

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	27/05/2021
		N/A / attached	<b>Consultation Expiry Date:</b>	22/05/2021
<b>Officer</b>			<b>Application Number(s)</b>	
Tony Young			2021/1594/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
Pavement on west side of Camden Road (adjacent to Canteloves Gardens) E:529601 N:184733 London NW1 9AE			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 15m high electronic communications 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:						
<b>Consultations</b>						
All responses	No. notified	00	No. of responses	05	No. of objections	04
					No. of comments	01
Summary of consultation responses from local residents and groups:	<p><u>5 x site notices were displayed on 28/04/2021 at various points around the application site and expired on 22/05/2021</u></p> <p><u>A local resident in Royal College Street</u> objected as follows:</p> <ol style="list-style-type: none"> <li>1. <i>“Sounds like a bit of an eyesore and with the extensive upcoming works on broadband and fibre installations, one has to wonder why this would be deemed necessary - therefore I object to this planning application.”</i></li> </ol> <p><u>The Friends of Canteloves Gardens</u>, responded and objected as follows:</p> <ol style="list-style-type: none"> <li>2. <i>“We are extremely concerned about the perceived health risks associated with the 5G mobile phone communication mast located in a highly built-up urban environment so close to Canteloves Gardens which is our only busy local park for the local children, families and residents living in the residential areas of NW5 and NW1. We are also extremely worried about the health implications this mast may cause to those who use this recreational green space daily throughout the year as many who live in flats rely on the health benefits open natural green spaces provide to mental health and well being.</i></li> <li>3. <i>We are also concerned about the number of generator equipment cabinets planned ( 3 ) which will take up significant space on the pavement area between the bus stop on Camden Road and the Pelican crossing on Camden Road. We are also concerned about the congestion this will create causing people exiting from the 29 + 253 bus stop and making their way safely to the Pelican crossing on Camden Road without having to step out onto the busy road during busy periods. There is already the location of another mobile phone mast at the entrance of Canteloves Gardens on Osney Crescent which is constantly abused by youths who use climb onto the generators to climb over the railings to enter the park and create ASB to local residents. Another mobile phone mast located near this park will exacerbate the problem even more.</i></li> <li>4. <i>We have to ask why another 5G mobile phone mast is being planned for this location when we already have another mobile phone mast on Osney Crescent. Is choosing this location a soft touch to choose by Camden Council? We OBJECT to this this planning application.”</i></li> </ol> <p><u>Kentish Town Neighbourhood Forum</u>, responded as follows:</p> <ol style="list-style-type: none"> <li>5. <i>“We understand that perceived health risks are not a matter that can be taken into account when you determine this application. We assume that its proximity to Canteloves Gardens which is a</i></li> </ol>					

*significant play and recreation area won't be taken into account on health grounds?*

6. *We note that many different sites have been considered in Kentish Town, and it may be that this location may be the least worst option. However we make these comments: We note that this monopole is not in a conservation area, but why is it necessary to have as many as 3 equipment cabinets? We would like you to check/assess/require that the equipment will be shared with other providers to reduce the quantity of street furniture in the future.”*

