

Delegated Report		Analysis sheet		Expiry Date:	03/12/2020
		N/A / attached		Consultation Expiry Date:	21/11/2020
Officer			Application Number(s)		
Matthew Dempsey			2020/4619/P		
Application Address			Drawing Numbers		
242-244 Royal College Street Kentish Town London NW1 9QP			See draft decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Installation of telecommunications equipment at roof level comprising one 4.5m high pole supporting 2 antennas, two 4.4m high poles supporting 4 antennas, 3 cabinets and ancillary works.					
Recommendation(s):		i) Prior Approval Required ii) Prior 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	01	No. of objections	01
Summary of consultation responses:	<p>A Site Notice was displayed from 28/10/2020, which expired 21/11/2020.</p> <p>One objection was received from a local resident during public consultation-</p> <ul style="list-style-type: none"> • Health concerns • Security concerns • Antisocial behaviour concerns 					
CAAC/Local groups* comments: <small>*Please Specify</small>	<p>The Artisan Dwellings Tenants & Residents Association (TRA) objected to the proposals as follows:</p> <ul style="list-style-type: none"> • Health concerns • Security concerns • Antisocial behaviour concerns • Development would conflict with other roof-top proposals • Loss of roof-top amenity space • Lack of clarity on proposals • Lack of consultation with residents <p>The Tenants and Resident Association for Camden Town (TRACT) objected to the proposals due to lack of clarity with the application details.</p>					

Site Description

The site is a pair of five storey residential buildings to the eastern side of Royal College Street, near the gyratory with Kentish Town Road and the junctions of Castle Street and Rochester Road. The buildings face towards Royal College Street but also back on to the narrower lane of Rochester Place at the rear. The buildings are late Victorian structures with various architectural features and have a prominent position in the street scene to both front and rear. It is noted three further similar blocks (Nos.236-240) are part of the same original development. These five blocks appear to share some outside amenity space facing Rochester Place.

The host property is not listed nor within a conservation area; however the site is surrounded by both listed and locally listed structures, and is also within close proximity to the Jeffrey Street, Kelly Street and Rochester Conservation Areas.

Relevant History

2018/5961/P - 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. **Prior Approval Required, Prior Approval Refused 18/01/2019.** *(The proposal, by reason of location, design and obtrusive appearance, would result in visual clutter and incongruous additions harmful to the character and appearance of the property and the surrounding area, and the Rochester Conservation Area, and the setting of the nearby listed and locally listed buildings in Kelly Street, Kentish Town Road and Royal College Street, contrary to policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017).*

Related Appeal Decisions on nearby sites:

Appeal A Ref: APP/X5210/C/18/3199851 & Appeal B Ref:

APP/X5210/C/18/3201008 - Land at Crown House, 265-267 Kentish Town Road, London NW5 2TP. Re: 'installation of communications antennae along with associated fixings and cabling on the flat roof of the commercial building.' (Enforcement Notice Ref: EN17/0611).

Appeal A Dismissed and Enforcement Notice Upheld, Planning Permission Refused.

Appeal B Dismissed and Enforcement Notice Upheld. 09/11/2018. *(The inspector found that the development has caused quite significant harm to the character and appearance of the building and the surrounding area, contrary to the aims of policy D1 of the Local Plan and the design related aims of chapter 12 of the Framework).*

Relevant policies

National Planning Policy Framework (2019)

The London Plan (2016)

The London Plan (intend to publish) 2019

Camden Local Plan (2017)

- A1 Managing the impact of development
- D1 Design
- D2 Heritage

Camden Planning Guidance:

- CPG – Design (March 2019)
- CPG – Amenity (March 2018)
- CPG – Digital Infrastructure (2018)

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

Assessment

1.0 Proposed development:

1.1 The application has been submitted under Part 16 of schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order (GDPO) 2015 (as amended). The GDPO 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 In this instance, Prior Approval is sought to install new telecommunications equipment on the existing rooftop area of the subject building, this would comprise the installation of six antennas mounted on supporting structures, three cabinets and ancillary works such as associated cabling, and also a small installation at ground level.

