

Delegated Report		Analysis sheet	Expiry Date:	05/11/2020
		N/A / attached	Consultation Expiry Date:	
Officer			Application Number(s)	
Leela Muthoora			2020/4214/P	
Application Address			Drawing Numbers	
Hillview 2-4 Primrose Hill Road London NW3 3AX			See decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Installation of telecommunications equipment at main roof level including 6 pole-mounted antennas, 2 x 300mm dishes, 4 cabinets and ancillary works thereto.				
Recommendation(s):		Prior Approval Required - Approval Refused		
Application Type:		GPDO Prior Approval Determination		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	18	No. of objections	18
Summary of consultation responses:	<p>Site notice displayed from 07/10/2020 to 31/10/2020</p> <p>16 objections were received from local residents, and a planning agent on behalf of the block's management company.</p> <p>The objections received are summarised as follows:</p> <ol style="list-style-type: none"> 1. Camden Council have a positive duty to safeguard the health and safety of its residents. The health document produced by Cornerstone is incorrect and Cornerstone must be aware that their equipment is detrimental to the health of residents. 2. Proposed equipment is harmful to public health and will cause pain and suffering to residents who have electrical hypersensitivity. 3. Object on the grounds that the equipment is highly visible from key views within the Primrose Hill Conservation Area including the listed St George's Terrace and from Primrose Hill itself. The proposal therefore has a detrimental impact on both the CA and the park. 4. Proposed equipment would impinge on views out of rooftop flats and gardens of nearby properties. 					
CAAC comments:	<p>Primrose Hill Conservation Area Advisory Committee object to the application on the following grounds:</p> <p>Reiteration of previous objections regarding the proposals' harm to the character and appearance of the conservation area and the setting of the adjacent listed buildings on St George's Terrace, the roofline of which has important views and represents buildings related to the history of Primrose Hill.</p> <p>The resubmitted proposal acknowledges the harm but does not modify the scheme to address objections regarding the prominent position in views from the public open space.</p> <p>The proposed masts would be harmful to views east from Primrose Hill, which has protection as a registered Park and Garden Grade II. The masts are sited on the roof of Hill View at the most prominent position in terms of views from the public open space. Hill View itself is a modern building but has a clean profile: the masts would be prominent adding clutter to the views. Primrose Hill is famous for its views not only of central London, but of the panorama round the Hill. This would be seriously harmed by the proposal.</p> <p>We advise that the masts would also have an adverse impact on the setting of the adjacent Listed St Georges Terrace, where the roofline is an important part of views to the east from the Hill, and represents building which related to Primrose Hill as an open space from the 1840s.</p> <p>The proximity to St Paul's Primary school and the impact on children's health.</p>					

Site Description

The application site is located on the south eastern side of Primrose Hill Road and relates to a 9-storey block of residential flats. The property is not listed nor is it located in a conservation area; however, the site lies adjacent to the boundary of the Primrose Hill conservation area and directly faces Primrose Hill, which is designated Metropolitan Open Land.

Relevant History

2020/0989/P – GPDO Prior Approval Determination Refused: Installation of 12 pole mounted antennas, 2 x 300mm dishes, 4 cabinets and ancillary works thereto at main roof level. **Refused 17/04/2020**

Relevant policies

National Planning Policy Framework 2019

The London Plan March 2016
Intend to Publish London Plan 2019

Camden Local Plan 2017

A1 Managing the impact of development
A2 Open space
D1 Design
D2 Heritage

Camden Planning Guidance 2018/2019

CPG Design
CPG Amenity
CPG Digital Infrastructure

Primrose Hill Conservation Area Statement 2000

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).
- 1.2 The proposals involves the installation of new telecommunications equipment on the existing rooftop area of the application building and would comprise: 6 pole mounted antennas, 2 x 300mm dishes, 4 cabinets and ancillary works at the main roof level. It follows on from a previous application for telecom apparatus involving 12 antennas on this block, for which Prior Approval was refused on 17.4.20 ref 2020/0989/P.
- 1.3 The existing roof level of the building is approximately 23m above ground level. The top of the highest proposed mounting pole and attached equipment would result in an overall height above ground level of approximately 27 metres. The proposed equipment cabinets would be located in the centre of the existing roof-space next to the lift motor room.

