Delegated Report	Analysis sheet	Expiry Date:	03/05/2021
	N/A	Consultation Expiry Date:	09/05/2021

Officer	Application Number(s)
Tony Young	2021/1042/P
Application Address	**Drawing Numbers**
Portland Court 38 Belsize Park London NW3 4ED	Refer to draft decision notice

PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature

Proposal(s)

Upgrade of existing telecommunications equipment at roof level to facilitate 5G coverage, involving the replacement of 6 x antennas with 6 x new antennas within 3 x enlarged GRP shrouds (replica chimney stacks), installation of 2 x new cabinets, 15 x RRHs (remote radio heads), and ancillary works.

Recommendation(s):	**Refuse planning permission**
Application Type:	**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	**0**	No. of objections	**1**
	Site notices (x2) were displayed from 14/04/2021 to 08/05/2021 A press notice was published from 15/04/2021 to 09/05/2021					
Summary of consultation responses from local residents, CAAC/local groups, etc	**The Belsize Conservation Area Advisory Committee** responded to the proposal, objecting as follows: 1. *"Object to increased height of all proposed roof elements which are a visual, unsightly intrusion to the surrounding area."* **Officer response:** 1. *See assessment in Sections 3 and 4 below*.					

Site Description

The application site, Portland Court, is a 5-storey residential building located on the west side of Belsize Park, close to the junctions with Buckland Crescent and Lancaster Crescent. The surrounding area is mainly residential in character.

The application site is located within the Belsize Conservation Area. Portland Court is not identified in the Belsize Conservation Area Statement (adopted in November 2002) as making either a positive or negative contribution to the conservation area.

Relevant History

2019/3595/P - Replacement of cabinet and ancillary development to roof level of building. Prior approval given 11/09/2019

2015/3776/P - Installation of 6 x multiband antennas enclosed within 3x replica chimney stacks to the plant room and 4x radio equipment cabinet on the roof. Planning permission granted 13/01/2016

2015/0468/P - Installation of 1 x SAMO equipment cabinet to the rooftop of a residential block. Prior approval given 16/03/2015

2012/2343/P - Installation of antennas with 2 x GRP replica chimney stacks and associated equipment including an equipment cabinet and handrails at roof level. Planning permission granted 28/08/2012

2011/1041/P - Installation of 3 x antennas, 2 x equipment cabinet and ancillary equipment to roof level of flats (Class C3). Planning permission granted 10/01/2012

2004/3594/P - The erection of two 2.5m high GRP fake chimney stacks, containing 3 telecommunications antennae, and 2 associated equipment cabinets on the roof. Planning permission granted 19/11/2004

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
D1 - Design
D2 - Heritage
E1 - Economic development

Camden Planning Guidance
CPG Design (January 2021) - chapters 1 (Introduction), 2 (Design excellence), 3 (Heritage), 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)

Belsize Conservation Area Statement (adopted in November 2002)

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

Assessment

1. Proposal

1.1 Planning permission is sought to install telecommunications equipment on the rooftop of the host building, comprising the replacement of 6 x antennas with 6 x new antennas within 3 x enlarged GRP shrouds (glass-reinforced plastic), installation of 2 x new cabinets, 15 x RRHs (remote radio heads), and ancillary works. The proposal would provide improved connectivity and network enhancement,

including 5G coverage, to the surrounding area on behalf of established electronic communications operators, Telefonica and Vodafone.

1.2 The roof area of the host building consists of a main flat roof space measuring 14.6m in height above ground level and a plant room positioned centrally with flat roof areas measuring 17.10m and 18m in height above ground level (see Images 1 and 2 below). A roof parapet rises 0.7m above the main roof level and 2 chimney stacks rise to a height of 19m above ground level. These are the highest elements at roof level along with existing telecommunications equipment which also rise to the same height (19m above ground level).

1.3 The supplementary information provided indicates that the existing telecommunications equipment consists of 6 x antennas behind GRP screens and 3 x cabinets with associated ancillary equipment at rooftop level (and an existing meter cabinet at ground level). There are also a number of television aerials at roof level.

