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|---|----------------------------|--|-------------------------------------|----------------------------------|-------------------|
| <b>Delegated Report</b>   |                            | <b>Analysis sheet</b>                      |                                     | <b>Expiry Date:</b>              | <b>16/04/2021</b> |
|   |                            | N/A / attached                             |                                     | <b>Consultation Expiry Date:</b> | <b>29/03/2021</b> |
| <b>Officer</b>  |                            |  | <b>Application Number(s)</b>        |                                  |                   |
| Tony Young  |                            |  | 2021/0790/P                         |                                  |                   |
| <b>Application Address</b>  |                            |  | <b>Drawing Numbers</b>              |                                  |                   |
| Pavement on west side of Camden Street<br>(near junction with Kentish Town Road)<br>E:528969 N:184252<br>London<br>NW1 9PT          |                            |  | Refer to draft decision notice      |                                  |                   |
| <b>PO 3/4</b>   | <b>Area Team Signature</b> | <b>C&amp;UD</b>                            | <b>Authorised Officer Signature</b> |                                  |                   |
|   |                            |  |                                     |                                  |                   |
| <b>Proposal(s)</b>  |                            |  |                                     |                                  |                   |
| Erection of 18m high telecommunications monopole with wraparound cabinet at base and 3 x equipment cabinets on the public footpath. |                            |  |                                     |                                  |                   |
| <b>Recommendation(s):</b>   |                            | Prior Approval Required – Approval Refused |                                     |                                  |                   |
| <b>Application Type:</b>  |                            | GPDO Prior Approval Determination          |                                     |                                  |                   |

|                                    |  |    |                  |    |                   |    |
|------------------------------------|--|----|------------------|----|-------------------|----|
| Conditions or Reasons for Refusal: | Refer to Draft Decision Notice   |    |                  |    |                   |    |
| Informatives:                      |  |    |                  |    |                   |    |
| Consultations                      |  |    |                  |    |                   |    |
| Adjoining Occupiers:               | No. notified   | 00 | No. of responses | 04 | No. of objections | 04 |
| Summary of consultation responses: | <u>5 x site notices were displayed on 05/03/2021 at various points around the application site and expired on 29/03/2021</u>   |    |                  |    |                   |    |
|                                    | <p>In response to the proposal, a <u>local resident in Jeffrey's Place</u> objected as follows:</p> <p>1. <i>"I hope the council will refuse permission to erect this tower and encumber what is already a narrow footpath with cabinet clutter. The existing pavement around the park is already narrow and to impede it further by 3 cabinets is unwarranted. It forces pedestrians into the road where buses on diversion often stand.</i></p> <p>2. <i>Camden Gardens is a small haven of green in a heavily built up, redeveloped and over trafficked part of Camden. It is the site of further attempts to improve the amenity with the "highline" elevated walkway. The proposal to erect an 18 m tower visually dominating this area and its trees must degrade this vision. Surely there are enough tall buildings erected (BTP Building?) or in construction (146 Camden st?) which could house this infrastructure."</i></p> <p>A <u>resident in Christchurch Hill</u> responded and objected as follows:</p> <p>3. <i>"I strongly object to this proposal of an 18-meter-high monopole and wrap around cabinets. There are residents of Camden Town and Kentish Town who suffer with electrical sensitivity. I am a resident of Camden who has a medical diagnosis of Electro sensitivity. Prior to lockdown I walked past this site on my way to and from Kentish Town Leisure Centre to use the swimming pool. I usually frequent Mario's Café in Kelly Street and then shop in Sainsburys after my swim and before I catch a bus home. I intend to continue these activities when lockdown lifts. If this application is accepted then I shall have to find a different route to use in order to bypass the mast. This is a loss of amenity for me. Camden has a duty of care to all residents.</i></p> <p>4. <i>The height of this monopole will impact on the visual amenity of the area. It will interrupt the skyline and aesthetically it will be very unattractive. It will be an eyesore for anyone using Camden Gardens as an entry point to the Camden Highline and anyone living in this vicinity. This monstrous monopole and wrap around cabinets will be situated by a registered garden which is of historic importance. The NPPF (paragraphs 193-202) clearly states "Substantial harm is any impact which could cause harm to or loss of the significance of a heritage asset. This is typically attributed to listed buildings, those of historic importance, registered parks and gardens."</i></p> <p><i>The proposed development, by reason of its scale, design and siting, in prominent location, would result in visual clutter which would be</i></p> |    |                  |    |                   |    |

detrimental to the character and appearance of the proximate buildings, the street scene and the adjacent Camden Town conservation area contrary to policies D1 and D2 of the Camden Local Plan 2017. This area is Protected under London Squares Preservation Act 1931: See <https://londongardenstrust.org/conservation/inventory/siterecord/?ID=CAM015>

