

Delegated Report		Analysis sheet		Expiry Date:		05/05/2021	
		N/A / attached		Consultation Expiry Date:		25/04/2021	
Officer				Application Number(s)			
Jaspreet Chana				2021/1225/P			
Application Address				Drawing Numbers			
Footpath outside Regents Park Barracks Albany Street London NW1 4AL				See decision notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Installation of new 18m high H3G Phase 8 Streetpole on pavement, wrap around cabinets at base and associated 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. notified	00	No. of responses	00	No. of objections	00
				No. electronic	00		
Summary of consultation responses:		Site notices were displayed on the 31/03/2021 and the consultation period expired on the 24/04/2021. A press notice was advertised on 01/04/2021 and expired on 25/04/2021.					
		No objections were received during the consultation period.					
Regents Park CAAC consultation response:		No response received					

Site Description

The application site is located on a sidewalk on the eastern side of Albany Street directly adjacent and outside the large compound of Regents Park Barracks that is Grade II. Opposite across Albany Street is 51 Cumberland Terrace a Grade I listed building. The site is located within Regents Park Conservation Area.

There are existing 10m lampposts in the vicinity of the site and an existing 15m high telecommunications monopole located 18m to the south along Albany Street.

This application is a re-submission of the previously refused application (2020/2770/P).

Relevant History

O/s Regents Park Barracks Albany Street –

2020/2770/P - Installation of new 20m high H3G Phase 8 Streetpole on pavement, wraparound cabinets at base and associated works – Prior approval required – Approval refused –

- *The proposed streetpole and cabinets, by reason of their size, design and location, would be an incongruous form of development that would create additional visual clutter in the streetscene and cause harm to the character and appearance of the Regents Park Conservation Area and the area generally, as well as to the setting of nearby historic and listed buildings, contrary to policies D1 (Design) and D2 (Heritage) of the Camden Local Plan 2017.*

2014/6154/P – Installation of 15m telecommunications monopole with 6no antennas with 2no 0.3m dishes and 1no. equipment cabinet following removal of existing 12.8m monopole – Granted on 29/12/2014.

2006/4087/P - The installation of a 12.5m high telecommunications monopole and antenna with an equipment cabinet on the pavement on Albany Street, opposite 51 Cumberland Terrace. – Prior approval required – Approval refused for the following reasons:

- *The proposed 12.5m high telecommunications pole and equipment cabinet, by virtue of its height, its siting adjoining the Regents Park Conservation Area and within close proximity to grade 1 listed buildings would be detrimental to the visual amenity of the street scene, the character and appearance of the adjoining conservation area, and would cause harm to the setting of the adjoining Grade 1 listed buildings, contrary to policies B1 (general design principles), B5 (Telecommunications), B6 (Listed buildings) and B7 (Conservation areas) of the London Borough of Camden Replacement Unitary Development Plan 2006 and advice contained in the Council's Supplementary Planning Guidance 2002.*

2005/1914/P - The installation of a 11.3m high telecommunications monopole and antenna with an equipment cabinet on the pavement - Prior approval required – Approval refused for the following reasons:

- *The proposed pole and cabinet, by reason of their size and location, would create additional visual clutter in the streetscene and would be detrimental to the character and appearance of the Regents Park Conservation Area and to the setting and appearance of the nearby historic and listed building, contrary to policies EN1 (General environmental protection and improvement),*

EN13 (Design of new development), EN31 (Character and appearance of conservation areas), EN38 (Listed Buildings), PU1 (General Utilities) and PU8 (Telecommunications) of the London Borough of Camden Unitary Development Plan 2000, and supporting design advice in the Supplementary Planning Guidance.

- *The proposed telecommunications equipment would, by virtue of its inappropriate siting, result in obstacles on the footway, to the detriment of pedestrian movement and general highway safety, contrary to Policy TR21 (Pedestrians) of the London Borough of Camden Unitary Development Plan 2000.*

Relevant policies

National Planning Policy Framework (2019)

London Plan (2021)

Camden's Local Plan (2017)

- A1 - Managing the impact of development
- C6 - Access for all
- D1 - Design
- D2 – Heritage
- T1 - Prioritising walking, cycling and public transport

Supplementary Guidance

- CPG Design (2021)
- CPG Amenity (2021)
- CPG Digital infrastructure (2018)

Regent's Park Conservation Area Appraisal and Management Strategy (July 2011)

Assessment

1. Proposal

1.1 The application has been submitted 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 GPDO prior approval applications. As a result, it is not possible for objections to be raised on any other grounds, such as health.

1.2 This application follows the previous refused application (2020/2770/P) in which the streetpole measured 20m high with 3x cabinets and this application proposal involves the erection of 18m high streetpole on the footpath with 3x cabinets and ancillary works.

1.3 The base station of the streetpole measures 0.7m deep x 2m wide x 1.5m high. The cabinets are 1.9m wide x 1.8m high x 0.7m deep, 0.5m deep x 0.6m wide x 1.6m high and 0.5m deep x 0.6m wide x 1.2 m high respectively and two dishes of approx. 0.3m in diameter.

2. Assessment

2.1 Prior approval is required for this type of development as it includes the installation of an antennae (including any supporting structure) which exceeds the height of the building or structure (other than a mast) by 4 metres or more at the point of where it is installed or to be installed.

2.2 The main considerations in relation to this proposal are:

- Applicant's Justification
- Siting and Design
- Planning balance

3. Applicant's Justification

3.1 This proposal is identical to the previously refused application (2020/2770/P), although the streetpole would be 2m lower in height, and the justification for the proposal is the same as the previous application. It is based on the principle of meeting operational requirements of the mobile operator H3G (Three). It is for a new mast in the area and does not replace any existing equipment. The equipment would improve 5G coverage in the area.