1.4 The 6 x proposed antennas would be mounted in pairs on steel support poles behind GRP screening in 3 locations towards the centre of the main roof (sectors S1, S2 and S3). The tops of the antennas in sectors S1 (east facing), S2 (south facing) and S3 (west facing) are shown on the drawings as proposed to increase in height by a further 1.25m, 1.55m and 1.85m respectively above the height of existing antennas and chimney stacks; 2.25m, 2.55m and 2.85m respectively above the height of the central plant room; and 5.65m, 5.95m and 6.25m respectively above the height of the main roof.

1.5 The most visible elements are the proposed GRP screens given that all proposed antennas would be housed inside them. These would add between 0.65m to 0.85m in additional height above the tops of the proposed antennas (resulting in an approximate total increase in height above existing equipment of 2.1m, 2.2m and 2.7m in sectors S1, S2 and S3 respectively) and between 0.4m and 0.6m in increased width as compared to existing GRP screening.

1.6 The supplementary information provided indicates that 2 x new equipment cabinets are also proposed at roof level (measuring 0.864m (wide) x 0.66m (deep) x 1.77m (high) and 0.6m x 0.6m x 1.98m respectively). Several RRH units, demarcation chains and other ancillary works are also proposed at roof level..

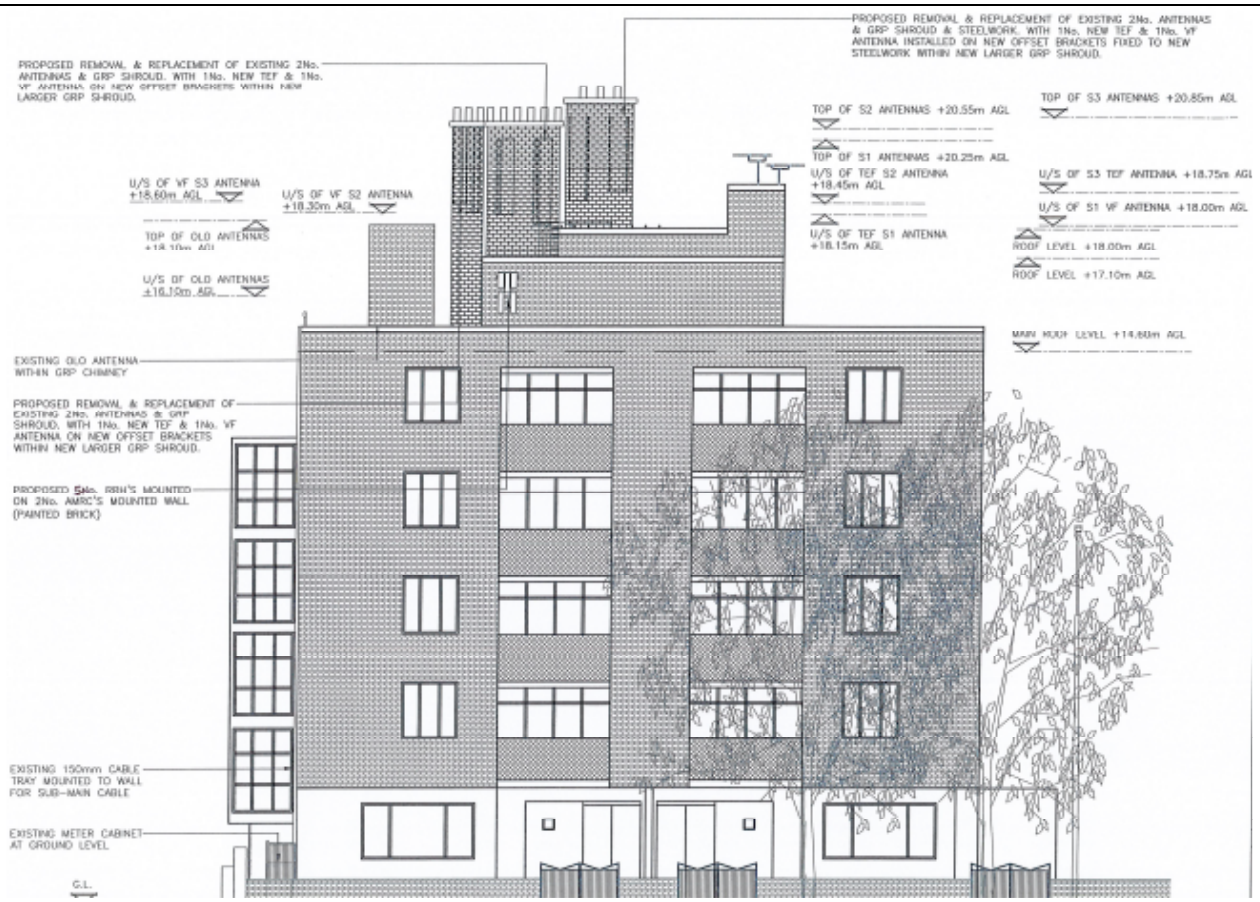

Image 1 – proposed east (front) elevation A (*extract from drawing number 302-A issue A)*