5. *Schools: Hawley School is in close proximity to the proposed site for the masts. See this article on the Clear Evidence of Harm to Children from radiofrequency radiation which is produced by the type of antennae to be erected in this application: by Professor Tom Butler of the University of Cork [https://e9a5d5c6.stackpathcdn.com/wp-content/uploads/2019/02/On-the-Clear-Evidence-of-the-Risks-to-Children-from-Smartphone-and-WiFi-Radio-Frequency-Radiation\\_Final.pdf](https://e9a5d5c6.stackpathcdn.com/wp-content/uploads/2019/02/On-the-Clear-Evidence-of-the-Risks-to-Children-from-Smartphone-and-WiFi-Radio-Frequency-Radiation_Final.pdf). According to The Stewart Report (March 2001) It has been suggested that children might be especially vulnerable to any adverse health effects of RF radiation. There is evidence that, at the frequencies used in mobile phone technology, children will absorb more energy per kilogram of body weight from an external electromagnetic field than adults (Stewart Report, 2000). Additionally, since children are being exposed to RF radiation from base stations from a younger age than adults, they will have a longer time in which to accumulate exposure over the course of their lives and a longer time for any delayed effects of exposure to develop. The NPPF carries forward the principle of the 'consideration of the siting of masts close to schools through requirement for developers to pre-consult with local schools. We have been on a long second national lockdown and the schools have only recently re-opened.*
6. *There has been no time to consult properly. This application does not comply with the Mobile operator's code of best practice. More residents need to be consulted. There are residential flats and houses close by. There is no information on the height of the "wraparound" cabinet to go around the base of the pole. The Cabinets will cause more street clutter, a visually impaired person will have difficulty negotiating the footway here, likewise a person with mobility difficulties. This is a health and safety matter. The proposed monopole and cabinets, by virtue of their size and location, would create unnecessary street clutter, would reduce the amount of useable footway, would cause harm to highway safety and would hinder pedestrian movement, contrary to policies A1 (Managing the impact of development), C6 (Access for all) and T1 (Prioritising walking, cycling and public transport) of the London Borough of Camden Local Plan 2017."*

A local resident in Rochester Square responded and objected as follows:

7. *"I object to this proposal on the grounds of accessibility. The pavement is already not very wide at this point. Inclusive Mobility (2002) advises that ideally the width of the footway should be 2000mm to facilitate two people in wheelchairs to pass each other comfortably. Where this width is not possible, a clear width of 1500mm should be provided, with an absolute clear minimum width of 1000mm in exceptional cases.*

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|---|---|
|   | <p><i>If the cabinets are fitted, then the application states that the pavement will be permanently narrowed to just 1242mm (cabinet doors closed) or 343mm (cabinet doors open - although this should not be a regular occurrence, some telecom cabinet doors locally hang open semi-permanently). At the moment there is little pedestrian traffic along this pavement, but if/when the Highline comes, that will change.</i></p> <p><i>In my view Camden has the duty to oppose footway encroachment wherever possible, whether it is by vehicle charging infrastructure, signage or cabinets. Often there is a great deal more spare carriageway space than footway space. I do not object to the idea that this sort of installation is needed, but it should not be installed in a way that makes it harder for the disabled, elderly, pram-pushing parents, shoppers, delivery people etc. to get around."</i></p> <p>A <u>local resident in Prowse Place</u> responded and objected as follows:</p> <p>8. <i>"I request that this only goes ahead if it the pole and cabinets are placed in a way to allow people with wheelchairs and mobility scooters to get past easily. The diagrams suggest the pole and cabinets are quite wide and could create an obstacle if placed next to one of the parking bays (when cars are parked in the bays). There is a section between two parking bays where the pavement is wider; placing the pole/cabinets there should give more room for wheelchairs and mobility scooters to get round."</i></p> |
| <b>Kentish Town Road Action comments:</b> | <p>In response to the proposal, a local group, <u>Kentish Town Road Action</u>, objected on the following grounds:</p> <p>1. <i>"KTRA would urge that the equipment takes the place of an existing parking space. This would prevent the pavement having to be narrowed to allow the placement of the equipment, which would hamper the progress of the disabled and the young in buggies."</i></p>   |

## Site Description

The application site comprises of a section of public footway on the western side of Camden Street, close to the junction with Kentish Town Road, Hawley Road and Jeffrey's Street.

The site is located immediately adjacent to Camden Gardens, which is public open space and gardens identified on Camden's 'Local list' as a non-designated heritage asset. The site is also situated within close proximity to a number of Grade II listed buildings, namely nos. 162-168 Camden Street to the east and nos. 55-63 Kentish Town Road to the west.

The application site is not situated within a conservation area; however, it is located close to the boundaries of both the Jeffrey's Street and Regents Canal Conservation Areas on its eastern, southern and western sides.

## Relevant History

No relevant site history

Neighbouring sites in locality:

**Footpath adjacent to car park Bartholomew Road, Kentish Town**

**2020/2836/P** - Installation of telecommunications equipment comprising of 1x 20m Phase 8 monopole C/W wraparound cabinet at base and 3x cabinets at ground level. GPDO Prior Approval refused 19/08/2020 - Reason for refusal:

- The proposed monopole and associated cabinets, by reason of their design, size, height and location, would be overly bulky and dominant in the streetscene and would create excessive

visual clutter which would be harmful to the character and appearance of the streetscene and the Bartholomew Estate Conservation Area, contrary to policies D1 (Design) and D2 (Heritage) of the Camden Local Plan 2017.

- The proposed monopole and cabinets, by reason of their size and location, would reduce the amount of useable footway and so would be harmful to highway safety and pedestrian movement, contrary to policies A1 (Managing the impact of development), C6 (Access for all) and T1 (Prioritising walking, cycling and public transport) of the London Borough of Camden Local Plan 2017.

