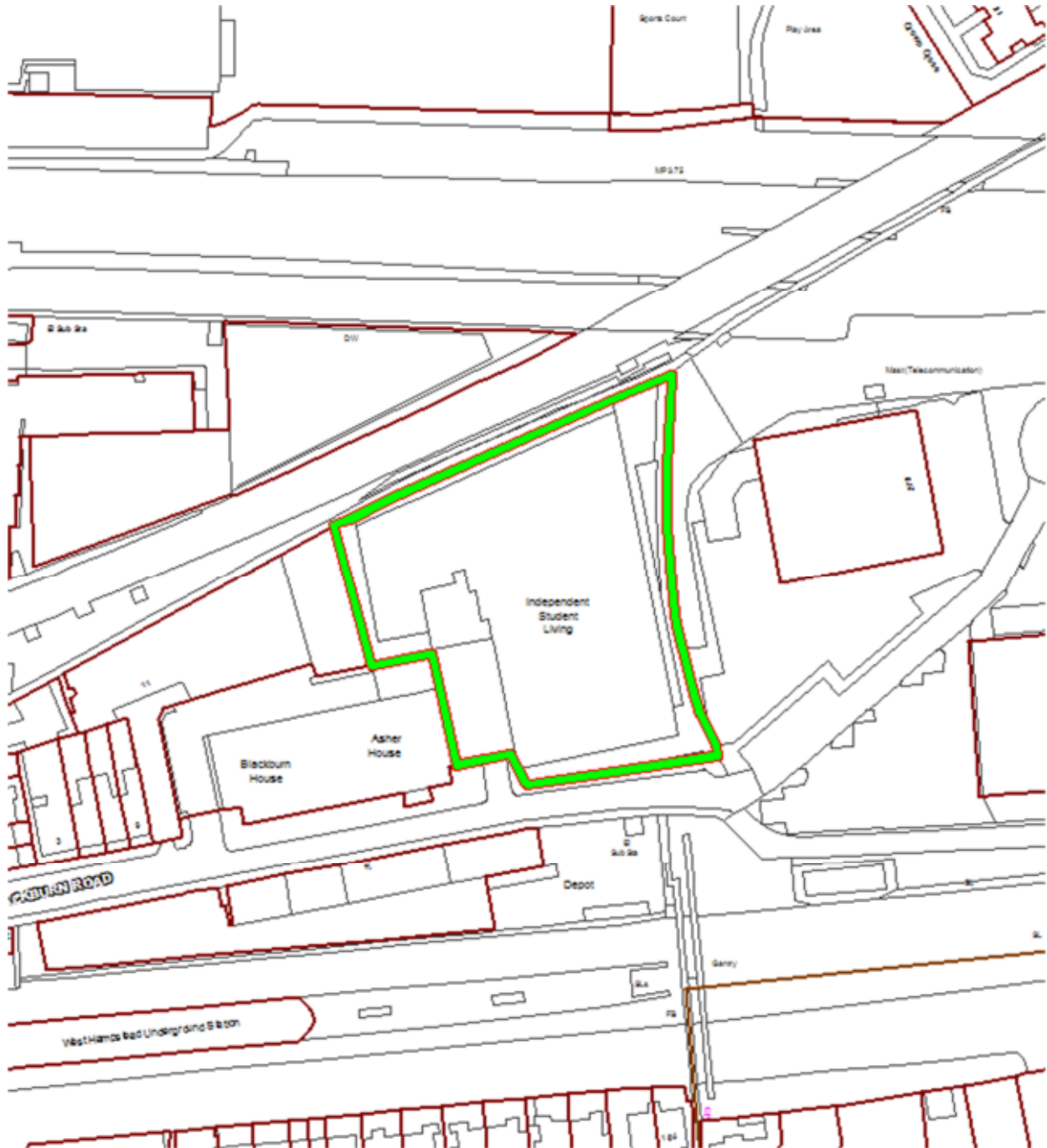


## 2018/0774/P – Nido, Blackburn Road



Street view of the location in front of Nido Students Accommodations



View of the street as a whole with the site on the right hand side



<b>Delegated Report</b> (Members' Briefing)		Analysis sheet		Expiry Date:	07/03/2018
		N/A		Consultation Expiry Date:	14/03/2018
Officer			Application Number(s)		
Matthias Gentet			2018/0774/P		
Application Address			Drawing Numbers		
Land adjacent to Nido Student Housing Blackburn Road London NW6 1RZ			See decision letter		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
<b>Proposal(s)</b>  Installation of telecommunications equipment, including 3 equipment cabinets and a 20m high monopole mast containing 4 antennas, on the pavement outside Nido House.					
<b>Recommendation(s):</b>		1) Prior Approval Required 2) Approval Given			
<b>Application Type:</b>		GPDO Prior Approval Determination			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	01	No. of objections	01
			No. electronic	00		
Summary of consultation responses:	<p>A Site Notice was displayed on 21/02/2018, and expired on 14/03/2018.</p> <p>An occupier from <b>Nido House, Blackburn Road, NW6 1RZ</b> objects, summarised as follows:</p> <ul style="list-style-type: none"><li>- Clutter on the pavement;</li><li>- Issues with putting up mast in residential areas;</li><li>- Scale and bulk would be out of keeping with the character of existing dwelling;</li><li>- Adverse effect on the visual amenity</li></ul> <p><u>Officer comment:</u> <i>The character of this cul-de-sac has no architectural or townscape quality and, as noted in the site description above, the end of the road is dominated by a variety of utilitarian structures, hoardings, street furniture and modern blocks and warehouses.</i></p> <p><i>It is considered that, although such a design and size would normally be unattractive and incongruous elsewhere, in this context it would not be totally out of context or harmful to wider visual amenity and the streetscene, nor would it create excessive visual clutter.</i></p> <p><i>Due to its corner location, it does not obscure views or architectural features of the Nido block.</i></p>					