<p><b>Transport for London (TfL) response:</b></p>	<p><u>Transport for London (TfL)</u> responded and raised the following concerns (17/05/2021):</p> <p>7. The proposed site is located on Camden Road which forms part of the Transport for London Road Network (TLRN). TfL is the highway authority for the TLRN and are therefore concerned about any proposal which may affect the performance and/or safety of the TLRN.</p> <ul style="list-style-type: none"> <li>• TfL is concerned that the proposal would not contribute to a high-quality pedestrian environment. This is not compliant with policy T2 (Health Streets) part D of the London Plan.</li> <li>• TfL’s streetscape guidance, available here: <a href="https://content.tfl.gov.uk/streetscape-guidance.pdf">https://content.tfl.gov.uk/streetscape-guidance.pdf</a> prioritises the decluttering of street space. TfL expects the standards and principles in this document to be applied to all proposals.</li> <li>• Consideration should be given to pedestrian comfort once this development is placed on the footway. The applicant should state how much clear footway will be provided once this equipment is installed.</li> </ul> <p>The above should be considered and addressed before TfL can be supportive of this application.</p> <p><u>Transport for London (TfL)</u> provided an additional response and raised the following concern (20/05/2021):</p> <p>8. TfL’s Streetscape Guidance recommends a footway clear zone of 2000mm. The amended proposed site plan indicates part of the footway will be less than 2000mm once the equipment is in place. Therefore the comments in my earlier email, dated 17<sup>th</sup> May, remain.</p>
<p><b>Council’s Highways Team response:</b></p>	<p><u>The Council’s Highways Team</u> responded and objected as follows:</p> <p>9. The site is located on Camden Road which forms part of the Transport for London Road Network (TLRN) and Transport for London (TfL) is the highway authority. TfL should be consulted on this application. I was informed that there has been some discussion with TfL to improve the crossings on Camden Road, one of which is by Canteloves Road. Please check with TfL.</p> <p>10. The application above follows the recent application 2020/2836/P (Bartholomew Road) which was refused on design and transport grounds. The current proposed monopole and 3x cabinets would be installed adjacent to the fences of Canteloves Gardens on Camden Road. Camden Road is an A road and the site is located between a pedestrian crossing and bus stop. The plan indicates that an effective footway width of 1.84 metres would be maintained adjacent to the cabinets, which is similar to the refused cabinets proposal on Bartholomew Road. We expect an effective footway width of at least 2.2 metres to be maintained on streets with medium pedestrian flow. Therefore it would not be sufficient for pedestrians to pass unhindered.</p> <p>11. CPG Transport 9.7 states that the Council expects developments to consider the movement of people in and around a site, and to include the following:</p> <ul style="list-style-type: none"> <li>• Ensuring the safety of vulnerable road users, including children,</li> </ul>

elderly people and people with mobility difficulties, sight impairments, and other disabilities;

- Avoiding street clutter and minimising the risk of pedestrian routes being obstructed or narrowed, e.g. by footway parking or by unnecessary street furniture.

The proposal should therefore be refused on this basis.

### Site Description

The application site comprises of a section of public footway on the north-western side of Camden Road. The proposed site forms part of the Transport for London Road Network (TLRN) for which Transport for London (TfL) is the highway authority. Camden Road is classed as an 'A' road (A503), and as such, provides a busy transport route for all forms of vehicular transport, including a TfL Red Route for buses. The application site is located between a pedestrian crossing and a bus stop.

The site is located immediately adjacent to the boundary railings of Canteloves Gardens, which is public open space and gardens providing green areas and shrubs beds, as well as, a multitude of sports and recreational facilities, such as, a children's playground, a multi-use sports pitch and a skate park.

The site is not situated within a conservation area; however, it is located directly opposite the Camden Square Conservation Area which sits on the south-eastern side of Camden Road and in close proximity to the boundary with Bartholomew Estate Conservation Area to the north-west.

### 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.

#### **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

#### **Pavement on west side of Camden Street (near junction with Kentish Town Road) E:528969 N:184252**

**2021/0790/P** - Erection of 18m high telecommunications monopole with wraparound cabinet at base and 3 x equipment cabinets on the public footpath. GPDO Prior Approval refused 15/04/2021 - Reason for refusal:

- 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.

- 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.