**2021/1722/P** - Installation of 15m monopole wraparound cabinet at base and associated ancillary works. GPDO Prior Approval application received 28/03/2021 and yet to be determined

**Pavement outside No.176 Camden High Street, opposite No.201 Camden High Street**

**2020/2760/P** - Erection of 20m high telecommunications monopole with 4 cabinets and ancillary works on pavement. GPDO Prior Approval refused 12/08/2020 - Reason for refusal:

- The proposed monopole and associated cabinets, by reason of their design, size, height and location, would be overly bulky and dominant in the streetscene, would create excessive visual clutter and would cause harm to the character and appearance of the neighbouring buildings, streetscene and the Camden Town Conservation Area, contrary to policies D1 (Design) and D2 (Heritage) of the Camden Local Plan 2017.
- The proposed monopole and cabinets, by virtue of their size and location, would create unnecessary street clutter, would reduce the amount of useable footway, would cause harm to highway safety and would hinder pedestrian movement, contrary to policies A1 (Managing the impact of development), C6 (Access for all) and T1 (Prioritising walking, cycling and public transport) of the London Borough of Camden Local Plan 2017.

**2021/1219/P** - Erection of 18m high telecommunications monopole with 4 cabinets and ancillary works on pavement. GPDO Prior Approval application received 16/03/2021 and yet to be determined

**Corner of Malden Road & Wellesley Place**

**2006/1809/P** - Installation of radio base station comprising a 14 metre high slimline monopole fitted with 3 x 1.7m high antennas, radio equipment housing and ancillary development on public pavement. GPDO Prior Approval refused 02/06/2006 - Reason for refusal:

- The proposed monopole and associated cabinets, by reason of their siting in the middle of the pavement and set apart from the nearest boundary structure would add to the visual clutter of street-based equipment to the detriment of the local streetscape, and would provide unacceptable hindrances to pedestrian movement contrary to policies EN1, EN13, TR21, PU1 and PU8 of the London Borough of Camden Unitary Development Plan 2000 and policies B1, B5, T3 and T12 of the London Borough of Camden Replacement Unitary Development Plan (Revised Deposit Draft) 2004, and advice contained within the Council's Supplementary Planning Guidance July 2002 (3.7 Telecommunications).

**2006/5063/P** - Resubmission of 2006/1809/P amended for the installation of radio base station comprising a 14 metre high slimline monopole fitted with 3 x 1.7m high antennas, radio equipment housing and ancillary development on the footpath. GPDO Prior Approval refused 22/12/2006 - Reason for refusal:

- The proposed monopole and associated cabinets, by reason of their siting in the middle of the pavement and set apart from the nearest boundary structure would add to the visual clutter of street-based equipment to the detriment of the local streetscape, and would provide unacceptable hindrances to pedestrian movement contrary to policies B1 (general design principles), B5 (Telecommunications), T3 (Pedestrians and cycling) and T12 (Works affecting highways) of the London Borough of Camden Replacement Unitary Development Plan 2006, and advice contained within the Camden Planning Guidance 2006 (Telecommunications).
- The proposed 14m high telecommunications pole, by virtue of its height and its siting adjoining the Gospel Oak Open Space would be detrimental to the visual amenity of the streetscene and the character and appearance of the adjoining public open space contrary to policies B1

(general design principles), B5 (Telecommunications) and N2 (Protecting open space) of the London Borough of Camden Replacement Unitary Development Plan 2006 and advice contained in the Camden Planning Guidance 2006.

### **Outside on the corner of 120 Parkway**

**2005/0806/P** - The installation of telecommunications equipment consisting of a 12m high monopole, traffic sign and a single equipment cabinet on the pavement outside 120 Parkway. Full Planning Permission refused 22/04/2005 - Reason for refusal:

- The proposed development is unacceptable on the grounds of visual amenity. More specifically the proposed height and location of the telecommunications equipment would add to the visual clutter at this junction and as such would be detrimental to the character and appearance of three conservation areas. In this regard the proposal is contrary to policies EN1 General environmental protection and improvement, EN4 Providing safe and attractive public spaces, EN31 Character & appearance of conservation areas and PU8 Telecommunications of the London Borough of Camden UDP 2000.
- The proposed development is unacceptable on the grounds of pedestrian safety. More particularly the proposed development would result in obstacles on the footway, to the detriment of pedestrian movement. In this regard the proposal is contrary to Policy TR21 Pedestrians of the London Borough of Camden UDP 2000.

### **Pavement on Batholomew Road, Junction with Oseney Crescent**

**2019/2420/P** - Replacement of the existing 12.5m monopole with a new 12.5m monopole, the replacement of cabinet and ancillary works thereto. GPDO Prior Approval given 31/07/2019

### **Centenary House, 96-98 Camden High Street**

**2018/6382/P** - Removal of existing stub-monopole and 3 no. antennas, installation of a steel-frame supporting 12 no. antennas and 3 no. dishes screened by proposed GRP shroud, retention of 1 no. existing dish, removal of 2 no. existing cabinets and replacement with 10 no. proposed equipment cabinets and associated works. Full Planning Permission refused 11/12/2019 - Reason for refusal:

- The proposed antennas, steel frame grid and associated equipment at roof level, by virtue of their siting, size and design, would result in a visually prominent and incongruous rooftop development which would harm the appearance and character of the host and adjacent buildings, local views, street scene and Camden Town Conservation Area, contrary to policies D1 and D2 of the London Borough of Camden Local Plan 2017.

### **Talacre Community Sports Centre, Dalby Street**

**2016/2024/P** - Replacement of one existing 12.5m floodlight with a 17.5m monopole to support replacement floodlight and telecommunications antennae for shared use by Vodafone and Telefonica, plus installation of 4 equipment cabinets on adjoining footpath, to provide 3G and 4G mobile electronic communication services. Full Planning Permission granted 13/07/2016

### **Pavement outside 242 Grafton Road**

**2004/1698/P** - Installation of a 12m slim-line monopole and equipment cabinet situated on the pavement. GPDO Prior Approval refused 10/06/2004 - Reason for refusal:

- The proposed mobile phone mast, by reason of its size, siting and location, would have an unacceptable impact on the outlook enjoyed from the adjacent residential premises at 242 Grafton Road contrary to EN1 (General environmental protection and improvement), EN19 (Amenity for occupiers and neighbours) and PU8 (Telecommunications) of the London Borough of Camden Unitary Development Plan 2000.

