

Delegated Report		Analysis sheet		Expiry Date:		05/02/2025	
(Refusal)		N/A / attached		Consultation Expiry Date:		19/01/2025	
Officer				Application Number(s)			
Jaspreet Chana				2024/5512/P			
Application Address				Drawing Numbers			
58 Kingsway Holborn London WC2B 6DX				<i>Please refer to decision notice</i>			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Installation of 3 no. antenna on support poles together with 1 no. equipment cabinet and ancillary development thereto on the rooftop							
Recommendation(s):		i) Prior Approval Required ii) Prior Approval Refused					
Application Type:		GPDO Prior Approval Determination					
Conditions or Reasons for Refusal:		<i>Refer to Draft Decision Notice</i>					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	00	No. of responses	00	No. of objections	00
Summary of consultation responses:		A press notice was published 26/12/2024, which expired 19/01/2025. A site notice was displayed 24/12/2024, which expired 17/01/2025. No responses were received during public consultation.					
CAAC/Local groups* comments: *Please Specify		The Kingsway Conservation Area Advisory Committee were consulted on the scheme - no response received.					

Site Description

The application site is a five-storey corner building located on the south-eastern corner of the junction of Kingsway and Remnant Street. The surrounding area is predominantly commercial with retail units/restaurants to the ground floor with offices and residential units to the upper floors. The building is in commercial use and operating as an All Bar One.

The building is not listed but it is within the Kingsway Conservation Area and is noted as making a positive contribution to the character and appearance of the conservation area.

Relevant History

N/a

Relevant policies

National Planning Policy Framework (2024)

The London Plan (2021)

Camden Local Plan (2017)

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

Camden Planning Guidance:

- CPG – Design
- CPG – Amenity
- CPG – Digital Infrastructure

Code of Best Practice on Mobile Network Development (November 2016)

Kingsway Conservation Area Statement (2001)

Assessment

1.0 Proposed development:

1.1 The application has been submitted under Part 16 of schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order (GDPO) 2015 (as amended). The GDPO sets out the details in regard to the type of development for which planning permission is 'deemed' to be granted, more commonly known as 'permitted development'. In particular, the application seeks determination as to whether the prior approval of the Local Planning Authority is required as to the siting and appearance of the proposed development in relation to telecommunications equipment.

1.2 In this instance, Prior Approval is sought to install new telecommunications equipment on the existing rooftop area. The proposal includes the installation of 3 no. antenna on support poles together with 1 no. equipment cabinet on the corner side of 58 Kingsway.

1.3 The maximum height of the existing parapet to the main roof is approximately 26m above ground level. The maximum height of the existing roof to the eaves of the mansard roof at the corner of Kingsway, which is approximately 20m above ground level. The proposed installations are all proposed to be sited at the corner of the main roof level and would measure approximately 31m above ground level. Associated safety railings, grill walkway, cabinets and VF equipment are also proposed as part of the scheme.

2.0 Justification:

2.1 The proposal is seeking to maintain existing legacy services and provide enhanced 4G coverage and capacity to the surrounding area and provide new 5G services for Vodafone to ensure high quality experience.

2.2 The applicant has considered 15 other alternative sites for telecommunications facility. However, these sites were disregarded for several reasons, including the alternative sites being too far out of the search area, due to the building being under construction, there is no space on the roof, the rooftop is too low for appropriate coverage, the building is a listed building.

2.3 Notwithstanding the range of environmental restrictions which exist when identifying and selecting a site for a telecommunications facility, it is considered that an insufficient number and range of sites were explored, nor sufficient justifications were given for all sites. A thorough study should have been done on each site to discount them from the line up, the justification for each site appears rushed and not potentially discounted too quickly.

2.4 The applicant states there would be no impact on residential amenity in terms of loss of light or outlook. Given the position of the proposals at roof level, and the height of the host building, it is agreed that there would be no loss of neighbouring amenity in this respect.

2.5 The applicant has indicated that prior to the submission of this application a pre-application consultation was undertaken with the local planning authority (LPA); however, there is no record of formal pre-application advice being given (please see planning history section above).

2.6 The applicants have declared with appropriate documentation that all of the proposed equipment would comply with International Commission on Non-Ionizing Radiation Protection (ICNIRP) standards on emission levels in accordance with government guidelines.

2.7 The applicant states within their supporting information that there are no local schools nor aerodromes, and they have therefore not consulted in this regard.

2.8 Para 46 of the NPPF states that 'local planning authorities must determine applications on Planning grounds. They should not seek to prevent competition between different operators, question the need for the telecommunications system, or determine health safeguards if the proposal meets International Commission guidelines for public exposure'.

3.0 Siting and appearance:

2.9 The Council's design policies are aimed at achieving the highest standard of design in all developments. Policy D1 states that the Council will require all developments to be of the highest standard of design and to respect the character, setting, form and scale of neighbouring buildings, and the character and proportions of the existing building. Policy D2 sets out the approach to designated heritage assets and says the council will refuse schemes that cause less than substantial harm to the significance of an asset unless the public benefits of the proposal convincingly outweigh that harm. It states that within conservation areas, the Council requires development that 'preserves or, where possible, enhances' its established character and appearance.

2.10 Kingsway Conservation Area Statement states: 'Particular care should be taken in the siting of rooftop plant. This should be properly integrated into the roof form of buildings given the importance of the roofscape character in views'.

