

Delegated Report		Analysis sheet	Expiry Date:	30/07/2020
		N/A	Consultation Expiry Date:	03/08/2020
Officer			Application Number(s)	
Matthew Dempsey			2020/2469/P	
Application Address			Drawing Numbers	
Central Cross 18 – 27 Tottenham Court Road London W1T 1BJ			Please refer to draft decision notice.	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Installation of 12x antenna apertures and 8x equipment cabinets with GRP screens surround at roof level, with 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:	No. of responses	03	No. of objections	03
Summary of consultation responses:	<p>Site notices were displayed from 10/07/2020, which expired 03/08/2020.</p> <p>One objection was received from representative of the host building owner (Cell:CM Ltd on behalf of Derwent London). Their concerns can be summarised as follows:</p> <ul style="list-style-type: none">• Lack of notification/ consultation.• Impact on residential occupiers.• Impact on amenity of existing roof terrace.• Impact on the potential for future site development.• Overall massing of the installation and impact on local views.• Visually intrusive design and roof top clutter.• ICNIRP exclusion zones. <p>One objection was received from a local resident. Their concerns can be summarised as follows:</p> <ul style="list-style-type: none">• Lack of consultation.• Health concerns about 5G technology.			
Local groups comments:	<p>The Bloomsbury Association objected to the proposal.</p> <p>Their concerns can be summarised as follows:</p> <ul style="list-style-type: none">• Harmful impact on the setting of Grade I listed heritage assets – Bedford Square.• Harmful impact on the Bloomsbury Conservation Area.• Harmful impact on the Fitzrovia neighbourhood.• Visually intrusive poor design.			

Site Description

The host building is a large mixed use mid 20th Century construction fronting on to Tottenham Court Road forming an undercroft through to Stephen Street, also backing on to Gresse Street to the rear south corner.

The building has variations in height which can be broadly understood as two interconnected blocks, one lying horizontally along Tottenham Court Road and another set behind this standing vertically. The horizontal block is taller towards the southern end (approx. 32m) and steps downwards towards the north (approx. 15m). The roof of the vertical block is far higher by comparison (approx. 58m) to the horizontal, and has a distinctive 'V' shape which partly envelops terraces on the roof of the horizontal block.

There are some roof level plant installations in place at the host building mainly to the top of the taller block. The roof of the taller 'V' shaped block has three existing plant rooms in place.

The site is not within a conservation area, however; it is adjacent to the Hanway Street, Charlotte Street and Bloomsbury Conservation Areas. The site is also in close proximity to several listed buildings, of particular note is the Grade I listed properties along Bedford Square, which lies opposite the site to the east.

