



Planning Solutions Team
Planning and Regeneration
Culture & Environment
Directorate

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Your Ref: APP/X5210/W/20/3262344
Our Refs: 2020/3008/P
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The Planning Inspectorate
Room 3/23
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

Dear Planning Inspectorate,

6 Monmouth House, Raglan Street, NW5

Prior approval: Appeal on behalf of Cornerstone, Telefonica UK Ltd and Vodafone Ltd

The Council refused planning permission under delegated powers on 17/08/2020, ref. 2020/3008/P

The description of development was as follows:

Installation of 12 pole mounted antennas (2 each on 6 poles), 6 cabinets, 4 dishes and 1 GPS antenna at roof level, plus 1 ground based meter cabinet and associated works.

The reasons for refusal are as follows:

1. The antennas, by virtue of their location, design, height and number, would result in an excessive amount of visual clutter on a prominent rooftop which would harm the character and appearance of the building, the surrounding area and adjacent Inkerman and Bartholomew Conservation Areas. As such, the proposed development fails to comply with policy D1 (Design) and D2 (Heritage) of the Camden Local Plan 2017 and policy D3 (Design Principles) of the Kentish Town Neighbourhood Plan 2016.

The council's case is set out in the officer report which was sent with the questionnaire. In addition, the following summarises the issues and addresses the grounds of appeal.

1. Site Description

- 1.1. The application relates to a block of flats, 13 storeys in height; although not holding significant architectural merit the building is highly prominent within the townscape and is characterised by strong flat rooflines, unmarked by the presence of paraphernalia. At roof level there is a single storey plant room which is set back from the roof edges.
- 1.2. The building is set within a substantially soft-landscaped site and it dates from the later part of the 20th century. Although the site is not within a conservation area, it is adjacent to both the Inkerman Conservation Area (approx. 28m distance) and the Bartholomew Estate Conservation Area (approx. 98m distance) so would be visible from within these designated heritage assets.

2. Status of the Development Plan

Development Plan

For the purposes of s38(3) of the PCPA (Planning and Compulsory Purchase Act 2004), the development plan applying to the application sites comprises the London Plan 2016, the Camden Local Plan 2017 and the Fortune Green and West Hampstead Neighbourhood Plan 2015.

The National Planning Policy Framework (NPPF) 2019 –

With reference to the National Planning Policy Framework 2019, policies and guidance contained within Camden's Plan 2017 are recent and up to date in accordance with paragraph 31-33 and 213.

There are no material differences between the NPPF and Camden Local Plan in relation to this appeal. Therefore Camden's policies should be given substantial weight in the decision of this appeal.

Chapter 10 Supporting high quality communications, para. 112 which advocates the delivery of advanced, high quality and reliable communications infrastructure

The London Plan 2020

The Camden Local Plan was adopted in July 2017. The relevant policies in the Camden Local Plan 2017 are:

- Policy A1 (Managing the impact of development)
- Policy D1 (Design)
- Policy D2 (Heritage)

Kentish Town Neighbourhood Plan 2016

- Policy D3 - Design principles

Camden Planning Guidance (CPG)

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

3. COMMENTS ON APPELLANT'S GROUNDS OF APPEAL

- 3.1. The appeal statement is lengthy and covers the site; surroundings; the need for digit infrastructure; policy context; the appeal proposal and a review of reason for refusal. The most pertinent points made in appeal statement are summarised below in italics and addressed beneath.

Section 4 of the Appeal Statement of Case covers 'The Need for Development and Benefits Associated with the Proposal'. This section is summarized in para 4.86, The completed development at this site will help to address the shortfall of 2G, 3G and 4G services to the surrounding area that resulted from the loss of 265/267 Kentish Town Road whilst also providing new 5G services. The failure to reinstate reliable mobile digital connectivity service would negatively impact residents, particularly given there are a comparatively high proportion of young people and disadvantaged households in Camden, as well as businesses, visitors and those passing through Kentish Town Station in this busy area of London, particularly when the only existing connectivity to the area, from 379 Kentish Town Rd, is to be lost in February 2021. It is this backdrop of government policy and encouragement, and clear clarification of the public benefit of the critical services enabled by the infrastructure.

- 3.2. Officer response: Paragraph 116 of the National Planning Policy Framework prevents Local Planning Authorities from questioning the need for development by mobile operators. The Council has not disputed the need for the development in the assessment. The Council agree that high-quality communications infrastructure is essential for sustainable economic growth and that high- speed broadband technology and other communications networks can play a vital role in enhancing the provision of local community facilities and services. However it is disputed that a more appropriate design solution cannot be found which would reduce the harm to the host building and surrounding townscape.

