

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	<b>06/04/2021</b>
		N/A		<b>Consultation Expiry Date:</b>	<b>27/04/2021</b>
<b>Officer</b>			<b>Application Number(s)</b>		
Tony Young			2021/0598/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
Crestview 47 Dartmouth Park Hill London NW5 1JB			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>					
Installation of electronic communications equipment on rooftop comprising 6 x antennas on tripod structures, 4 x dishes, 8 x cabinets and ancillary works, including 1 x meter cabinet at ground level on public highway.					
<b>Recommendation(s):</b>		Refuse planning permission			
<b>Application Type:</b>		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers & local groups	No. notified	0	No. of responses	233	No. of objections	232
	Site notices (x5) were displayed from 24/03/2021 to 17/04/2021 A press notice was published from 25/03/2021 to 18/04/2021					

Summary of consultation responses from local residents, CAAC/local groups, etc

**232 objections (including a petition) were received from local residents and groups, including:**

- *Occupiers/tenants/owners of Crestview;*
- *Residents living locally in Dartmouth Park Road, Dartmouth Park Hill, Highgate Road, Parliament Hill, Bramshill Gardens, Laurier Road, Hillway, Swains Lane, Twisden Road, St.Albans Road, York Rise, Croftdown Road and Poynings Road in both Camden and Islington;*
- *Parish Church of Dartmouth Park, St Mary Brookfield;*
- *Dartmouth Park Conservation Area Advisory Committee;*
- *Dartmouth Park Neighbourhood Forum;*
- *Dartmouth Park Road Residents Association;*
- *Highgate Conservation Area Advisory Committee.*

**The main concerns raised are summarised as follows:**

*Visual clutter and heritage*

- *Antennae and cabinets will result in prominent and harmful visual clutter in the skyline, and thereby, dominate and detract from the character and appearance of Crestview, the Dartmouth Park Conservation and Neighbourhood Areas, as well as, the settings of several neighbouring conservation areas; Highgate, Holly Lodge and St John's (London Borough of Islington);*
- *The development will create substantial harm to St Mary Brookfield, a Grade II\* listed church building, located opposite, by virtue of the additional height, dominating the church building and detracting from the special setting of the heritage asset and views of the church;*
- *Proposed equipment would intrude on important local views and key vantage points from Hampstead Heath, Parliament Hill, Waterlow Park, and within the Dartmouth Park Conservation Area;*
- *There is no natural screening offered by mature trees nor in the form of buildings, nor any attempt to disguise the installation.*

*Building structure and appearance*

- *Safety and stability concerns given the existing thin, asphalt roof would be required to support large mast developments, in particular, the additional weight, vibrations caused by wind resistance, and regularity of footfall necessary for maintenance purposes;*
- *Proposals are contrary to Crestview residents programme over several years to declutter the roof space through the removal of external aerials and dishes;*
- *Concern that cable trunking will rise from ground to roof level and will not blend in well with the visual appearance of the building, nor be well maintained.*

*Amenity and health*

- *Health impacts of telecommunications masts and exposure to 5G technology on local people and environment, especially in children;*
- *Long-term noise and vibration impacts from equipment in terms of disturbance to residential amenity quality of daily life of residents from installation works, day-to-day operation and future maintenance works;*
- *Increased security and COVID-19 risks to inhabitants from unscheduled access by unknown visitors carrying out mast development and ongoing maintenance works;*
- *High level of stress and anxiety to residents associated with proposal.*

*Drawings and information submitted*

- *Original drawings are inadequate and inaccurate with only a south elevation provided and incorrect number of storeys and floors shown;*

- *Both original and additional drawings are incorrect and misleading (e.g. there are no existing satellite dishes or aerial antennae on the roof as shown; tree heights are inaccurate; an elevation is shown wider than it is; and impression of larger roof space than actually exists);*
  - *No photomontage provided.*
- Alternative sites
- *Inconsistent and misleading rationale for selection and rejection of alternative sites, including lack of consideration for other possible and more suitable local sites.*
- Public engagement and community
- *Failure by applicant to engage fully with community, address concerns or try to mitigate the personal risks to residents;*
  - *Concern that proposal will hugely detract from St Mary Brookfield church as a place of beauty and well-being for the local community and parish.*
- Financial Impact
- *Proposed equipment would be an enormous eyesore and put off potential buyers of residential property in the area, resulting in likely decrease in property values;*
  - *Concern over potential invalidation of our resident's roof guarantee and insurance agreements.*
- Bat survey
- *Survey is incomplete and not thorough enough with many key local bat sites, potential sites and records not inspected or accessed.*