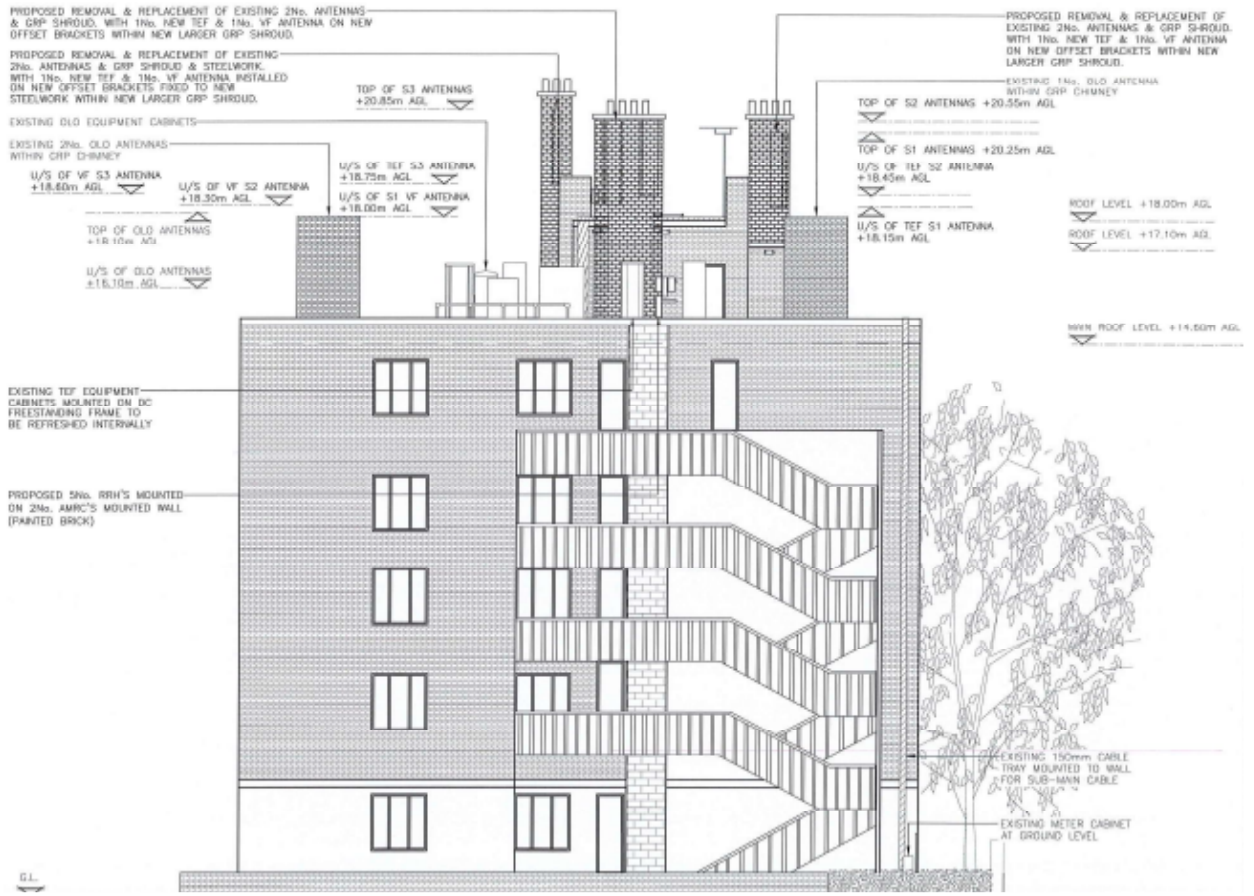

Image 2 – proposed south (side) elevation B (*extract from drawing number 303-A issue A)*

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. The applicant states that the

replacement antenna apertures have been kept as low in height as possible so as to avoid the radio signal being clipped by the roof-edges. The applicant considers that the development would not appear excessive due to the proposed GRP screening provided, but rather, would achieve a balance between meeting the technical requirement and avoiding harm to heritage assets or the surrounding conservation area.