1.3 Two antennas would be fitted to a support fixed towards the rear on the south side of the roof, and four antennas would be fitted to supports (two antennas to each) fixed on the north side of the roof towards the rear of the building. The three proposed cabinets would be positioned centrally but would not be visible above the existing parapet level. In addition, a proposed meter cabinet would be installed at ground floor level adjacent to the host building, No.242, to the south side.

1.4 The existing roof is approximately 16.7m from ground level. The existing parapet is approximately 18.5m from ground level. There are two existing plant rooms at roof level with an approximate height of 21m from ground. There are no existing telecoms installed on this roof. There are nine chimneystacks at roof level which are visible above the parapet in a symmetrical rhythm.

1.5 The highest part of the proposed antennas would be approximately 24m from ground level. The highest of the cabinets and other equipment proposed at roof level would be positioned level with the parapet at approximately 18.5m from ground level.

1.6 The proposed meter cabinet at ground floor is not shown in elevation, and so it is not possible to measure this aspect of the proposal. It is estimated to be approximately 1m in width and 0.5m in depth, with two doors opening outwards to enable access within.

1.7 The application appears similar to a previous scheme for rooftop antennas, proposed by different applicants and refused in 2019 (see history above), whereby the antennas were placed further forward and/or higher above the roof. In the new scheme, the northern set of antennas are slightly shorter and the southern set of antennas are now about 2m lower in height as a result of being on the main building roof rather than on top of the plant room projections.

2.0 Justification:

3.1 The proposal is a new installation intended to enhance existing network services by increased capacity and to allow for new 5G provision in the area. It would enable the provision of 2G, 3G, 4G and new 5G services for the Telefonica and Cornerstone mobile network in this part of London.

3.2 The applicant has provided evidence to show that they have explored alternative development sites within the vicinity of the proposed site location, and given reasons why these alternative sites were not chosen (see page 15-16 of Site Specific Supplementary Information document).

3.3 Given the position of the proposals at roof level, there would be no impact on residential amenity in terms of loss of light or outlook.

3.4 The applicant has indicated that prior to the submission of this application a pre-application

consultation was undertaken with the local planning authority (LPA); however no record or any formal pre-app can be found on the LPA database, as confirmed by the site planning history above.

3.5 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 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.

3.6 The Site Specific Supplementary Information and Design and Access Statement submitted with this application does not provide details about precisely whom has access to the roof top area or how they would gain access. The consultation responses raise concerns about the loss of roof top amenity space, and also highlight issues with anti-social behaviour taking place due to easy access to the roof top for members of the public via an existing fire escape. This raises concerns about the accuracy of the applicants' site analysis, and also raises concerns about public health if members of the public are able to freely access the proposed installations despite the ICNIRP declaration. However it is acknowledged that this application for prior approval is determined based upon siting and appearance only.

4.0 Siting and appearance:

4.1 To the front, the host property is located in a prominent position at the gyratory of two main arterial highways and close to the junction of another road facing towards the site. The host buildings are well designed, well-proportioned local structures which contribute to the character of the street scene and surrounding roofscape.

4.2 The highest elements of the roof can be appreciated in views from various locations, including from a southerly direction along Royal College Street, along Kentish Town Road from the north, from the Castle Road junction facing the host building, and from within the Rochester Conservation Area to the rear (east) of the site. The roofline has a very clean and uncluttered profile with only 2 plant room projections and a set of TV aerials. Long views are possible of the rooftop from both front and rear.

4.3 Although the site is not within a conservation area itself, its position is such that the site backs on to the Rochester Conservation Area which lies directly to the east of the site. Furthermore, there are several locally listed structures in close proximity to the blocks, specifically the former South Kentish Town Tube Station which is directly opposite the site at 141 - 145 Kentish Town Road, also 149 Kentish Town Road on the corner of Castle Street, 116 Kentish Town Road/349 Royal College Street, and 119 to 131 Kentish Town Road, the latter two both to the south west of the site. The Kelly Street Conservation Area with its listed buildings is also close by to the north west of the site but not considered to be directly impacted by the proposed installation. The Jeffrey Street Conservation Area is located to the south of the site but not considered to be directly impacted by the proposed installation.