**Officer response:**

- *In regard to the submitted drawings, the concerns raised by local residents concerning inaccuracies have been noted and taken into account when viewing the drawings. The case officer has also visited the site on more than one occasion in order to be confirm site details;*
- *In regard to the building's roof structure, it is the responsibility of the applicant to ensure that the roof is capable of supporting the proposed equipment. It is also noted that the telecommunications equipment was sited on the roof in the past;*
- *In regard to potential financial impacts associated with the proposals, this doesn't form part of the planning consideration for this application;*
- *For all other concerns raised, please see Sections 3-8 below in main body of this report.*

**London Borough of Islington** responded and raised no objection to the proposal.

## Site Description

The application site, Crestview, is a 6-storey residential block, built in the early 1960s, and containing a number of flats with garages at ground floor level. The site is located on a corner junction between Dartmouth Park Hill and Laurier Road. Dartmouth Park Hill denotes the boundary between the London Borough's of Camden and Islington. The surrounding area is predominantly residential in nature with a large Victorian covered reservoir and public park (Dartmouth Park and Reservoir) to the north east in Islington Borough.

The application site is located within the Dartmouth Park Neighbourhood and Conservation Areas. Crestview is identified in the Dartmouth Park Conservation Area Appraisal and Management Statement (adopted in January 2009) as making a negative contribution to the Conservation Area.

The building is not listed; however, it is located opposite St. Mary Brookfield, a Grade II \* Listed church building, built between 1869-75 by William Butterfield and recognised as making a major contribution to the streetscape in the Dartmouth Park Conservation Area Appraisal and Management Statement.

### **Relevant History**

**PEX0000653** - A rooftop installation of 6 antennae, 4 microwave dishes, and the associated equipment cabin. Application withdrawn by applicant 16/01/2001 prior to determination

**PE9800146** - Installation of 3 cabinets and raised platform at roof level in connection with telecommunications equipment. Prior approval given 23/03/1998

**9501039 & 9501040** - Installation of a handrail and telecommunication facilities on the roof including 6 antennae 3 cabins and one radio transmitter dish. Planning permission granted 16/11/1995

### **Relevant policies**

#### **National Planning Policy Framework 2021**

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

D1 - Design

D2 - Heritage

E1 - Economic development

##### **Dartmouth Park Neighbourhood Plan 2020**

DC1 - Enhancing the sense of place

DC2 - Heritage assets

DC3 - Requirement for good design

ES1 - Green and open spaces

##### **Camden Planning Guidance**

CPG Design (January 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 (January 2021) – chapters 1 (Introduction), 2 (Overlooking, privacy and outlook), 3 (Daylight and sunlight) and 6 (Noise and vibration)

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

CPG Public open space (January 2021)

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

##### **Dartmouth Park Conservation Area Appraisal & Management Statement (adopted Jan 2009)**

Parts 1 (Conservation area appraisal) and 2 (Management plan)