2. Assessment

2.1 The principal 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, streetscene and Belsize Conservation Area; and
- the impact of the proposal on neighbouring amenity.

3. Design and heritage

3.1 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."*

3.2 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. The Belsize Conservation Area Statement (adopted November 2002) 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.*"

3.3 Policies D1 and D2 are supported by 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 conservation areas should include the visual impact of building services equipment on the host building within this context.

3.4 The National Planning Policy Framework **(**NPPF) in Paragraph 113 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.

3.5 The host building, Portland Court, is a 5-storey residential apartment block with a main flat roof area and a centrally positioned plant room (see Image 3 below). The surrounding area is mainly residential in character and forms part of the Belsize Conservation Area. The building is positioned in a prominent location on the west side of Belsize Park and close to the junctions with Buckland Crescent and Lancaster Crescent. The concern with the proposal is primarily due to the design, number, height and location of the proposed antennas (within GRP shrouds) within this context as they would appear highly noticeable against the skyline and clearly visible from public views.

Image 3 – *aerial view showing Portland Court and the surrounding area*

3.6 The existing telecommunications equipment located on the rooftop is shown in Image 4 below. The existing antennas and GRP screens that are proposed to be replaced are identified in red (sectors S1, S2 and S3).

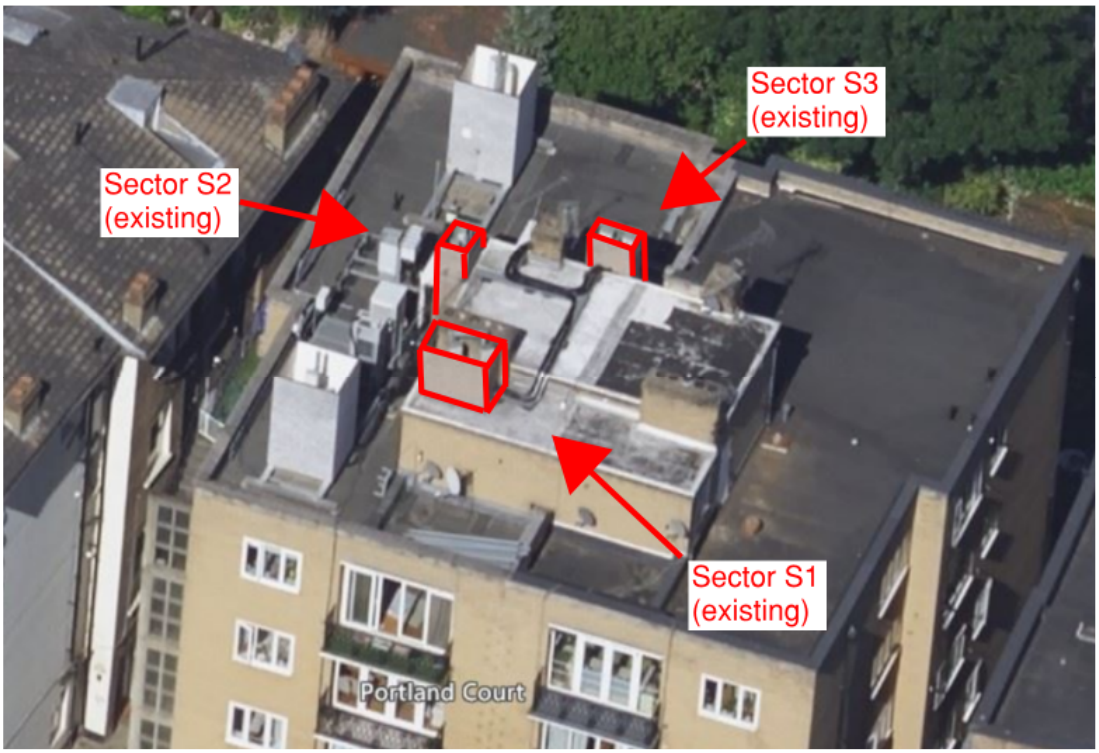

Image 4 – *aerial view showing roof area of Portland Court and existing antennas*

3.7 The proposals would upgrade and replace existing antennas and GRP shrouds approved in 2016 (2015/3776/P) with antennas and GRP shrouds larger in size in both height and width. It is noted that the existing antennas and shrouds were approved following the receipt of revised proposals that reduced the height of the equipment to ensure they would be no higher than the top of existing chimney stacks located at roof level. It is now possible to see the impact of the approved proposal and the replica chimney shrouds in situ, which even in their revised form are very noticeable, especially from views at the front of the property (see Images 5 and 6 below). Any anticipated benefit from the shrouds in screening the existing antennas is reduced by the fact that the shrouds

do not closely match the appearance of existing brickwork at the building nor replicate the appearance of chimney stacks as intended, but rather, appear as solid, conspicuous structures.

