

Delegated Report		Analysis sheet		Expiry Date:	22/01/2019
		N/A		Consultation Expiry Date:	28/01/2019
Officer			Application Number(s)		
Tony Young			2018/5961/P		
Application Address			Drawing Numbers		
242-244 Royal College Street London NW1 9QP			Refer to draft decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Installation of telecommunications equipment on rooftop comprising 6 x pole mounted antennas, 2 x 0.3m dishes, 1 x GPS module, and 2 x equipment cabinets.					
Recommendation(s):		a) Prior Approval Required b) Approval Refused			
Application Type(s):		GPDO Prior Approval Determination			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers & local groups	No. notified	0	No. of responses	02	No. of objections	02
			No. Electronic	02		
	Site notice was displayed from 04/01/2019 to 28/01/2019					
Summary of consultation responses from local residents, CAAC/Local groups, etc	<p><u>Craig Duncan</u> (local resident) objected to the proposals as follows:</p> <ol style="list-style-type: none"> 1. <i>“This seems an excessive amount of equipment considering that on other neighbouring buildings on the same street.”</i> <p><u>Rochester Conservation Area Advisory Committee</u> responded and objected to the proposals as follows:</p> <ol style="list-style-type: none"> 2. <i>“The proposed equipment would stand above the existing skyline and be an unacceptable addition.”</i> 3. <i>“Camden’s conservation area guidelines recommend that concerns proximal to conservation areas should be considered from a conservation perspective. The site is closely adjacent to Jeffreys and Rochester Conservation areas, from which properties have significant views of the proposal site roofline. It is six storeys and highly visible already. The Rochester and Jeffreys conservation area management plans seek to reduce visibility and defend against telecommunication equipment.”</i> 4. <i>“Dishes are not normally acceptable where they are positioned on the main façade of a building or in a prominent position easily seen from the street. The smallest practical size should be chosen with the dish kept to the rear of the property, below the ridge line and out of sight if at roof level. There is a wide area of road and pavement before the building, so that the roofline is well visible from the public space as well as neighbouring buildings.”</i> 5. <i>“The site itself is of historic importance, standing at the entrance to Kentish Town and built as mansion block social housing at the time of widening Kentish Town Road in the 1880s.”</i> <p><u>Officer response:</u> please see sections 1-3 of main body of report.</p>					

Site Description

The application site is located at the junction of Royal College Street and Kentish Town Road, and sits opposite the junction with Castle Road to the west. The host building is a late Victorian/Edwardian block of flats in residential use. There are a mix of uses in the immediate surrounding area which include residential, retail/commercial and office uses. The roof area is mainly occupied by several chimneys and 2 existing plant rooms, all surrounded by a parapet at this level.

The host building is not listed; however, it is located within close proximity to a number of Grade II listed buildings in Kelly Street to the north-west and the Church of St. Andrew (no. 122 Kentish Town Road) to the north, as well as, being opposite a number of locally listed buildings (nos. 131, 133, 141-

145, 147, 149 Kentish Town Road, and no. 349 Royal College Street), including the locally listed granite-set carriageway in Rochester Place to the rear.

The site isn't located within a conservation area; however, the rear of the property sits immediately adjacent to the boundary of the Rochester Conservation Area to the east and is within close proximity to the boundaries with Jeffrey's Street Conservation Area to the south and Kelly Street Conservation Area to the north-west of the site.

Relevant History

None

Relevant policies

National Planning Policy Framework 2018

Sections 6 (Economy), 10 (Telecommunications), 12 (Well-designed places) and 16 (Historic environment)

The London Plan March 2016

Camden Local Plan 2017

A1 (Managing the impact of development)

D1 (Design)

D2 (Heritage)

E1 (Economic development)

Camden Planning Guidance

CPG1 (Design) March 2018

CPG6 (Amenity) March 2018

CPG (Digital infrastructure) March 2018

Code of Best Practice on Mobile Network Development (November 2016)

Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013

Assessment

1. Proposal

- 1.1 The application has been submitted under Part 16 of schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order (GPDO) 2015 (as amended). The GPDO sets out the details in regard to the type of development for which planning permission is 'deemed' to be granted, more commonly known as 'permitted development'. In particular, the application seeks determination as to whether the prior approval of the Local Planning Authority is required as to the siting and appearance of the proposed development in relation to telecommunication equipment.
- 1.2 It is noted that, due to late validation of the application, the statutory 21 day consultation via a site notice does not finish until 28/01/2019. 2 objections have been received from a local resident and a local group (see 'Consultations' section above), and it is possible that more responses may be received. However, a decision needs to be made within 56 days of the application's receipt (27/11/2018). Thus, if the applicant does not receive the Council's decision by 22/01/2019, the proposal will have deemed approval by default according to GPDO legislation.
- 1.3 The proposal involves a new telecommunications installation on a rooftop area; it will comprise 6 x pole mounted antennae, 2 x 0.3m diameter dishes, 1x GPS module, 2 x equipment cabinets (measuring 800mm x 660mm x 1770mm each). All the proposed equipment would be steel material and a standard grey colour. The mounting poles, antennae, dishes and GPS module would be sited towards the rear of the roof and fixed to 2 existing plant room enclosures. The existing roof