Fortune Green and West Hampstead comments:	<p><b>The Fortune Green and West Hampstead Neighbourhood Development Forum</b> objects to this application on the grounds of:</p> <p>1. There should be no increase in pavement clutter on the highway, particularly within the intensification and transport interchange areas. See Fortune Green and West Hampstead Plan Policy 5 paras D2 (p 39), D14 (p 46), D15 (p 47) and Recommendations H (p 47) and I (p 55).</p> <p>2. This pavement has recently been included planning permission for the adjacent building incorporating pedestrian improvements on this pavement and in general improvements to pedestrian access across the intensification area</p> <p>3. The area is in a site allocation in the London Mayor’s plan, the Camden Plan and the Neighbourhood plan for intensification of residential development. 20 metre transmitter masts are not conducive to residential development.</p>					



4. A 15 metre mast proposed about 30 metres away was refused permission in 2017 (2016/7123/P).

5. We also refer you to the comments made about masts and the development and improvement of Blackburn Road by Builder Depot in response to the previous application.

We therefore require that this application is withdrawn or rejected.

Officer comment:

*The new mast would provide enhanced 3G and 4G coverage and network capacity. The main driver for this mast location is for coverage of the west-east railway line. It would seem that the applicant has investigated various other location sites. The applicant has demonstrated that the cell search areas for 3G and 4G are constrained within a radius of approximately 250m and that it would not be feasible to install the mast and associated equipment outside.*

*It is considered on balance that the proposed monopole mast is acceptable here and a distinction can be made with the previously refused mast. A slimline pole, despite its top bulge, is more visually elegant and less bulky and obtrusive than the previously proposed lattice tower opposite.*

*The character of this cul-de-sac has no architectural or townscape quality and, as noted in the site description above, the end of the road is dominated by a variety of utilitarian structures, hoardings, street furniture and modern blocks and warehouses.*