Para 5.50 of the appeal statement states that the appeal site is located across Raglan Street from the Inkerman and 100m west of the Bartholomew Conservation Area. The site has mature street trees to the west and south which screen the building from pedestrians and motorists from some perspectives as one walks the surrounding area. The proposed development will be seen in views from the Conservation Areas; these alterations are very minor in scale and certainly can't be

considered dominant or incongruous and as such the proposed development will not have a detrimental impact on the setting of these conservation areas.

- 3.3. Officer response: Local Plan Policy D1 Design requires development to be of the highest architectural and urban design quality and to respect local context and character. The communication equipment proposed is large, obtrusive and unsightly. In terms of scale, form, location and materials, the appeal proposal is unsympathetic to the appearance of the building. The apparatus would rupture a composed roofline of Monmouth House, which plays a prominent and important role within the local townscape. As shown in the photos below the Monmouth House is highlight prominent within the local townscape and the telecommunications equipment would be highly visible from the public realm. Monmouth House is visible from Kentish Town Road. The second photo below is google street view image which does not show the full visibility of the tower from the pavement. The block rises up over the terraced buildings significantly when viewed from pavement level. It has not been possible to provide photos of this, but a site visit confirms that the block is highly visible from the eastern side of Kentish Town Road. Photos 1 – 6 demonstrate the prominence and high degree of visibility of the tower within the surrounding townscape.



Figure 1 view from Raglan Street



Elevated view from Eastern side of Kentish Town road



View from Raglan Street



View from Regis Road which is site for major redevelopment



View from Inkerman Road within conservation area



View from junction of Anglers Lane and Ragland Street

Para 5.47 of the appeal statement states that unlike the existing equipment, the proposed antennas have been set back from the edge of the building, thus the proposed equipment has been sited to minimise its appearance on the host building and surrounding area. The antennas have been pole mounted to the plant room, which avoids the need for freestanding support structures.

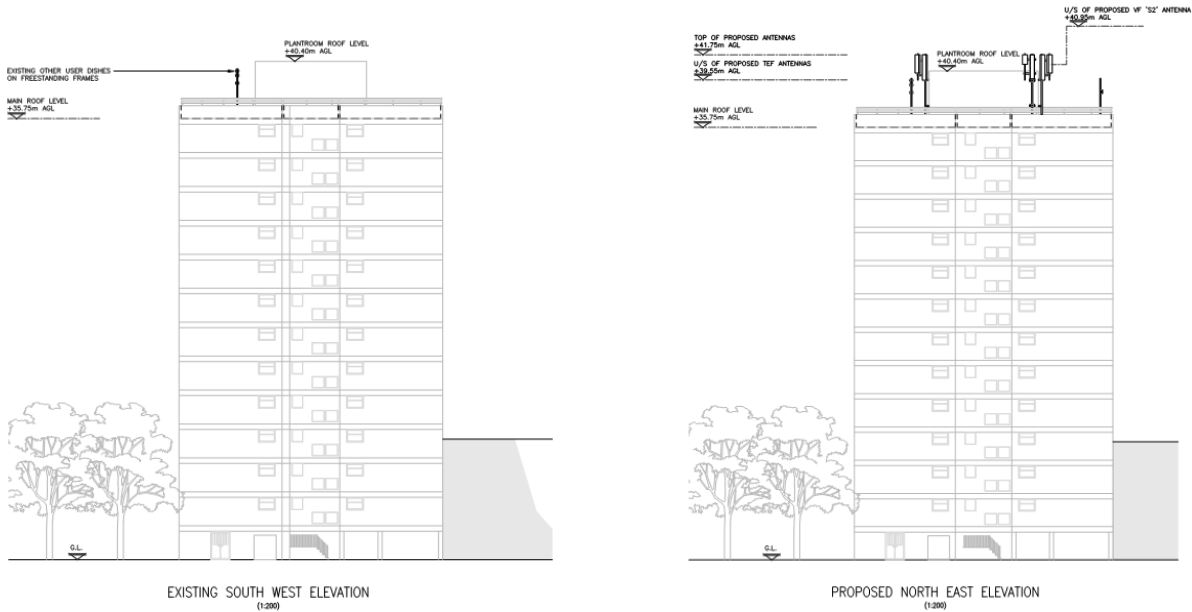
Para 6.22 states The Local Planning Authority cannot on the one hand argue that lower level buildings with clean rooflines are completely unacceptable for mobile telecommunications equipment, and then argue the same on tall buildings that already accommodate antennas. In a dense urban area like Camden, the Appellant is unclear as to where the Local Planning Authority would consider an appropriate location for this critical infrastructure.