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

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

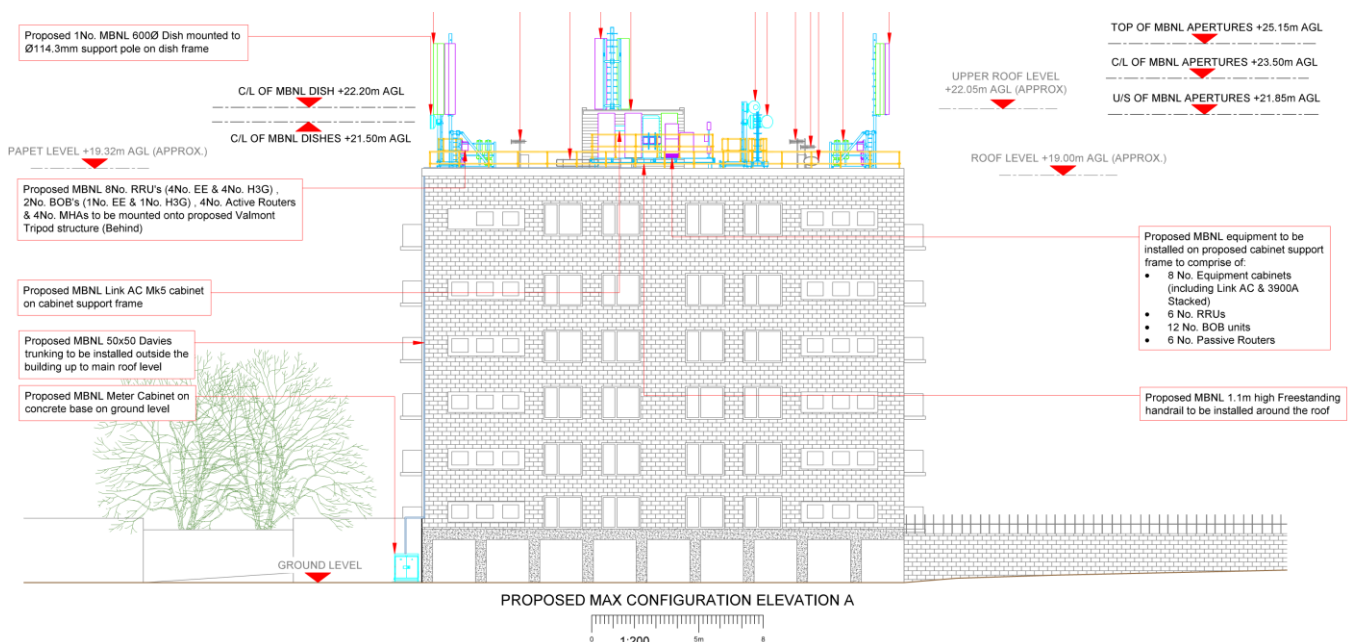
##### **Camden Streetscape Design Manual**

##### **Inclusive Mobility 2005 – chapter 3 (Footways, footpaths and pedestrian areas)**

## Assessment

### 1. Proposal

- 1.1 Planning permission is sought to install electronic communications equipment on the rooftop of the host building, comprising 6 x antennas on tripod structures, 4 x dishes, 8 x cabinets and some ancillary works, including the installation of a meter cabinet on the public highway at ground level, adjacent to the south facing elevation in Laurier Road.
- 1.2 While telecommunications apparatus has been located on the rooftop of the building in the past, there is currently no existing equipment in situ, and as such, the proposal therefore involves the installation of equipment to a new rooftop site and the establishment of a new base station. The proposal would provide improved connectivity and network enhancement, including 5G coverage, to the surrounding area on behalf of established electronic communications operators, EE and H3G.
- 1.3 The roof area of the host building consists of a main flat roof space measuring 19m in height above ground level and a plant room positioned centrally with a flat roof measuring 22.05m in height above ground level (see Image 1 below). A roof parapet rises 0.3m above the main roof level. The rooftop is absent of any telecommunications equipment. The submitted drawings show a number of existing satellite dishes and television aerials. This would appear to be inaccurate as highlighted by several consultation responses from residents of Crestview who assert that the roof is absent of dishes or aerials of any kind.
- 1.4 The 6 x proposed antennas would be mounted in pairs on 3 tripod structures and located in 3 positions towards the edges of the main roof. The top of the antennas are shown as measuring 6.15m above the height of the main roof when mounted on the tripod structures (and 3.05m above the height of the central plant room). The top of the tripod structures would rise a further 0.5m approximately above these heights (6.65m and 3.55m respectively).
- 1.5 4 x proposed dishes would also be installed and mounted on 3 support poles located in 3 positions towards the edges of the main roof. The top of the dishes would measure approximately 2.8m above the height of the main roof when mounted on the poles.
- 1.6 The 8 x proposed equipment cabinets would be installed on a cabinet support frame and located towards the southern end of the main roof. The cabinets would range from between 1.6m to 2.1m in height. 1 x proposed meter cabinet (measuring 1.1m wide x 0.4m deep x 1.2m high) would be installed on the public highway at ground level on the south facing elevation in Laurier Road. An associated cable tray and trunking would run from the ground level cabinet to roof level, rising up the full height of the south elevation.