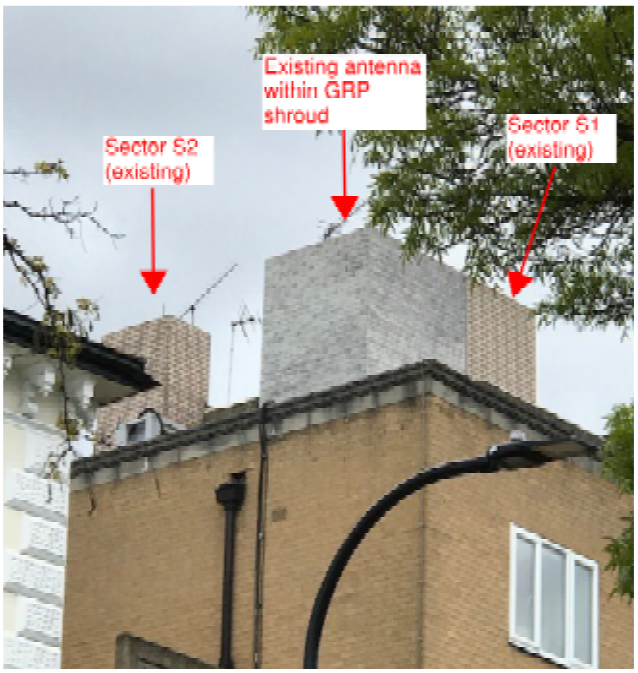

Image 5 – *view of Portland Court from east*

Image 6 – *view of Portland Court from south-east*

3.8 While it is not uncommon for electronic communications equipment to be located appropriately on the rooftops of residential blocks, in this particular case, the proposals would add significant additional height above the existing tops of equipment and shrouds already in situ which were themselves viewed as being at their maximum height possible in the previous application approved in 2016.

3.9 Given the measurements as noted in Paragraphs 1.4 and 1.5 above, the 6 x proposed antennas mounted on steel support poles would add conspicuous visual clutter if left unscreened by virtue of the additional height introduced at roof level in all sectors (S1, S2 and S3). Significantly, the additional height would mean that the tops of all proposed antennas would rise above the highest part of the roof profile (the existing chimney stacks) and exceed this height by 1.25m in sector S1, 1.55m in sector S2 and 1.85m in sector S3 respectively.

3.10 The proposals relies on the use of GRP shrouds to enclose the antennas in the 3 sectors on the roof and so appear as chimney stacks. However, the shrouds would involve the introduction of even more visible and prominent elements at roof level given the additional height and width required for the shrouds in an attempt to conceal the proposed taller antennas. The submitted drawings indicate that the shrouds would add a further 0.65m to 0.85m approximately in additional height above the tops of the proposed antennas (resulting in an approximate total increase in height above existing equipment of 2.1m, 2.2m and 2.7m in sectors S1, S2 and S3 respectively) and between 0.4m and 0.6m in increased width as compared to existing GRP screening.

3.11 As a consequence, the proposed equipment, even when taking into account any benefit that the shrouds are intended to provide in terms of screening the proposed equipment, would worsen the existing appearance of the building, and add conspicuous and noticeable additional clutter to the rooftop, particularly given the proposed increase in height and width. Moreover, any benefit that the proposed GRP shrouds are intended to provide through screening would be significantly reduced due to their solid and bulky appearance above the highest part of the existing roof level, even when any nearby street trees are in leaf.

3.12 As such, the proposed taller shrouded antennas would not blend in with the current roofline, but rather, would appear as excessively tall and substantial structures, significantly more visible and prominent against the skyline than existing shrouded equipment, especially in sectors S1 and

S2 where they would be plainly visible above the existing rooftop profile of Portland Court, and also when compared with adjacent neighbouring rooftops which appear relatively uncluttered.

