

Portland Court, 38 Belsize Park - 2015/3776/P



Application Site, Portland Court, 38  
Belsize Park



Photograph One: View from Buckland Crescent.





Photograph Two: View from Belsize Park looking south.



Photograph Three: View from Daleham Gardens to the west (rear of site).

<b>Delegated Report (Members Briefing)</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	<b>28/08/2015</b>
		N/A		<b>Consultation Expiry Date:</b>	13/08/2015
<b>Officer</b>			<b>Application Number(s)</b>		
Jennifer Chivers			2015/3776/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
Portland Court 38 Belsize Park London NW3 4ED					
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		
<b>Proposal</b>					
Installation of 6 x multiband antennas enclosed within 3 x replica chimney GRP shrouds to the plant room and 4x radio equipment cabinet on the roof.					
<b>Recommendation(s):</b>		Grant Planning Permission subject to conditions			
<b>Application Type:</b>		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notices					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	22	No. of responses	2	No. of objections	2
			No. Electronic	00		
Summary of consultation responses:	<p>Site Notice Erected 30/07/2015 – 20/08/2015 Press Notice 31/07/2015 – 21/08/2015</p> <p>A resident from Portland Court has objected to the application on the following grounds:</p> <ul style="list-style-type: none"><li>- The antenna’s pose a suspected risk of harm to the public and environment. WHO studies have shown that children exposed to cell tower radiation have experienced severe health effects. Adults too can be affected. Given the suspected risks of harm to the public the telecommunications should be relocated to a non residential area.</li></ul> <p><b>Officer Response:</b> <i>The health effects of the proposal are discussed in section 4.0 of this report. Additionally, the applicant has submitted information to demonstrate that the proposal will comply with ICNIRP standards.</i></p>					
CAAC/Local groups* comments: *Please Specify	<p>The Belsize Conservation Area Advisory Committee have objected on the following grounds:</p> <ul style="list-style-type: none"><li>- Greater effort should be made to produce a design which is less visually intrusive.</li></ul> <p><b>Officer Response:</b> <i>The proposed shrouds have been amended since initial receipt of the application. The shrouds have been reduced in scale and height. The proposed replica chimneys are set back from the front and rear elevation and therefore the bulk will be partially mitigated. Additionally permission was granted in 2011 to install telecommunication apparatus at roof level with exposed antennas and the current proposal is viewed as an improvement on this design.</i></p>					

## Site Description

The application site relates to a 5-storey building currently occupied by residential flats. The building is known as Portland Court, located on the west side of Belsize Park, close to the junction with Buckland Crescent. The surrounding area is mainly residential in character and forms part of the Belsize Park Conservation Area.

Whilst the building is within the Belsize Park Conservation area it is not listed as a positive contributor. The building is not subject to any other designations.

## Relevant History

**2004/3594/P:** The erection of two 2.5m high GRP fake chimney stacks, containing 3 telecommunications antennae, and 2 associated equipment cabinets on the roof. **Granted.**

**2011/1041/P:** Installation of 3 x antennas, 2 x equipment cabinet and ancillary equipment to roof level of flats (Class C3). **Granted.**

**2012/2343/P:** Installation of antennas with 2 x GRP replica chimney stacks and associated equipment including an equipment cabinet and handrails at roof level – **Granted**

## Relevant policies

### National Planning Policy Framework 2012

Page 31 para 132 -133

### London Plan 2015 consolidated with alterations since 2015

### 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)

### 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 2011

CPG1 (Design) 2015

CPG 6 (Amenity) 2011

Belsize Conservation Area Appraisal and Management Strategy November 2002

## Assessment

### 1.0 Proposal

- 1.1 Planning permission is sought for the installation of 6 multiband antennas enclosed within 3 replica chimney GRP shrouds to match the existing brickwork. An additional four radio equipment cabinet are also to be installed on the roof.
- 1.2 The proposed antennas would be surrounded by a GRP shroud (Glass reinforced plastic) which would have the appearance of a chimney.
- 1.3 The proposed replica chimneys would be approximately 3.7 metres in height above the existing roof level. The chimney shroud would be adjacent to the existing stacks at roof level. Two GRP chimney stacks are proposed at the rear of the building and one at the front. The two chimney shrouds at the rear are set back into the building by 7.2 metres and 9.4 metres and are located centrally within the existing roof structure. The proposed chimney at the front of the building is set back into the roof by approximately 3.6 metres.
- 1.4 It is also proposed to erect four radio equipment cabinets. Three cabinets are proposed along the southern elevation and are set back from the front elevation by approximately 3.6 metres. The other cabinet will be located within the centre of the roof and screened by the other units and equipment. This cabinet is set back from the rear elevation by approximately 4.6 metres. The cabinets are proposed to be constructed of galvanised steel and will be grey.
- 1.5 Since the initial application the proposed replica chimney shrouds have been lowered and relocated in order to reduce any dominance on the host building. The proposed replica chimneys have been lowered by 1 metre to ensure they are no higher than the existing structures located at roof level.
- 1.6 The requirement of this equipment is to provide improved 2g, 3g and 4g network coverage and capacity to the South Hampstead area.
- 1.7 The proposals constitute mast sharing upon an existing structure and therefore eliminate the need to install a second installation elsewhere in the immediate locality.