1.7 The applicant's supplementary information document states that the site and design of the proposed equipment is the least visually intrusive option available and optimum location. The applicant considers that the development would not appear excessive, but rather, would achieve a balance between meeting the technical requirement and avoiding harm to the setting, both in terms of visual amenity and ensuring heritage assets would not be harmed. The applicant points out that the building was considered appropriate by the Local Authority to accommodate telecommunications equipment in the past.

## **2. Additional drawings**

2.1 The original submission included existing and proposed drawings showing only the south elevation of the building (Elevation A). As such, the Council contacted the applicant on 22/03/2021 to request additional drawings showing all elevations. Drawings showing the east, north and west elevations (Elevations B, C and D respectively) were subsequently received on 18/05/2021 from the applicant. The drawings also included some corrections to address inaccuracies in the original submission as identified in several consultation responses (e.g. to include the correct number of storeys or floor levels, etc.).

2.2 The consultation period for responses ended on 27/04/2021 and it is noted that the additional drawings were received after this time. The majority of responses are therefore based on the original submission which showed only a single elevation. However, given that the substantive part of the original proposal remains unchanged and has not been revised, all initial consultation responses based on the original submission are considered to remain applicable and relevant in so far as they relate to planning matters.

## **3. Assessment**

3.1 The principle considerations in the determination of this application are:

- the design and heritage impact of the proposals on the character and appearance of the host building, local views, Dartmouth Park Conservation and Neighbourhood Areas, and within the settings of nearby listed building(s) and neighbouring conservation areas;
- the impact of the proposal on neighbouring amenity; and
- the impact of the proposal on highway, pedestrian and cyclist's safety.

## **4. Design and heritage**

4.1 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.*"

4.2 Local Plan Policy D2 (Heritage) states that the Council will only permit development within conservation areas that preserve and enhance the character and appearance of the area, and will resist development that would cause harm to significance of a listed building through an effect on its setting. The Dartmouth Park Conservation Area Appraisal and Management Statement (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.*"

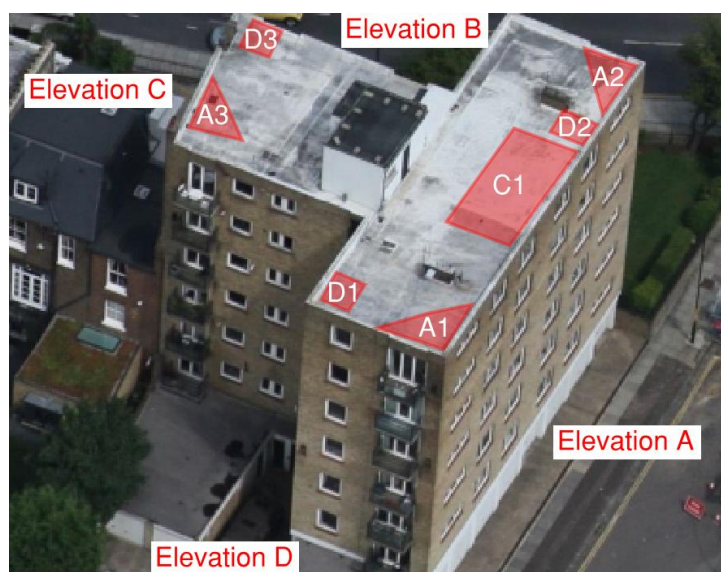
4.3 Policies D1 and D2 are supported by Dartmouth Park Neighbourhood Plan Policies DC1 (Enhancing the sense of place), DC2 (Heritage assets) and DC3 (Requirement for good design), as well as, Camden Planning Guidance (CPG) Design and Digital Infrastructure. In particular, CPG Design in Chapter 9 (Building 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.

- 4.4 The National Planning Policy Framework (NPPF) in Paragraph 114 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.
- 4.5 The host building, Crestview, is not listed and is located within the Dartmouth Park Conservation and Neighbourhood Areas. The building itself is 6-storeys in height with a main flat roof area and a centrally positioned plant room. The rooftop has an uncluttered roofscape and is absent of any telecommunications equipment.
- 4.6 Image 2 below shows Crestview and the immediate surrounding area and Image 3 shows the relevant roof areas most affected by the proposal. The approximate positions of the 6 x proposed antennas are identified as A1, A2 and A3 (2 x antennas are proposed in each area). The area containing 8 x proposed rooftop cabinets is shown as C1. The approximate positions for the 4 x proposed dishes are shown as D1, D2 and D3 (2 x dishes are proposed in position D3).



