wider character and amenity of the local area further weigh against a recommendation for approval.
- 5.6. Overall, therefore, on balance, the proposed development does not accord with Chapter 16 of the NPPF which seeks to preserve and enhance heritage assets. The proposal is also contrary to the design and heritage policies of the Development Plan. As such, the proposal is considered to be unacceptable in terms of siting and appearance.

6. Recommendation

6.1. Refuse Planning Permission

Reason:

The proposed telecommunications equipment and enclosures located at roof level, by reason of their design, size, height, material and location, would result in visual clutter which would detract from the character and appearance of the host property and the Belsize Park Conservation Area contrary to policies A2 (Open Space), D1 (Design), and D2 (Heritage) of the London Borough of Camden Local Plan 2017.