**2009/0820/P** - Installation of a 10m high monopole containing telecommunications antennae and an ancillary equipment cabinet situated on the pavement. GPDO Prior Approval refused 30/03/2009 - Reason for refusal:

- The proposed mast, by virtue of its height, design and siting in conjunction with other street furniture, would create additional visual clutter in the street and would be harmful to the character and appearance of the local townscape, contrary to policies B1 and B5 of the

London Borough of Camden Replacement Unitary Development Plan 2006, and advice contained in the Camden Planning Guidance 2006.

**2009/2009/P** - Installation of a 8m high monopole containing telecommunications antennae and an ancillary equipment cabinet situated on the pavement. GPDO Prior Approval refused 09/06/2009 - Reason for refusal:

- The proposed mast, by virtue of its appearance and siting in conjunction with other street furniture, would create additional visual clutter in the street and would be harmful to the character and appearance of the local townscape, contrary to policies B1 and B5 of the London Borough of Camden Replacement Unitary Development Plan 2006, and to advice contained in the Camden Planning Guidance 2006 and Planning Policy Guidance 8 (Telecommunications).

**2009/5819/P** - Installation of a 14.8m high replacement monopole containing telecommunications antennae and an ancillary equipment cabinet on the pavement. GPDO Prior Approval refused 29/01/2010 and allowed on Appeal 20/09/2010

**2014/2216/P** - Replacement of 14.8m high telecommunications monopole with a relocated 15m high telecommunications monopole and 2x telecommunication cabinets on public footway. GPDO Prior Approval given 16/05/2014

**2014/4536/P** - Replacement of 14.8m high telecommunications monopole with a relocated 15m high telecommunications monopole and 2x telecommunication cabinets on public footway. GPDO Prior Approval given 06/10/2014

## **Relevant policies**

**Part 16, Schedule 2, of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) by the Town and Country Planning (General Permitted Development) (England) (Amendment) (No.2) Order 2016**

## **National Planning Policy Framework 2019**

Sections 6 (Building a strong, competitive economy), 10 (Supporting high quality communications), 12 (Achieving well-designed places) and 16 (Conserving and enhancing the historic environment)

## **London Plan 2021**

### **Camden Local Plan 2017**

A1 Managing the impact of development

A2 Open space

A3 Biodiversity

C6 Access for all

D1 Design

D2 Heritage

T1 Prioritising walking, cycling and public transport

### **Camden Planning Guidance**

CPG Design 2021 - chapters 1 (Introduction), 2 (Design excellence), 3 (Heritage), 4 (Landscape and public realm), 7 (Designing safer environments) and Chapter 9 (Building services equipment)

CPG Amenity 2021 - chapters 1 (Introduction), 2 (Overlooking, privacy and outlook), 3 (Daylight and sunlight) and 6 (Noise and vibration)

CPG Digital infrastructure 2018 - Telecommunications equipment (paragraphs 11- 15)

CPG Transport 2021 - chapter 9 (Pedestrian and cycle movement)

CPG Public open space 2021

CPG Trees 2019 - chapter 2 (How the Council will protect trees)

