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Our Ref: CMN056/H3G/AR

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Submitted via the Planning Portal  
Recorded Delivery

Dear Sir/Madam,

**PLANNING APPLICATION FOR THE SWAP OUT OF THE EXISTING FLAGPOLE ANTENNA WITH A PROPOSED ALPHA 12 PORT TRI-SECTOR, MHA'S AND A DUO CABINET AT 100 CHALKS FARM ROAD, REGENTS PARK, CAMDEN, LONDON, NW1 8AN.**

We are planning consultants retained by MBNL to submit planning applications on their behalf. This proposal is for the upgrade of the existing Hutchison 3G UK Limited (H3G) site.

Enclosed you will find a full planning application prepared on behalf of H3G. H3G have been licensed to provide a Cellular Network based upon the Global System for Mobile (GSM) standard and Universal Mobile Telecommunications System (UMTS) within the United Kingdom.

The development consists of:

"Swap out of the existing flagpole antenna, the installation of a new Alpha 12 port tri-sector, MHA's, DUO cabinet (1200 x 750 x 2190) and associated works".

Enclosed is the following:

- Plans CMN056 Anglo Scottish – Issue D
- Application forms
- ICNIRP Certificate
- Planning and Heritage Statement (including design and access statement)
- Copy of Schools Consultation Letter

We trust you will find the enclosed information sufficient to register and validate the application. If however you require any further information, please contact Alice Routledge on 0161 956 4001 or [alice.routledge@gva.co.uk](mailto:alice.routledge@gva.co.uk)

Yours sincerely,

**GVA Grimley Ltd.**  
For and on behalf of MBNL

GVA is the trading name of GVA Grimley Limited registered in England and Wales number 6382509. Registered office, 3 Brindleyplace, Birmingham B1 2JB. Regulated by RICS.

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## 1. DESIGN AND ACCESS STATEMENT

In May 2006 changes were introduced to the planning application process. These changes are set out in Government Circular 01/2006 'Guidance on Changes to the Development Control System'. Section 3 states the requirement for design and access statements to accompany applications for certain types of permission and consent.

In order to comply with the requirements for the submission of planning applications as outlined in Government Circular 01/2006 'Guidance on Changes to the Development Control System', the following design and access statement is enclosed in support of this proposal. The statement links the general development principles to the final detailed design.

### 1.1. HISTORY & BACKGROUND

In 2000 the Government completed their auction of the third generation (3G) mobile telecommunication licences and Hutchison 3G U.K Limited were successful in bidding for one of the five licences available. The 3G system, also sometimes referred to as Universal Mobile Telecommunications System (UMTS), offers high-resolution video and multimedia services including mobile office services, virtual banking and on-line billing, home shopping, video conferencing and internet access.

### 1.2. DESIGN

#### 1.2.1. The Proposal

On 23 December 2016, planning permission for 'the increase in height of the existing flagpole antenna, new flagpole antenna and associated equipment cabinets at roof level' was refused by Camden Council (LPA ref. 2016/6215/P) for the following reason:

*'the proposed telecommunications antennas by virtue of their siting, height and design would result in a highly visually prominent and incongruous development which would clutter the roofscape of this building, harm the visual appearance and character of the streetscene, fail to preserve or enhance the character and appearance of the conservation area and harm the setting of the adjacent Grade II\* listed Roundhouse, contrary to policies CS14 of the Camden Core Strategy, policies DP24 and DP25 of the Camden Development Policies, the London Plan and NPPF'.*

This proposal has been redesigned to take into consideration the above reason for refusal and proposes a significantly reduced scheme for 'the swap out of the existing flagpole antenna for an Alpha 12 port tri-sector, MHA's and a DUO cabinet'. The equipment will be located on the roof of the building and will replace the existing; therefore the number of flagpoles present on the roof of the building has been reduced from the two in the refused scheme down to one in the current scheme. In addition, the previous scheme proposed a flagpole height of 22.04m from ground level whereas the redesigned flagpole is 21.6 (a reduction of 0.44m from ground level).

The host building is 100A Chalk Farm Road which is a five storey office building located to the east of the Roundhouse, Camden. Whilst the building is of no architectural merit, the building is listed due to its physical attachment to the Grade II\* listed Roundhouse to the east. The site is also located within the Regent's Canal Conservation Area.

In line with the informative detailed within the previous decision notice, the following local schools have now been consulted (notification attached), to which no objections have been raised:

- Challot School
- Primrose Hill School
- Holy Trinity and Saints Silas CofE Primary School

- Haverstock School.