#### **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.

### **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

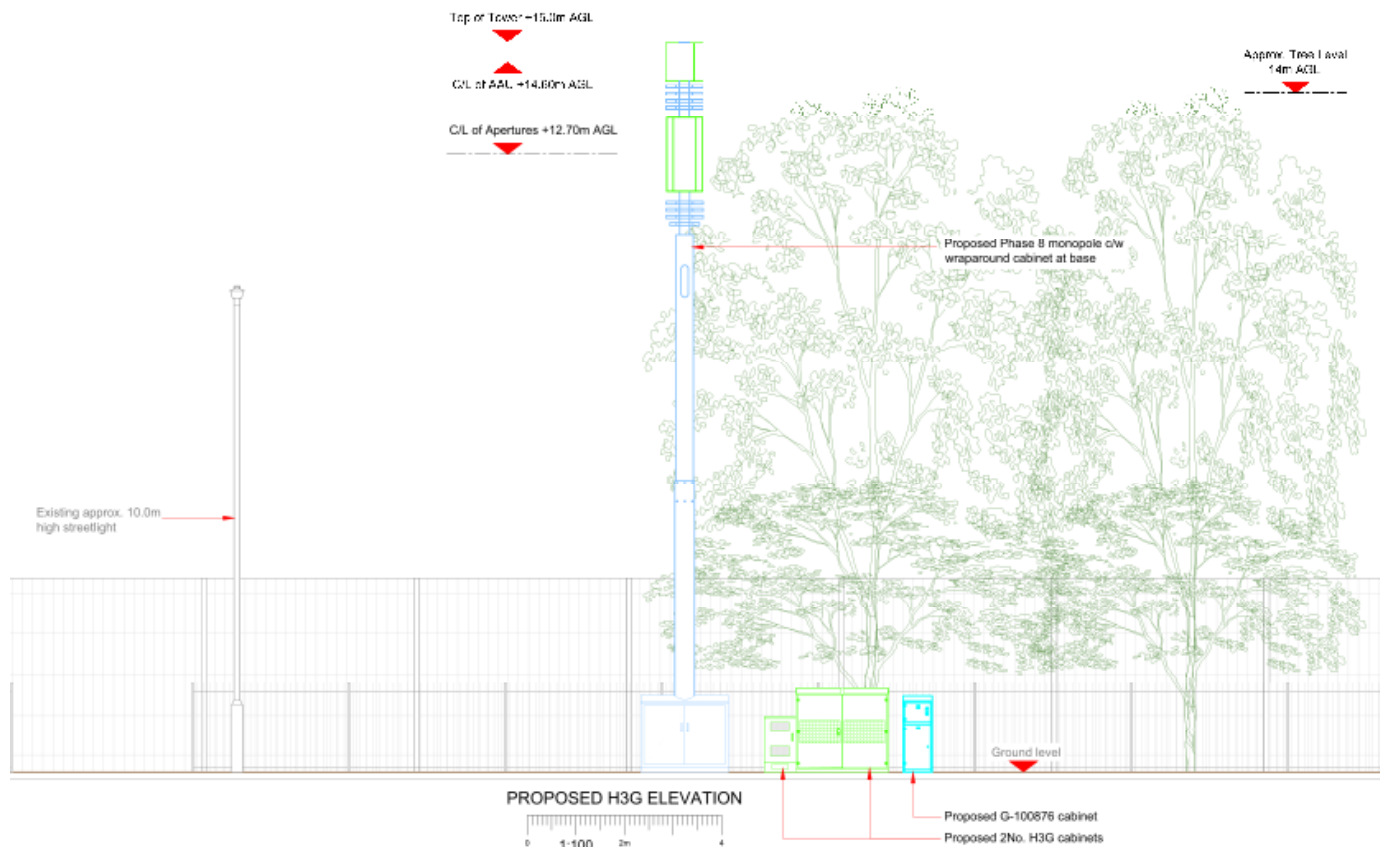
### 1.0 Proposal

#### Background

- 1.1 Confirmation is sought as to whether the erection of 15m high electronic 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 application follows the refusal of prior approval dated 19/08/2020 (ref. 2020/2836/P) at a different site in Bartholomew Road located approximately 240m to the northwest of the application site which the applicant considers to be relevant. In assessing the current application, the Council has been mindful throughout the application process of the need to consider the current application on its own merits, including the different site context, and taking into account any matters pertinent to the proposal in accordance with all relevant policy and guidance.