3.13 There is also an additional concern as evidenced by previous planning approvals at the host property for GRP shrouds in situ at roof level which have resulted in a mismatch of finishes and appearances at odds with the external appearance of the building. Any anticipated screening benefit from the proposed shrouds would be further reduced under similar circumstances.

3.14 Though the host building is not identified as making either a positive or negative contribution to the local area in the Belsize Conservation Statement, it is nevertheless located within a designated conservation area, Belsize, which is a heritage asset. In this regard, the 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.*" As such, the proposed antennas and GRP shrouds, by virtue of their excessive size and scale, as well as, their prominent siting and number, would appear particularly overbearing and discordant, and as such, would significantly degrade the visual amenity of the host property, wider streetscene and Belsize Conservation Area through the unacceptable harm caused to their character, appearance and setting.

3.15 In regard to the other proposed works at roof level, including the siting of 2 x new equipment cabinets, low level RRH units, demarcation chains, and ancillary works, it is considered that these would not cause any significant harm in visibility terms, due to their size and siting, under different circumstances where an approval might be possible.

4. Planning balance

4.1 Considerable importance and weight has been attached to the desirability of preserving or enhancing the character or appearance of Belsize 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.

4.2 Local Plan Policies D1 and D2, consistent with Chapter 16 (Conserving and enhancing the historic environment) of the NPPF, seek to preserve and enhance designated heritage assets. The 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*."

4.3 Given the assessment as outlined above in Section 3 (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, streetscene and Belsize Conservation Area.

5G system and public benefit

4.4 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.

4.5 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.

4.6 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

4.7 It is clear from both CPG Digital Infrastructure guidance and Paragraph 113 of the NPPF that the number of radio and electronic communications masts and sites should be kept to a minimum, and that use of existing masts, buildings and other structures for new electronic communications capability are encouraged.

4.8 While the proposal is for works at an established telecommunications site, the supporting documents state that the applicant has examined its portfolio of sites in this region and determined that there are no alternatives in the area which can be upgraded to meet the specific technical requirement. However, no details have been provided in regard to where these alternative sites are located, no reasoning put forward for discounting these alternative sites, nor any evidence submitted in support of the applicant's claim that the alternative locations are unsuitable. Furthermore, no specific information has been provided as to the merits or otherwise of the application site for further development in comparison with any of the alternative sites that have been discounted. It is therefore considered that insufficient justification has been provided in support of the assertion made by the applicant that the application site is the only feasible option.

4.9 As a consequence, 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, wider streetscene and Belsize Conservation Area.

4.10 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 proposal is also contrary to policies D1 and D2 of the Local Plan and considered to be unacceptable in terms of its design, appearance and location.

5. Supplementary information

5.1 Chapter 10 (Supporting high quality communications) of the NPPF in Paragraph 115 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.*

5.2 The applicant has provided supplementary information that confirms the following were notified at pre-application stage: the nearest schools or non-domestic childcare institutions (Hall School, South Hampstead High School, North Bridge Nursery, Keren's Nursery, Perform, Active Day Camps and Oliver's Montessori Nursery); Frognal & Fitzjohns and Belsize Ward Councillors; Local MP (Tulip Siddiq); and 109 selected residential properties on Belsize Park. 2 responses were received from local councillors in regard to the health impacts of 5G. The applicant also

states that pre-application consultation correspondence was sent to the Council on 03/03/2020; however, the Council has no record of receiving any correspondence.

5.3 The supplementary information confirms that the application site is not located within 3km of an aerodrome or airfield, and that the Civil Aviation Authority and Secretary of State have not been notified.

Public health

5.4 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.

5.5 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.

5.6 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.

6. Amenity

6.1 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.

6.2 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 could be 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 5.4 to 5.6 above in regard to public health matters.

6.3 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.

7. Conclusion

7.1 The proposal would fail to accord with policies D1 and D2 of the Camden Local Plan 2017, 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, wider streetscene and the Belsize Conservation Area. The proposal is not considered to have any adverse impact on residential amenity or public safety issues for any neighbouring residential occupiers.

8. Recommendation

8.1 It is therefore recommended, on balance, that planning permission be refused for the following reason:

8.2 The proposed electronic communications 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, wider streetscene and the Belsize Conservation Area, contrary to policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017.