Image 2 – aerial view showing Crestview and the surrounding area



Key to approximate positions:

**A1, A2 & A3** (aerials)

**C1** (cabinets)

**D1, D2 & D3** (dishes)

Image 3 – aerial view showing relevant roof areas of Crestview and proposed equipment positions

4.7 The application site is a significantly taller building when compared with surrounded buildings which comprise mainly of lower level residential properties; a particular exception to this being the tall listed church building, St. Mary Brookfield, which is located immediately adjacent to the host building (see Paragraph 4.16 to 4.18 below for further consideration of the impact of the proposal on the church and its setting). Crestview is also located at the top of Dartmouth Park Hill which makes the building highly visible in all views, and serves to further emphasise the building's prominence within the locality and skyline from all directions (see Images 4 to 7 below).



Image 4 – view from SW (Dartmouth Park Rd)



Image 5 – view from SE (Dartmouth Park Hill)



Image 6 – view from NE (Dartmouth Park and Reservoir, Islington)



Image 7 – view from N (Dartmouth Park Hill)

4.8 As a result of this contrast between the relative building heights, as well as, the building's elevated position and prominent corner location on the junction with Laurier Road and Dartmouth Park Hill, the roofscape is also highly visible within a variety of notable local park views and public vantage points, such as, from Parliament Hill and Hampstead Heath to the west (which is Metropolitan

Open Land), Waterlow Park to the north, as well as, from Dartmouth Park and Reservoir located within the London Borough of Islington to the east.

4.9 Policy A2 (Open space) seeks to protect the borough's open space and resist development which would be detrimental to the setting of designated open spaces. This is supported by Dartmouth Park Neighbourhood Plan Policy ES1 (Green and open spaces) which seeks to protect public open spaces and gardens, several of which are identified as being located in close proximity to the application site.

4.10 As a result of the proposal, the equipment would therefore be highly noticeable within the skyline from numerous vantage points in the public parks and open spaces identified above, and would introduce harmful visual clutter within otherwise open and unrestricted views to and from these areas (see Image 6 above and 8-9 below).



Image 8 – view from Hampstead Heath looking east (towards Elevation D)



Image 9 – view from Hampstead Heath looking south-east (towards Elevations A and D)

4.11 The applicant's submission documents assert that the Council previously deemed Crestview as suitable to accommodate telecommunications equipment. While Council planning records

confirm that the most recent planning permission was granted in 1998 (ref. PE9800146) for telecommunications equipment at the application site, this permission significantly pre-dates Council current policies and guidance, as well as, the establishment of the Dartmouth Park Neighbourhood Forum in 2013, and adoption of the Neighbourhood Plan and Conservation Area Appraisal & Management Statement in 2009 and 2020 respectively). Hence, while the Council has been mindful of all relevant planning history during the assessment of the proposals, the proposal has been considered on its own individual merits, taking into account any matters pertinent to the proposals in accordance with all current relevant policy and guidance (as set out in the 'Relevant Policies' section above).

