

Delegated Report		Analysis sheet	Expiry Date:	26/10/2016
		N/A / attached	Consultation Expiry Date:	06/10/2016
Officer			Application Number(s)	
Robert Lester			2016/4803/P	
Application Address			Drawing Numbers	
Troyes House Lawn Road London NW3 2XT			100B, 200B, 300A, 301B, Cover Letter ref: JB/CTIL/Metro/148391, ICNIRP ref: CTIL 148391, General Background Information for Telecommunications Development, Supplementary Information, CTiL, Existing Telefonica (3G) Coverage, CTiL Existing Vodafone (3G) Coverage Photomontage views CTIL: 148391.1.1, 148391.2.1, 148391.3.1, 148391.4.1, 148391.5.1.	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Installation of 6no. antennas behind a glass reinforced plastic (GRP) screen with ancillary works.				
Recommendation(s):		Refusal		
Application Type:		Full Planning Permission		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	49	No. of responses	383	No. of objections	383
Summary of consultation responses:			No. electronic	383		
	<p>A site notice was erected at the site between the 14/09/2016 – 05/10/2016 and a press notice was advertised between the 15/09/2016 – 06/10/2016.</p> <p>162 objection letters together with an objection petition signed by 221 local residents with the following points of objection:</p> <ul style="list-style-type: none"> • <u>Impact on health:</u> (particularly children and vulnerable people i.e. disabled and chronically ill) from electromagnetic radiation including cancers and increased symptoms including disturbance to sleep patterns, extreme thirst, tinnitus and brain fog. Case law has shown that health is a material consideration. The building is only 4 storeys in height and its limited height would deliver radiation into the upper storeys of neighbouring properties. The installation of a mobile phone mast on top of Troyes House goes against Camden's own health and wellbeing strategy. The council should adopt a strict precautionary principle and avoid putting health in danger, by finding a better suited location for these antennas. Case law has determined that alternative sites should be used if local opinion is against one siting. There is also inadequate information about the power output of the equipment. The development would also impact on residents' human rights of a respect a private and family life and the right to the protection of health. • <u>Design and Conservation Impact:</u> The site is located in a conservation area and close to several listed buildings. The proposed antennas and screens located at roof level on this 4 storey building would be visually prominent and disruptive and would result in a harmful visual impact to this conservation area. • <u>Adequate Phone Coverage Already:</u> There is sufficient phone coverage in the area as shown by the coverage maps on the Ofcom and O2 websites. This development would not provide a substantial improvement of mobile phone signals in Belsize Park due to the limited height of the building. • <u>Procedural Issues:</u> Inadequate consultation process; only a handful of local residents were consulted and the developer should have served certificate B on leaseholders. • <u>Amenity Impact:</u> The structure would result in a loss of light to the neighbouring property at number 3 Upper Park Road. • <u>Council's Interest in the Land:</u> The Council should consider other ways to generate revenue rather such as placing solar panels on the roof to generate energy for the building. The Council is putting financial gain ahead of people's health. The telecommunications operators make sufficient money already. The Council as the owners of this building should have undertaken pre-consultation with local residents • <u>Consistency:</u> Development which is more minor/ less harmful is regularly refused in this conservation area. • <u>Wildlife:</u> Impact on local wildlife. 					

**CAAC/Local groups*
comments:**

Belsize CAAC - Objection

The proposed central tower is an absurd disproportionate addition to the existing roofline which respects the prevailing four storey-height of the adjacent 1860 houses, and continues a graceful curve of the Lawn Road roof line