## **TfL's Pedestrian Comfort Guidance for London 2010**

## **Camden Streetscape Design Manual**

### **Inclusive Mobility 2005 – chapter 5 (Footways, footpaths and pedestrian areas)**

### **Equality Act 2010**

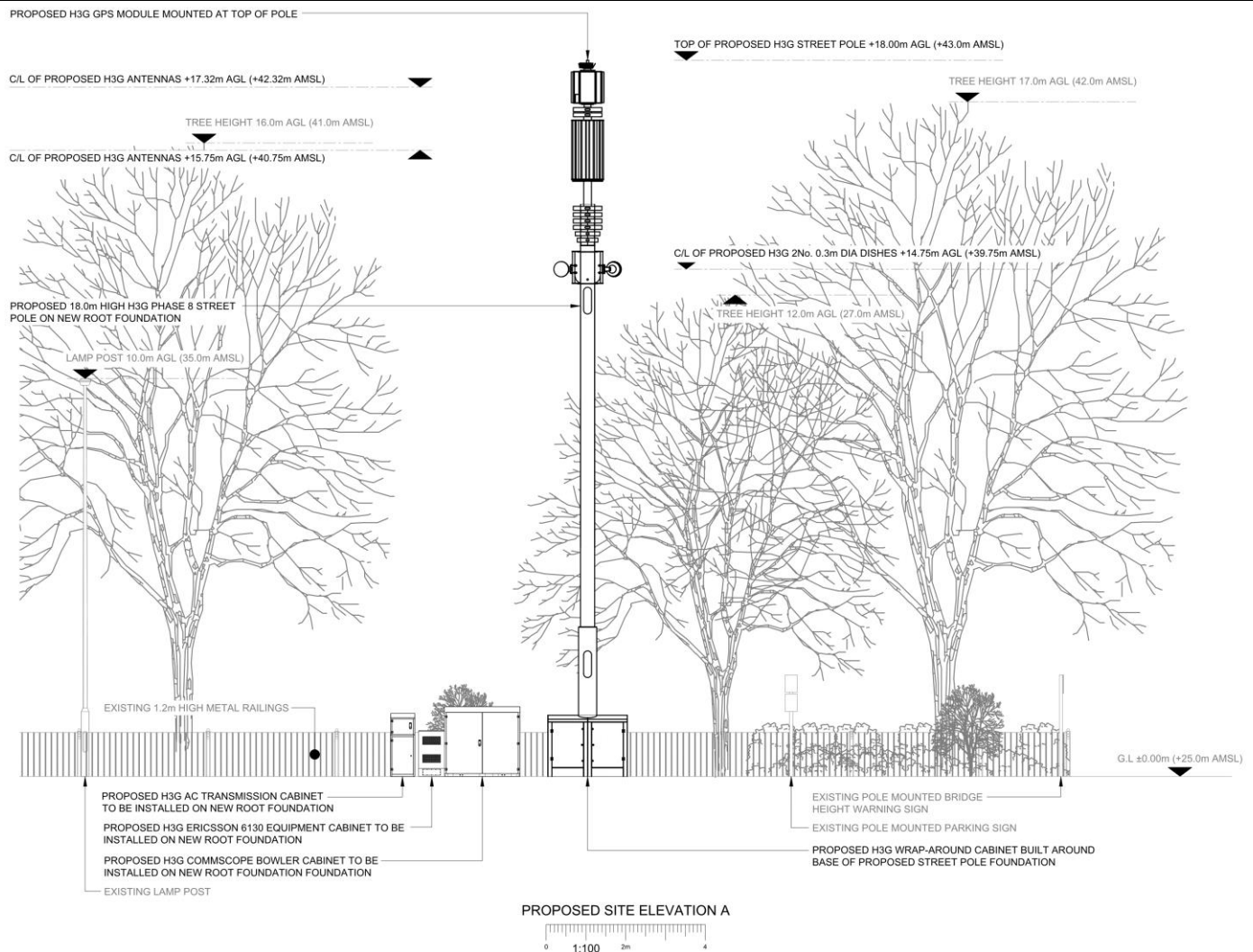
### **Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013**

## **Assessment**

### **1.0 Proposal**

- 1.1 Confirmation is sought as to whether the erection of 18m high telecommunications monopole with wraparound cabinet at base and 3 x equipment cabinets on the public footpath would require prior approval under Part 16 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order (GPDO) 2015 (as amended). The order permits the Council to only consider matters of siting and appearance in determining this type of application. As such, it is not possible for objections to be raised on any other grounds, such as, health impacts for instance.
- 1.2 The proposal involves the erection of a monopole for electronic communications purposes measuring 18m high above ground level with various antennas (ref. A1, A2, B1, B2, C1, and C2) and 2 x 0.3m diameter dishes fitted at the top of the mast. The exact dimensions for the monopole width, antennas and dish dimensions have not been provided; however, the submitted drawings indicate that the monopole would have a width of between approximately 0.35 - 0.45m. The antennas and dishes, fitted to the top of the monopole, would increase this appearance of width to approximately 0.8m wide by the antennas and 1.7m by the dishes at the highest part of the proposed monopole (see drawing 265 rev C - Proposed Site Elevation A below).





1.3 The proposals include a large wraparound cabinet at the base of the monopole and the installation of 3 other cabinets on the public footpath on the eastern side of Camden Street.

1.4 The exact dimensions of the wraparound base station cabinet of the monopole have not been provided; however, the submitted drawings indicate that it would measure approximately 0.6m deep x 1.97m wide x 1.6m high. The other 3 cabinets would measure 0.5 deep x 0.6m wide x 1.585m high (CAB1); 0.7m deep x 0.65m wide x 0.95m high (CAB2); and 0.6m deep x 1.9m wide x 1.752m high (CAB3). All equipment would be black in colour (RAL-9005).

1.5 A decision is required to be made within 56 days of the application's receipt (19/02/2021). Thus, if the applicant does not receive the Council's decision by 16/04/2021, the proposals will have deemed approval by default according to the GPDO legislation.

## 2.0 Assessment

2.1 The main considerations in relation to this proposal are:

- Applicant's justification
- Siting and appearance impacts

## 3.0 Applicant's Justification

3.1 The proposal is based on the principle of needing to meet the operational requirements of the mobile operator, H3G (Three) LTE. The application seeks the installation of a new monopole mast in this location. No monopole or other electronic communications equipment are currently located at the application site.

3.2 The supplementary information document states that the proposed new monopole and equipment is required to provide 5G coverage for H3G (Three) LTE in order to improve service in the area of Kentish Town Road, Hawley Road and Camden Street. The cell search areas for 5G are stated as being extremely constrained with a typical cell radius of approximately 50m and that it would not be feasible to site the monopole outside of this target locale. Existing base stations are not considered capable of supporting the necessary additional equipment and prospective 'in-fill' mast sites are judged to be extremely limited. As such, a 'street works' installation positioned on the public highway at the application site is considered by the applicant to be the best suited location.

3.3 The applicant considered one other alternative site (Option 1 - outside 67 Kentish Town Road) and this was discounted as a viable alternative option. However, the reasoning given for discounting this alternative site is vague and does not include enough site specific information or evidence in support of the applicant's claim that the location is unsuitable or to explain why it has been ruled out. It is also considered that not enough alternative sites (new or existing) have been explored to give sufficient justification for the installation of a new street level monopole at the application site.

3.4 The applicant has declared that the proposed equipment would comply with International Commission on Non-Ionizing Radiation Protection (ICNIRP) standards on emission levels in accordance with government guidelines. Consequently, it is not anticipated that the proposal would have any direct impact on public health.