#### Application proposals

- 1.3 The proposal involves the erection of a monopole for electronic communications purposes measuring 15m high above ground level with various antennas (identified as A1, A2, B1, B2, C1, and C2) fitted at the top of the mast. The exact dimensions for the monopole width and full antenna dimensions have not been provided; however, the submitted drawings indicate that the monopole would have a width of approximately 0.4m. The antennas, fitted to the top of the monopole, would increase this appearance of width to approximately 0.8m at the highest part of the proposed monopole (see drawing '260 rev E - Proposed H3G Elevation' below):



1.4 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 north-western side of Camden Road (ref. CAB1, CAB2, CAB3 and CAB4).

1.5 The wraparound base station cabinet (CAB4) would measure 0.75m deep x 1.8m wide x 1.6m high. The other 3 cabinets would measure 0.6m deep x 1.9m wide x 1.752m high (CAB1); 0.7m deep x 0.65m wide x 0.95m high (CAB2); and 0.52 deep x 0.6m wide x 1.585m high (CAB3). All equipment would be grey in colour, although the exact RAL colour is unspecified.

1.6 A decision is required to be made within 56 days of the application's receipt (01/04/2021). Thus, if the applicant does not receive the Council's decision by 27/05/2021, 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 coverage in the area of Camden. 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 masts or sites are not considered capable of supporting the necessary additional equipment and site sharing with other operators is not considered to be a viable option. As such, a 'street works' installation positioned on the public highway at the application site is proposed and considered by the applicant to be the optimum environmental solution.

3.3 The applicant states that a number of alternative site options have been considered (identified as D1 to D8) and that these were discounted as viable alternative options for various reasons including insufficient pavement width, proximity to residential dwellings and height of trees. However, the reasoning given for discounting the alternative sites does not include any site specific information or evidence in support of the applicant's claim that the locations are unsuitable, such as, exact measurements of pavement shortcomings or comparison of the proposed site with the alternative discounted sites. As such, no clear justification has been provided as to why the installation of a new street level monopole at the application site is the only viable option.

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 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.
- 4.3 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.
- 4.4 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).
- 4.5 The application site comprises of a section of public footway on the north-western side of Camden Road. The proposed site forms part of the Transport for London Road Network (TLRN) for which Transport for London (TfL) is the highway authority. Camden Road is classed as an 'A' road (A503), and as such, provides a busy transport route for all forms of vehicular transport, including a TfL Red Route for buses. The application site is located between a pedestrian crossing and bus stop. The site is located immediately adjacent to Cantelowes Gardens, which is public open space and gardens providing green areas and shrubs beds, as well as, a multitude of sports and recreational facilities, such as, a children's playground, a multi-use sports pitch, and a skate park (for skateboarding, roller skating/blading and BMX riding). Cantelowes Gardens is the only park in Camden where the focus has been directed specifically at outdoor facilities and space for young people.
- 4.6 The proposed monopole would be located on a stretch of pavement absent of any street furniture except for a 10m high lamppost and a traffic light (approximately 10m to the south-west) and a bus shelter (approximately 25m to the north-east). The mast would be significantly taller and wider than any these, and would protrude above the mature tree line canopy in Cantelowes Gardens and roof heights of buildings located directly opposite on the other side of Camden Road. The top 4m of the mast would be particularly prominent as it would accommodate the proposed antennas and extend the diameter of the mast to a width of approximately 0.8m at this point, so serving to heighten the mast's prominence even further and draw attention to the mast. 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.
- 4.7 The applicant considers the proposed design will enable the equipment to blend into the surroundings as it has similar vertical lines and overall appearance to the existing street lighting columns. The Council disagrees with this view. While it is accepted that electronic communications equipment, 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, as well as, their prominent siting and number, would result in a proliferation of harmful visual clutter which would be unattractive and overly dominant on a section of footway along Camden Road which is relatively free of visual clutter.
- 4.8 Furthermore, the proposal would be particularly noticeable and harmful given the open character of the application site adjacent to the Cantelowes Gardens park and green space, as well as, the breadth of open views along this part of Camden Road. In this context, the proposed 15m 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. This includes clear views from within Canteloves Gardens itself given the high degree of visual permeability and openness provided through the park and railings which offer unrestricted views towards the site.