rises to approximately 18.5m from ground level to the top of the roof parapet wall. The top of the highest proposed mounting pole and attached equipment would result in an overall height from ground level of approximately 23.7m (approximately 5.2m above the existing parapet wall and 2.5m above the height of the existing plant room enclosures). The 2 other poles and equipment would be positioned slightly lower, rising to an approximate overall height of 23.2m above ground level. The proposed equipment cabinets would be located centrally within the roof space and would sit below the height of the existing parapet wall.

2. Justification

- 2.1 The proposal is intended to provide telecommunications equipment for CTIL & Vodafone Ltd as part of a sharing agreement. Radio coverage is considered by both parties to fall below the levels required to provide adequate high speed indoor services due to high demand. The proposed equipment is intended to provide enhanced coverage for both companies, and as such, they have joined forces to share infrastructure. The supporting information demonstrates, with the aid of plot coverage maps, the need for new telecommunications equipment in this location to provide better quality reception to cope with the increased use of smartphones and tablets which are putting pressure on existing base stations. Notably the coverage plots show that in particular the area around this part of Kentish Town has only relatively poor indoor urban dense coverage. The need for additional telecommunications equipment in the locality is therefore considered to be justified based on the submitted information.
- 2.2 The supporting documentation indicates that the applicants have also undertaken consideration of some alternative sites within the locality and that these were not chosen as being suitable for various reasons. The Council must assess the development as proposed under this current Prior Approval application, and as such, has not considered these, or other, alternative sites as part of the application process; something which would likely be possible under a Full Planning Application.
- 2.3 The applicants have also declared that all of the proposed equipment would comply with International Commission on Non-Ionizing Radiation Protection (ICNIRP) standards on emission levels and the submitted drawings indicate that the antennae would be oriented such that they do not directly face any residential premises. Thus, the equipment is not anticipated to have any direct impact on public health. There would be no impact on residential amenity in terms of loss of light or outlook.

3. Siting and appearance

- 3.1 Although it is acknowledged that the host building isn't listed, it is certainly not without merit in terms of its character and appearance. The building is relatively unaltered and appears as a fine example of a purpose built, late Victorian/Edwardian residential block. The property is 5-storeys high and positioned in a visually prominent location when viewed from both the front and the rear; the surrounding buildings mainly being lower in height. The front of the property is on a wide and open junction with Royal College Street and Kentish Town Road, and it is at this point when viewed from the west in Castle Road that the protruding mounting poles, antennae and attached equipment would appear very visible and dominant, especially given the open character of this wide junction and the readily available public views here.
- 3.2 Photographs 1 & 2: Front west views from Castle Road (showing existing plant enclosures to which equipment would be fixed):



- 3.3 The roof of the host building has a consistent and distinctive parapet height, and is characterised by the absence of any telecommunications equipment or similar clutter, such as, satellite dishes or aerials. Given that the proposed equipment would rise up above the existing roof parapet wall, chimneys, and plant room enclosures, it would add conspicuous and noticeable clutter to the rooftop, and as such, its siting is considered to be visually insensitive and harmful to the character and external appearance of the building and wider roofscape.
- 3.4 Local Plan Policy D2 (Heritage) states that the Council will resist development that would cause harm to the significance of a listed building through an effect on its setting, and resist development outside of a conservation area that causes harm to the character or appearance of that conservation area.
- 3.5 While it is acknowledged that the host building is not listed, it is noted that the property is located within close proximity to a number of Grade II listed buildings in nearby Kelly Street to the north-west and the Church of St. Andrew (no. 122 Kentish Town Road) to the north. Additionally, several locally listed buildings (nos. 131, 133, 141-145, 147, 149 Kentish Town Road, and no. 349 Royal College Street) front the host building. The property therefore provides a backdrop to these buildings and the siting of the proposed telecommunications equipment would be visible from these views, and as such, is considered likely to result in an appearance harmful within these settings.
- 3.6 Though the application site isn't located within a conservation area, it sits within close proximity to the boundaries of both Jeffrey's Street Conservation Area to the south and Kelly Street Conservation Area to the north-west. The rear of the property sits immediately adjacent to the boundary of the Rochester Conservation Area to the east from which it is noted that the proposed equipment would be particularly visible from several short and long public views (especially from within Rochester Road and Rochester Place). The proposed telecommunications equipment is considered to cause a significant degree of harm to the character and appearance of the Rochester Conservation Area from these views on account of its prominence here, where it is highly noticeable against the skyline at the rear, and clearly visible from close and long public views.
- 3.7 Photographs 3 & 4: Rear north-east views from Rochester Road (showing existing plant enclosures to which equipment would be fixed):



