

Delegated Report		Analysis sheet		Expiry Date:		14/06/2021
		N/A		Consultation Expiry Date:		13/06/2021
Officer				Application Number(s)		
Nathaniel Young				2021/1813/P		
Application Address				Drawing Numbers		
Area of footpath o/s No. 68 Regent's Park Road London NW1 8UD				See decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature			
Proposal(s)						
Erection of 18m Phase 8 Monopole with antennas, 1x wraparound cabinet at base, 1x commscope bowler cabinet, 2x equipment cabinets and associated ancillary works (telecommunications installation)						
Recommendation(s):		i) Prior approval required ii) Prior approval refused				
Application Type:		GPDO Prior Approval Determination				
Conditions or Reasons for Refusal:		See Decision Notice				
Informatives:						
Consultations						
Adjoining Occupiers:		No. of responses	190	No. of objections	190	
Summary of consultation responses:		Site notice: 14/05/21 – 07/06/21 Press notice: 20/05/21 – 13/06/21 At least 190 objections were received from various occupiers of Regent's Park Road, Fitzroy Road, Primrose Hill Road, Chalcot Road, Chalcot Sqaure, Grove End Road, Manley Street, Prince Albert Road, Oppidans Road, Auden Place, St Mark's Crescent, Gloucester Avenue, Lower Merton Rise, Elsworthy Road, Waterside Place, Kingstown Street, Christchurch Hill, Princess Road, King Henrys Road, Belsize Square, Hopkinsons Place, Albert Terrace Mews, York Terrace East, Elsworthy Terrace, Berkley Grove, Pratt Street, Gloucester Avenue, Ainger Road, Meadowbank and other addresses raising the following concerns: <ul style="list-style-type: none"> Proposed development will result in visual clutter which would detract from the character and appearance of Regent's Park Road, Primrose 				

Hill MOL and the Primrose Hill Conservation Area.

- Exposure to 5G has adverse effects on human health.
- Criticism of lack of engagement.

Officer response

- Officers agree that the proposed development would result in harmful visual clutter which would detract from the character and appearance of the street scene, Primrose Hill MOL, Primrose Hill GII historic park, and the Primrose Hill Conservation Area.
- The applicants have declared with appropriate documentation that all of the proposed equipment would comply with International Commission on Non-Ionizing Radiation Protection (ICNIRP) standards on emission levels in accordance with government guidelines. Although the residents' objections on health grounds is acknowledged, given the details provided by the applicant, this would not constitute a reason for refusal.
- This is not a Council application. The Council does not control when the applicant (Hutchinson 3G UK LTD) submits an application, nor how they engage with stakeholders.

Site Description

The application site is a section of pavement on Regent's Park Road, opposite No. 68, and next to Primrose Hill (Metropolitan Open Land).

Relevant History

N/A

Relevant policies

National Planning Policy Framework 2019

The London Plan 2021

Camden Local Plan 2017

A1 Managing the impact of development

A2 Open space

D1 Design

D2 Heritage

C6 Access for all

T1 Prioritising walking, cycling and public transport

Camden Planning Guidance 2021

CPG Amenity

CPG Design

CPG Transport

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).

1.2 The proposals involves the installation of new telecommunications equipment on the pavement outside No. 68 Regent's Park Road and adjacent to Primrose Hill (MOL) and would comprise: 18m high monopole antenna with wrap around cabinet at base; and associated ancillary works.

2. Justification

2.1 The proposals are associated with Hutchinson 3G UK LTD with new telecoms equipment which would improve 5G network coverage and capacity in the area.

2.2 The applicant has provided a lack of information as to why this site was chosen or included sufficient evidence to demonstrate that alternative sites were adequately assessed. The cover letter accompanying the application states the proposed site as being necessary for H3G Ltd business development and meets its specific technical and operational requirements.

2.3 The applicant has declared with appropriate documentation that all of the proposed equipment would comply with International Commission on Non-Ionizing Radiation Protection (ICNIRP) standards on emission levels in accordance with government guidelines. Although the residents' objections on health grounds is acknowledged, given the details provided by the applicant, this would not constitute a reason for refusal.

3. Siting and Design

3.1 Local Plan Policies D1 (Design) and D2 (Heritage). 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 conservation areas and listed buildings. Furthermore, Policy A2 (Open space) seeks to protect the boroughs open space and resist development which would be detrimental to the setting of designated open spaces.

3.2 The proposed antenna would measure approximately 18m in height and the new cabinets would range from 1.2 to 1.8m in height. The application site is a highly visible section of pavement part of the street scene of Regent's Park Road and Primrose Hill MOL. As a result of the open space surrounding the application site, as well as the topography of the area, the proposed equipment would be visible in short, medium and long range views from a variety of vantage points including Primrose Hill.

3.3 The openness of the street, while outside of the designated MOL, is part of the setting of Primrose hill and contributes to its open character, with low, visually permeable railings along this section. Similarly, the Grade II listed park is not itself within Primrose Hill conservation area, but it, and its open character, clearly make important contributions to the significance of the conservation area. The setting of the listed park, particularly the open streets fronting it, bound by the low visually permeable boundaries, also make and important contribution to the park's significance by extending its openness to its surroundings.

3.4 The proposed equipment due to its excessive height, number, bulk, and inappropriate siting would result in overly dominant visual clutter which would affect the openness and setting of the street and park, causing material harm to the character and appearance of the street scene, Primrose Hill MOL, and the setting of the listed park, and Primrose Hill Conservation Area.

4. Highways and Transport

4.1 Policy T1 of the Local Plan (2017) outlines the need to promote sustainable transport by prioritising walking, cycling and public transport in the borough. It goes on to state that In order to promote walking in the borough and improve the pedestrian environment, the Council will seek to ensure that developments are easy and safe to walk through ('permeable') and provide high quality footpaths and pavements that are wide enough for the number of people expected to use them. Features should also be included to assist vulnerable road users where appropriate.

4.2 In support of the above, CPG Transport states that 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;
- Avoiding street clutter and minimising the risk of pedestrian routes being obstructed or narrowed, e.g. by footway parking or by unnecessary street furniture.

4.3 The proposed monopole and cabinets would be installed on the pavement. While this would partially block the pavement, the plan indicates sufficient unobstructed footway would be maintained to allow pedestrians to pass unhindered. The proposed equipment would also not unduly block views for highway users.

5. Planning balance

5.1 Local Plan Policies D1 and D2 are consistent with Section 16 (Conserving and enhancing the historic environment) of the NPPF (2019) which seek to preserve and enhance heritage assets, states that the Council will not permit the loss of or harm to a designated heritage asset, including conservation areas and Listed Buildings.

5.2 Para 196 of the NPPF (2019) states 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 proposal would result in 'less than substantial harm' to the character, appearance and historic interest of the conservation area as well as to the host property. The improved network coverage created by the scheme does not contribute sufficient public benefit to outweigh the less than substantial harm to the conservation area and listed park. 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 conservation area, under the Listed Buildings and Conservation Areas Act 1990.

5.3 The proposal would therefore fail to accord with policies D1, D2 and A2 of the Camden Local Plan 2017. The development would create overly dominant visual clutter on a prominent position within the conservation area. The proposed would cause material harm to the character and appearance of the street scene, local views from the street, the listed park, Primrose Hill (MOL) and the wider Primrose Hill Conservation Area.

6.0 Recommendation

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