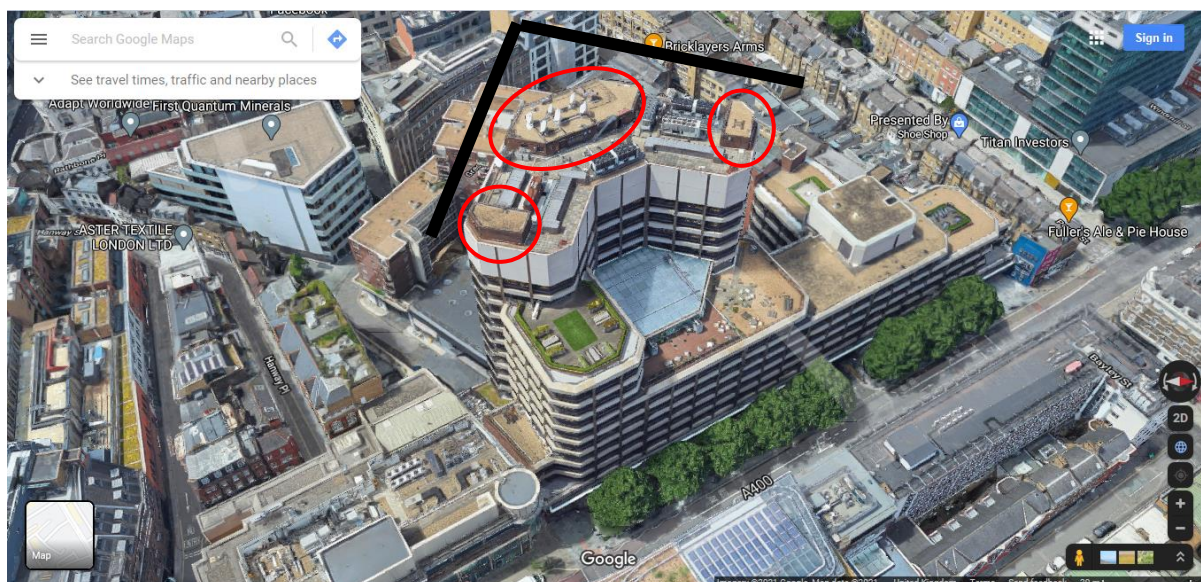


Figure 1: 3D view of site. Please note; 'V' shaped vertical block set behind the horizontal stepped block fronting Tottenham Court Road, with trees lining the pavement in front of this. The three existing plant rooms (circled in red) are visible to the roof of the 'V' shaped block, along with some other low level roof top installations.

Relevant History

Relevant planning history at the application site and neighbouring sites:

2019/6259/P - Central Cross 30 Tottenham Court Road - Installation of 12 antenna apertures, 4 transmission dishes and 8 equipment cabinets with associated works to the roof. **Prior approval required prior approval refused. 04/02/2020.**

2014/6735/P - Central Cross 18-30 Tottenham Court Road, 1 & 2 Stephen Street and 25 Gresse Street - Installation of 3no. plant enclosures at ground, first (including associated green roof) and mezzanine floor levels. **Granted 27/01/2015.**

TP/102852/C/7193 - The redevelopment of Nos. 18-38 Tottenham Court Road, 1-19 Percy Street, 23-28 Rathbone Place, 3-4 and 31 Gresse Street, 6 and 8-12 Stephen Mews, 4-12 and 20 Stephen

Street and 5, 6-12 and 16-19 Tudor Place, St. Pancras, by the erection of buildings for use as shops, offices, residential flats, showrooms, commercial premises, consulting room and a cinema, generally as indicated on the plans submitted. **Granted 04/12/1963.**

Relevant policies

National Planning Policy Framework (NPPF) 2019

London Plan 2021

Camden Local Plan 2017

A1 Managing the impact of development

D1 Design

D2 Heritage

Camden Planning Guidance

CPG Amenity (2018)

CPG Design (2019)

CPG Digital Infrastructure (2018)

Bloomsbury Conservation Area appraisal and management strategy (2011)

Hanway Street Conservation Area appraisal and management strategy (2011)

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

Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013

Assessment

1.0 Proposal:

1.1 Planning permission is sought for the installation of telecommunications equipment at roof level of the 'V' shaped block, to facilitate 5G coverage to the area.

1.2 The proposed installations include:

- Twelve antennas,
- Eight equipment cabinets,
- Three separate steelwork frames wrapped by polycarbonate glass reinforced plastic (GRP) screens
- And ancillary development, such as; support structures and cable trays.

2.0 Background:

2.1 A GPDO Prior Approval application (2019/6259/P) for similar proposals was refused on 04/02/2020 for the following reason:

The proposed antennas and associated fixtures, by reason of their scale, height, design and siting, would result in incongruous additions to the building resulting in visually intrusive rooftop clutter, causing harm to the character and appearance of the host building and the surrounding Charlotte Street, Hanway Street and Bloomsbury conservation areas contrary to policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017, and Sections 10 and 16 of the NPPF (2019)

2.2 As part of the cover letter the applicant confirms that the difference between the previously refused proposal and the current application are in relation to the polycarbonate screen proposed around the equipment.

3.0 Assessment:

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

- Design (impact on the character and appearance of the host building, streetscene, conservation area[s], and nearby listed buildings), and;
- Amenity (impact on neighbouring amenity).
- Planning balance

4.0 Design:

4.1 Telecoms installations are proposed to the rooftop of the taller 'V' shaped block, which sits back from Tottenham Court Road (with the horizontal block in front, see site description). The roof level of the host 'V' shaped block is approximately 58m above ground level.

