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16 June 2021



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Submitted via the Planning Portal, ref: PP-09945334

Dear Sir / Madam

TOWN AND COUNTY PLANNING ACT 1990 (AS AMENDED)
BACTON TOWER, HAVERSTOCK ROAD, LISMORE CIRCUS, LONDON, NW5 4PX
PROPOSED TELECOMMUNICATIONS EQUIPMENT

On behalf of our client, DRW (UK) Ltd (the "Applicant"), we submit an application for the installation of telecommunications equipment at Bacton Tower, Haverstock Road, Lismore Circus, London, NW5 4PX (the "Site").

The following development is proposed:

"Installation of 4 x 900mm microwave dishes, equipment cabinet and associated works at roof level."

Site Location and Description

The Site is located on the east side of Haverstock Road, located in a predominately residential area. To the north the Site lies Lismore Circus and a railway line that runs east to west. To the east of the building lies residential development and to the south lies a cleared development Site (formerly comprising residential development). To the west lies Gospel Oak Nursery.

The Site comprises Bacton Tower, one of the tallest buildings in the area consisting of a 21 storey (+ plant) residential apartment block. The building already hosts an operator utilising it for their own telecommunications infrastructure.

The building is not listed, however, St Martins Church Hall (Grade II) and Church of St Martin (Grade I) are located within 100m of the Site. The Site is not located in a Conservation Area, however, the Parkhill and Upper Park Conservation Area is located 200m to the west of the Site.

The site falls within Flood Zone 1 as indicated by the Environment Agency's Flood Risk Map.

Relevant Planning History

There is recent planning history of relevance published on the London Borough of Camden website. We summarise the relevant history in Figure 1.

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A list of members' names is available at the above address.

Figure 1: Planning History

Reference No.	Description of Development	Decision
2020/1256/P (“the Extant Consent”)	Installation of 2x microwave dishes and 1x external equipment cabinet on roof level.	Approved 06/08/2020
2016/2530/P	Installation of x2 600mm and x2 900mm transmission dishes to rooftop.	Approved 10/06/2016

We understand that Extant Consent (re: 2020/1256/P) has not yet been implemented.

Proposed Development

This application seeks the installation of four dish antennas at roof level of the Site. This application proposes two dishes on the eastern side of the roof, with the other two dishes located on the west side alongside the proposed equipment cabinet.

The height of the dishes proposed, aligns with the overall height of the existing equipment, and does not noticeably protrude above the building, meaning that any visual impact is minimised. The proposed dishes will be attached to the building in a similar manner to the existing infrastructure and will be sited so as to provide coverage without interfering with the other operators' networks.

The purpose of the proposed dishes is to facilitate the improvement of a private communications network which works on a line-of-sight basis. The height of the building combined with the low surroundings allow the proposed dishes to obtain an unhindered line of sight to the next point in the network. Thus, the building is an ideal location for this development, which is proven by it being an established host of telecommunications equipment.

This proposal is not for equipment that produces electromagnetic fields in the same manner in which mobile phone equipment does. Notwithstanding this, the proposed equipment conforms with the International Commission on Non-Ionising Radiation Protection (ICNIRP) Public Exposure Guidelines and does not pose a risk to human health. Certification to this effect is included in support of this application.

Planning Policy Context

By Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise

National Planning Policy

The National Planning Policy Framework (the “NPPF” / “the Framework”) was published on 19 February 2019 and supersedes previous national planning guidance contained in various Planning Policy Guidance and Planning Policy Statements, as well as previous versions of the NPPF, first published in 2012. The NPPF sets out the Government’s approach to planning matters and is a material consideration in the determination of planning applications.

At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11). This means approving development proposals that accord with an up-to-date development plan without delay.

The Government recently consulted on a minor update to the NPPF until 27 March 2021.

In March 2014, the Government published the National Planning Practice Guidance (NPPG) which is a material consideration in relation to planning applications. The NPPG replaces a number of previous circulars and guidance to

provide a simplified single source of guidance at national level. The NPPG was updated in 2019 to reflect the NPPF and is a material consideration in the determination of applications.

Adopted Development Plan

The Site falls within the administrative authority of the London Borough of Hackney ("LBH"), and as such will be considered against the relevant statutory development plan which comprises the following relevant documents:

- London Plan 2021;
- Camden Local Plan 2017;
- Policies Map 2021; and
- Site Allocation Plan 2013.

Site Specific Designations

According to the adopted Policies Map, the Site does not have any site-specific designations.

Assessment of Planning Policy

Below we set out our assessment of the scheme against the policies of the adopted Statutory Development Plan and associated material considerations.

The NPPF is explicit in its support in facilitating high quality communications. Paragraph 112 of the NPPF states that, *"Advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being"*.