#### **4.0 Siting and appearance**

##### Impact on surrounding area

4.1 Local Plan Policy D1 (Design) aims to ensure the highest design standards for developments. Policy D1 states that the Council will require all developments to be of the highest standard of design and to respect the character, setting, form and scale of neighbouring buildings, its contribution to the public realm, and its impact on wider views and vistas.

4.2 Local Plan Policy D2 (Heritage) states that the Council will preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas, listed buildings and locally listed heritage assets. The Council will resist development that would cause harm to the significance of a listed building through an effect on its setting, and will seek to protect non-designated heritage assets (including those identified on the Council's 'Local list').

4.3 Further, Local Plan Policy D2 also states that the Council will resist development outside of a conservation area that causes harm to the character or appearance of that conservation area. The Council will seek to preserve trees and garden spaces which contribute to the character and appearance of a conservation area or which provide a setting for Camden's architectural heritage.

4.4 Local Plan Policy A2 (Open space) states that in order to protect Camden's open spaces, the Council will protect non-designated spaces with nature conservation, townscape and amenity value, including gardens. Further, the Council will conserve and enhance the heritage value of elements of open space which make a significant contribution to the character and appearance of conservation areas or to the setting of heritage assets.

4.5 Camden Planning Guidance CPG (Digital Infrastructure) states that *"the Council will aim to keep the numbers of radio and telecommunications masts and the sites for such installations to a minimum consistent with the efficient operation of the network. Existing masts, buildings and other structures should be used unless the need for a new site has been demonstrated to the satisfaction of the Council. Where new sites are required, equipment should be sympathetically designed and appropriately camouflaged where possible."* (Paragraph 13 – Telecommunications equipment). This is consistent with the guidance on electronic communications infrastructure as set out in Paragraphs 113 and 115 of the National Planning Policy Framework (NPPF).

- 4.6 The application site comprises of a section of public footway on the western side of Camden Street, close to the junction with Kentish Town Road, Hawley Road and Jeffrey's Street. The site is located immediately adjacent to Camden Gardens, which is public open space and gardens identified on Camden's 'Local list' as a non-designated heritage asset. The site is also situated within close proximity to a number of Grade II listed buildings, namely nos. 162-168 Camden Street to the east and nos. 55-63 Kentish Town Road to the west. Though the application site is not located within a conservation area, it is located close to the boundary with Regents Canal Conservation Area to the southern and west, and most notably sits directly adjacent to the Jeffrey's Street Conservation Area boundary to the east. As such, the impact of the proposal on the designated and non-designated heritage assets and their settings is a material planning consideration.
- 4.7 Given the open character of the application site adjacent to the Camden Gardens park and open space and its close proximity to the wide junction with Kentish Town Road, Hawley Road and Jeffrey's Street, the proposed 18m high monopole would appear as a very visible and dominant addition in the streetscene in both short and long views from within the public realm. The proposed monopole would be located on a stretch of pavement absent of any street furniture except for one short street sign post. The mast would be significantly taller and wider than the street sign post, and would protrude above the mature tree line canopy in Camden Gardens and roof heights of both groups of listed buildings on either side. The top 5.5m of the mast would be particularly prominent as it would accommodate the proposed antennas and dishes. This equipment would serve to extend the diameter of the mast to a width of approximately 0.8m (antennas) and 1.7m (dishes), and so heighten the mast's prominence even further. As such, it is considered that the design and size of the proposed monopole would be visually dominant and incongruous in this context and be harmful within local views.
- 4.8 The unsuitability of the monopole would be accentuated by its proposed siting towards the narrower, northerly end of the triangular shaped Camden Gardens which sits between both groups of Grade II listed buildings. The wide road junction and open nature of Camden Gardens would allow largely unhindered views of the monopole within the streetscene at the proposed application site, especially given the visual permeability provided through the park and railings from Camden Street and Kentish Town Road. The proposed monopole would appear very prominent in this position, being in the foreground of both groups of listed buildings and their settings, as well as the being sited immediately adjacent to the locally listed Camden Gardens, and would introduce a particularly discordant feature in this context.
- 4.9 The applicant considers the proposed design to be typical of street furniture found in urban locations and that all equipment would assimilate well into the street scene. The Council disagrees with this view. While it is accepted that electronic communications, by the nature of their functional design and aesthetic may not blend seamlessly in all environments, it is considered that the proposed structures, by virtue of their excessive size and scale and their prominent siting, would result in a proliferation of harmful visual clutter which would be unattractive and over-dominant on a section of footway along Camden Street which is relatively free of visual clutter with only an existing street sign post sited nearby.
- 4.10 The poor design of proposed equipment would therefore impede upon and harm the setting of the locally listed Camden Gardens, especially given its inappropriate siting immediately adjacent to the park boundary and railings. The monopole with wraparound cabinet at its base and 3 equipment cabinets sited on the public footpath would impair views in and out of the public park and gardens, and harm the general openness and character of this non-designated heritage asset.
- 4.11 Local Plan Policies D1 and D2 support uncluttered streetscapes which do not detract from the surrounding environment. Any intervention at street level for electronic communications equipment should harmonise with the underlying design ethos of the neighbouring buildings and streetscene. It is considered that the equipment in terms of its siting, bulk and height has not been carefully considered and no attempt has been made to screen or conceal the equipment, nor evidence provided to indicate whether it could be placed more unobtrusively and appropriately elsewhere or

on existing high buildings.