4.4 A screen shot of the street view from Royal College Street and Kentish Town Road demonstrates the prominence of the roofscape from the front, as below:



Note: There is no visible existing roof top equipment along this stretch of Royal College Street. The proposed antennas would be installed at a height of approximately 3.5m above the parapet of the currently uncluttered main roofline.

4.5 A sample of the street view from Rochester Place, which is locally listed in itself, at the rear can be seen below:



Note: The host building is the block visible in the centre. There is no visible existing roof top equipment that can be viewed along this stretch of Rochester Place.

4.6 Policy D1 of the Camden Local Plan seeks to secure high quality design in development. 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 that causes harm to views into and out of the character or appearance of conservation areas.

4.7 The existing roofline of the blocks is clean and uncluttered by any visible rooftop paraphernalia. The proposed telecommunications equipment is considered to cause harm to the character and appearance of the host building due to the prominence of the antennas which would be visible above the parapet of the roof, where it would be highly noticeable against the skyline, and clearly visible from public views close by and from longer views. 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. The roof has a consistent and distinctive parapet height and is characterised by the absence of any telecommunications equipment or similar clutter. 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.

4.8 It must be noted that there is the lack of detail provided showing views from the rear elevation making full assessment of the impacts on the Rochester Conservation Area quite difficult. However, given that in this resubmitted scheme the antennas have been set back further from the front street elevation than the previously refused one so as to be almost on the rear elevation rooftop edge, they would now be more visible at the rear and so would have a greater impact on this conservation area than the previous proposal.

4.9 Officers note that there is no scale bar provided on the proposed plans or elevations, and there is very limited detail of the proposed installation at ground floor level.

4.10 Telecommunications equipment by the nature of the standardised design style and aesthetic may not blend seamlessly with an existing building; however it is considered that the location, scale, height and design of the proposed equipment would be harmful to the character and appearance of the host building, local views and the adjacent Rochester conservation area from Rochester Place. It would also be harmful to the setting of the nearby locally listed buildings in Kentish Town Road and Royal College Street. While it is acknowledged that the height of antennas have been reduced and set back further from the front since the previously refused scheme, their impact is nevertheless still harmful to the surrounding townscape at street level at both front and rear.

4.11 The proposed installation is for an entirely new development, as opposed to adding to an existing installation. It would appear that little consideration has been made to enhance the host building or adjacent conservation area, by siting the apparatus sympathetically or proposing any sort of camouflage or screening which may have softened the appearance from street level, nor setting the antennas away from the front elevation, in accordance with Section 10 (Telecommunications) of the NPPF 2019.

4.12 It is considered that the location, scale, height and design of the proposed equipment would be harmful to the character and appearance of the host building, local views, views from the adjacent Rochester Conservation Area and the setting of nearby locally listed buildings, in particular the Former Kentish Town Fire Station opposite the site and the building on at apex of two roads 116 Kentish Town Road/349 Royal College Street, and 119 to 131 Kentish Town Road to the south west of the site, and Rochester Place to the rear of the site.

5.0 Planning balance:

5.1 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 and 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 2013.

5.2 Local Plan Policy D1, 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.

5.3 Given the assessment as outlined in sections 1-4 of this report, it is considered that the proposed telecommunications equipment would result in 'less than substantial' harm to the character and appearance of the Rochester Conservation Area and adjacent locally listed buildings. 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, in 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 (2019) which seeks to preserve heritage assets.

5.4 The proposal would therefore fail to accord with policies D1 and D2 of the Camden Local Plan 2017. The development would create overly dominant visual clutter on a prominent roofscape, causing harm to the host building, local views from the street and to the character and appearance of the Rochester Conservation Area and nearby listed and locally buildings.

6.0 Recommendation:

6.1 Prior Approval Required and Prior Approval Refused, on grounds of its detrimental impact on the character and appearance of the host building in terms of both siting and appearance; unacceptable location, scale, height and design; and the dominant visual clutter resulting in a harmful impact to local views, the conservation area and nearby locally listed buildings.