

Delegated Report		Analysis sheet	Expiry Date:	31/03/2021
		N/A / attached	Consultation Expiry Date:	13/03/2021
Officer			Application Number(s)	
Matthew Dempsey			2021/0485/P	
Application Address			Drawing Numbers	
242- 244 Royal College Street Kentish Town London NW1 9QP			Please refer to decision notice.	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Telecoms equipment installation including; 3 antennas and 2 cabinets within GRP screens at roof level and 1 cabinet at ground level, with 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 Decision Notice			
Informatives:				
Consultations				
Adjoining Occupiers:	No. of responses	02	No. of objections	02
Summary of consultation responses:	<p>A site notice was displayed from 17/02/2021, which expired 13/03/2021.</p> <p><u>One objection was received from a local resident.</u></p> <p>Please see also; summary of concerns raised by the Tenant and Resident Association (TRA) below.</p> <p>For the avoidance of doubt; the resident who has objected has also submitted an objection on behalf of the TRA in their capacity as Secretary.</p>			
CAAC/Local groups comments:	<p><u>One objection was received from the TRA of the host building.</u> The concerns raised can be summarised as follows:</p> <ul style="list-style-type: none"> • Lack of notification/ consultation from the applicant. • Proposed development at odds with scheduled works for the host building. • Overly dominant unwelcome addition to the building. • Scale of the installations has bulk of an additional storey. • Unwanted visual clutter to the roof top. • Impact on the surrounding conservation area. • Structural safety of the proposed GRP screening. • Lack of clarity with regards to wiring to ground level. • Lack of clarity with regards to power supply. • Lack of clarity about the longevity of the installation. • Potential for increased antisocial behaviour. • Loss of amenity space. • Health impacts of telecommunications technology. 			

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 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).*

2020/4619/P - 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. **Prior Approval Required, Prior Approval Refused 18/01/2019.** *(The proposed rooftop equipment, by reason of its location, design, scale and height, would result in dominant visual rooftop clutter and cause harm to the character and appearance of the host property, the streetscene and the surrounding Rochester Conservation Area, as well as the setting of nearby locally listed buildings. The proposal would therefore be 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 (2021)

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. The proposal includes the installation of three antennas mounted on supporting structures, two cabinets at roof level, and a further single meter cabinet at ground floor with ancillary works such as associated cabling.

1.3 One antenna would be fitted to a 4.4m support structure (tri-pod and pole) housed within a Glass reinforced plastic (GRP) screen at the rear south-east corner of the rooftop. Two other antennas would be fitted to two 4.65m supports, also housed within a GRP screen but at the north side of the roof top, one to the front (west) of the building and one towards the rear (east). Two equipment cabinets are proposed to be installed at roof level also within the GRP screening.

1.5 The screens proposed would be two separate roof top structures. To the rear south-east corner the screen would have approximate dimensions of 4.4m in height and 3.6m in width. To the north side the screen would have approximate dimensions of 4.4m height and 10.5m in width.

1.4 In addition, a proposed meter cabinet would be installed at ground floor level adjacent to the host building, No.242, to the south side, approximately 1.1m high and 0.8m in depth.

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 installation would be approximately 21-22m from ground level, just marginally taller than the existing plant rooms. The entirety of the proposed rooftop telecoms equipment would be shielded by the proposed GRP screens.

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 17-21 of Site Specific Supplementary Information document).

3.3 Given the position of the proposals at roof level, the applicant states 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-application can be found on the LPA's database.

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 from third parties is acknowledged, given the details provided by the applicant and advice from the NPPF, this would 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'.

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 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 and contribute positively to the character and appearance of the street scene and surrounding area.

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, 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, the chimneys and a set of TV aerials. Long views of the rooftop are possible 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 (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 roof scape from the front, as below:

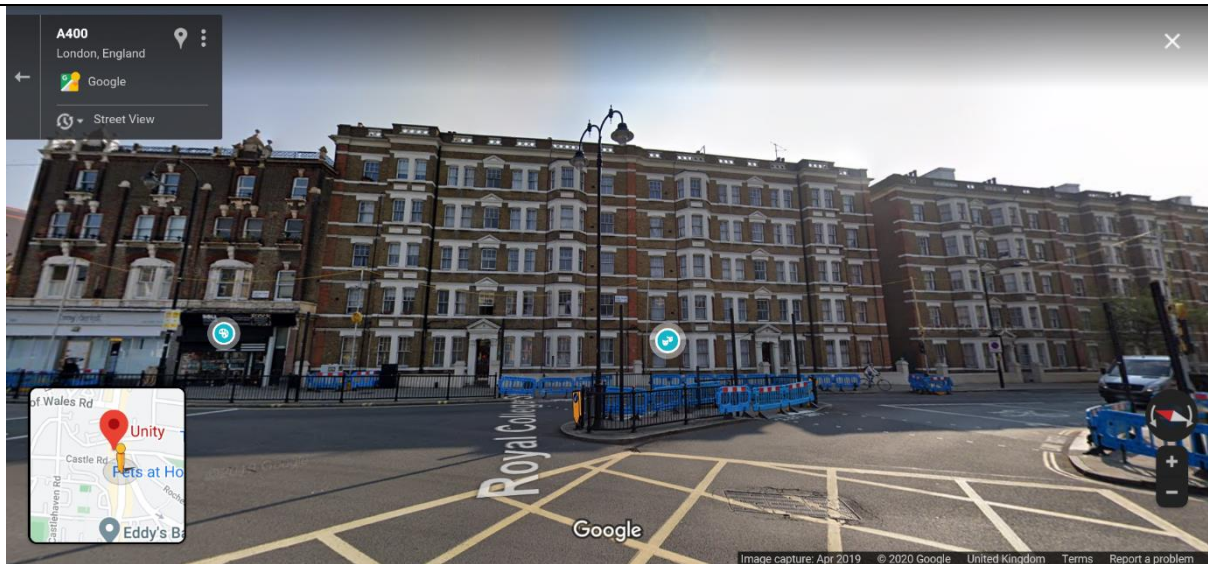


Figure 1. Note: There is no visible existing roof top equipment along this stretch of Royal College Street. The proposed screening would be installed at a height of approximately 4m above the parapet of the currently uncluttered main roofline.

4.5 A sample of the street view from Rochester Place at the rear can be seen below:

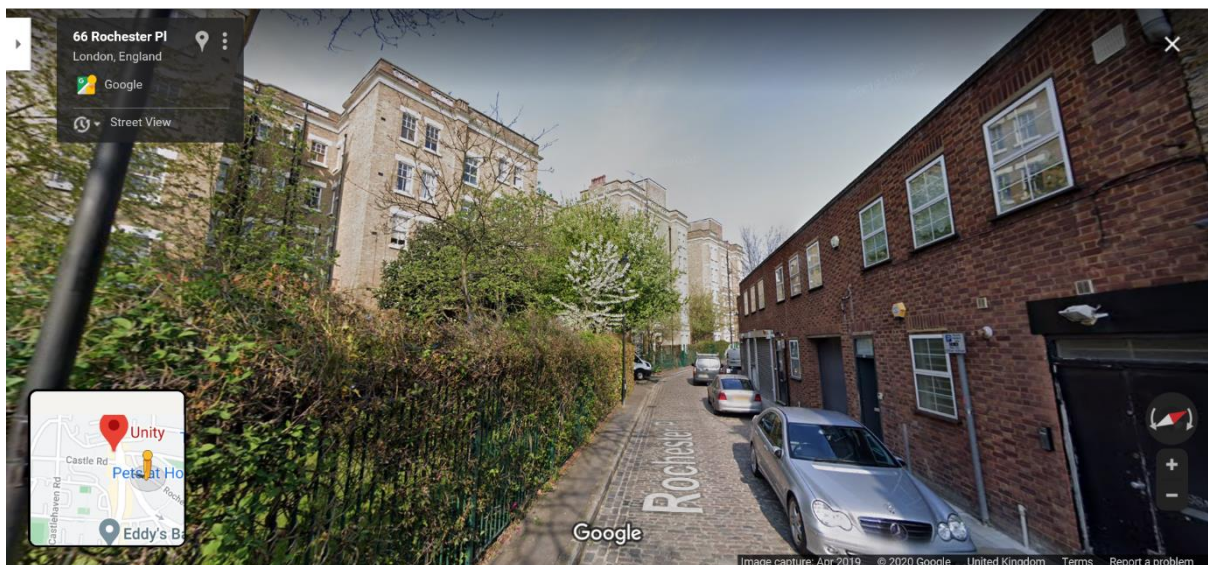


Figure 2. Note: The host building is the block visible in the centre. There is no visible existing roof top installation that can be viewed along this stretch of Rochester Place.

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 views into and out of the character or appearance of conservation areas.

4.7 The existing roofline of the blocks is clean and uncluttered. The proposed telecommunications equipment enclosed in bulky screening is considered to cause harm to the character and appearance of the host building. The prominence and scale of the screening as proposed 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.

4.8 The front of the property is on a wide and open junction with Royal College Street and Kentish Town Road, and at this point when viewed from the west in Castle Road the protruding screening 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.

4.9 Given that the proposed screening 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 roof scape.

4.10 This application follows previous schemes for rooftop antennas (see history above), whereby the antennas and other equipment were proposed without screening. The scale of the proposed screening would add incongruous bulk to the roofline.

4.11 Consultation responses also raise concern about the siting of the proposed installation, given that residents suggest the roof top is utilised as amenity space, and that members of the public can also access the site. Officers consider that these issues would need to be addressed before any consent might be granted.

4.12 Overall, it is considered that the location, bulk, scale, height and design of the proposed screening and telecommunications 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 (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). While it is acknowledged that the installation has been designed to shield telecoms equipment from view, the impact is nevertheless harmful to the surrounding townscape at street level at both front and rear due to its visual prominence.

5.0 Planning balance:

5.1 Considerable importance and weight has been attached to the harm to the 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 harm to a designated heritage asset, including conservation areas and Listed Buildings, unless it can be demonstrated that the harm is necessary to achieve substantial public benefits that outweigh that harm.

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. 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 and to the character and appearance of the Rochester Conservation Area and nearby 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.