3.1 The host property is located in a prominent position at the corner of Remnant Street and Kingsway. The host building is a traditional designed building of merit with a corner prominent façade and is recognized as being a positive contributor within the Kingsway Conservation Area Statement.

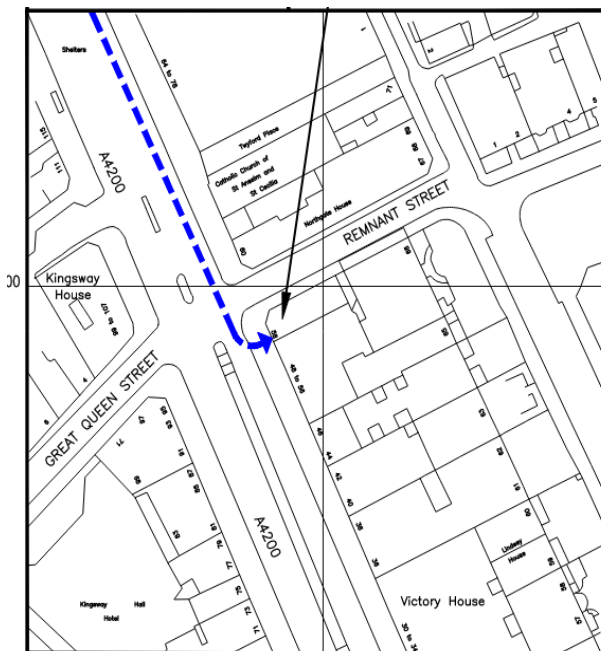


Fig.1. Site plan



Fig.2. Aerial view

3.2 The highest elements of the roof can be appreciated in views from various locations, including from both directions along Kingsway, Great Queen Street and Remnant Street. A screen shot of the street view from the junction demonstrates the prominence of the roofscape from this sensitive location, as below:



Fig.3. View from Great Queen Street (Google view images)



Fig.4 and 5 View from Kingsway (Google view images)

3.3 The image above clearly shows the lack of clutter along this roofscape where the host site and the neighbouring properties meet the skyline. The introduction of clusters of high antenna tripod structures at the roof edges projecting above the existing un-cluttered roofline is harmful in views from both sides of the site. It is accepted that the proposed cabinets would be unlikely to be visible due to their size and setback on the roof. The proposed installation is not considered appropriate in context and is not in keeping with the character of the Kingsway Conservation Area.

3.4 The existing roofline of the host building is clean and uncluttered. It is characterised by the absence of any telecommunications equipment or similar visible clutter. The prominence and scale of the installation as proposed would be visible above the existing roof line, where it would be highly noticeable against the skyline, and clearly visible from public views close by and from longer views. There may be some argument in accepting a small degree of carefully located and well- designed rooftop equipment here of an appropriate small scale and height, as well as the ancillary cabinets which would not be visible. However, it is considered the overall scale and dominance of the proposals, especially the proposed installation adjacent to the edge of the roof is totally unacceptable; it would be highly prominent in both long and short views and would be an incongruous addition to the host building itself. The proposed equipment, due to its scale, size and design with numerous antennas attached to various support structures, is considered to cause harm to the character and appearance of the host building, street scene and surrounding conservation area.

3.5 Given that the proposed installation would significantly rise above the existing mansard roof line, it would add conspicuous and noticeable clutter to the rooftop, and as such, its siting is visually insensitive and harmful to the character and external appearance of the building and wider roofscape.

3.6 Overall, it is considered that the location, bulk, scale, height and design of the proposed telecommunications equipment would be harmful to the character and appearance of the host building, local views and the Kingsway Conservation Area.

4.0 Planning balance:

4.1 Considerable importance and weight has been attached to the harm to the designated heritage assets, and special attention has been paid to the desirability of preserving or enhancing the character and appearance of the adjacent Hatton Garden and Bloomsbury Conservation Areas in particular, under s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

4.2 Local Plan Policy D1, consistent with Section 16 (Conserving and enhancing the historic environment) of the NPPF 2019 which seeks to preserve and enhance heritage assets, states that the Council will not permit harm to a designated heritage asset, including conservation areas and Listed Buildings, unless it can be demonstrated that the harm is necessary to achieve substantial public benefits that outweigh that harm.

4.3 Given the assessment as outlined above, it is considered that the proposed telecommunications equipment would result in 'less than substantial' harm to the character and appearance of the Kingsway Conservation Area. It is recognised that the proposed scheme would result in better network coverage, and as such, some public benefit would be derived from the scheme. However, in weighing the harm caused as a result of the development against this public benefit, the proposal is contrary to Section 16 of the NPPF (2024) which seeks to preserve heritage assets.

4.4 The Council does not dispute the public benefit entailed by improving connectivity and indeed welcomes this aspiration; however, the harm arising from the prominent visibility of the proposed equipment from within the Kingsway Conservation Area is considered to outweigh this public benefit. It is therefore considered that the heritage constraints of this site prevent the Council from recommending this application for approval. The proposal would therefore fail to accord with Policies D1 and D2 of the Camden Local Plan 2017.

5.0 Recommendation:

5.1 Prior Approval Required and Prior Approval Refused, on grounds of the proposal's detrimental impact on the character and appearance of the host building in terms of both siting and appearance; its unacceptable location, scale, height and design; and the dominant visual clutter resulting in harmful impact to local views and the wider Kingsway Conservation Area.

