

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		<b>05/06/2017</b>	
		N/A / attached		<b>Consultation Expiry Date:</b>		<b>18/05/2017</b>	
<b>Officer</b>				<b>Application Number(s)</b>			
Robert Lester				2017/2068/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
Troyes House Lawn Road London NW3 2XT				See Draft Decision Notice			
<b>PO 3/4</b>		<b>Area Team Signature</b>		<b>C&amp;UD</b>		<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>							
Installation of 6no. antennas behind 3no. glass reinforced plastic (GRP) screens and ancillary works.							
<b>Recommendation(s):</b>		Refusal					
<b>Application Type:</b>		Full Planning Permission					

<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Draft Decision Notice</b>					
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>	No. notified	<b>0</b>	No. of responses		No. of objections	
<b>Summary of consultation responses:</b>	<p>A site notice was erected at the site between the 20/04/2017 – 11/05/2017 and a press notice was advertised between the 27/04/2017 – 18/05/2017.</p> <p>51 objections received together with an objection petition letter signed by 10 local residents with the following points:</p> <ul style="list-style-type: none"> <li>• <u>Design and Conservation Impact:</u> The previous application was refused due to the design and visual impact of the rooftop masts on the character of the conservation area. The revised design which now proposes separate towers would be more visually intrusive than the previous application. 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.</li> <li>• <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.</li> <li>• <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. A recent mast has been installed at Cayford House which has improved coverage in the area. This development would not provide a substantial improvement of mobile phone signals in Belsize Park due to the limited height of the building.</li> <li>• <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.</li> <li>• <u>Wildlife:</u> Impact on local wildlife.</li> </ul> <p>2 letters were received with the following points of support:</p> <ul style="list-style-type: none"> <li>• <u>Telecommunications Signals:</u> There is poor mobile phone coverage in this area.</li> <li>• <u>Impact on Health:</u> There is no evidence of impact on health.</li> </ul>					

<p><b>CAAC/Local groups* comments:</b></p>	<p><u>Belsize CAAC - Objection</u></p> <p>Aesthetically this long low building respects the pleasant curves of the lane which preceded the present Lawn Road. The original height of four storeyed Victorian Houses is carefully in the new 1950s Troyes House flats. The proposed antennas would spoil the careful original simplicity of the Lawn Road roof line with fussy additions, which also look 'cheap' and 'tatty'.</p> <p><u>Troyes House Residents Group - Objection</u></p> <p><u>Conservation:</u> The applicant has misrepresented the proposed plan. They have shown only one elevation, but the proposal would affect all four elevations (see 3D computer images submitted as a part of this objection). The previous application was refused on the grounds that it did not meet the conditions for the Parkhill Conservation Area. This application proposed 3 towers instead of 1 and would have a greater impact. The proposed development on the roof of Troyes House will be visible from the street and many dwellings in the surrounding area. It would have a negative impact on the general appearance of the conservation area. Development in the conservation area has to enhance the area. Glass-fibre reinforced plastic (GRP) enclosures that are visible from the street do not meet this requirement.</p>
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## 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.
- 2016/4803/P - Installation of 6no. Antennas behind a glass reinforced plastic (GRP) screen with ancillary works. Refused - 31/10/2016

## Relevant policies

London Plan (2016)

NPPF (2012)

LDF Core Strategy and Development Policies (2010)

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

Draft Local Plan (2016)

The Inspector's report on the Local Plan was published on 15 May 2017 and concludes that the plan is 'sound' subject to modifications being made to the Plan. While the determination of planning applications should continue to be made in accordance with the existing development plan until formal adoption, substantial weight may now be attached to the relevant policies of the emerging plan as a material consideration following publication of the Inspector's report, subject to any relevant recommended modifications in the Inspector's report.

A1 Managing the impact of Development

D1 Design

D2 Heritage

Camden Planning Guidance (CPG)

## 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 states that there is sub-standard telecommunications coverage in the area and the enhanced network coverage would deliver social, economic and environmental benefits to the residents, businesses and services in the area. The submitted existing and proposed telecommunications coverage maps (for Vodafone and Telefonica) show that the area has an indoor urban and indoor suburban coverage at present, which would change to indoor dense urban following the development. The supporting information explains that the development would enhance 3G and 4G mobile services in the area.

1.12 It is therefore accepted that the development would improve 3G and 4G mobile services in the area. However, the proposal appears to be targeted at improving the mobile telecommunication signal to a level which would operate efficiently inside buildings. The majority of local residents are likely to have fixed line internet services with Wi-Fi within their homes, which does raise the question of whether there is a need for enhanced 3G and 4G mobile coverage within buildings. The level of public objection to this application, many of whom state that the existing signal is adequate in the area, does suggest that local residents may not need enhanced mobile services.