Para 6.41 The development proposed with the antennas pole mounted to the plant room and set back from the edge is the best available planning option to meet local network requirements, ensuring reinstatement of reliable mobile digital coverage and capacity. Ideally the operators would seek to locate the equipment at the edge of the rooftop as originally proposed and indeed as Optimity have, which is a design that the Local Planning Authority have accepted. However, the operators set the antennas back from the building edge in accordance with the Local Planning Authority's pre-application advice, raising the antenna heights where required to compensate from moving from the roof edges.

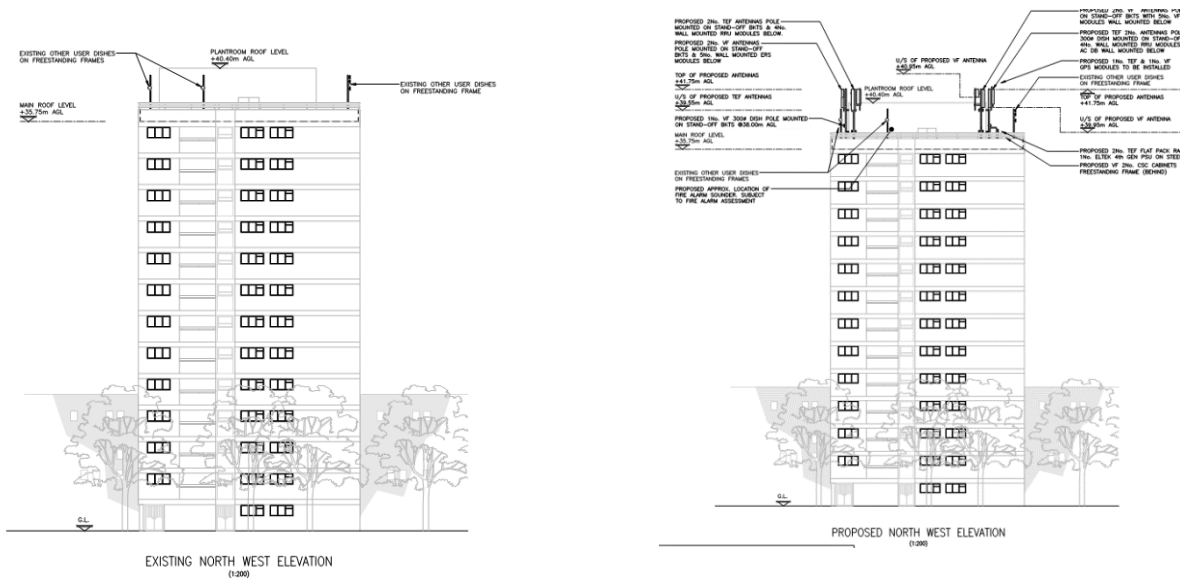
3.4. Officer response: The pre-application advice raised concern about the prominence of the equipment from the public realm. The letter recommended measures to reduce the prominence of the structures. The pre-application advice stated that the 'proposed antennas and equipment should be positioned away from roof edges and brought towards the central plant room, and indeed preferably attached to the plant room itself instead of attached to scaffold rigs.' The pre-application advice did not discuss or encourage the raising of the antenna heights to compensate for moving the antenna away from the roof edges. The antenna would still be pole mounted despite being 'fixed' to the plan room. The set back from the roof edge does not reduce the prominence of the structures. The increase in height of the antenna means that the equipment is even more prominent when compared with a lower pole mounted antenna situated at the roof edge. The clear guidance from the pre-application letter was that the telecommunication equipment would need to be

sensitively scaled in order to reduce the impact surrounding conservation areas and general townscape.

- 3.5. The existing and proposed elevations below demonstrate how incongruous the equipment would appear when set against the host tower block. These structures by reason of their height, materials, quantity and visibility are considered to cause a significant degree of harm to the character and appearance of Monmouth House. It is considered that the public benefits of improved connectivity cannot outweigh this harm.