4.12 The proposal would therefore appear as an obtrusive piece of street furniture which would degrade the visual amenity of the area and add street clutter, harmful to the character and appearance of the streetscene, the adjacent Jeffrey's Street Conservation Area, would cause harm to the openness and character of the locally listed public open space (Camden Gardens) and to the settings of the adjacent groups of Grade II listed buildings (nos. 162-168 Camden Street and nos. 55-63 Kentish Town Road).

4.13 Considerable importance and weight have been attached to the harm arising to both the adjacent conservation area and settings of listed and locally listed buildings and public open space, given the duty of the Council to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area, and the settings of any listed buildings, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended). It is noted that while the submission documents note that the application site is located adjacent to Jeffrey's Street Conservation Area and refer generally to listed buildings, they do not acknowledge the site's location adjacent to the locally listed Camden Gardens or provide evidence of any particular regard given to any of the designated heritage assets. As such, insufficient consideration has been given in the application submission to the harm that the proposal would cause within these settings.

4.14 Local Plan Policies D1 and D2, consistent with Chapter 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework (NPPF) which seek to preserve and enhance heritage assets, state that 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.

4.15 The National Planning Policy Framework (NPPF) states in Paragraphs 196 and 197 that *"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application."*

#### 5G system and public benefit

4.16 The supporting information recognises the high level of mobile phone use and ownership within the UK population and the overall acceptance of the benefits of mobile communications. The higher frequencies that the proposed 5G system uses would serve to provide additional public benefits through greater bandwidth and capacity, along with improved connectivity, educational benefits, providing access to vital services, improving communications with the associated commercial benefits for local businesses, enabling e-commerce and working from home, as well as enjoying access to social, media and gaming for leisure time activities.

4.17 The applicant's supplementary information document argues that though the proposals would require a new a 'street works' installation at pavement level, the design of the proposed equipment is the least visually intrusive option available and the optimum location in terms of siting and design given the technical constraints of 5G systems.

#### Planning balance

4.18 It is clear from CPG Digital Infrastructure guidance and Paragraph 113 of the NPPF that existing buildings and structures should always be considered first. The Council considers it is always a preferable option for antennas and masts to be placed on the roof of an existing building to minimise street and visual clutter and that a new ground-based mast should be treated as a last-resort option.

4.19 As highlighted in the 'Applicant's Justification' section above, the applicant has failed to provide

sufficient evidence to show adequate consideration of viable alternative site options. The technical need for a mast at the site has also not been substantiated with evidence. No specific details of the appearance of the proposed monopole, antennas, dishes or cabinets have been provided, and it appears from the submission documents that there has been no attempt at sympathetic design or camouflage of the proposals into the surroundings. As such, the evidence provided to justify the need for and public benefit of the proposals is insufficient to meet the requirements of CPG Digital Infrastructure and the the NPPF guidance.

4.20 Weighing the less than substantial harm caused as a result of the proposed development against any demonstrable public benefit, it is considered on balance that the benefit to the public arising from enhancing the local electronic communications coverage and increased capacity would not outweigh the harm arising to the character and appearance of the streetscene, adjacent Jeffrey's Street Conservation Area, the openness and character of the locally listed public open space (Camden Gardens), and to the settings of the adjacent groups of Grade II listed buildings (nos. 162-168 Camden Street and nos. 55-63 Kentish Town Road).

4.21 Overall, therefore, and on balance, the proposed development does not accord with Chapter 16 of the NPPF which seeks to preserve and enhance heritage assets, and the proposal is considered to be unacceptable in terms of its siting and appearance.

### Transport

4.22 Local Plan Policy C6 (Access for all) recognises that making sure that people can move through streets and places easily and safely is as important as making the buildings themselves accessible. It states that the Council will require all buildings and spaces to be designed to be fully accessible and promote equality of opportunity. In particular, the Council will expect improvements for all pedestrians including disabled people to ensure good quality access and circulation arrangements, including improvements to existing routes, surfaces and footways.

4.23 Policy D8 (Public Realm) of the London Plan states that development should '*Applications which seek to introduce unnecessary street furniture should normally be refused*'.

4.24 CPG Transport (Pedestrian and cycle movement) in Paragraph 9.7 states that the Council expects developments to consider the movement of people in and around a site, and to include the following:

- Ensuring the safety of vulnerable road users, including children, elderly people and people with mobility difficulties, sight impairments, and other disabilities;
- Taking account of surrounding context and character of the area;
- Avoiding street clutter and minimising the risk of pedestrian routes being obstructed or narrowed, e.g. by footway parking or by unnecessary street furniture; and
- Having due regard to design guidance set out in the Camden Streetscape Design Manual, TfL's London Cycling Design Standards, TfL's Pedestrian Comfort Level Guidance, and TfL's Healthy Street Indicators.

4.25 Section 3.01 of Camden's Streetscape Design Manual requires a minimum unobstructed 'clear footway' width of 1.8m. Appendix B of Transport for London's (TfL) Pedestrian Comfort Guidance recommends a minimum footway width of 2m for the safe and comfortable movement of pedestrians in low flow streets where there is no street furniture.

4.26 The proposed monopole and associated cabinets would be located on a narrow section of footway adjacent to Camden Gardens on the western side of Camden Street. The pedestrian pavement at this point has an on-footway Pay by Phone parking bay which means that the footway width along this section of footway is approximately 2m. This means that the footway is already very narrow at the application site and is the minimum footway width recommended based on the guidance above.

