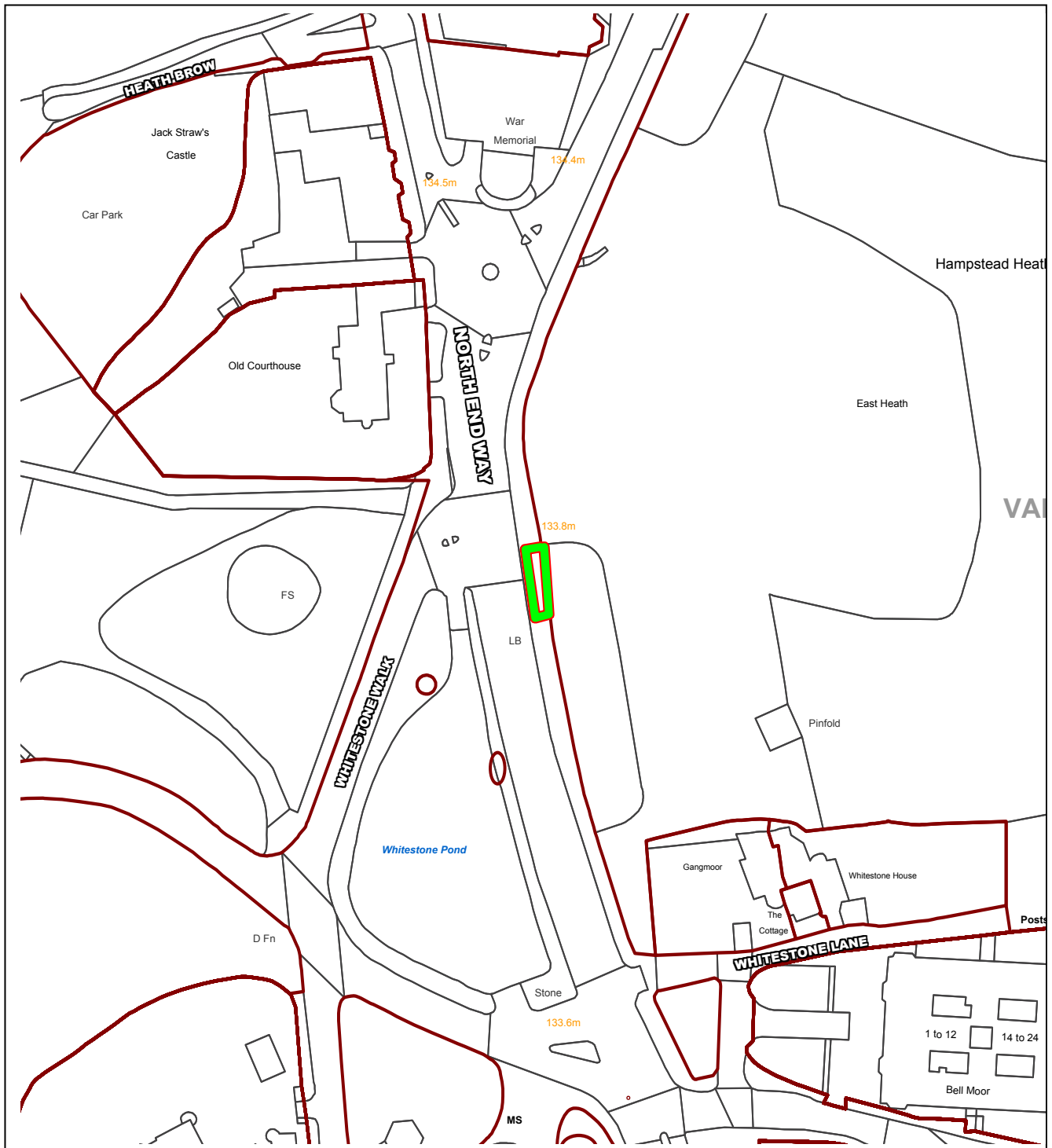


2014/7812/P – North End Way



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Above: Image of the subject site, facing east (from Whitestone Pond).
Below: Image of the subject site, facing north from bus stop.





Above: Image of the subject site, facing south. Also showing context in relation to existing installation.