3.2 The applicant has provided no new information for this site selection apart from that it is in close proximity to another streetpole with cabinets on the same street 18m away. The planning statement provided states that 1 other alternative site within 100m had been identified to install the equipment. This alternative site was considered however buildings near the site were higher and therefore this site was discounted and the proposed site upheld. The reasoning given for discounting this alternative site is considered to be ambiguous and officers consider that not enough site specific information has been given to justify why this location was not suitable and why it has been ruled out. It is also considered that not enough alternative sites were explored to give sufficient justification for this location.

3.3 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.

4. Siting and design

4.1 Local Plan Policies D1 (Design) and D2 (Heritage) are aimed at achieving the highest standard of design in all developments. Policy D1 requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area; and Policy D2 states that the Council will preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including listed buildings.

4.2 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."

4.3 It is noted that the Council granted full planning permission for a 15m high streetpole with cabinets on 29/12/2014 and is 18m away along from the proposed site. The planning statement provided does not provide any justification to demonstrate that the existing streetpole on the road was not able to be

altered or replaced for better network coverage instead of proposing a new and taller streetpole with additional cabinets.

4.4 The proposed streetpole would extend 3m higher (to a height of 18m) than the existing monopole located 18m away to the south and would be much higher than any other item of street furniture in this road or in any surrounding roads. It is noted that this streetpole is 2m lower than the previously refused streetpole of 20m in height however this pole is still considered to be very high compared to the existing street furniture on this street. The proposed site effectively sits within Regents Park Conservation Area and within the settings of Grade I Listed Buildings and historic buildings (Regents Park Barracks and 51 Cumberland Terrace Mews). Given this, the revised proposed height and location of the telecommunications equipment would still add to the visual clutter at this junction and as such would be detrimental to the character and appearance of the conservation area and the setting of the listed buildings.

4.5 The streetpole and cabinets are to be erected on the footpath. This part of the footpath already has street lights, bollards and an existing monopole and equipment cabinets along it. The proposed streetpole would extend above the height of Regents Park Barracks and would be clearly visible from long and short views along Albany Street. The height and siting of the streetpole would not relate to any architectural features that form its back drop or surroundings. The addition of three cabinets alongside the streetpole and the street lamppost (2.7m away) would result in an unacceptable level of clutter to this part of Albany Street; and is further exacerbated by the other monopole which can be seen in a short distance from this site.

4.6. To worsen matters, the streetpole widens towards the top and comprises two dishes of approx. 0.3m diameter about two thirds of the way up. These elements only serve to draw further attention to the pole, increasing its bulkiness and adding to its incongruous appearance. Consequently, it is considered that the proposed installation causes harm to the character and appearance of this part of the Regents Park Conservation Area. The pole would be substantially taller than a lamp post and much thicker, with a large amount of associated cabinets at ground level. It would interfere with the appreciation of the surrounding buildings in the conservation area and is oversized and visually dominant.

4.7 Camden policy supports uncluttered streetscape which do not detract from the surrounding environment in policy D1 and D2. Any intervention at street level for telecoms equipment should harmonise with the underlying design ethos of the neighbouring buildings and streetscape rather than detract from its character and appearance. It is considered that the equipment in terms of its siting, bulk and height has not been re-considered well and no attempt has been made to satisfactorily reduce, screen or conceal the equipment. Therefore the visibility of the proposed equipment is exacerbated by the long/ short distance views and is considered to harm the character and appearance of Regents Park Conservation Area.

4.8 It is accepted that telecommunications equipment by the nature of their functional design and aesthetic may not blend seamlessly with existing buildings, however, given the above, it is considered that the development, by virtue of their excessive bulk and height and their prominent siting, would result in over proliferation of harmful visual clutter which would be unattractive and appear over-dominant on the street and would cause harm to the character and appearance of the street and Regents Park Conservation area.

5. Transport

5.1 The footway at the proposed site is approximately 4.2 metres wide. The plans submitted suggest that the telecommunications equipment would reduce the effective footway width to approximately 3.4 metres. This is considered to be sufficient for pedestrians to pass unhindered in this location.

5.2 The Council's Highways Officers have assessed the proposal and have no objection to the proposal and state that the effective footway would be sufficient for pedestrians to pass without any issues.

6. Planning balance

6.1 Local Plan Policy D1 and D2, consistent with Section 16 (Conserving and enhancing the historic environment) of the NPPF (2019) seeks to preserve and enhance heritage assets, stating 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.

6.2 The site is located within the Regents Park Conservation area and Regents Park Barracks and opposite is a listed Grade I No.51 Cumberland Terrace Mews. Thus identifying all associated buildings as Designated Heritage Assets thus providing protection under the policy 197 within the NPPF as well as heritage related policy D2 within the Camden Local Plan.

6.3 Given the assessment outlined above, it is considered that the proposed telecommunications equipment would result in harm to the Regents Park 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, 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.

6.4 Considerable importance and weight has been attached to the harm and special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s. 72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

6.5 The revised proposal would therefore still fail to accord with policies D1 and D2 of the Camden Local Plan 2017, and Section 16 of the NPPF (2019). The development would create overly dominant visual clutter on the pavement, causing harm to the host and neighbouring buildings, local views from the street and conservation area.

7.0 Recommendation

7.1 Prior Approval Required – Approval refused on grounds of unacceptable siting and design.