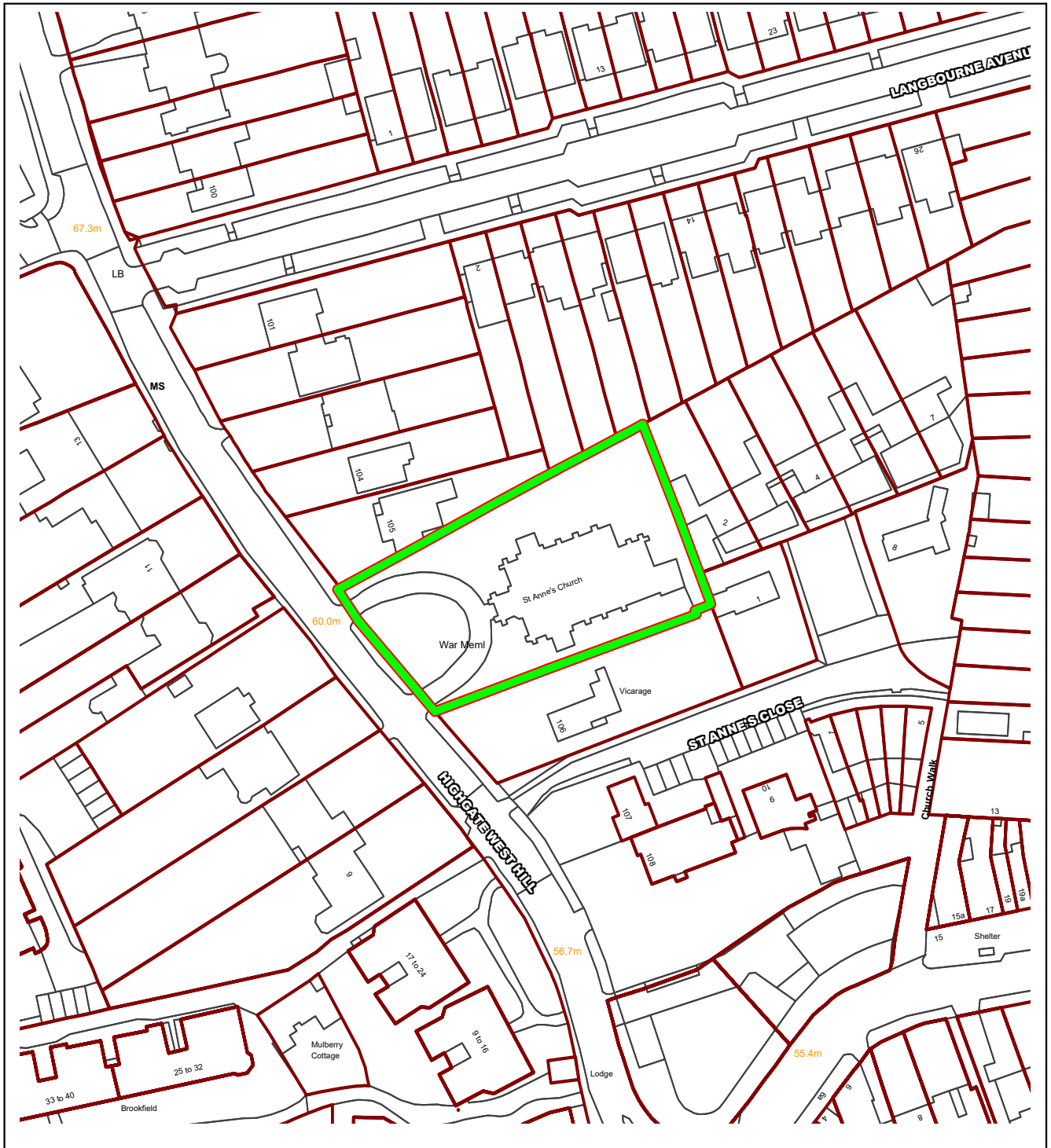


2020/5515/P St Anne's Church. Highgate West Hill.



This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.