4.2 The building currently benefits from an existing plant room and a structure around it, with an overall height of approximately 58m, as measured from ground level, adding approximately 2.8m to the height of the building. The existing plant room structure is noticeable from street views, however, given other existing installations in place which are mostly hidden behind the parapet, this is not considered to be visually obtrusive.

4.3 The installations would comprise a total of 12 antennas and 8 equipment cabinets clustered within 3 separate steel work structures positioned above the three existing plant rooms, one located towards the middle of the building, and the other two at the edges of the building facing Tottenham Court Road. Each separate structure would be wrapped with a GRP screen, which would be coloured to

match the red/ brown brick walls of the existing plant rooms enclosure. In line with the requirements under paragraph 113 of NPPF, the applicant has considered the use of an existing building which already holds telecommunication equipment. However, the NPPF also requires that the number of radio and electronic communications masts, and the sites for such installations should be kept to a minimum consistent with the needs of consumers. As part of the Supplementary Information Form, the applicant suggests that there is an alternative to the proposals to install a stub tower more centrally on the building. As there has been no pre-application consultation with the Local Planning Authority, this option has not been explored. Based on the information provided and due to the proposed number of antennas and associated equipment, positioned in three different locations across the roof of the building, it considered the proposed telecommunication installation has not been kept to minimum, consistent with the needs of consumers.

4.4 The height of each screened steel work structure would be approximately 64.5m above ground level, adding approximately 6.5m to the height of the building. Although the proposed equipment itself would be shielded from view behind the GRP screening, the proposal would ultimately add three incongruous turrets to the top of the building, in highly visible locations, unsympathetic to the architectural form and character of the building. The sheer volume of additional bulk and height would result in a disproportionate and incongruous addition to the host building. The applicant suggests that the proposed screening is designed so that it resembles the existing rooftop of the host site, and whilst the intentions are welcomed, due to its location and projection, the resulting structures would be overly dominant to the host building and wider area, with particular impact upon the setting of listed buildings in Bedford Square in close proximity, as set out below.

4.5 In terms of nearby context, to the south-east of the application site lies the boundary of the Hanway Street Conservation Area, to the north-east that of Bloomsbury Conservation Area and north-west that of Charlotte Street Conservation Area. There are also a number of Grade I and Grade II listed buildings in close proximity of the site, as well as locally listed building to the rear. These are illustrated in the map below. Planning (Listed Buildings and Conservation Areas) Act 1990 Listed buildings, in considering developments that affect a listed building or its setting, Section 16(2) and 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires that local authorities shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