### 1.2.2. Planning Policy Considerations

Section 54A of the Town and Country Planning Act 1990 (as amended)(now section 38 (6) of the Planning and Compulsory Purchase Act 2004) states that Local Planning Authorities should determine proposals in accordance with development plan policies, unless material considerations indicate otherwise. Material considerations may include, inter alia, central government guidance, High Court and Inspector's decisions etc.

### 1.2.3. Local Policy

The Development Plan for Camden comprises the **Core Strategy** (2010) and **Development Management Policies Document** (2010). Relevant policies are listed below.

#### Core Strategy 2010

- Core Strategy Policy CS14 'Promoting High Quality Places and Conserving our Heritage' – the Council will ensure that Camden's places and buildings are attractive, safe and easy to use requiring development of the highest standard of design that respects local context and character and preserving and enhancing Camden's rich and diverse heritage assets and their setting, including conservation areas, listed buildings, archaeological remains, scheduled ancient monuments and historic parks and gardens.

#### Development Policies Document 2010

- Development Policy DP24 'Securing High Quality Design'

Policy DP24 states that the Council will require all developments, including alterations and extension to existing buildings, to be of the highest standard of design and will expect developments to consider:

- a) Character, setting, context and the form and scale of neighbouring buildings;
- b) The character and proportions of the existing building, where alterations and extensions are proposed;
- c) The quality of materials to be used;
- d) The provision of visually interesting frontages at street level;
- e) The appropriate location for building services equipment;
- f) Existing natural features, such as topography and trees;
- g) The provision of appropriate hard and soft landscaping including boundary treatments;
- h) The provision of appropriate amenity space; and
- i) Accessibility

- Development Policy DP25 'Conserving Camden's heritage'

Development Policy DP25 states that in order to preserve or enhance Camden's listed buildings the Council will only grant consent for a change of use or alterations and extensions to a listed building where it considers this would not cause harm to the special interest of the building and not permit development that it considers would cause harm to the setting of a listed building.

#### London Plan 2011

- Policy 4.11 - Encouraging a Connected Economy

Policy 4.11 states that The Mayor and the GLA Group will, and all other strategic agencies should:

- a) Facilitate the provision and delivery of the information and communications technology (ICT) infrastructure a modern and developing economy needs, particularly to ensure: adequate and suitable network connectivity across London (including well designed and located street-based apparatus); data centre capability; suitable electrical power supplies and security and resilience; and affordable competitive broadband access meeting the needs of enterprises and individuals.
- b) Support the use of information and communications technology to enable easy and rapid access to information and services and support ways of working that deliver wider planning, sustainability and quality of life benefits.

#### **1.2.4. National Policy**

##### National Planning Policy Framework

This legislation was introduced on 27th March 2012 and replaces Planning policy Guidance notes and Planning Policy Statements.

The legislation was introduced to help to achieve sustainable development, sustainable means ensuring that that we create better lives for ourselves and not creating worse lives for future generations. Development means growth.

In relation to this policy the following paragraphs are relevant in determining this application:

- Section 5 – Supporting high quality communication infrastructure
- Section 7 – requiring good design
- Section 12 – conserving and enhancing the historic environment.

In particular, Paragraph 131 states that in determining planning applications, local planning authorities should take account of:

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- The desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 134 also states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

In relation to the above policies, the surrounding area comprises of a mix of commercial uses. The building does have existing antennas on site and it is not considered that the addition of a replacement antenna and equipment cabinet will be detrimental to the area. The equipment cabinet has been carefully located away from the building frontage and is not visible from street level given the height of the building. The proposal is therefore considered not to have a detrimental impact on the area and will preserve the character and appearance of the conservation area.

An ICNIRP certificate has been submitted as part of the application confirming that the proposal complies with guidelines.

#### **1.2.5. Heritage Statement**

The proposal has been re-designed to ensure that the equipment does not harm the character and setting of the Grade II Listed Building and Regents Canal Conservation Area.

The existing tri-sector flagpole antenna will be replaced by a new Alpha 12 port tri-sector flagpole in the same location and the existing baseplate will be adapted to suit. In addition to this, the existing NEC cabinet will be removed in order to install the new DUO cabinet. As such, there will be no additional equipment to that of the existing therefore there will be minimal change to the visual appearance of the roof top of 100A Chalk Farm Road.

The proposal will result in an increase in height of the existing flagpole antenna by less than 1.0m. Similarly, the proposed equipment cabinet is less than 0.5m higher than the existing cabinet. The proposed changes are considered to be minor in scale and will not cause harm to the special interest of the listed building in terms of height and design. With regards to siting, the proposed equipment will be located in the same position as existing therefore the proposal will not create a cluttered or over-developed feel. The proposal fully accords with Core Strategy Policy CS14 and Development Policies DP24 and DP25.