2 Justification

- 2.1 The proposals are associated with Vodafone Limited entering into an agreement with Telefónica UK Limited in which the two companies plan to jointly operate and manage a single network grid across the UK. The equipment would provide 2G, 3G, 4G and 5G coverage in the area.
- 2.2 Camden Planning Guidance states that existing masts, buildings and other structures should be used unless the need for a new site has been demonstrated. The applicant has identified alternative sites within 350m of the application site which were not chosen for reasons mainly regarding the resulting height. This is not considered sufficient to demonstrate a new site in this location is necessary. The guidance also states, where new sites are required, equipment should be sympathetically designed and appropriately camouflaged. The application site would constitute a new site and as demonstrated in this report would not be sympathetically designed or camouflaged to justify the impact on the appearance of the building and surrounding area.
- 2.3 The applicants have declared with appropriate documentation that all of the proposed equipment would comply with International Commission on Non-Ionizing Radiation Protection (ICNIRP) standards on emission levels in accordance with government guidelines. Although the residents' objections on health grounds is acknowledged, given the details provided by the applicant and advice given by the NPPF, this should not constitute a reason for refusal. Para 46 of the NPPF states that 'local planning authorities must determine applications on planning grounds. They should not seek to prevent competition between different operators, question the need for the telecommunications system, or determine health safeguards if the proposal meets International Commission guidelines for public exposure'. It is therefore considered that there is no clear evidence available to justify refusing the scheme on health grounds arising from actual or perceived harm from mobile phone antenna radio waves.
- 2.4 Officers note that residents of the top floor flats have raised concerns with regard to proximity of the equipment to two existing roof lights. However, the size and location of the proposed equipment is not considered to have any significant impact on the amenity of neighbouring residents in terms of loss of light, outlook or privacy.

3 Siting and Design

- 3.1 Local Plan Policies D1 (Design) and D2 (Heritage) are aimed at achieving the highest standard of design in all developments. Policy D1 requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area; and Policy D2 states that the Council will preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas and listed buildings. Furthermore, Policy A2 (Open space) seeks to protect the boroughs open space and resist development which would be detrimental to the setting of designated open spaces.

3.2 Whilst officers note that the siting of telecoms equipment on the roofs of residential tower blocks is common due to their height and the limited visibility such equipment would have if positioned sympathetically, the proposed works are not considered acceptable in this instance. The application site is a relatively high residential block of 9 storeys which is surrounded by low level housing along Primrose Hill Road and Ainger Road. As a result of this contrast between the height of the host property and the low level neighbouring properties, as well as the topography of the area, the roof of Hill View is clearly visible in long and short range views from a variety of vantage points, including view across Primrose Hill. Therefore, even if the equipment and antennae were to be located into a more discreet position in the middle of the roof, they would still be very prominent and cause unacceptable visual harm to the area. It is acknowledged that the antennas have been reduced in number from 12 to 6 since the previous application, this still does not address concerns regarding their visibility and is not considered to mitigate their impact on the surrounding area.

3.3 The proposed equipment cabinets are located in the middle of the existing roof. Officers note that whilst the cabinets would be set in from the majority of the roof edges, they would be located very close to the north western roof edge and could therefore have some visibility from the street. The submitted plans only include a south western elevation with the proposed cabinets shown as hatched lines behind the existing lift overrun. The hatched lines indicate that the proposed cabinets would be quite tall and, when coupled with their location next to the roof's edge, would have some degree of visibility from Ainger Road and could therefore cause harm to the character and appearance of the Primrose Hill Conservation Area. Therefore, in the absence of sufficient plans demonstrating the size and appearance of the cabinets, they are considered unacceptable in terms of their visual impact.