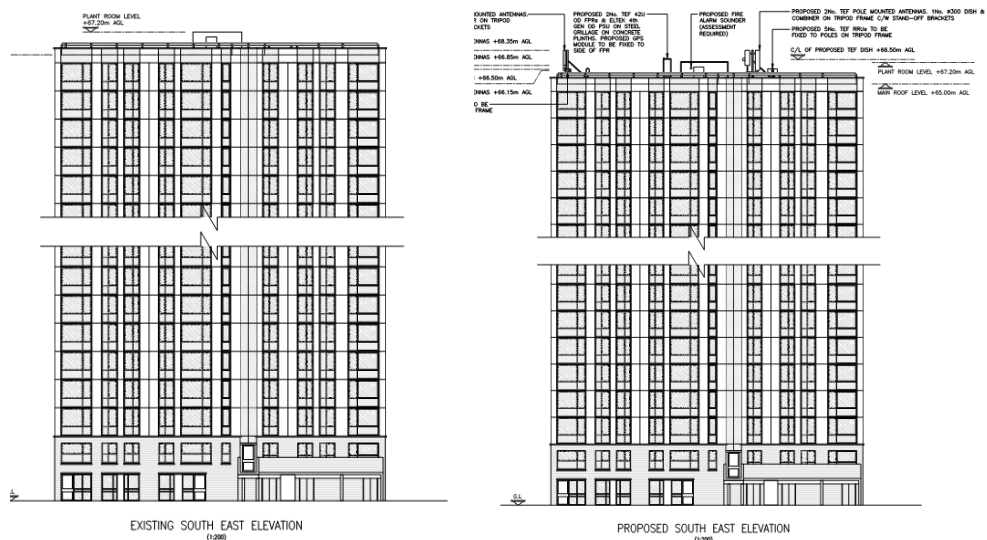


Existing and Proposed South West Elevation (existing left and proposed right)



Existing and proposed South West Elevations (Existing left and proposed right)

- 3.6. The Council do not object to the principle of a telecommunications installation at the site. The site is an existing communications base station. The existing pole mounted antenna have a minor impact on the appearance of the building and demonstrate that telecommunications equipment can be sensitively designed.
- 3.7. The Council point to a recently approved GDPO Prior Approval application at 1-161 Taplow, Adelaide Road. This was approved under 2020/3958/P dated 15/10/2020, the Officer report and drawings are attached in appendix A and B. The development description was for the '*Installation of 6 pole mounted antennas (2 each on 3 poles), 3 cabinets, 3 dishes and 3 RRU's (remote control radio units) fixed to poles on a tripod frame (5 on each tripod).*' Similar to the appeal site, 1-161 Taplow is a tower block which is highly prominent within the local townscape. For this application the equipment was sensitively scaled so as to limit prominence and visibility from the public realm. The 3.225m height of the antenna was considered to appear relatively minor when viewed from street level. Whereas the height of the pole mounted antenna at the appeal site would be 6m. This is a considerable increase in height which is not mitigated by the set back from the roof edge.



Existing and Proposed south east elevation (existing left and proposed right)



Photo of 1-161 Taplow, Adelaide Road

4. Relevant Appeal decisions

- 4.1. The Council notes that similar developments have been dismissed by Planning Inspectors at appeal. The below appeal decisions are attached as Appendix C.
- 4.2. The Council notes the appeal decision at 265-7 Kentish Town Road which is appended (refs. APP/X5210/C/18/3199851 and APP/X5210/C/18/3201008). This case involved installation of prominent and obtrusive antennae to a hitherto clean roofline at a nearby site, also not located in a Conservation Area. The following is a photograph of the antennae in question:



Unauthorised installation at 265-7 Kentish Town Road

- 4.3. In that appeal Ground A was also argued in relation to the Ground A case the Inspector found in paragraph 14 that:

“The structure projects significantly above the height of the roof and the cumulative visual effect of the poles and antennae is significant. The galvanised poles and light coloured antennae stand out against the dark brick of the host building. I appreciate that such structures, by their nature, are unlikely to blend seamlessly with an existing building but in this instance the effect is particularly incongruous as a result of the clean, uncluttered, lines of the host property”.
- 4.4. This is a recent decision, dating from September 2018. It was taken under the same policies and legislation that applies today. The Council submits that significant weight should be given to this decision as a material consideration given the similarity of issues, in particular the introduction of obtrusive antennae to a prominent and hitherto clean roofline.

- 4.5. Officers consider that the appeal proposal at Monmouth House is visually more harmful than that dismissed at 265-7 Kentish Town Road. This is because Monmouth House is a tower and therefore significantly more prominent from views within the local townscape.

5. Conditions

- 5.1. The Council would only be in a position to support an antennae proposal at this site if its visual obtrusiveness was significantly less than the proposal being considered as part of this appeal. The appeal proposal is unacceptable in principle and there are no conditions or legal agreement requirements that could be attached to any permission that would make it acceptable in planning terms.

6. Conclusion

- 6.1. For the above reasons the Council respectfully requests that the Inspector upholds the Council's decision and dismisses this Appeal.

Yours sincerely,

Josh Lawlor
Senior Planning Officer