Below: Aerial view of the subject site (source: google)



Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:	04/03/2015
		N/A / attached		Consultation Expiry Date:	04/02/2015
Officer			Application Number(s)		
Simon Vivers			2014/7812/P		
Application Address			Drawing Numbers		
North End Way London NW3 1EA			Refer to Draft Decision Notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Replacement of existing telecommunications equipment and installation of new cabinet at North End Way.					
Recommendation(s):		Grant conditional permission			
Application Type:		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	08	No. of responses	02	No. of objections	01
			No. Electronic	00		
Summary of consultation responses:	<p>Application was not required to be notified by site notice or press notice (not within a Conservation Area).</p> <p>The occupier at 3 The Old Court House made an objection, summarised as follows:</p> <ul style="list-style-type: none">Existing equipment is poorly placed and in an area with prominent views, and should not have been approved, and should be removed.Further structures (particularly the tower) are unattractive and inappropriate for the location <p><u>Officer's Response:</u> The additional cabinet is not considered to cause an unreasonable impact on the amenity of the area. For further assessment on design, please refer to parts 2.3 – 2.5 of this report.</p> <p>Councillor Stephen Stark (Hampstead Town Ward) requested further information regarding the application, but did not make an objection.</p>					
CAAC/Local groups* comments: *Please Specify	<p>The Heath & Hampstead Society was consulted on the application and provided an objection, summarised as follows:</p> <ul style="list-style-type: none">This part of the Heath is extremely prominent, and has become cluttered with a line of cabinets;Can the installers remove unwanted and redundant boxes?Can equipment be moved into one cabinet? <p><u>Officer's Response:</u> The additional cabinet is not considered to cause an unreasonable impact on the amenity of the area. Council has also requested further justification for the need for an additional utility cabinet, and it has been established as a necessity to support the upgrade of the infrastructure. For further assessment of the design, please refer to parts 2.3 – 2.5 of this report.</p>					

Site Description

The subject site is situated on the eastern side of North End Way. Whitestone Pond and Whitestone Walk are opposite the site to the west. Hampstead Heath is located immediately to the east. The nearest buildings are The Old Court House to the North, and Gangmoor (Grade II listed) to the south east. The proposal is situated within an area which currently includes existing infrastructure installations (2 towers and ancillary cabinets).

The site is not within the Hampstead Conservation Area (although the pond and nearby buildings are within Hampstead CA).

Relevant History

2004/0493/P

The erection of a 10.3m high pole containing telecommunications antennae and 1 associated equipment cabinet, located on back edge of pavement. (Granted 28 May 2004)

2004/0169/P

The erection of a 10.3m high pole containing telecommunications antennae and 2 associated equipment cabinets, located on back edge of pavement. (Granted 28 May 2004)

2006/0500/P

The erection of a 10.3m high pole containing telecommunications antennae and 3 associated equipment cabinets, located on the back edge of the pavement (Refused, Approved on appeal 28 October 2006). Primary reasons for refusal included the lack of justification for the additional equipment and the additional visual clutter which would harm the streetscape and adjoining Conservation Area and Heath.

2006/4345/P

Installation of a 10m high monopole with telecommunications antennae and two associated equipment cabinets on pavement (Prior Approval, refused. Approved on appeal 15 June 2007). Primary reasons for objection included the unacceptable siting and design of the proposed pole and cabinets.

Relevant policies

NPPF 2012

London Plan March 2015, consolidated with alterations since 2011

Local Development Framework 2010

Core Strategy

CS5 (Managing the impact of growth and development)

CS14 (Promoting high quality places and conserving our heritage)

Development Policies

DP24 (Securing high quality design)

DP25 (Conserving Camden's heritage)

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

Camden Planning Guidance (As amended 2013)

CPG1 (Design)

CPG6 (Amenity)

Hampstead Conservation Area Statement (October 2011)

Assessment

1.0 Proposal

1.1 Planning permission is sought for the upgrade of an existing telecommunications installation to facilitate 4G coverage. The existing tower will be removed and replaced with a new tower to the same height of 10.0m (approximately). The proposal also seeks approval to construct an associated equipment cabinet, with dimensions of 1.23m (l) x 0.4m (w) x 1.03m (h). The pole and cabinet will be painted in matt black, anti graffiti paint, to match the existing tower. The equipment will be located on the rear of the pavement (adjacent to Hampstead Heath), in line with the existing installations.

1.2 No design revisions have taken place throughout the course of this assessment.

2.0 Assessment

2.1 The main issues to assess as part of the proposal include its effect on the character and appearance of the streetscene and the visual amenity of the area and its effect on public health.