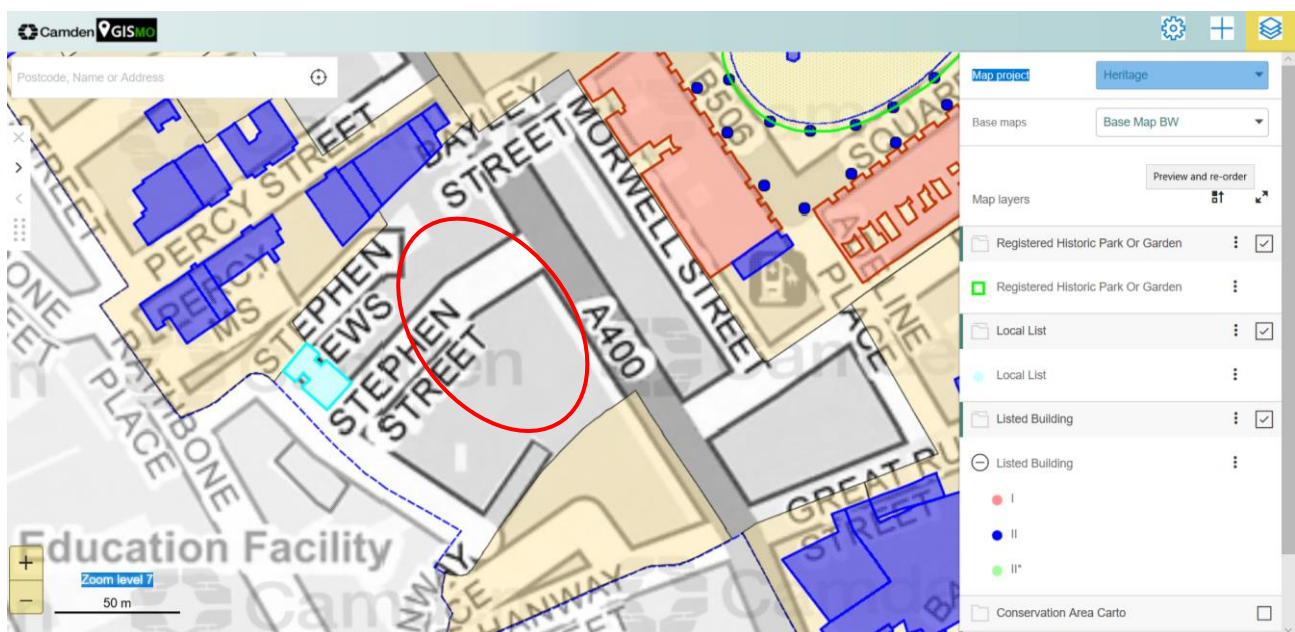


Figure 2: The approximate site location is shown circled in red with the host building facing the A400 (Tottenham Court Road). The Hanway Street Conservation Area is to the South, with the Bloomsbury Conservation Area to North East, Charlotte Street Conservation Area to North West, both highlighted in a Beige colour. The nearby listed Buildings are also apparent; Grade I listed buildings on Bedford Square are highlighted Red, various Grade II listed buildings are shown in Blue, and; the Registered Historic Garden of Bedford Square is highlighted with a Green colour visible to the top right of the image. The Turquoise block to the rear/ west of the site is a locally listed building.

4.6 Bedford Square is a grade II* listed Registered Park and Garden which was built between 1776 and 1780. Bedford Square was the first garden square with an imposed architectural uniformity and remains in a remarkable state of preservation therefore has great significance at local and national level. All the buildings fronting the Square are listed, some of the Grade I and II. Given the close proximity of the listed buildings, careful consideration was given to the impact of the proposal on the setting of these heritage assets. It is noted that views from Bedford Square already include the roofscape of the host site. The applicant's photomontage illustrates through before and after images the significant increase in height of the building subject to the proposed installations. As such, due to the existing height of the building and the additional bulk of the proposed installations, the proposals would appear overbearing and the visual impact is considered to be particularly severe on the setting of Grade I listed buildings as viewed from Bedford Square. The proposals would not preserve the heritage assets nor their setting resulting in less than substantial harm.

4.7 Furthermore, policy D2 states that the Council would resist development outside conservation areas that causes harm to their character or appearance. The application building is visible from various points through the neighbouring conservation areas. The bulk and mass of the proposals would appear overbearing from various points throughout Bloomsbury Conservation Area. Of great importance are views from Bedford Square, as set out above, which would be mostly affected. Furthermore, the north wing of the site is particularly prominent from Whitfield Street in Charlotte Street Conservation Area. The Conservation Area appraisal notes Whitfield Street has a long and relatively narrow width with a notable sense of enclosure. The proposed additional bulk would rise harmfully above the terraced buildings on Hanway Place, part of Hanway Street Conservation Area. When seen from the listed viewpoints as part of the neighbouring conservation areas, the proposals due to their position, scale, bulk, massing and prominence are found to not preserve nor enhance the character and appearance of the conservation areas, as required under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

4.9 Under paragraph 134, the NPPF requires 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 proposals, including securing its optimum viable use. It is identified that the proposals would provide some level of public benefit through the provision of improved telecommunications coverage brought to the local area. The LPA understands the technical needs of 5G and wider advantages such as new technology; however, in this instance, due to its position, scale, bulk, massing and prominence, the telecommunication benefits of the proposed installation would not outweigh the harm to the heritage assets.