Policy DP25(b) only permits development within Conservation Areas that preserves and enhances the character and appearance of the area. Due to the height of the host building and the location of the telecommunications equipment set back from the edge of the building, the proposal will not be visually prominent from the streetscene thus development will preserve the character and setting of the Grade II Listed Building and the Regents Canal Conservation Area. It is also noted that the Conservation Area Appraisal gives no specific guidance to telecommunications development however the proposal fully complies with CS14, DP24 and DP25.

#### **1.2.6 Site Need and Identification**

The proposal is to upgrade an existing site therefore no alternative sites were considered as the proposal has very little visual impact on the host building.

In addition to the above, the site will form part of an improved upgraded network for Hutchison 3G UK limited which will allow faster downloading and the reduction in call drop outs.

Coverage - The licence granted to H3G demands that strict coverage qualities are met. It is essential that the benefits of mobile telephones are available for all the population. The changing customer use of mobile phones also demands that networks and coverage is available at home, in the workplace, while shopping, enjoying leisure activities or while on the move.

Quality - In order to ensure coverage within buildings such as homes, shops, offices etc. the radio signal has to be of sufficient strength to penetrate walls. In urban and suburban areas a dense network of base stations is therefore required, some less than 1 km apart.

Capacity - As the use of and demand for mobile phones has increased the number of sites required to provide Network capacity has increased. Each cell or base station can only handle a finite number of calls so in areas of high use additional cells are required to meet demands on the network and thus avoid existing cells going into congestion.

The radio implication of the site: Radio signals are transmitted through the network by using fixed links at such frequencies that necessitate an uninterrupted line of sight. To achieve this, the installation must reach a sufficient height above surrounding buildings and trees. The installation must also be in a position to provide good in building radio coverage to the target area.

The planning tool identifies deficiencies in the network and predicts the location from which the optimum coverage will be provided. This area is referred to as the search area or cell centre.

It is for these reasons that it is important to achieve a service of quality for mobile users. The main complaints received by mobile telephone operators about their service relate to the

problems associated with dropped calls and no service. As more and more people are using tablets and smart phones there is a need to ensure that existing sites can meet this demand. This is one such site as due to the location of the site there is a high level of traffic to the site.

### **1.2.7 Health and Safety**

We are aware of media and press articles concerning Health and Safety issues associated with sites such as this site. We remind you that Government Guidance is given in the National Planning Policy Framework.

The proposal for this site has been designed within International Commission on Non-Ionising Radiation Protection (ICNIRP) public exposure guidelines and therefore Health and Safety concerns should not be a planning consideration. An ICNIRP certificate is submitted with this application.

In 2000, the Independent Expert Group on Mobile Phones (IEGMP – Stewart Report) recommended a precautionary approach to mobile telephony in general and stressed the need for more research. NRPB endorses this approach and its Advisory Group on Non-Ionising Radiation (AGNIR) has just published its findings:

The Operators have studied the science review produced by the Advisory Group on Non-Ionising Radiation (AGNIR) and welcomes the overall view that the evidence does not suggest any adverse health effects from radio frequency exposures at levels below guidelines.

In particular, AGNIR has stated that exposure levels in the vicinity of mobile phone base stations are extremely low and the evidence indicates that they are unlikely to pose a health risk.

AGNIR concludes “In aggregate the research published since the IEGMP (Independent Expert Group on Mobile Phones) report does not give cause for concern.” However, it suggests that continued research is needed since mobile phones have been in widespread use for a relatively short time. The operators fully support this view both in principle and contribute to independent, reputable research including the £7.3 million Mobile Telecommunications and Health Research programme. An ICNIRP certificate is submitted with the application.

## **1.3 ACCESS**

Access to the site will remain unchanged, as will the on-going traffic visiting the site. We do not envisage additional maintenance visits incurring, and being new equipment, the likelihood of requiring visits for repair is remote.

## **2. CONCLUSION**

This statement demonstrates that the proposal will:

- Replace existing equipment with development of a similar scale which will preserve the designated heritage assets.
- Result in little change to the visual appearance of the roof top of 100A Chalk Farm Road.
- Ensure the protection of the heritage assets and retain the character and appearance of the local area.
- Cause less than substantial harm to the significance of the Grade II Listed Building and provide public benefits through the enhanced telecommunications coverage.

In accordance with National Planning Policy Framework (NPPF) paragraphs 131 and 134, London Plan Policy 4.11, Camden Core Strategy Policy CS14 and Development Policies DP24 and DP25.