- 4.12 While it is acknowledged that it isn't uncommon for electronic communications equipment of this kind to be located appropriately on the rooftops of residential tower blocks, in this particular case, the proposed equipment would introduce conspicuous visual clutter to an otherwise uncluttered roofscape given its particular site context. The most noticeable part of the proposals affecting the roof area involves the installation of 6 x new antennas mounted in pairs on 3 tripod structures which would rise up 6.15m above the height of the main roof (the top of each tripod structure itself rising to 6.55m). However, the 4 x proposed dishes and 8 x proposed equipment cabinets would also be clearly visible given that they would rise up 2.8m and a maximum of 2.1m respectively above the height of the main roof. It is also noted that proposal would be contrary to the aims of Crestview residents who have instigated a management programme over several years to declutter the roof space through the removal of external aerials and dishes.
- 4.13 Moreover, the proposed positioning of all of the equipment in a variety of positions around the roof area and towards the front of the roof edges would serve to emphasise their height and make the equipment even more conspicuous in views on all elevations. No attempt has been made to screen or conceal the equipment, nor evidence provided to indicate whether they could be placed more unobtrusively on the roof space. Under these circumstances, the proposals are considered to be inappropriate as they would introduce excessively high and prominently positioned equipment which would appear as unattractive and overly dominant additions to the roofscape, resulting in harm to the appearance of Crestview, particularly given the building's high degree of visibility within the skyline.
- 4.14 Though the host building is identified as making a negative contribution to the local area (as stated in the Dartmouth Park Conservation Area Appraisal and Management Statement), it is nevertheless located within a designated conservation area, Dartmouth Park. In this regard, the above Statement confirms that its designation as a conservation area, "*provides the basis for policies designed to preserve or enhance the special interest of such an area.*" The site is also located on the boundary with St John's Conservation Area (in the London Borough of Islington) and with clear views to and from the settings of a number of neighbouring conservation areas, namely, Highgate and Holly Lodge.
- 4.15 As part of the Dartmouth Park Neighbourhood Area, the adopted Neighbourhood Plan also offers protection under Policies DC1 (Enhancing the sense of place), DC2 (Heritage assets) and DC3 (Requirement for good design). The policies are associated closely with the Camden Local Plan and have equal weight to Local Plan policies.
- 4.16 Additionally, while the host building itself is not listed, it is noted as being located adjacent to St. Mary Brookfield, a Grade II \* Listed church building, situated to the south of the site (see Image 10 below). The church was built between 1869-75 by William Butterfield and recognised as making a major contribution to the streetscape in the Dartmouth Park Conservation Area Appraisal and Management Statement. Local Plan Policy D2 (Heritage) states that the Council will resist development that would cause harm to the significance of a listed building through an effect on its setting.



Image 10 – showing St. Mary Brookfield church and Crestview

- 4.17 St. Mary Brookfield is positioned on the crest of Dartmouth Park Hill and is highly visible within the skyline. The church building also has a similar rooftop height to Crestview. Hence, the proposed equipment would rise above the height of the church building and appear overly dominant within this context, detracting from the special setting of the heritage asset and views of the church, especially as the equipment would appear in either the foreground or background of all views towards the church building, depending on the direction in which the church is viewed.
- 4.18 Furthermore, while it is accepted that electronic communications equipment, by the nature of their functional design and aesthetic may not blend seamlessly in all environments, the proposed equipment, by virtue of its excessive size and scale, as well as, its prominent siting and number, would appear as particularly overbearing and discordant, and as such, at odds with the special architectural and historic setting of St. Mary Brookfield. Similarly, the proposal would also significantly degrade the visual amenity of the local conservation and neighbourhood areas through the unacceptable harm caused to their character, appearance and settings.
- 4.19 It is noted that while the applicant's submission documents recognise that the application site is located in the Dartmouth Park Conservation Area and refer generally to a listed building in Laurier Road, they do not acknowledge the site's location adjacent to the St John's Conservation Area (London Borough of Islington) or the relationship with neighbouring conservation areas (Highgate and Holly Lodge). Neither do the documents provide evidence of any particular regard given to the designated heritage assets, their special interest or settings. As such, insufficient consideration has been given in the application submission to the harm that the proposal would cause within these settings.
- 4.20 In regard to the other proposed works at roof level, including the siting of low level RRH units, handrails and cable trays, it is considered that these would not cause any significant harm in visibility terms, due to their modest size, low height and siting, under different circumstances where an approval might be possible.
- 4.21 At ground level, the proposal involves the siting of a meter cabinet on the public highway, adjacent to the south facing elevation in Laurier Road (see Section 9 below for consideration of transport and public highway impacts of the proposed cabinet). The associated cable tray and trunking would run vertically from the cabinet to roof level on the external face of the building, so rising up the full height of the building, and then horizontally along the roof parapet (Elevation A). Though the south elevation is prominent within the public realm, the proposal would unlikely be widely noticeable or harmful to the existing character and appearance of the building due to the slim nature of the

trunking and the fact that its colour could be secured by condition attached to any approval to ensure that it blends in as closely as possible with the adjacent external facing material.