3.8 Photographs 5 & 6: Rear south-east views from Rochester Place (showing existing plant enclosures to which equipment would be fixed):



3.9 Local Plan Policy D1 (Design) establishes that careful consideration of the characteristics of a site, features of local distinctiveness and the wider context is needed in order to achieve high quality development in Camden which integrates into its surroundings. While policy D1 does not specifically relate to telecommunications development, it advises that “*Good design takes account of its surroundings and preserves what is distinctive and valued about the local area.*” This is consistent with Section 12 (Achieving well-designed places) of the National Planning Policy Framework (NPPF) 2018 which recognises that good design is a key aspect of sustainable development. The design and appearance of the proposed mounting poles, antennae and attached equipment is very utilitarian and functional, and as such, would appear as an incongruous and unsympathetic addition to the character and appearance of the building which is characterised by a largely uncluttered roofscape, free from any prominent clutter.

3.10 Section 10 (telecommunications) of the NPPF (2018) states in paragraph 113 that “*where new sites are required, equipment should be sympathetically designed and camouflaged where appropriate.*” Rather than providing any form of screening or camouflage, the impression of size and mass would be heightened in this location; the mounting poles, antennae and attached equipment appearing as dominant features in the roofline by virtue of their elevated positions, rising above the existing roofscape. In this particular context, the modern, utilitarian design of the telecommunications equipment would be out of keeping with the traditional materials and colour of the host building; the proposed equipment contrasting awkwardly.

3.11 While it is accepted that telecommunications equipment by their nature are unlikely to blend seamlessly with an existing building, the effect here is particularly incongruous and ill-suited to the host property. It is therefore considered that the design of the proposed equipment would be harmful to the character and appearance of the host building, as well as, the setting of the nearby listed and locally listed buildings and the nearby conservation areas, especially the adjacent Rochester Conservation Area.

3.12 With regard to the 2 proposed telecommunication cabinets, it is considered that their position behind and below the existing parapet height would ensure that they would not be visible by virtue of this screening, and as such, would not be obtrusive in terms of their siting or design.

4. Planning balance

4.1 Considerable importance and weight has been attached to any harm to designated heritage assets, and special attention has been paid to the desirability of preserving or enhancing the character or appearance of the adjacent Rochester Conservation Area in particular, under s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

4.2 Local Plan Policy D1, consistent with Section 16 (Conserving and enhancing the historic environment) of the NPPF (2018) which seeks to preserve and enhance heritage assets, states that the Council will not permit the loss of or substantial harm to a designated heritage asset, including conservation areas and Listed Buildings, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site;
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use.

4.3 Given the assessment as outlined in sections 1-3 of this report, it is considered that the proposed telecommunications equipment would result in less than substantial harm to the character, appearance and historic interest of the adjacent Rochester Conservation Area and nearby listed and locally listed buildings. It is also recognised that the proposed scheme would result in better network coverage, and as such, some public benefit would be derived from the scheme.

4.4 The proposal is thereby considered to constitute less than substantial harm to the host property (whilst not a designated heritage asset, it is of notable historic merit) and the adjacent Rochester Conservation Area, and nearby listed and locally listed buildings, with some public benefit derived from the scheme. Weighing the harm caused as a result of the development against this demonstrable public benefit, the proposal is considered to be contrary to Section 16 of the NPPF (2018) which seeks to preserve and enhance heritage assets.

4.5 Overall, and on balance, the proposal would therefore fail to accord with policies D1 and D2 of the Camden Local Plan 2017, and Section 16 of the NPPF (2018), and would result in an inappropriately located and poorly designed development, harmful to the character and appearance of the property and the surrounding area, and fail to preserve or enhance the settings of the nearby listed and locally listed buildings in Kelly Street, Kentish Town Road and Royal College Street, and the adjacent Rochester Conservation Area.

4.6 Finally, it is noted that the Planning Inspector when considering an appeal against the Council's decision to refuse a relatively comparable proposal on Land at Crown House, 265-267 Kentish Town Road, London NW5 2TP (Appeal A Ref: APP/X5210/C/18/3199851), dismissed the appeal (dated 09/10/2018) for mainly similar reasons.

5. Recommendation

5.1 Approval Required – Approval refused on grounds of unacceptable siting and appearance.