3.4 The 6 antennas would be installed on the edge of two most northern and two most southern corners of the existing roof and would be highly visible from the surrounding area. The number, height and location of these poles will make the equipment very prominent and clearly visible in long and short range views from Primrose Hill Road, Ainger Road and Primrose Hill itself. The number of the antennas on poles results in a proliferation of visual clutter at roof level. The central justification is that the building is the most prominent structure in the area, which is also the main contention with siting the equipment here. The 3m height of the poles is considered very prominent, together with the additional equipment at the bases of antennas, which are over 1m above the flat rooftop. While it is acknowledged that the number of antennas have been reduced since the previous application, the height and position remain the same. Given that the building is considerably higher than anything else around it and located on a prominent corner plot at the junction of two roads with clear visibility from all sides, the proposal would result in a cluttered roofline. Given the building's location, it is unlikely that moving the antennas further into the middle of the roof would significantly reduce their visibility.

3.5 As stated in the site description above, the site is in a very sensitive location adjacent to several heritage assets including the Primrose Hill conservation area and listed buildings of St Georges Terrace, as well as directly facing Primrose Hill Metropolitan Open Land (MOL). The proposed telecommunications equipment is therefore considered to cause unacceptable harm to the character and appearance of the adjacent Primrose Hill Conservation Area on account of its prominence in the roofscape, where it would be highly noticeable against the skyline and clearly visible from public views. The antennas would upset the largely uniform and uncluttered roofs when viewed from within the Conservation Area along Primrose Hill Road and Ainger Road and would appear unsightly when viewed from the Primrose Hill MOL. Further, the cluster of antennas located on the southern corners of the roof would be clearly visible in views westwards along St Georges Terrace and their overall appearance, quantity and visibility is considered to cause harm to the historical setting of the listed terrace.

3.6 Given the above, it is considered that the antennas and poles, by virtue of their excessive number and height and their prominent siting, would result in a proliferation of harmful visual clutter which

would be unattractive and over-dominant on the host building and would cause harm to the character and appearance of the adjoining conservation area and wider townscape.

4 Planning Balance

- 4.1 Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013. The size, scale and design of the proposed alterations would cause harm to the character and appearance of the Primrose Hill Conservation Area.
- 4.2 Local Plan Policy D1 and D2, consistent with Section 16 (Conserving and enhancing the historic environment) of the NPPF 2019 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. The Council will not permit development that results in harm that is less than substantial to the significance of a designated heritage asset unless the public benefits of the proposal convincingly outweigh that harm.
- 4.3 Given the assessment outlined above, it is considered that the proposed telecommunications equipment would result in 'less than substantial' harm to the character and appearance of the Primrose Hill Conservation Area and the setting of the listed properties on St Georges Terrace. It is recognised that the proposed scheme would result in better network coverage, and as such, some public benefit would be derived from the scheme. However, weighing the harm caused as a result of the development against this public benefit, the proposal is considered to be contrary to Section 16 of the NPPF which seeks to preserve heritage assets.
- 4.4 The proposal would therefore fail to accord with policies D1, D2 and A2 of the Camden Local Plan 2017, and Section 16 of the NPPF, the development would create overly dominant visual clutter on a prominent roofscape, causing harm to the host and neighbouring buildings, local views from the street and nearby public green spaces, and the character and appearance of the Primrose Hill Conservation Area.

5 Recommendation

- 5.1 Prior Approval Required – Approval refused on grounds of unacceptable siting and design-

The proposals, by reason of their location, scale, height and design, would result in visual rooftop clutter which would cause harm to the character and appearance of the host property, local views including those from Primrose Hill, the nearby Primrose Hill Conservation Area and the setting of adjacent listed buildings, contrary to policies D1 (Design), D2 (Heritage) and A2 (Open space) of the London Borough of Camden Local Plan 2017.