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). No technical justification has been submitted to explain why these existing sites can not be upgraded. There is also no technical justification why 6 antennas are required at the site rather than a lower number. 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 supporting information states that owners or landlords of these sites have confirmed that they are not available at present. It is therefore accepted that some alternative sites have been considered as a part of this application. However, it is noted that the above sites are the same alternative sites which were considered on the former application ref: 2016/4803/P submitted on the 31/08/2016 and were also unavailable at that time. However, the developer could have considered some additional sites in the time since the former application.

## 2. Design and Conservation Impact

2.1 Camden Core Strategy Policy CS 14 (Promoting High Quality Spaces and Conserving Our Heritage), Camden Development Policy DP 24 (Securing high quality design) and Draft Local Plan Policy D1 (Design require development to be 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), policy DP25 (Conserving Camden's Heritage) and Draft Local Plan Policy D2 (Heritage) require development to preserve or enhance 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 development proposes the installation of 6no. antennas behind 3no. Glass reinforced plastic (GRP) screens and ancillary works. The proposed antennas would be installed in pairs within three GRP shrouds on the north eastern, central and south eastern corners of the main roof respectively (on the part of the building facing Lawn Road). The antennas would be supported by 2 metre poles on the roof and the GRP enclosures

would be designed to match the external appearance of the building. The antenna enclosures would measure 2.4 m width and 2.4 m length; the northern and southern enclosures would each have a height of 2.3 m and the central enclosure would have a height of 1.8 m.

2.5 This application is the resubmission of an application ref: 2016/4803/P which proposed 6no antennas located on top of the projecting stair overrun/plantroom behind a glass reinforced plastic (GRP) screen, which was refused on the 31/10/2016. The reason for refusal was that the proposed development by virtue of its inappropriate siting, its excessive 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.

2.6 The proposed telecommunications development has been amended on this application and the antennas would now be located in pairs in three locations in the north eastern, central and south eastern corners of the main roof respectively. The northern antenna enclosure would be sited in the north eastern part of the roof fronting Lawn Road. There are no rooftop structures on this part of the roof at present. Although this enclosure would be sited in the rear part of the roof, the height of the enclosure at 2.3 m and its siting adjacent to the northern flank elevation of the building would mean that it would be visible and prominent from vantage points on Lawn Road to the west and north west of the site. The proposed antenna enclosure located in the central part of the roof in front of the existing stair overrun, would be also be visible from vantage points on Lawn Road to the south west, west and north west of the site. In making this judgement it is noted that the existing stair overrun is partly visible from these vantage points and the proposed enclosure would be located 2 m to the front of this, right at the front edge of the roof. The southern antenna enclosure would be sited in the south eastern part of the roof fronting Lawn Road. This is adjacent to the lower southern wing of the building which fronts Upper Park Road. There are no rooftop structures on this part of the roof at present. Again, although this enclosure would be sited in the rear part of the roof, the height of the enclosure at 2.3 m and its siting adjacent to the southern flank elevation of the building would mean that it would be highly visible and prominent from vantage points on Lawn Road/Upper Park Road to the west, south west and south of the site. The provision of 3 separate antenna enclosures would also result in a cumulative visual impact from vantage points on Lawn Road, with the resulting effect of cluttering the roovescape of the building.

2.7 It is therefore considered that the proposed rooftop structures due to their siting, height and scale would still appear as visually prominent additions to the roof of the building, particularly in views from Lawn Road to the west, north west and from Upper Park Road to the south. Troyes House is a 4 storey building which (partly due to the gradient of Lawn Road) is roughly equivalent to the eaves height of the 4 storey villas along Lawn Road. Therefore, although the building is a latter post-war addition to the streetscene, its height, scale and simple flat roof presently harmonise reasonably well with the scale of the adjacent Victorian buildings on Lawn Road. Troyes House is identified as a neutral (and not a negative) contributor to the Conservation Area and the building is considered to have a harmonious relationship it has with the height and scale of the adjacent villas. The Conservation Area Appraisal identifies the views along the curved residential street of Lawn Road as a key view within the Conservation Area, states that the roovescape of buildings is an important characteristic of the conservation area and states that care is needed in roof alterations where roofs are prominent in long distance views with examples of unsympathetic alterations given as box-shaped additions.

2.8 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.

2.9 Overall, considering the visual prominence of the development (as explained in paragraph 2.6) and the context of the site in the conservation area (as explained in para 2.7) it is considered that the proposed telecommunications antennas and GRP screening structures by virtue of their inappropriate siting, scale and bulk and unsympathetic functional design, would result in a highly visually prominent, visually cluttering 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.

2.10 The LPA would not agree with the developer 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, the development would not result in an amenity impact by reason of loss of light, outlook or noise, given the locations and scale 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. Other Matters

5.1 The development proposes telecommunications development at roof level and would have no impact on local wildlife.

5.2 The submitted plans are not inaccurate. However, the local residents are correct that no side or rear elevation plans were submitted. It is considered that there is sufficient information to determine the application.

### 6. Conclusion

6.1. The proposed telecommunications antennas and GRP screening structures by virtue of their inappropriate siting, scale and bulk and unsympathetic functional design, would result in a highly visually prominent, visually cluttering 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.