4.27 The submitted drawings indicate that the proposed equipment would reduce the footway width

to approximately 1.2m when the doors to the street level cabinets are closed and approximately 0.3m when the doors are open. The proposal would therefore reduce the effective footway significantly below the minimum widths recommended by the TfL and Camden guidance referred to above.

- 4.28 As such, the proposal would introduce a hazard to pedestrian movement along this section of pavement by narrowing the footway and restricting the free flow of pedestrians and making it difficult for people with pushchairs or in wheelchairs to pass, especially less able bodied persons and those with visual impairments. This situation would be worsened further if vehicles are parked in the adjacent parking bay by limiting alternative actions other than to step into the road to pass by.
- 4.29 Additionally in this regard, Chapter 3 (Footways, footpaths and pedestrian areas) of the Inclusive Mobility 2005 best practice guidance on improving access to public transport and creating a barrier-free pedestrian environment, states that a clear minimum width of 2m is required to allow 2 wheelchairs to pass one another comfortably. The guidance states that where there is an obstacle, then an absolute minimum width of 1m of clear space might be possible under circumstances where the maximum length of restricted footway is no more than 6m. It is noted that the parking bay adjacent to the application site stretches approximately 18m in length and therefore results in a significant and extensive restriction beyond the maximum advised.
- 4.30 The Council has a duty under the Equality Act 2010 to pay due regard to any potential discriminatory impacts of proposals in so far as they might result in disadvantage to less able bodied persons.
- 4.31 Policy T2 (Healthy Streets) of the London Plan states that '*Development proposals should demonstrate how they will deliver improvements that support the ten Healthy Streets Indicators in line with Transport for London guidance*'. It is considered that the application would fail to deliver any improvements which support any of the ten Healthy Streets Indicators.
- 4.32 Overall, the proposed monopole and cabinets, by virtue of their location, size and additional unnecessary street clutter, would therefore reduce the amount of useable, unobstructed footway, which would be detrimental to the quality of the public realm, cause harm to highway safety and would hinder pedestrian movement, so having a detrimental impact on the promotion of walking as an alternative to motorised transport contrary to policies A1 (Managing the impact of development), C6 (Access for all) and T1 (Prioritising walking, cycling and public transport) of the Local Plan.

### Trees

- 4.33 Local Plan Policy D1 states that, "*The Council will resist development which fails to preserve or is likely to damage trees on a site which make a significant contribution to the character and amenity of an area.*" This is supported by CPG (Trees) and Local Plan Policy A3 (Biodiversity) which require that all trees are "*satisfactorily protected during the demolition and construction phase of development in line with BS5837:2012 'Trees in relation to Design, Demolition and Construction' and positively integrated as part of the site layout.*"
- 4.34 Camden Gardens contains many Plane and other mature trees within the triangular public gardens, a number of which are positioned close to the boundary railings adjacent to the application site. No arboricultural assessment has been submitted in support of the proposals, which would be essential as part of any consideration given the proximity of large trees in the adjacent gardens. The Council has concern in regard to any works involving the foundations and services for all proposed equipment, as well as, higher level concerns given the proximity of the mast to above ground parts of the trees where there is potential for future harmful impacts resulting in damage to the mast and/or avoidable pruning pressure on the trees.
- 4.35 Any successful application should include a tree survey, arboricultural impact assessment, tree protection plan and arboricultural method statement to address the issues raised above so that the

impact of the development can be fully assessed in line with BS5837:2012 and Council policies and guidance. In the absence of such information, the impact of the scheme on any trees cannot be fully assessed, and is therefore considered to be unacceptable.

#### Amenity

- 4.36 The applicant has declared that the proposed equipment would comply with International Commission on Non-Ionizing Radiation Protection (ICNIRP) standards on emission levels in accordance with government guidelines. Consequently, it is not anticipated that the proposal would have any direct impact on public health. There are no properties within close proximity of the application site and so there would be no impact on residential amenity in terms of loss of light or outlook.

### **5.0 Conclusion**

- 5.1 The proposal would fail to accord with policies A1, A2, A3, C6, D1, D2 and T1 of the Camden Local Plan 2017, and Chapter 16 of the NPPF. The development would create overly dominant visual clutter on a prominent location and degrade the visual amenity of the area. As such, it would cause harm to the character and appearance of the streetscene, the adjacent Jeffrey's Street Conservation Area, and to the openness and character of the locally listed public open space and to the settings of the adjacent groups of Grade II listed buildings. It would also create unnecessary obstructions on the pavement and would cause harm to highway safety and hinder pedestrian movement.

### **6.0 Recommendation**

- 6.1 Prior Approval is therefore required and approval refused, on balance, on the grounds of unacceptable siting and design for the following reasons:
- 6.2 The proposed monopole and its associated cabinets, by reason of their design, size, height and location, would be overly dominant in the streetscene and create visual clutter, which would detract from the character and appearance of the streetscene and adjacent Jeffrey's Street Conservation Area, would cause harm to the openness and character of the locally listed public open space (Camden Gardens) and to the settings of the adjacent groups of Grade II listed buildings (nos. 162-168 Camden Street and nos. 55-63 Kentish Town Road), contrary to policies A2 (Open space), A3 (Biodiversity), D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017.
- 6.3 The proposed monopole and its associated cabinets, by virtue of their design, size and location, would create unnecessary street clutter and reduce the amount of useable footway, causing harm to highway safety and hindering pedestrian movement, contrary to policies A1 (Managing the impact of development), C6 (Access for all) and T1 (Prioritising walking, cycling and public transport) of the London Borough of Camden Local Plan 2017.