Troyes House Residents Group - Objection

- Health: Over a third of residents are vulnerable adults and children, suffering from physical and mental illnesses, some with very severe disabilities. These residents are at greater risk from EMFs than healthy adults. Also many of the residents have had cancer and fear the radiation from the proposed mast would bring back their cancers. Whether this is justified or not is immaterial as there is no doubt that the worry about this would severely impact their health over time.
- Location: We question the location of this mast on a low-rise residential building such as ours when there are two, fifteen story buildings nearby: one at the bottom of Lawn Road and the other at the bottom of Upper Park Road. Surely these high-rise blocks would offer greater coverage for the telecom company?
- Conservation: Our estate sits in a conservation area so erecting a mast on the roof of our building violates the guidelines for conservation areas. We have been told the mast will be surrounded by GRP, glass reinforced plastic, but this is most definitely not a material to be used in a conservation area such as ours.
- Procedure: There are seven leaseholders in Troyes House and they should have been served by Camden with a Certificate B. No one however has received this notice. Although Camden has a statutory duty to consult with residents about this proposal, there has been no such consultation. Neither has there been any consideration given to the many residents who do not have computers and internet access and as a result have been excluded from this process.

Site Description

The application site is Troyes House which is a 4 storey block of flats located at the junction of Lawn Road and Upper Park Road in Belsize Park.

Troyes House is a 4 storey building with a flat roof constructed from brick with projecting concrete balconies. The building is set back from Lawn Road/Upper Park Road behind landscaped gardens and low front boundary wall.

The site is located within the Parkhill Conservation Area. The eastern side of Lawn Road and both sides of Upper Park Road contain 4 storey semi-detached Victorian dwellings with traditional architectural detailing. The western side of Lawn Road contains two storey inter-war dwellings built in the Arts and Crafts style. The site is located close to the junction of Upper Park Road and Haverstock Hill. There are several high post war blocks of flats located near the site on Haverstock Hill.

The Conservation Area Statement (CAS) identifies the Troyes house site within the Lawn Road/Upper Park Road residential area and states that the post 1945 flats on the site replaced previous war damage. The building is identified as a neutral contributor to the area. The CAS states that the houses on the eastern side of Lawn Road are pairs of 1860s semi-detached brick and stucco villas designed by William Lund.

Relevant History

- 2004/3569/P - Replacement of all steel windows and balcony doors with new aluminium double glazed windows, and replacement of main communal entrance doors with similar design and installation of guardrails around the perimeter of the roof - Granted - 13/12/2004.
- 2011/3190/P - Installation of 2 communal satellite dishes, a new antenna with associated equipment, 3x cabinets and new external cable runs to residential block (Class C3) – Granted - 16/08/2011.

Relevant policies

London Plan 2016
NPPF 2012

LDF Core Strategy and Development Policies

CS1 Distribution of Growth
CS4 Areas of more limited change
CS5 Managing the Impact of Growth and Development
CS14 Promoting high quality places and conserving our heritage
CS16 Improving Camden's health and well-being
DP24 Securing high quality design
DP25 Conserving Camden's heritage
DP26 Managing the impact of development on occupiers and neighbours

Camden Planning Guidance (CPG)

CPG1 Design

Camden Parkhill and Upper Park Conservation Area Appraisal and Management Strategy (2011)

Assessment

1. Principle of Development

1.1 The National Planning Policy Framework requires that applications for telecommunications development should be supported by the necessary evidence to justify the proposed development would not cause interference to other electrical equipment, air traffic services or instrumentation operated in the national interest, including details of pre-consultation with local schools and colleges, a statement that certifies that the development would not exceed the International Commission on non-ionising radiation protection (ICNIRP) guidelines, evidence that the applicant has explored the possibility of erecting antennas on an existing mast. The NPPF also requires Local Planning Authorities to keep the numbers of radio and telecommunications masts to a minimum consistent with the efficient operation of the network. Existing masts, buildings and other

structures should be used, unless the need for a new site has been justified and where new sites are required, equipment should be sympathetically designed and camouflaged where appropriate.

Interference with existing Telecommunications Equipment

1.2 The site is not located close to an aerodrome and as identified in the developers supporting statement the proposed equipment would operate on frequencies which are regulated by Ofcom which would ensure that there is no interference with nationally significant telecommunications or electronic infrastructure.

Consultation with Local Schools

1.3 UK Government Research in the Stewart Report (2000) advocated a precautionary approach to telecommunications development and identified that children are more susceptible to telecommunications radiation. The NPPF does not make reference to the precautionary approach directly, but does carry forward the principle of the consideration of the siting of masts close to local schools through the requirement for developers to pre-consult with local schools.