St Anne's Church. Highgate West Hill. 2020/5515/P

1. Aerial view. St Anne's Church highlighted, red dot.



2. View from street



Delegated Report		Analysis sheet	Expiry Date:	06/05/2021
		N/A / attached	Consultation Expiry Date:	21/02/2021
Officer			Application Number(s)	
Matthew Dempsey			2020/5515/P	
Application Address			Drawing Numbers	
St Anne's Church Highgate West Hill London N6 6AP			Please refer to Draft Decision Notice.	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Installation of 6 antennas located behind GRP louvres and ancillary equipment following removal of 3 existing antennas to the church tower				
Recommendation(s):	Grant Planning Permission			
Application Type:	Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:			No. of responses	05	No. of objections	04
Summary of consultation responses:	<p>A Site Notice was displayed 22/01/2021, which expired 15/02/2021. A Press Notice was published 28/01/2021, which expired 21/02/2021.</p> <p>Four objections were received from members of the public who are residents in the vicinity of the site. Their concerns can be summarised as follows:</p> <ul style="list-style-type: none"> • Health concerns related to telecommunications installation. • Lack of heritage information. • Impact on listed building. • Lack of public consultation. • Lack of detail provided. <p><u>Officer response:</u></p> <ul style="list-style-type: none"> • <i>The applicant as provided a signed declaration of conformity with the Public RF Exposure Guidelines: International Commission on Non-Ionizing Radiation Protection (ICNIRP) standards on emission levels in accordance with government guidelines.</i> • <i>Although this development includes works to a listed building, listed building consent is not required under these circumstances whereby the Diocese has authority under the Church Faculty. Nevertheless the Heritage impacts have been considered as part of the assessment.</i> • <i>Although the site is a grade II heritage asset and within the Dartmouth Park conservation area, the installation is not considered to negatively affect the character or appearance of either of these to their detriment. It is worth noting here that this a replacement installation and there will be no visible difference to the appearance of the host building following the proposed works.</i> • <i>The application has been consulted upon in accordance with the Council's Statement of Community Involvement (SCI).</i> • <i>The details including additional information provided are considered to be sufficient in order to have made the assessment to follow.</i> 					
CAAC/Local groups* comments: <small>*Please Specify</small>	<p>The Highgate Conservation Area Advisory Committee responded to public consultation to say they had no comment, acknowledging the site does not fall within the Highgate Conservation Area boundary.</p> <p>The Highgate Neighbourhood Forum did not respond to consultation.</p> <p>The Dartmouth Park Conservation Area did not respond to consultation.</p> <p>The Dartmouth Park Neighbourhood Forum did not respond to consultation.</p>					

Site Description

The host site is the grade II listed St Anne's Church which is set back from and with main entrances to the grounds at Highgate West Hill and situated within the Dartmouth Park Conservation Area. Built by T. Bellamy c1853 and restored in the late 19th century; constructed of Bath stone and course rubble with slate roofs, in the early English style with a five bay nave, north and south aisles and sanctuary and tower at west end. The main entrance to the Church itself is through the base of the west tower. To the front, within the church grounds is a Grade II listed War Memorial.

The application relates to proposed telecommunications installations to the church tower. The church tower is described in the listing information; "tower with angle buttresses, traceried 2-light pointed window above door, band of arcaded lancets, paired pointed openings to belfry and broach spire with lucarnes capped by gablets." (Historic England, Survey of London : 24: London: -1952: 141).

Relevant History

2016/1791/P - Installation of 60 x photovoltaic solar panel system on the south facing slopes of the nave and chancel of St Anne's Church. Granted 07/07/2016.

2016/4930/P - Details required by condition 4a) of manufacturer' specifications of panels and framing, 4b) method of installation on each roof slope, 4c) product specification, 4d) drawings and method statements of all interventions with historic building, 4e) maintenance plan of planning permission (reference: 2016/1791/P granted on 07/07/2016 for the installation of 60 x photovoltaic solar panel system on the south facing slopes of the nave and chancel of St Anne's Church.) Granted 17/01/2017.

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 2019

CPG Amenity 2018

CPG Digital infrastructure 2018

Dartmouth Park Conservation Area appraisal and management plan (January 2009)

Dartmouth Park Neighbourhood Plan (October 2013)

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

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 Planning permission is sought for the installation of replacement telecommunications equipment within the west tower of St Anne's Church.
- 1.2 The proposed installation includes six antennas, which will replace three existing antennas and one equipment cabinet replaced by an upgraded cabinet in the same locations.
- 1.3 The installation shall be shielded by glass reinforced plastic (GRP) screening which is manufactured to resemble the original slate finish but enables telecommunications signals to pass through.
- 1.4 It is noted that the site is a listed building, but the proposal does not require listed building consent due to ecclesiastical exemption.. For the avoidance of any doubt, the Diocese adhere to their own heritage governance procedures to ensure the integrity of the heritage asset is maintained.

2.0 Assessment

2.1 The principal considerations in the determination of this application are:

- the design and impact of the proposals on the character and appearance of the host building, the Dartmouth Park Conservation Area, and the settings of the host property and nearby listed buildings; and
- the impact of the proposal on neighbouring amenity.