- 4.9 The poor design of proposed equipment would therefore impede upon and harm the setting of Canteloves Gardens, especially given the inappropriate siting of the proposed equipment immediately adjacent to the park boundary and railings. As such, 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 the public open space.
- 4.10 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 design, siting, bulk, number 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.
- 4.11 Though the site is not located within a conservation area, it is located directly opposite the Camden Square Conservation Area which sits on the south-eastern side of Camden Road and in close proximity to the boundary with Bartholomew Estate Conservation Area to the north-west. Conservation areas are designated heritage assets and Local Plan Policy D2 (Heritage) recognises that the character or appearance of conservation areas can be affected by development that is outside of conservation areas, but visible from within them. This includes development which can have an impact on areas some distance away, as well as, adjacent premises. *“The Council will therefore not permit development in locations outside conservation areas that it considers would cause harm to the character, appearance or setting of such an area.”* As such, the impact of the proposal on the designated heritage assets and their settings is a material planning consideration.
- 4.12 The proposal would appear as an obtrusive piece of street furniture and highly visible in this location, particularly given its proximity and position directly opposite to and within the setting of the Camden Square Conservation Area. As such, the proposal would degrade the visual amenity of the conservation area through the harm caused to its character, appearance and setting as a result of the addition of the tall monopole mast and street clutter within otherwise open and unrestricted views to and from the conservation area.
- 4.13 Considerable importance and weight have been attached to the harm arising to the adjacent conservation areas and their settings, given the duty of the Council to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended). It is noted that the submission documents do not acknowledge the site’s location directly opposite the Camden Square Conservation Area boundary (or its proximity to the boundary with Bartholomew Estate Conservation Area) or provide evidence of any particular regard given to the designated heritage assets or their settings. As such, no consideration has been given in the application submission to the harm that the proposal might 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.”*

#### 5G system and public benefit

- 4.16 The supporting information proposes to upgrade the UK H3G (Three) network to provide improved coverage and capacity in relation to 5G services. 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 proposal would require a new 'street works' installation at pavement level, the design of the proposed equipment is the least visually intrusive option available and the optimum solution from a planning and radio coverage perspective 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 or cabinets have been provided, and it appears from the submission documents that there has been little attempt at sympathetic design or camouflage of the proposals into the surroundings. Furthermore, no evidence of any particular regard has been given to the designated heritage assets or their settings. 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 and nearby conservation areas, particularly the Camden Square Conservation Area located directly opposite the site, as well as, the harm to the openness and character of the public open space (Canteloves Gardens).
- 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 designated 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. However, a minimum footway width of at least 2.2m is required to be maintained on streets with medium pedestrian flow such as at the application site. In addition, 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.

4.26 The proposed monopole and associated cabinets would be located on a narrow section of footway adjacent to Canteloves Gardens on the north-western side of Camden Road. The footway width along this section is approximately 2.8m. The submitted drawings indicate that the proposed equipment would reduce the footway width to 1.84m during times when the doors to the most intrusively positioned street level cabinets are closed (and less than 1m when the same doors are open, for instance, during times of maintenance). The proposal would therefore reduce the effective footway significantly below the minimum widths recommended by both TfL and Camden guidance as referred to above.

4.27 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 particularly hazardous should pedestrians be forced to step into the road to pass by, especially given that the road forms part of the busy Transport for London Road Network (TLRN) and TfL Red Route for buses which are in constant use.

4.28 The Council also 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. 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 proposal would therefore fail to meet this minimum requirement.

4.29 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 and would not contribute as required under the Plan to a high quality pedestrian environment. In addition, the proposal would be contrary to TfL's streetscape guidance which prioritises the decluttering of street space.