1.4 The developer undertook pre-consultation with local schools including:

- St Dominic Primary School, Southampton Road - 285m away from the application site.
- Abacus Belsize Primary School, Hampstead Town Hall - 260m away from the application site.
- Three Acres Pre-School, 29-31 Parkhill Road - 200m away from the application site.
- Polkadots Nursery, Blackfriars Parish Hall, Southampton Road - 290m away from the application site.

1.5 It is considered that adequate pre-consultation has been undertaken with schools. The schools identified are also not considered to be close to the proposed mast site at Troyes House.

Impact on Health

1.6 The NPPF states that Local Planning Authorities (LPA) should not determine health safeguards if the proposal meets International Commission guidelines for public exposure provided an ICNIRP certificate has been submitted.

1.7 The developer has submitted the necessary ICNIRP certificate as required by the NPPF.

1.8 As set out above, the proposed mast would not be located close to schools.

1.9 A significant number of objections have been received to the proposed telecommunications equipment on health grounds. Many of these objections highlight that the site is located in a residential area which also contains many children and vulnerable people. Although, there is some sympathy with these objections, the NPPF does not give scope for the LPA to determine health safeguards beyond compliance with ICNIRP and proximity to schools.

Use of Existing Masts/Site Sharing

1.10 The NPPF requires consideration of siting the proposed equipment on existing masts in the area and requires the overall numbers of masts should to be kept to a minimum required for efficient network operation.

1.11 The developer has submitted existing and proposed telecommunications coverage maps (for Vodafone and Telefonica) which show an existing signal coverage deficiency in the area. These maps of the Belsize Park area show the strength of the coverage from 'Indoor Dense Urban' (where the signal would be strong enough to provide services to a hand device within buildings in urban areas) to 'In Car' (where the signal would be strong enough to provide the same service but only within a car). The existing maps show that the area around Lawn Road/Upper Park Road together with parts of Parkhill Road and Haverstock Hill currently experience a mixed signal made up of part 'Indoor Urban'/'part 'Indoor Suburban' and part 'In Car'. The proposed maps show that the level of coverage would be improved and that the signal strength would improve to 'Indoor Dense Urban' across the survey area of Belsize Park. It is therefore accepted that the development would improve the telecoms signal for mobile devices inside buildings in the area. However, it is noted that some objection letters received from local residents comment that the existing signal is adequate in the area.

1.13 The developers coverage maps identify existing masts to the north east on Grafton Road in Gospel Oak, to the south west on Primrose Hill Road in Belsize Park and to the north at The Royal Free Hospital

Hampstead (It is not known whether these are all of the masts in the area, or just those operated by Vodafone and Telefonica). However, the developer's supporting information states that the equipment is required to cover the deficiency in the Lawn Road/Upper Park Road/Parkhill Road area specifically.

1.14 The developer has also provided a list of other possible sites that were considered in the area including:

- Downside Lodge, 29 Upper Park Road.
- Allingham Court, Haverstock Hill.
- Holmefield Court, Belsize Grove.
- 135 Haverstock Hill.
- Belsize Park Tube.

1.15 The developer has stated that the owners of the above sites have said that they are not available. The assessment of this application cannot pre-judge any of these sites, which would need to be dealt with on their own merits. However, sites on Haverstock Hill where buildings are higher and the land use is more commercial/retail may be more appropriate for antennas. The supporting information states that the owner of the site at Allingham Court is considering a proposal from another mast operator. Allingham Court is a 4 storey block of a post war design with ground floor commercial use and residential above located on Haverstock Hill just to the north of Belsize Park Underground Station. It is located outside the conservation area in a commercial area. Again, this application cannot pre-judge the acceptability of other sites. However, considering that site is already being considered by another operator, further consideration could have been given to that location ahead of this site which is located in a prominent location in the conservation area

2. Design and Conservation Impact

2.1 Camden Core Strategy Policy CS 14 (Promoting High Quality Spaces and Conserving Our Heritage) and Camden Development Policy DP 24 (Securing high quality design) require development of the highest standard of design that respects local context and character.