3.0 Design

3.1 Local Plan Policy D1 (Design) establishes that careful consideration of the characteristics of a site, features of local distinctiveness and the wider context is needed in order to achieve high quality development in Camden which integrates into its surroundings. It advises that "Good design takes account of its surroundings and preserves what is distinctive and valued about the local area."

3.2 Local Plan Policy D2 (Heritage) also states that the Council will only permit development within conservation areas that preserve and enhance the character and appearance of the area. The Dartmouth Park Conservation Area appraisal and management plan (adopted January 2009) supports this when stating that its designation as a conservation area, "provides the basis for policies designed to preserve or enhance the special interest of such an area."

3.3 Policies D1 and D2 are supported by Camden Planning Guidance (CPG) Design and Digital Infrastructure. In particular, CPG Design in Chapter 9 (Building services equipment) recognises that design considerations within the setting of any listed buildings and conservation areas should include the visual impact of building services equipment on the host building within this context.

3.4 The National Planning Policy Framework (NPPF) in Paragraph 113 of Chapter 10 (Supporting high quality communications) requires Local Planning Authorities to keep the number of radio and electronic communications masts, and the sites for such installations to a minimum, consistent with the needs of consumers, the efficient operation of the network and to provide reasonable capacity for future expansion. Use of existing masts, buildings and other structures for new electronic communications capability (including wireless) should be encouraged.

3.5 The applicant's supplementary information document states that the proposals seek to upgrade an existing roof top site rather than seek a new standalone facility in accordance with NPPF requirements. It is also argued that the design of the proposed equipment is considered to be the least visually intrusive option possible given the larger antennae sizes required for 5G coverage, and that this increased size would not detract from the building and character of the area in which the

application site is located.

3.6 It is noted that the host site is a listed building and therefore careful consideration is given to preserving the setting of this heritage asset. The applicant has demonstrated that there will be no visible external alteration following development. It is also noted that the proposed installation will replace existing equipment in the same locations within the church tower, which are also shielded by GRP screens.

3.7 The reason for removal of the slate material is that; slate does not allow the telecoms signals to pass through without interference, whereas the GRP screening allows clear signalling whilst maintaining the original appearance. The applicant has confirmed that the original slate material shall be safely stored on site and shall be re-installed should the telecommunications equipment become obsolete in the future. To ensure that this element is protected; this arrangement has been secured by condition.

Planning balance

3.8 Considerable importance and weight has been attached to the desirability of preserving or enhancing the character or appearance of Camden Town Conservation Area, and the settings of any listed buildings, under s.72 of the Planning (Listed Buildings and Conservation Areas Act 1990) as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

3.9 Local Plan Policy D1, consistent with Chapter 16 (Conserving and enhancing the historic environment) of the NPPF 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.

3.10 Given the assessment as outlined above in Section 3 of this report, it is considered that the proposed telecommunications equipment would not result in any significant harm to the character, appearance and historic interest of the Dartmouth Park Conservation Area, nor to the setting of the host listed building or other listed buildings in the vicinity. Taking into account the existing rooftop equipment in situ and the fact that neither the existing nor the proposed equipment shall be visible from the public realm, the overall harm is considered to be very low and less than substantial.

3.11 The 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. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”

5G system and public benefit

3.12 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, network enhancement and speed. It is argued that local communities could directly benefit from the proposed new and improved connectivity through enhanced social interaction and inclusion, improved local economy and services, and higher productivity, amongst other benefits.

3.13 It is noted, however, that new 5G systems have a more complex radio requirement. Where previously 2G, 3G or 4G systems could be accommodated without the need for extra supporting structures or raising the antenna heights, 5G signals involve locating antennas closer to the building edge and with raised antenna heights to avoid the ‘clipping’ effect of building edges given that 5G

signals are more prone to the shadowing effect of adjacent buildings or existing structures.

3.14 The applicant's supplementary information document emphasises that the proposals would utilise an existing church tower site (rather than seek a new standalone facility) and argues that 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 as stated above and those of the site itself.

Planning balance

3.15 Weighing the less than substantial harm caused as a result of the proposed development against this demonstrable public benefit, it is considered on balance that the benefit to the public arising from enhancing the local telecommunication coverage and increased capacity outweighs the limited harm arising to the setting, character and appearance of the host property, the Dartmouth Park Conservation Area, and settings of the nearby listed buildings.

3.16 Overall, therefore, and on balance, the proposed development accords with Chapter 16 of the NPPF which seeks to preserve and enhance heritage assets, and the proposal is considered on balance to be acceptable in design terms.