2.2 The area around the pond is very wide and open, prominently sited on the brow of a hill and widely visible from public vantage points as it has roads radiating out in all directions and has views from the heath to the west and east. Its southern part is relatively well screened by trees of the Heath on the east side. It has a series of lampposts measuring 10.5m high scattered around the pond, some on the pond island itself and some on the eastern pavement, and it also has at sporadic intervals various signposts and bus-stops. The eastern pavement is 3.8m wide and is bounded by a post and rail fence, and has lampposts spaced regularly at 21m intervals. To the south of the proposal is a traffic signal installation. Behind the proposal is a screen of trees and the garden of Gangmoor which is a Grade 2 listed house.

2.3 It is noted that resistance to previous applications (granted on appeal) has occurred due to the harm additional towers would have on the established pattern of lamp posts, and thus causing an excess of visual clutter and harm to the immediate area and adjacent conservation area. The application differs to those previously considered, given that the proposal is for the upgrade of an existing installation only. The proposed tower will maintain the existing height. The tower is shown to have an increased bulkiness, particularly at the base the diameter will increase from 0.25m to 0.6m then at the very top of the antenna it will increase from 0.2m to 0.5m, however the change is not considered to introduce any harmful visual impacts when considered against the existing structure.

2.4 The development will require location of a new equipment cabinet south of the tower, which will create some additional visual clutter to the area. Three utility cabinets are located in the immediate vicinity north of the tower, and an additional two cabinets are situated further south of the site beyond the bus shelter. The objectors concerns are recognised with respect to the excess of cabinets which have been installed at the subject location, and their cumulative visual impact causing an amenity compromise. The Council requested clarification from the applicant as to whether any redundant boxes can be removed, and if the upgrade could occur without requiring the additional cabinet to be installed. In this instance, the applicant confirmed that the cabinet would be required in order to manage the sharing of the tower (EE [formerly Orange and T Mobile] will be network sharing with H3G so in essence three operators will share the tower, hence needing the additional cabinet installation).

2.5 In this instance, it is not considered the additional cabinet would cause any unreasonable visual amenity compromise. The cabinet is not overly large, being similar to other typical street utility cabinets. The position of the cabinet will be on the rear edge of the pavement, aligned with those nearby. The cabinet will be reasonably discrete and will not mask any important views along the road or from the Heath. Furthermore, the location of the cabinet will not obstruct pedestrians along the pavement as the required clear width of minimum of 2m is maintained, and they will not look out of place or unnecessarily prominent as they adjoin other street furniture and installations. A matt black colour is proposed, which is in keeping with most other installations in the area, a condition has been applied accordingly. A condition has been applied which requires the equipment to be removed, in the event it becomes redundant.

2.6 The antennae of the new tower has been shown to conform with ICNIRP guideline on emissions and will not directly harm public safety. Additionally, the mast is not in close vicinity to sensitive receptors, such as houses or schools.

4.0 Recommendation: Grant Conditional Permission

DISCLAIMER

Decision route to be decided by nominated members on Monday the 11th May 2015. For further information please click [here](#)

Damian Hosker
WHP
The Ponderosa
Scotland Lane
Horsforth
Leeds
LS18 5SF

Application Ref: **2014/7812/P**
Please ask for: **Simon Vivers**
Telephone: 020 7974 4206

7 May 2015

DRAFT

Dear Sir

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
**North End Way
London
NW3 1EA**

DECISION

Proposal:
Replacement of existing telecommunications equipment and installation of new cabinet at North End Way.

Drawing Nos: 51136-01, 51136-02, 51136-03, 51136-04, 51136-05, Site Specific Supplementary Information (prepared by WHP), ICNIRP Certificate (ref: V 6.2 March 2014)

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 and documents: 51136-01, 51136-02, 51136-03, 51136-04, 51136-05, Site Specific Supplementary Information (prepared by WHP), ICNIRP Certificate (ref: V 6.2 March 2014).

Reason:

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

- 3 The cabinet hereby approved shall be given a stippled black paint finish within one month of being installed.

Reason: In order to prevent flyposting and minimise the impact on the streetscene and local environment in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 4 The apparatus hereby approved shall be removed from the site as soon as reasonably practicable when no longer required.

Reason: In order to minimize the impact on the appearance of the local environment in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which 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, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 2 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 are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Director of Culture & Environment

DRAFT

DECISION