*It is considered that, although such a design and size would normally be unattractive and incongruous elsewhere, in this context it would not be totally out of context or harmful to wider visual amenity and the streetscene, nor would it create excessive visual clutter.*

*Due to its corner location, it does not obscure views or architectural features of the Nido block.*

*As noted in the History section above, the mast is opposite a location where a mast was previously refused Prior Approval (Application reference: 2016/7123/P).*

## Site Description

The site on the north side of the pavement on Blackburn Road, outside a 5-storey building ('Nido') providing student accommodation at the end of the cul-de-sac. On the opposite side, the land is used for industrial storage by a builder's merchant on one side of a small alleyway, and connecting cables on a metal bridge over railway lines on the other side. To the right of the site, there is an industrial compound occupied by Audi.

The site is not in a Conservation Area nor immediately adjoining one and there are no listed building in the vicinity. However, it lies within the adopted Fortune Green & West Hampstead Neighbourhood Plan area. The immediate area has a variety of lampposts, floodlights, chain-link and security fencing, railway gantries and hoardings.

## Relevant History

### Surrounding Site History

#### **Nido Building**

**2011/3893/P** – (granted subject to S106 on 31/10/2011) - Amendments to planning permission granted on appeal dated 30/09/10 (ref: 2009/5823/P) for the erection of a part five, part seven, part nine storey plus basement building providing B1 employment space and student accommodation, namely, to relocate plant, substation, cycle storage & student refuse store, relocation & alterations to main/servicing gates, yard and kerb, and alterations to ground floor fenestration.

**2004/1241/P** – (granted on 19/05/2004) - The erection of a freestanding arch structure adjacent to the principal pedestrian entrance.

#### **Site adjoining railway line next to West Hampstead Station**

**2016/7123/P** – (Prior Approval **refused on 08/02/2017**) - Installation of 15 metre mast with 6 antennae and ground based equipment cabinets and ancillary development in compound adjoining railway line (ie. on an empty triangle of land at the end of this cul de sac of Blackburn Road, opposite the application site)

## Relevant policies

#### **National Planning Policy Framework 2012**

Sections 5 -telecommunications, 7- design, 12- historic environment

#### **The London Plan 2016**

#### **Camden Local Plan 2017**

A1 – Managing the impact of development

D1 – Design

T1 – Prioritising walking, cycling and public transport

#### **Camden Planning Guidance 2013**

CGP7 (Transport) – Chap 8

#### **Camden Planning Guidance 2015**

CPG1 (Design) – Chap 2

#### **Camden Planning Guidance 2018**

## **Fortune Green & West Hampstead Neighbourhood Plan 2015**

Policy 2 - Design and character

Policy 4 - West Hampstead Growth Area

Policy 9 - Pavements & Pedestrians

### **Assessment**

#### **1. Background**

- 1.1 The proposal involves the installation of a 20m high phone mast along with 3 associated equipment cabinets on the northern pavement of Blackburn Road, outside the Nido building that provides student accommodation. It is to provide 3G and 4G coverage by Hutchinson & EE. The tallest cabinet measures approximately 1.6m in height and the other 2 smaller ones measure just under 1m in height. The mast will have a 5m high bulge on its upper level containing 3 antennae within the shroud, plus another small external 300mm dish antenna will be affixed to the lower edge of the bulge.
- 1.2 The applicant is seeking prior approval for the siting and appearance of the equipment. As such, it is not possible for objections to be raised on any other grounds, such as health. The applicant states that the cabinets are permitted development so prior approval is only required for the mast.
- 1.3 Unfortunately, due to late validation of the application, the expiry date for determination of this Prior Approval application within 56 days (7<sup>th</sup> March) has already passed, prior to the end of the consultation programme, and thus, without any extension of time agreed with the applicants, prior approval has now been granted by default.