4.0 Amenity

4.1 Local Plan Policy A1 (Managing the impact of development) seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered and by only granting permission to development that would not harm the amenity of communities, occupiers and neighbouring residents. This is supported by Camden Planning Guidance (Amenity) that requires the potential impact on the amenity of neighbouring properties to be fully considered and seeks for developments to be "designed to protect the privacy of both new and existing dwellings to a reasonable degree."

4.2 Chapter 10 (Supporting high quality communications) of the NPPF in Paragraph 115 requires that all applications for telecommunications development be supported by the necessary evidence to justify the proposed development. This should include:

a. the outcome of consultations with organisations with an interest in the proposed development, in particular with the relevant body where a mast is to be installed near a school or college, or within a statutory safeguarding zone surrounding an aerodrome, technical site or military explosives storage area; and

b. for an addition to an existing mast or base station, a statement that self-certifies that the cumulative exposure, when operational, will not exceed International Commission guidelines on non-ionising radiation protection; or

c. for a new mast or base station, evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure and a statement that self-certifies that, when operational, International Commission guidelines will be met.

4.3 The applicant has provided supplementary information confirming that there are no schools in close proximity to the site, and therefore no consultations were undertaken. The site is not located within 3km of an aerodrome or airfield, and as such, the Civil Aviation Authority and Secretary of State have not been notified.

4.4 Pre-application consultation correspondence was submitted to the Council by the applicant and letters sent to all Highgate Ward Councillors on 05/11/2020 in regard to the proposed development; however, the applicant declined to engage in the Council's pre-planning advice process as they considered the fee to be prohibitive.

4.5 The application includes an ICNIRP Declaration which certifies that the proposed equipment is

designed to be fully compliant with the precautionary guidelines set by the International Commission on Non-Ionizing Radiation Protection (ICNIRP). This is an independent body of scientific experts established by the International Radiation Protection Association. As such, the equipment is not anticipated to have any direct impact on public health.

4.6 It is noted that a number of consultation responses have been received from local residents objecting to the proposed telecommunications equipment on health grounds. Paragraph 116 of the NPPF states that local planning authorities must determine applications on planning grounds only and does not give scope for the local planning authority to determine health safeguards beyond compliance with ICNIRP guidelines.

4.7 Notwithstanding this, the Council notes various advice available on health issues which conclude that mobile phone base stations do not pose any health risks to people, including children. This advice includes amongst others, an independent report in 2012 by the Advisory Group on Non-Ionising Radiation (AGNIR) which concluded that there is no convincing evidence that exposure to radio frequency within the agreed guideline levels in UK causes health effects in adults and children.

4.8 There would be no impact on daylight, sunlight or outlook to neighbouring premises from the proposed development.

4.9 Overall, therefore, it is concluded that there would be no adverse impact on residential amenity or public safety issues for any neighbouring residential occupiers. As such, the proposal accords with the relevant provisions of the NPPF as required, Camden Local Plan Policy A1 and Camden Planning Guidance in this regard.

5.0 Recommendation

5.1 It is therefore recommended, on balance, that planning permission be granted.

Application ref: 2020/5515/P
Contact: Matthew Dempsey
Tel: 020 7974 3862
Email: Matthew.Dempsey@Camden.gov.uk
Date: 29 April 2021

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk

www.camden.gov.uk

Avison Young
Norfolk House
7 Norfolk Street
Manchester
M2 1DW

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**St Anne's Church
Highgate West Hill
London
N6 6AP**

DECISION

Proposal:

Installation of 6 antennas located behind replica Glass Reinforced Plastic louvres and ancillary development.

Drawing Nos: Site Location Plan 100 A, 200 A, 201 A, 300 A, 301 A. Cover Letter (24/11/2020) including Planning Heritage Design and Access Statement. Declaration of conformity with International Commission on Non-Ionizing Radiation Protection (ICNIRP) Public Exposure Guidelines.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans Site Location Plan 100 A, 200 A, 201 A, 300 A, 301 A. Cover Letter (24/11/2020) including Planning Heritage Design and Access Statement. Declaration of conformity with International Commission on Non-Ionizing Radiation Protection (ICNIRP) Public Exposure Guidelines.

Reason: For the avoidance of doubt and in the interest of proper planning.

- 4 The apparatus hereby approved shall be removed from the building as soon as reasonably practicable when no longer required. The original slate material shall be safely stored for the duration of the installation and re-installed upon removal of telecommunications apparatus.

Reason: In order to minimize the impact on the appearance of the building and local environment in accordance with the requirements of Policies D1 and D2 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 3 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street

London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

- 4 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.

DRAFT

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2019.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Chief Planning Officer

DECISION