### 2.0 Assessment:

- 2.1 The principal considerations material to the determination of this application are visual impact and amenity.

### 3.0 Visual Impact

- 3.1 The NPPF sets out local planning authorities should support the expansion of electronic communications networks, including telecommunications and high speed broadband. Operators are encouraged to make use of existing masts, buildings and other structures.
- 3.2 Government advice is that local planning authorities should seek to approve such proposals in support of national interests unless they are sufficiently and demonstrably harmful as to override that interest. Consideration must be given as to whether the impact from this proposed telecommunications installation is sufficiently serious to override the presumption in its favour under the guidance of the NPPF.
- 3.3 The proposed replacement / upgrade is required to facilitate usage by further operators and the most up-to-date technology. The proposal will enable telecom operators to share facilities, providing coverage to both operators through one telecommunications installation and eliminating the need to provide more equipment at other sites.
- 3.4 The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy DP24 are relevant to the



application: development should consider the character, setting, context and the form and scale of neighbouring buildings, and the quality of materials to be used. Policy DP25 'Conserving Camden's Heritage' states that within conservation areas, the Council will only grant permission for development that 'preserves and enhances' its established character and appearance.

- 3.5 The site currently hosts various pieces of equipment within mock chimney stack GRP shrouds, there are also additional rooftop plant enclosures comprising various air condenser units, lift over run and screens for telecommunications equipment. Some of the existing plant enclosures are visible from street level (as viewed in photograph one and two).
- 3.6 The proposed replica chimney shrouds would be manufactured to match the existing brickwork on the building. A condition will be included to ensure the shroud matches the brickwork as close as possible to ensure the shrouds are blended into the building.
- 3.7 With regard to the siting of the proposed equipment, the proposed antenna and cabinets are set back from the roof edge and would be viewed against the backdrop of the plant room in conjunction with the existing chimney's TV aerials and other telecommunication equipment.
- 3.8 Furthermore, permission was granted in 2011 to install telecommunications apparatus at roof level with exposed antennas (Reference: 2011/1041/P). Due to different technologies proposed in this application, the antennas are proposed to be concealed within GRP shrouds as opposed to the previous exposed antenna design.
- 3.9 Given the existing equipment already located on the roof, the proposed setback of the installations and the mitigation in the form of screening it is considered on balance that there will be a limited visual impact on the host building and the Belsize Park Conservation Area. The proposal will remain unobtrusive when viewed from the street and would preserve the character and appearance of the conservation area.

#### **4.0 Amenity**

- 4.1 The proposed antennas are located on top of a five storey block of flats. It is not considered that the proposal would have a harmful impact on the amenities of neighbouring occupiers in terms of its siting and appearance and would therefore comply with the aims of Policy DP26.
- 4.2 Although health issues can be a material consideration in determining applications, guidance within the NPPF on telecommunications 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 the International Commission guidelines for public exposure'.
- 4.3 In this case sufficient information has been submitted to justify the antenna and information has been submitted to demonstrate that the antenna will comply with ICNIRP standards on radiation levels.
- 4.4 It is not anticipated that there will be any harm to neighbouring amenity with regard to noise. The standard noise condition will be attached to ensure that any noise is lower than 5dbA to the nearest noise sensitive location.

#### **5.0 Conclusion**

- 5.1 The proposal is considered to be acceptable in terms of siting. It is considered that the design and appearance of the proposal in general would be acceptable as the proposal would be set back and discretely located within existing equipment.

**Recommendation: Grant planning permission subject to conditions.**

**DISCLAIMER**

**Decision route to be decided by nominated members on Monday 11<sup>th</sup> January 2016. For further information, please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'Members Briefing'.**

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Mono Consultants  
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M2 4JG

Application Ref: **2015/3776/P**  
Please ask for: **Jennifer Chivers**  
Telephone: 020 7974 **3303**

6 January 2016

**DRAFT**

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:  
**Portland Court**  
**38 Belsize Park**  
**London**  
**NW3 4ED**

**DECISION**

#### **Proposal:**

Installation of 6 x multiband antennas enclosed within 3 x replica chimney GRP shrouds to the plant room and 4x radio equipment cabinet on the roof.

Drawing Nos: 100 Rev B; 200 Rev C; 201 Rev D; 300 Rev B; 301 Rev C; 302 Rev B; 303 Rev B

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 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The GRP replica chimney shrouds shall be finished in materials that match, as closely as possible, the colour of the existing brickwork.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 4 The development hereby permitted shall be carried out in accordance with the following approved plans: 100 Rev B; 200 Rev C; 201 Rev D; 300 Rev B; 301 Rev C; 302 Rev B; 303 Rev B

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

- 5 Noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 10dB(A) below the LA90, expressed in dB(A).

Reason: To safeguard the amenities of the adjoining premises in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

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

Reason: In order to minimize the impact on the appearance of the building and local environment in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 and DP25 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