#### **2. Justification**

- 2.1 The new mast would provide enhanced 3G and 4G coverage and network capacity for Hutchison & EE Ltd (including Orange, T-Mobile, H3G LTE and ESN) in the NW6 area of West Hampstead. ESN is the Emergency Services Network. In particular it is required to provide improved coverage to the west entrance/exit of the Finchley Rd tunnels and to the Finchley Rd underground station. It appears therefore that the main driver for this mast location is for coverage of the west-east railway line. It would seem that the applicant has investigated various other location sites. The applicant has demonstrated that the cell search areas for 3G and 4G are constrained within a radius of approximately 250m and that it would not be feasible to install the mast and associated equipment outside this locality. Nevertheless it would have been useful to have coverage plots submitted to clearly demonstrate where or what the poor coverage is to fully justify a new mast going here. However the proposed mast sharing by a number of companies is welcomed to reduce clutter here.
- 2.2 As part of the search for an appropriate site as detailed in the supporting documents, the applicant has approached various landowners. These, however, were not interested in a telecoms deal or the sites were discounted for technical and coverage reasons. The potential sites included Homebase and O2 Centre on Finchley Road, John Lewis Building on Finchley Road, Network Rail land and pavements in Broadhurst Gardens. It appears that other sites included a carwash site and the roof top of the adjacent Nido block, although it is not totally clear as these sites are not explicitly mentioned in the list of the above-mentioned discounted sites.
- 2.3 The applicant has also declared that the equipment will comply with ICNIRP standards on emission levels and the antennae are oriented west-east such that they do not directly face the



residential premises of the Nido block. Thus the mast is not anticipated to have any direct impact on public health. There will be no impact on residential amenity in terms of loss of light or outlook.

### **3. Design and Location**

- 3.1 The mast and associated equipment would be located at the end of the cul-de-sac, on the north pavement of Blackburn Road and outside the right hand eastern corner of Nido Students Hall, approximately 6m from the building. The overall size of the mast would rise above the 5 storey block by 2.5m. The equipment would be sited alongside the boundary wall of the forecourt of Nido building. The mast would project out by about 0.8m onto the pavement and the cabinets by 0.5m. The overall width of the pavement stands at roughly 2.1m.
- 3.2 The scheme would therefore leave a narrow strip of pavement roughly no more than 1.3m. The proposal would result in the effective footway width being reduced to below 1.8 metres wide on a pedestrian route between West End Lane and the O2 Centre on Finchley Road. This would have some harmful impact on pedestrian amenity and comfort by affecting the free flowing movement of pedestrians. However it will not be too narrow for wheelchair users and pushchairs. Furthermore the mast will be not project beyond the proposed cabinets which, as already noted above, are permitted development. Moreover it is at the end of the pavement which does not lead anywhere, as most pedestrians cross the road here to continue on the pavement on other side which leads directly into the footpath towards the O2 centre further east. Thus the siting of the mast will not cause serious harm in highway terms.
- 3.3 As noted in the History section above, the mast is opposite a location where a mast was previously refused Prior Approval (Application reference: 2016/7123/P). This was refused on the grounds that 'in the absence of sufficient evidence to justify a new mast here by demonstrating that it is not possible to erect antennas on an existing building in the area, it is considered that this mast by virtue of its siting and design would result in an incongruously large structure which is unattractive and over-dominant in the streetscape.'
- 3.4 This mast was of a different design with a bulky lattice tower containing projecting antennae and was only 15m high. It was within a compound next to the railway line beyond the public highway of Blackburn Road. In contrast, the current proposal is 5m higher and higher than the adjoining block, but in the form of a slimline monopole. However it would be sited directly on the public pavement of the road rather than set back behind another site and partly hidden in long views as in the case of the previous mast. Thus it would be more visible than the previous mast in long views down Blackburn Road from its junction with West End Lane.
- 3.5 It is considered on balance that the proposed monopole mast is acceptable here and a distinction can be made with the previously refused mast. A slimline pole, despite its top bulge, is more visually elegant and less bulky and obtrusive than the previously proposed lattice tower opposite. It is acknowledged that the pole is higher than the highest neighbouring building in this road and will appear very visible and dominant in views eastwards down the road due to its more exposed position in the main streetscene which has a very open character. This is in contrast to the previous mast scheme which had a more sheltered location behind other structures next to the railway line. However the character of this culdesac has no architectural or townscape quality and, as noted in the site description above, the end of the road is dominated by a variety of utilitarian structures, hoardings, street furniture and modern blocks and warehouses. It is considered that, although such a design and size would normally be unattractive and incongruous elsewhere, in this context it would not be totally out of context or harmful to wider visual amenity and the streetscene, nor would it create excessive visual clutter. Due to its corner location, it does not obscure views or architectural features of the Nido block. It is thus considered that on balance this mast will not have a seriously harmful impact