2.2 Section 12 (Conserving and enhancing the historic environment) of the NPPF, policy CS14 (Promoting High Quality Spaces and Conserving our Heritage), and policy DP25 (Conserving Camden's Heritage) all reflect the statutory duty placed on a local planning authority to have regard to preserving or enhancing the character and appearance of a conservation area.

2.3 The Camden Parkhill and Upper Park Conservation Area Appraisal and Management Strategy identifies the long views along the curved residential street of Lawn Road as a key view within the Conservation Area. This also states that the capacity for new development is limited and the roofscape of buildings is an important characteristic of the conservation area, with examples of unsympathetic alterations given as box-shaped additions. The appraisal also states that particular care is needed in roof alterations where roofs are prominent in long distance views and raising the roof ridge or dormer windows on the front of roofs are unlikely to be acceptable.

2.4 The telecommunications development would be sited on the existing stair over-run which is located in a set back position on the roof of the northern part of the building facing Lawn Road. The stair overrun is a brick structure which projects 2.5 m above the roof. In terms of public views: the existing stair overrun is visible from the western pavement on Lawn Road, highly visible from numerous vantage points to the north along Lawn Road for some distance and to the south east from the rear car park access with Upper Park Road. It would also be visible from private views to the rear of houses on the western side of Upper Park Road. The stair overrun is already a prominent structure on the roof of this building from these vantage points.

2.5 The telecommunications development would be sited on the stair overrun with a height of 1.7 m and would be a triangular structure with a length of 2.7 m and width of 2.4 m. This development would be formed of 6 antennas sited behind a glass reinforced plastic screen.

2.6 This development would be a highly prominent addition to the building due to the siting on the stair overrun and the height, scale and design of the structure. The structure would be visible from the western side of Lawn Road opposite the site and would be highly visible and visually intrusive when viewed from medium and long distance views along Lawn Road. The proposed development would also be highly visible and visually intrusive for some considerable distance along Lawn Road; in fact the structure would be highly visible and visually incongruous when viewed from (eastern pavement or central carriageway) at the junction with Downside Crescent (150m along Lawn Road) and would still be visible 50-80 m further up Lawn Road. Troyes House is a

4 storey building which is roughly equivalent in height to the 4 storey villas along Lawn Rd and the development would be sited on the already highly prominent overrun element, and would further increase the prominence and impact of the proposed rooftop development. The importance of the long distance views along Lawn Road are identified in the Conservation Area Statement and the development would result in harm to these views and to the conservation area. The proposed antennas and screening structure would also be highly visible and visually incongruous from the rear car park and junction with Upper Park Road.

2.7 It is acknowledged that the proposed glass reinforced plastic (GRP) screening would be finished in a brick effect/colour to match the building. This would not mitigate the harm, which would be overwhelmingly caused by the inappropriate siting of the structure on the already prominent stair overrun and its scale. However, GRP is a functional and industrial material which would not harmonise with this building or conservation area. The LPA would not agree with the developer who has stated that the public benefits of the development would outweigh any harm caused in accordance with the NPPF. The development would result in harm and although there would be some public benefits (from enhanced coverage; albeit from a largely already good service) this would be modest and would not outweigh the impact on the character and appearance of the conservation area.

3. Amenity Issues

3.1 It is acknowledged that a nearby resident has objected on the grounds of loss of light and outlook. However, given its distance and height/bulk, the development would not result in an amenity impact by reason of loss of light or noise in accordance with policy DP26.

4. Transport Issues

4.1 The development would only generate vehicle movements through initial construction and occasional maintenance which would not result in any highway impact.

5. Conclusion

5.1. The proposed telecommunications antennas and GRP screening structure by virtue of its inappropriate siting, its scale and bulk and unsympathetic functional design, would result in a highly visually prominent and incongruous development which would harm the visual appearance and character of the streetscene, particularly the designated views along Lawn Road and would fail to preserve or enhance the character and appearance of the conservation area, contrary to policy CS14 of the Camden Core Strategy, policies DP24 and DP25 of the Camden Development Policies, The London Plan and NPPF.