## **5. Planning balance**

- 5.1 Considerable importance and weight has been attached to the desirability of preserving or enhancing the character or appearance of Dartmouth Park 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.
- 5.2 Local Plan Policies D1 and D2, consistent with Dartmouth Park Neighbourhood Plan Policies DC1, DC2 and DC3, and Chapter 16 (Conserving and enhancing the historic environment) of the NPPF, seek to preserve and enhance designated heritage assets. The NPPF states in Paragraphs 202 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.”*
- 5.3 Given the assessment as outlined above in Section 4 (Design and heritage) of this report, it is considered that the proposed electronic communications equipment would result in less than substantial harm to the character and appearance of the host property, local views from the street and nearby public parks and open spaces, and Dartmouth Park Conservation and Neighbourhood Areas, as well as, the settings of neighbouring conservation areas and the Grade II\* Listed church building, St. Mary Brookfield.

### 5G system and public benefit

- 5.4 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 generally 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.
- 5.5 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.
- 5.6 The applicant’s supplementary information document asserts that the site and design of the proposed equipment is the least visually intrusive option available and optimum location given the technical constraints of 5G systems.

### Planning balance

- 5.7 It is clear from CPG Digital Infrastructure guidance and Paragraph 115 of the NPPF that the number of radio and electronic communications masts and sites should be kept to a minimum, and that where new sites are required (such as for new 5G networks), equipment should be sympathetically designed and camouflaged where appropriate.
- 5.8 In terms of alternative site locations, the submitted documents indicate that the applicant has identified and undertaken consideration of a number of sites within the locality and that these were not chosen as being suitable for various reasons. However, the reasoning given for discounting the alternative sites is vague and does not include enough site specific information or evidence in support of the applicant’s claim that these alternative locations are unsuitable. No comparison appears to have been made between the merits or otherwise of the proposed site with any of the alternative discounted sites. It is also considered that not enough alternative sites

(new or existing) have been explored to give sufficient justification for the establishment of a new base station at the application site.

5.9 Furthermore, it appears from the submission documents that there has been little attempt at sympathetic positioning, design or camouflage of the proposals within the surroundings, and no evidence has been provided demonstrating that any particular regard has been given to the designated heritage assets, their special interest or their settings.

5.10 Therefore, weighing the less than substantial harm caused as a result of the proposed development against the demonstrable public benefit, it is considered on balance that the benefit to the public arising from enhancing the local electronic communication coverage and increased capacity would not outweigh the harm arising to the character and appearance of the host property, local views from the street and nearby public parks and open spaces, the Dartmouth Park Conservation and Neighbourhood Areas, as well as, the settings of neighbouring conservation areas and the Grade II\* Listed church building, St. Mary Brookfield.

5.11 Overall, therefore, and on balance, the proposed development does not accord with Chapter 16 of the NPPF which seeks to preserve and enhance heritage assets. The proposals is also contrary to policies A2, D1 and D2 of the Local Plan, and policies DC1, DC2, DC3 and ES1 of the Dartmouth Park Neighbourhood Plan. As such, the proposal is considered to be unacceptable in terms of its design, appearance and location.

## **6. Supplementary information**

6.1 Chapter 10 (Supporting high quality communications) of the NPPF in Paragraph 117 requires that all applications for electronic communications development should 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.*

6.2 The applicant has provided supplementary information that confirms that the nearest schools or non-domestic childcare institutions (Acland Burghley School, La Sainte Union Catholic Secondary School and York Rise Nursery), Highgate Ward Councillors and residents of Crestview were notified at pre-application stage. The applicant states that pre-application consultation correspondence was sent to the Council on 17/06/2020; however, the Council has no record of receiving any correspondence. There is also no indication by the applicant that other parties with a potential interest were notified of the proposals at pre-application stage, such as, the local residents living in the immediately adjacent properties or the facilitator at St Mary Brookfield church. The applicant has therefore failed to carry out adequate pre-application consultation.

6.3 Notwithstanding this, the applicant confirmed 19 pre-application consultation responses were received objecting to the proposals in regard to visual impact, conservation area, alternative locations, sound and health issues, level of consultation and bat roosts. Therefore, in view of this and the high level of local interest and awareness evidenced by the amount of responses received by the Council to the current application proposals, it is considered that opportunity for interested parties to view the proposals and provide their views has been adequately exercised.

