

Delegated Report		Analysis sheet	Expiry Date:	13/02/2015
		N/A / attached	Consultation Expiry Date:	12/2/2015
Officer			Application Number(s)	
John Nicholls			2014/7792/P and 2015/0071/L	
Application Address			Drawing Numbers	
85 Gower Street London WC1E 6HJ			See decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Retention of 2 no. microcell antennas located on the front elevation between ground and first floor level				
Recommendation(s):		<ol style="list-style-type: none"> 1. Refuse planning permission 2. Refuse listed building consent 3. That the Head of Legal Services be instructed to issue a Listed Building Enforcement Notice under Section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended, requiring the removal of the two unauthorised microcell antennas on the front elevation of the listed building, and to pursue any legal action necessary to secure compliance and officers be authorised in the event of non-compliance, to prosecute under section 43 and or appropriate power and/or take direct action under section 42 respectively, in order to secure the cessation of the breach of planning control. 		
		Full Planning Permission and Listed Building Consent		

Conditions or Reasons for Refusal:	Refer to Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	07	No. of responses	00	No. of objections	00
			No. electronic	00		
Summary of consultation responses:	Press Notice displayed from 22/01/2015 – 12/02/2015 Site Notice displayed from 20/01/2015 – 10/02/2015 No comments have been received as a result of the notification procedure					
CAAC/Local groups comments:	The Bloomsbury CAAC has not commented on this proposal. English Heritage did not wish to comment on this application.					

Site Description

The site consists of a three storey end of terrace building located on the west side of Gower Street on the corner with Torrington Place.

The property is a grade II listed building and is located in the Bloomsbury Conservation Area.

Relevant History

2014/5383/P and 2014/5541/L - Installation of 1 no. microcell antenna and associated equipment. – Refused - 17/11/2014

An informative stated that there was no consent being granted for the existing communications boxes on the building, and that these would need to be removed or a listed building application submitted for the retention with 3months or enforcement action might be taken.

EN14/1155 – Enforcement file opened 17/11/2014 regarding the unauthorised communications boxes.

Relevant policies

LDF Core Strategy and Development Policies

CS1 – Distribution of growth

CS5 – Managing the impact of growth and development

CS14 - Promoting high quality places and conserving our heritage

DP24 – Securing high quality design

DP25 - Conserving Camden's heritage

DP26 – Managing the impact of development on occupiers and neighbour

Camden Planning Guidance:

CPG1 – Design (2013)

CPG6 – Amenity (2011)

National Planning Policy Framework (2012)

London Plan (2011)

Bloomsbury Conservation Area Appraisal and Management Strategy (2011)

Assessment

Proposal

The proposal consists of two micro antennas on the building's fascia just above and below the painted frieze between ground floor and first floor. Each measures approximately 250mm, is square and painted black. They are fed with wires which themselves feed into a conduit located to the side of the black painted metal rainwater pipe on the corner of the property. This conduit runs between the foot of the ground floor to the frieze between ground and first floor. The conduit is painted black and measures 30mm across and is 4.2m long. The wires then feed out and down into the basement lightwell area for another 2m and then wind along the flank of the building and into a covered service cupboard. These are all visible from the street.

The way the micros cells work, mean that they need to be facing Gower Street, either on the front of the property or on the side elevation close enough to the junction with Torrington Place to partly face Gower Street.

Design

The two microcell antennas and their black painted covers are considered part of a group of unsightly and inappropriate boxes (including an alarm box unrelated to this proposal) which harms the significant frontage of this historic listed grade II terrace house. This proposal seeks to retain these antennas which are considered to be inappropriate additions to the front of this listed building due to the cluttering effect they create.

It is therefore considered that the proposed antenna's, would be an unwelcome alien feature attached to the front of the listed building which is visible from the street, and the fixings causing potential damage to the historic fabric, and are therefore considered to be harmful to the special architectural and historic character of the property and therefore contrary to policies DP24 and DP25 of the Council's Local development Framework, design guidance set out in paragraph 11.7 (p100) of Supplementary Planning Guidance document CPG1: Design, and paragraph 5.41 (p123) of the Bloomsbury Conservation Area Appraisal and Management Strategy 2011.

Although the alarm box located close to these antennas is not part of this application, it is also considered to be harmful to the front elevation of the listed building and therefore is included in the following recommended enforcement action for consistency sake.

Amenity

The proposed communications equipment would not have any detrimental impact on any neighbouring properties in regards to noise, loss of privacy, overshadowing or overbearing impact. The proposal is therefore seen to be in compliance with DP26 and guidance in CPG6: Amenity.

Recommendation 1: Refuse planning permission

Recommendation 2: Refuse listed building consent

Recommendation 3:

That the Head of Legal Services be instructed to issue a Listed Building Enforcement Notice under Section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended, requiring the removal of the two unauthorised microcell antennas on the front elevation of the listed building, and to pursue any legal action necessary to secure compliance and officers be authorised in the event of non-compliance, to prosecute under section 43 and or appropriate power and/or take direct action under section 42 respectively, in order to secure the cessation of the breach of planning control.

The notice shall allege the following breaches of planning control:

1. The erection of two micro cell antenna's to the front elevation of the property between ground and first floor level of the property;
2. The erection of associated cables and conduit fitted to the front elevation of the property between basement and first floor level adjacent to the rainwater goods;
3. The erection of a burglar alarm box on the front elevation of the property at ground floor level adjacent to the top of the front windows;

WHAT ARE YOU REQUIRED TO DO:

1. Remove the unauthorised antenna's, conduit, cables and alarm box from the front elevation and repair and make good where necessary in materials which match those adjacent.

PERIOD OF COMPLIANCE:

One month

REASONS WHY THE COUNCIL CONSIDER IT EXPEDIENT TO ISSUE THE NOTICE:

Reasons for Issuing the Notice:

1. The work outlined above has been carried out to this Grade II listed building without the benefit of Listed Building Consent
2. The unauthorised antennas and associated equipment, by reason of their siting, scale and appearance are considered to have a detrimental impact on the special architectural and historic interest of the listed building, therefore contrary to policy CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and policy DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies.