The proposed equipment will enhance a private data network that the applicant operates. The proposed equipment will add reliance to this network, and also improve its efficiency and the ability for the business to operate in a successful manner. Accordingly, the proposals accord with Paragraph 112 by further developing an advanced and high-quality communications network.

Paragraph 113 of the NPPF states that *"the number of radio and electronic communications masts, and the sites for such installations, should be kept to a minimum" and the "use of existing masts, buildings and other structures for new electronic communications capability (including wireless) should be encouraged"*. The proposals accord with Paragraph 113 since they make use of existing buildings (that are already in use for telecommunication purposes) in order to reduce the need for alternative sites that haven't previously been explored.

Paragraph 116 of the NPPF also states that *"local planning authorities must determine applications on planning grounds only. They should not seek to prevent competition between different operators, question the need for an electronic communications system, or set health safeguards different from the International Commission guidelines for public exposure"*.

The proposals are ICNIRP compliant and certification of this effect is submitted in support of this application.

There are no policies within the London Plan or the Local Plan that refer explicitly to the provision of telecommunications equipment and therefore, the NPPF guidance takes precedence.

In terms of design policies, Local Plan Policy A1 (Managing the impact of development) seeks to ensure that proposals protect the quality of life of occupiers and neighbours. Likewise, Policy D1 seeks to secure high quality design development

that respects local character; preserves or enhances the historic environment; is sustainable; preserved strategic and local views; and carefully integrates building services equipment (*inter alia*).

Although located adjacent to a conservation area, the proposals are modest in nature, will not extend above the existing equipment and are also attached in a similar way. As such, the proposal would not result in any negative impact on the conservation area. The proposals are very similar to the Extant Consent (in terms of scale and positioning on the building) for which the officers confirmed:

"They are relatively small and unobtrusive and given their height, they would be mostly hidden from views from the public realm close to the building and are considered small enough to not be harmful in long views. As such they are not considered harmful to the character or appearance of the host building or the street scene."

In addition to the above, the proposal would not result in any material harm to any neighbouring occupiers by the way of loss of light, overshadowing, loss of outlook or noise and disturbance. This was also explored as part of the Extant Consent for which officers confirmed:

"Due to their size and location, no harm would be caused to the amenity of any adjoining residential occupiers in terms of loss of light, outlook, enclosure or privacy."

Having regard to the above, the proposals would accord with policies A1 and D1 of the Local Plan, which was also concluded by officers for the Extant Consent.

Conclusions

The policies of the development plan and material considerations including the National Planning Policy Framework (NPPF) have been considered in the formulation of this proposal. The NPPF is clear that high-quality and high speed telecommunications equipment is vital to the continued economic success of the country.

The proposal seeks the provision of four dishes at roof level, as well as an equipment cabinet. The proposal is similar to the Extant Consent.

The proposal does not result in any negative impact on the adjacent conservation area or the amenity of the residential units that form part of or sit adjacent to the Site. This was acknowledged by Camden Officers within the Extant Consent.

Therefore, since the proposal accords with the policies of the development plan, we respectfully ask that permission is granted without delay to facilitate its delivery.

Administrative Matters

Under the provisions of the Town and Country Planning (Development Management Procedure) (England) Order 2015 a design and access statement is not required for this application.

The application fee of **£234.00** has been calculated in accordance with The Town and Country Planning (Fees for Applications Deemed. Applications, Requests and Site Visits) (England) Regulations 2012 and has been paid via the Planning Portal.

To allow the Council to consider this application, the following plans and information are submitted alongside this supporting statement:



- Site Location Plans (ref. 101 REV 1);
- Existing Site Plan – Roof Level (ref. 102 REV 1);
- Existing Site Elevation – North Facing (ref. 103 REV 1);
- Proposed Site Elevation East Facing (ref. 104 REV 1);
- Proposed Site Elevation West Facing (ref. 105 REV 1);
- Proposed Site Plan – Roof Level (ref. 106 REV 1);
- Proposed Site Elevation North Facing (ref. 107 REV 1);
- Proposed Site Elevation East Facing (ref. 108 REV 1);
- Proposed Site Elevation West Facing (ref. 109 REV 1);
- Existing Roof Level Elevations (ref. 110 REV 1);
- Proposed Roof Level Elevations (ref. 111 REV 1); and
- ICNIRP Certification.

We trust that the enclosed is sufficient for you to be able to register and validate the application. Should you wish to discuss the enclosed in further detail or require any additional information, please do not hesitate to contact Jon Bradburn (020 7312 7452 / jon.bradburn@montagu-evans.co.uk) or James Ainsworth (020 3962 6456 / james.ainsworth@montagu-evans.co.uk) at this office.

Yours sincerely,



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