

<b>Delegated Report (Members Briefing)</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	<b>12/03/2013</b>
		N/A		<b>Consultation Expiry Date:</b>	<b>28/02/2013</b>
<b>Officer</b>			<b>Application Number(s)</b>		
Gideon Whittingham			2013/0420/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
49 Frederick Street London WC1X 0NB			Refer to Decision Notice		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		
<b>Proposal(s)</b>					
Installation of 1 x telecommunications equipment cabinet on the public footpath.					
<b>Recommendation(s):</b>		Prior Approval Required - Approval Given			
<b>Application Type:</b>		GPDO Prior Approval Determination			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	06	No. of responses	01	No. of objections	01
			No. Electronic	00		
Summary of consultation responses:	<p>A site notice was displayed on 01/02/2013 (expired on 22/02/2013) and a public notice was published in the Ham &amp; High on 07/02/2013 (expired on 28/02/2013).</p> <p>The concerns raised by the occupiers of No.49 Frederick Street are summarised in detail below:</p> <p><u>Design / impact on wider conservation area</u></p> <ul style="list-style-type: none"><li>• Increase visual clutter, 5 existing cabinets on this street (refer to para.2.1);</li></ul> <p><u>Other matters</u></p> <ul style="list-style-type: none"><li>• Inaccurate location of box and relationship to houses on submitted drawings (refer to para.1.4);</li><li>• Unit could be relocated closer to the corner with Gray's Inn Road (refer to para.1.2);</li></ul>					
CAAC/Local groups comments:	<p><b>The Bloomsbury CAAC</b> were formally consulted. No response has been received at the date of this report.</p>					

## Site Description

The pavement site falls within the Bloomsbury Conservation Area. It is located on the south side of Frederick Street, close to the junction with Gray's Inn Road. The terraces located on both the north and south side of Frederick Street (Nos.39-45 (south) and 12-76 (north) are all grade II listed.

## Relevant History

A number of identical cabinets have been considered at:

- Various locations around Hampstead in January 2011 (including 2010/6518/P, 2010/6675/P, 2010/6506, 2010/6511/P, 2010/6563/P, 2010/6500/P, 2010/6492/P, 2010/6539/P & 2010/6645/P) while two others were refused (2010/6525/P & 2010/6523/P) on grounds of detrimental impact to the setting of a listed building or/and the character and appearance of the street scene;
- Various locations in Gospel Oak, Cantelowes and Highgate on 21 March 2011(including 2011/0674/P, 2011/0647/P, 2011/0672/P, 2011/0629/P, 2011/0668/P, 2011/0664/P, 2011/0633/P, 2011/0636/P).
- Various locations in Cantelowes and Kentish Town on 1 April 2011 (including 2011/0693, 2011/0687, 2011/0675, 2011/0695);
- Various locations in Rochester, Inkerman and Jeffrey's St CA's on 5 July 2011 (2011/2198/P, 2011/2324/P, 2011/2327/P);
- Various locations in Mansfield and Kentish Town conservation areas in October and November 2011 (2011/4761/P refused, 2011/4763/P approved, 2011/4635/P refused).

## Relevant policies

### National and Regional Policy

National Planning Policy Framework 2012

London Plan 2011

### LDF Core Strategy and Development Policies

**DP17** (Walking, cycling and public transport)

**DP21** (Development connecting to the highway network)

**DP24** (Securing high quality design)

**DP25** (Conserving Camden's heritage)

**DP26** (Managing the impact of development on occupiers and neighbours)

Camden Planning Guidance 2011:

CPG1 Design; CPG6 Amenity

Camden Streetscape Design Manual (published 2000)

Bloomsbury conservation area appraisal and management strategy (2011)

## Assessment

### 1. Proposal

1.1 GPDO prior approval is sought for the installation of a telecommunications cabinet. The Town and Country Planning (General Permitted Development) Order (GPDO) 1995 sets out the details of the types of developments for which planning permission is 'deemed' to be granted, more commonly known as 'permitted development'. Much of the work carried out by a telecommunications operator will be permitted development under Part 24 of Schedule 2 of the GPDO (1995). The proposed works fall under the criteria for assessment under Part 24 by virtue of the proposed cabinet's height and cubic content. The applicant has submitted detailed plans and specifications and thus the only issues to which the Council can raise objections to are those relating to siting and design. It is not possible to raise objections on any other grounds. A decision has to be made within 56 days of the application's receipt, i.e., by the expiry dates referred to above, otherwise the applicants have deemed approval by default according to GPDO legislation

1.2 The applicant (BT) are rolling out a series of new cabinets within each of their telephone exchange areas that will be used to provide high-speed broadband services in the exchange area ('Super Fast Fibre Access'). The proposed cabinets are in addition to the existing BT Cabinets, whereby the existing cabinets shall remain. In order to provide the broadband services proposed, each new cabinet will be supplied by fibre optic cables. Each new cabinet will then be linked to an existing BT cabinet and the existing distribution system from the existing cabinet will be used to supply homes and customers' premises. In this regard, each new cabinet proposed needs to be located within close proximity of an existing BT cabinet, whereby they cannot be located more than 50m apart. The applicant has specified this preferred location, citing technical difficulties elsewhere towards Gray's Inn Road.

1.3 The submitted drawings show the proposed cabinet shall be 1.4 in height, 0.7m in width and 0.4m in depth.

1.4 The application documentation, since its initial submission, has been revised to accurately represent the scope and location of works proposed.

### 2. Siting and design

2.1 The pavement to the south side of Frederick Street is approximately 4.7m in width. Along this stretch of pavement, a number of cabinets (2) and street trees (3) are in situ located along the kerbside edge of the pavement, alongside the flank wall of No.292 Gray's Inn Road. A single tree however, is located on the kerbside directly outside No.49 Frederick Street. The proposal cabinet would be located on the kerbside alongside the flank wall of No.292 Gray's Inn Road. Within this context and given the existing elements along this particular stretch of pavement and its utilitarian design, it is considered the proposed cabinet would preserve the character and appearance of this part of the Bloomsbury conservation area.

2.2 It is considered, by virtue of its size and distance from the surrounding LBs, the installation of a telecommunications equipment cabinet on the public footpath would not harm the setting of those surrounding listed buildings.

### 3. Transport

3.1 Pedestrian flows are not considered to be affected by the cabinet as the pavement at this point is presently 4.7m wide, which would leave sufficient width for pedestrians to pass with the cabinet in the recommended location. This suggests that the effective footway width adjacent to the proposed cabinet would be 4.3m. Camden's minimum effective width is generally 1.8m so the proposal is acceptable in this case, and in any case, the cabinet would be placed in line with the existing adjacent cabinet and would not cause further linear obstruction.

### 4. Amenity

4.1 The proposed cabinet is not considered to impinge on any amenity issues such as privacy, outlook, noise, or sunlight and daylight.

## **5. Other Matters**

5.1 The proposed cabinet would be located approximately 1m from a street tree to the east, which may be susceptible to damage as a result of the works. Within the criteria for assessment, namely Part 24 of Schedule 2 of the GPDO (1995), it is not possible to raise objection to the proposal on these grounds. An informative shall however be attached, to notify the applicant the aforementioned tree shall be protected against damage throughout the period of building and other operations, including site preparation.

**Recommendation: Prior Approval Required - Approval Given**

### **DISCLAIMER**

Decision route to be decided by nominated members on Monday 11<sup>th</sup> March 2013. For further information please click [here](#).