4.30 Overall therefore, the proposed monopole and cabinets, by virtue of their design, location, number, size and addition of unnecessary street clutter, would reduce the amount of useable, unobstructed footway below minimum levels advised by the above guidance, which would be detrimental to the quality of the public realm, cause harm to highway safety and would hinder

pedestrian movement, so having a damaging 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

- 4.31 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.*”
- 4.32 Canteloves Gardens contains many mature trees within its public garden space, 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 a number of large trees and their root systems 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.
- 4.33 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

- 4.34 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 Supplementary information**

- 5.1 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*
- 5.2 The applicant states in the Site Specific Supplementary Information (SSSI) document submitted in support of the proposals that pre-application consultation had been initiated with the Council on an unspecified date. Council records confirm that an email was received from the applicant for this purpose on 30/03/2021. The GPDO Prior Approval application currently under consideration was submitted via the Planning Portal on 01/04/2021.
- 5.3 Given that only 2 days had elapsed between the pre-application consultation email being received and the submission of the current application, it is considered that the applicant has not allowed a sufficient period of time for pre-application consultation to be carried out and consequently failed to adequately provide the outcome of consultations with organisations with an interest in the proposed development as required under Paragraph 115 of the NPPF.

5.4 The applicant also states in the cover letter dated 29/03/2021 attached to the application submission that the identification of the site location follows pre-application discussion with the Council. The Council confirms that pre-application discussions haven't taken place contrary to the view expressed by the applicant.

5.5 The applicant has confirmed that a number of local schools were sent letters of consultation on an unspecified date. No indication or evidence has been provided that any other parties who might be affected by the proposal were consulted, such as, local residents or groups.

5.6 It is also noted in relation to a different site in Bartholomew Road which the applicant considers to be relevant and was refused prior approval on 19/08/2020 (ref. 2020/2836/P) that the applicant emailed pre-consultation consultation to the Council 1 day after the GPDO Prior Approval application was submitted via the Planning Portal. The applicant therefore failed in that case to carry out pre-application consultation adequately, and as such, the outcome of consultations with organisations with an interest in the proposed development were again not fully considered.

5.7 The supplementary information confirms that the application 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.

## **6.0 Conclusion**

6.1 The proposal would fail to accord with policies A1, A2, A3, C6, D1, D2 and T1 of the Camden Local Plan 2017, policies D8 and T2 of the London Plan, Chapter 16 of the NPPF, and relevant guidance outlined above. The development would create overly dominant visual clutter in 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 and nearby conservation areas, particularly the Camden Square Conservation Area located directly opposite the site and its setting, as well as, detract from the openness and character of the public open space in Canteloves Gardens. In the absence of the relevant approved information, the impact of the scheme on any trees cannot be fully assessed to ensure that trees are satisfactorily protected during the construction phase of development. It would also add physical clutter and create obstructions on the pavement and would cause harm to highway safety and hinder pedestrian movement.

## **7.0 Recommendation**

7.1 Prior Approval is therefore required and approval refused, on balance, on the grounds of unacceptable siting and appearance for the following reasons:

7.2 The proposed monopole and its associated cabinets, by reason of their design, size, height, number 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 nearby conservation areas, particularly the Camden Square Conservation Area located directly opposite and would cause harm to the openness and character of the public open space in Canteloves Gardens, contrary to policies A2 (Open space), A3 (Biodiversity), D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017.

7.3 The proposed monopole and its associated cabinets, by virtue of their design, size, number and location, would create 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.

7.4 In the absence of an arboricultural impact assessment which demonstrates that trees in Canteloves Gardens would not be adversely impacted by the development in line with BS5837:2012 (Trees in relation to Design, Demolition and Construction), the proposed development would be likely to result in harm to the nearby trees located in the adjacent Canteloves Gardens, contrary to policies A3 (Biodiversity) and D1 (Design) of the London