4.10 Overall, due to the visual prominence of the installations proposed, and the inappropriateness resulting from the additional bulk and height of the telecommunications equipment and their surrounding structures, the proposals would result in less than substantial harm to the character and appearance of the host building, and neighbouring Hanway Street and Bloomsbury Conservation Areas. Furthermore, the proposed installations, due to their close proximity, bulk, massing and design are considered to result in less than significant harm to the setting of nearby Grade I listed buildings surrounding Bedford Square, and on Bedford Square itself. The harm identified overall would not be outweighed by any public benefits, as explained in the planning balance section below.

5.0 Amenity:

5.1 Policy A1 seeks to protect the quality of life of occupiers by only granting permission for development that would not harm their amenity. The main factors which are considered the impact the amenity of neighbouring residents are overlooking, loss of outlook and sense of enclosure, implications on daylight, sunlight, light pollution and noise.

5.2 Due to the location, position, bulk and scale of the proposals as well as distance from neighbouring buildings, it is unlikely to result in significant harm to the amenity of neighbouring occupiers, in terms of loss of light, privacy, or outlook. In terms of noise impact, there has been no information provided from the applicant in this regard. However, given the nature of the proposals it is

unlikely that harmful noise levels would harm the neighbouring amenity.

5.5 The supporting information for the application also 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 It is noted that consultation responses have been received from local residents objecting to the proposed telecommunications 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.

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 NonIonising 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.

6.0 Planning Balance

6.1 The Council acknowledges the need for greater connectivity with regards to telecommunications networks and that if approved; this scheme would provide some public benefit by increased connectivity in the vicinity of the installation.

6.2 When applying special regard to the statutory requirements imposed by s.66, s.16 and s.72 of Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013 for developments to preserve the listed buildings, their setting and their features of special architectural or historic interest, and the desirability of preserving or enhancing the character or appearance of adjoining conservation areas, it is found that the current proposal by reason of its scale, bulk, massing, design, siting, and prominence, would result in less than substantial harm to the appearance of the host building, the character and appearance of the Bloomsbury and Hanway, Conservation Areas, and to the setting of neighbouring Bedford Square and Grade I listed buildings part of Bedford Square. The council identifies the public benefit of the proposed scheme; however, in this instance this would not outweigh the harm.

5G system and public benefit

6.7 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.

6.8 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.

6.9 The applicant's supplementary information document confirms that though the proposals would require a new standalone facility on the rooftop of an existing building, it argues that the design of the proposed equipment is the least visually intrusive option available and the optimum location in terms of siting and design given the technical constraints of 5G systems as stated above and those of the site itself. There has been no pre-application discuss with the Council to explore all options available.

Supplementary information:

5.2 The NPPF requires applications for telecommunications development to 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.

5.3 The applicant has provided supplementary information confirming that they have not carried out separate pre-application consultation with either; the local planning authority, local schools or ward councillors, however; they do note that consultations were previously undertaken in relation to a recent application (see relevant history section). Although it is acknowledged there was a recent application which may have included some consultation as required by the NPPF, this should not have prevented community engagement for this new application. It is therefore considered that the proposals have not addressed the requirements set out under NPPF in relation to community engagement, and whilst this may not constitute a formal reason for refusal, the Council would expect this matter to be addressed in any subsequent application from the applicant or their agents.

5.4 The site is not located within 3km of an aerodrome or airfield and as such the Civil Aviation Authority and Secretary of State have not been notified. The documentation also indicates that the applicant has identified and undertaken consideration of a number of alternative sites within the locality and that these were not chosen as being suitable for various reasons. As such, the application site was identified as being the most suitable location to fulfil the technical requirements of a new base station

7.0 Conclusion:

7.1 The proposed antenna apertures, equipment cabinets and GRP screens surround by reason of their number scale, massing, design, siting, and prominence, would result in visual clutter which would cause harm to the character and appearance of the host property, the setting of neighbouring Grade I listed buildings fronting Bedford Square, local views from the adjacent Hanway Street, and Bloomsbury Conservation Areas contrary to policy D1 (Design) and D2 (Heritage) of the Camden Local Plan and National Planning Policy Framework 2019.

7.2 Refuse planning permission.