on the character of the overall streetscene and on the setting of the adjoining buildings.

- 3.6 Furthermore the need for the mast is adequately justified. The submitted documents indicate that no landowner consent has been given for any antennae on adjoining and nearby buildings, including the Nido block. This was the case also with the operators proposing the previous mast opposite when searching for alternative sites. NPPF guidance on telecommunications infrastructure states in para 45- 'Applications for telecommunications development (including for prior approval under Part 24 of the General Permitted Development Order) should be supported by the necessary evidence to justify the proposed development, [to include]...for a new mast or base station, evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure.'
- 3.7 The submitted documents justify this location as other sites are either not available or inappropriate on technical grounds, including the need for a clear uninterrupted view into the railway tunnel mouths. Thus the antennae face west-east towards the railway line to the south. As part of a national programme being rolled out by these operators, the proposed mast is being shared by the Emergency Services Network (for the Home Office) and 2 other mobile phone operators (EE and H3G) and is intended to provide reception to these services and users within the adjoining railway line and tunnels on either side. This is in contrast to the previously refused mast scheme opposite which was for a different telecom operator. It is thus considered that any harm caused by increased visual clutter would be outweighed by the benefits provided to the Emergency Services network. It should be noted that a similar high monopole on the pavement in Hilgrove Road at Swiss Cottage, proposed by the same applicants, was given Prior Approval on 15.11.17 (ref 2017/5572/P) by the Council for similar reasons.
- 3.8 In conclusion therefore, it is considered that an exception can be made in this case for such a mast due to the specific site context of the streetscene, which will not be seriously harmed, and due to the justification provided for its need, providing coverage by Emergency Services to the railway line here. The siting and design are therefore considered on balance acceptable and not seriously harmful enough to warrant a refusal of Prior Approval.

#### **4. Recommendation**

- 4.1 Prior Approval Required – Approval granted.

***The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 30 April 2018, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'Members Briefing'.***

WHP - Wilkinson Helsby  
The Ponderosa  
Scotland Lane  
Horsforth  
Leeds  
LS18 5SF

Application Ref: **2018/0774/P**  
Please ask for: **Matthias Gentet**  
Telephone: 020 7974 **5961**

26 April 2018

**DRAFT**

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)  
**Prior Approval Required - Approval Given**

Address:

**Land adjacent to Nido Student Housing  
Blackburn Road  
London  
NW6 1RZ**

**DECISION**

Proposal:

Installation of telecommunications equipment, including 3 equipment cabinets and a 20m high monopole mast containing 4 antennas, on the pavement outside Nido House  
Drawing Nos: Site Specific Supplementary Information; 75422- 01, 02, 03, 04, 05

The Council has considered your application for prior approval of siting and appearance in respect of the telecommunications equipment described above and hereby determines that prior approval is required and **gives approval**.

Informative(s):

- 1 Reason for granting permission:

Executive Director Supporting Communities



This application was submitted under Part 16, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (GPDO). The application is to assess whether Prior Approval for the acceptability in siting and appearance is required. It is considered that Prior Approval would be required and that it can be granted for the following reasons under Part 16 of the GPDO.

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.

Yours faithfully

Director of Regeneration and Planning

**DRAFT**

**DECISION**