- 6.4 The supplementary information does not confirm whether or not the application site is located within 3km of an aerodrome or airfield, or whether the Civil Aviation Authority and Secretary of State have been notified or not.
- 6.5 A Preliminary Roost Assessment Survey dated 21/02/2021 was undertaken at the application site by Arbtech and the building was assessed as having a negligible habitat value for roosting bats. In order to ensure that protected and priority species are safeguarded, a condition would be attached to any approval requiring a full survey to be carried out by a suitably qualified ecologist and accompanied by a report confirming the results and implications of the assessment, including any revised mitigation measures, to be assessed by the Council.

### Public health

- 6.6 The supporting information for 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.
- 6.7 It is noted that a number of consultation responses have been received from local residents objecting to the proposed electronic communications equipment on public 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.
- 6.8 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.

## **7. Amenity**

- 7.1 Local Plan Policy A1 (Managing the impact of development), supported by Camden Planning Guidance (Amenity), seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered and by only granting permission for development that would not harm the amenity of communities, occupiers and neighbouring residents.
- 7.2 In regard to possible noise impacts, no perceptible sound would typically be emitted from the proposed equipment. The cabinets are the only pieces of equipment with the potential to cause some degree of vibration; however, this would typically be low and dampened by the secure fixing of the cabinets so as to minimise any undue impact. There would be no impact on levels of privacy, outlook, daylight or sunlight to neighbouring premises from the proposed development. Note also Paragraphs 6.6 to 6.8 above in regard to public health matters.
- 7.3 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.

## **8. Transport and public highway**

- 8.1 CPG Transport (Pedestrian and cycle movement) and Local Plan Policy C6 (Access for all) recognise that making sure that people can move through streets and places easily and safely is as important as making the buildings themselves accessible. Policy D8 (Public Realm) of the London Plan states that development should '*Applications which seek to introduce unnecessary street furniture should normally be refused*'.

- 8.2 More specifically, Section 3.01 of Camden's Streetscape Design Manual requires a minimum unobstructed 'clear footway' width of 1.8m. Appendix B of Transport for London's (TfL) Pedestrian Comfort Guidance recommends a minimum footway width of 2m for the safe and comfortable movement of pedestrians in low flow streets where there is no street furniture.
- 8.3 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.
- 8.4 At ground level, the proposals involve the siting of a meter cabinet on the public highway, adjacent to the south facing elevation in Laurier Road (Elevation A). Though the cabinet would reduce the amount of unobstructed footway to some degree, an effective footway width of approximately 2.5m (2m when the cabinet is open) would be maintained adjacent to the cabinet, which is considered to be sufficient for pedestrians and wheelchair users to pass safely and unhindered at this location.
- 8.5 The proposal is therefore not considered to raise any highway or pedestrian safety concerns given its size and location, or to have any detrimental impact on the promotion of walking or cycling as an alternative to motorised transport. As such, the proposal is in accordance with policies A1 (Managing the impact of development), C6 (Access for all) and T1 (Prioritising walking, cycling and public transport) of the Local Plan and Camden Planning Guidance in this regard.

## **9. Conclusion**

- 9.1 The proposal would fail to accord with policies A2, D1 and D2 of the Camden Local Plan 2017, policies DC1, DC2, DC3 and ES1 of the Dartmouth Park Neighbourhood Plan, Chapter 16 of the NPPF, and the 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 detract from the character and appearance of the host property and the Dartmouth Park Conservation and Neighbourhood Areas, and would cause harm to the openness and character of the nearby public parks, as well as, the settings of neighbouring conservation areas and the adjacent listed church building. The proposal is not considered to raise any highway or pedestrian safety concerns, or to have any adverse impact on residential amenity or public safety issues for any neighbouring residential occupiers.

## **10. Recommendation**

- 10.1 It is therefore recommended, on balance, that planning permission be refused for the following reason:
- 10.2 The proposed electronic communication equipment located at roof level, by reason of its design, size, height, number and location, would result in visual clutter which would detract from the character and appearance of the host property and the Dartmouth Park Conservation and Neighbourhood Areas, and would cause harm to the openness and character of the nearby public parks, as well as, the settings of neighbouring conservation areas and the adjacent Grade II\* Listed church building (St. Mary Brookfield) contrary to policies D1 (Design), D2 (Heritage) and A2 (Open space) of the London Borough of Camden Local Plan 2017, and policies DC1 (Enhancing the sense of place), DC2 (Heritage assets), DC3 (Requirement for good design) and ES1 (Green and open spaces) of the Dartmouth Park Neighbourhood Plan 2020.