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11 October 2021

Our ref: GAO/RPR/HJH/U0017561

Dear Ms Baptist,

Planning Application reference: 2021/3606/P
International Hall, Brunswick Square, London WC1N 1AX
Letter of Objection

We write on behalf of our client, University of London, to submit a formal objection to the application for planning permission ref. 2021/3606/P for the proposed installation of new telecommunications equipment on the roof of International Hall ('The Site'). In full, planning permission is sought for the following:

"Proposed telecommunications upgrade to include the replacement of 3 existing antennas with 6 new antennas, installation of 4 x 600mm dishes, upgrade of existing internal equipment and ancillary works."

The University have instructed a telecommunications expert John Goodacre of Hub Telecoms to review the planning application and he has raised a number of technical concerns in relation to the supporting documents and drawings that have been submitted with this application.

In addition to these technical concerns, we consider that the proposals do not accord with the design, heritage and townscape policies set out in the Camden's Local Plan (2017). In summary we object to this planning application the following grounds:

- The proposals constitute visual clutter that will have a detrimental impact on the setting of adjacent listed buildings and the wider Bloomsbury Conservation Area; and
- The proposals fail to comply with Paragraph 117 (c) of the National Planning Policy Framework (NPPF) and The Electronic Communications Code (Conditions and Restrictions) Regulations (2003);

Site and Surroundings

International Hall is not a statutory listed building; however, the Site does fall within the Bloomsbury Conservation Area. There are also several listed building that are situated very close to the Site. Nos 89-92 Guilford Street and Nos 1-4 Lansdowne Terrace are all Grade II listed buildings and are located immediately adjacent to International Hall.

Immediately to the north of the Site lies Brunswick Square Gardens which, along with the adjacent

Coram's Fields and Mecklenburgh Square Gardens, form a Grade II listed park and garden. To the west lies 1-187A O'Donnell Court and 1-212A Foundling Court which are also Grade II listed buildings.

The Installation of Visual Clutter

The existing Mobile Broadband Network Limited (MBNL) antennas located at the western end of the building, facing Downing Court, are currently situated on the lower roof next to the operator's cabin. As such, they are below the height of the plant room roof level and are therefore less visible from Brunswick Square. The additional existing sectors are located at the eastern end of the building extending just over 1m above the line of the central plant room roofline. One of these sectors is not visible from Brunswick Square due to its location on the adjacent side of the structure.

This application comprises the removal of 3 existing antennas to be replaced by 6 new antennas and the installation of 4 600mm satellite dishes to be located on the eastern and western sides of the roof of International Hall. It is proposed that the new antennas will be sat upon support poles that will result in the height of the new antennas being 6.61m higher than the plant room roof level, 9.1m higher than the main roof level and 5.51m higher than the top of the existing Telefonica and Vodafone antennas.

From our review of the application drawings and photomontage pack that were submitted by the Applicant, we consider that that these additions will deliver ad hoc elements that will constitute visual clutter and therefore not comply with the Camden Local Plan.

Policy D1 of Camden's Local Plan (2017) relates to ensuring that good design is at the heart of the Borough's places, buildings, and spaces. It is stated that Camden will require development to respect the local context by considering the character, setting, context and the form and scale of neighboring buildings. The Council will also seek to protect locally important views that contribute to the interest and character of the Borough, which include views into and from conservation areas and views of listed and landmark building, monuments, and statues.

The roof line of International Hall is visible in several views from the surrounding streets, so the ad hoc extensions proposed will protrude above the existing roof forms, further emphasizing the existing cluttered roofscape, creating insensitive and intrusive development, that is unsightly in these views, particularly within the setting of Bloomsbury Conservation Area and surrounding listed buildings. This application is therefore contrary to the criteria set out in Camden Local Plan Policy D1.

Policy D2 of Camden's Local Plan (2017) aims to preserve and enhance the Borough's rich and diverse heritage assets and their settings which include conservation areas, listed buildings, historic parks and hardens and locally listed heritage assets. Part (e) of Policy D2 notes that it is required that development within conservation areas preserves or were possible, enhances the character or appearance of the area. Part (h) also states that the Council will look to preserve trees and garden spaces which contribute to the character and appearance of a conservation area, or which provide a setting for Camden's architectural heritage. Part (k) continues by adding that the Council will resist development that would cause harm to the significance of a listed building through an effect on its setting.

As noted, International Hall is located within the Bloomsbury Conservation Area and there are several listed buildings and parks and gardens in the surrounding area to the building. It is our view that the visual clutter resulting from the implementation of new antennas and satellite dishes will have a detrimental impact on the settings of the conservation area, listed buildings and listed parks and gardens, and therefore contrary to Camden Local Plan Policy D2.

Failure to comply with National Planning Legislation

Upon review of the submitted proposals for International Hall, we consider that the development does not comply with the National Planning Policy Framework (NPPF) (2021) legislation that relates to electronic communications development, as well as The Electronic Communications Code (Conditions and Restrictions) Regulations 2003.

Paragraph 117 of the NPPF (2021) states that:

“Applications for electronic communications development (including applications for prior approval under the General Permitted Development Order) 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.*

Paragraph 118 of the NPPF (2021) 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.”

Paragraph 3 (3) (b) of the Electronic Communications Code (Conditions and Restrictions) Regulations (2003) states that:

“A code operator, when installing any electronic communications apparatus, shall, so far as reasonably practicable, minimise:

- (a) the impact on the visual amenity of properties, in particular buildings on the statutory list of buildings;*
- (b) any potential hazards posed by work carried out in installing the apparatus or by apparatus once installed; and*
- (c) interference with traffic.*

John Goodacre has highlighted that in the apparent absence of any consultation with the tenants and residents of Downing Court or any other evidence to establish that the roof terrace is not a space accessible to them or to members of the public, the Applicant and MBNL may have failed to identify the risk that the design would import to the occupiers of the residents living in Downing Court. The drawings submitted as part of the application clearly show the exclusion zone extending from the antennas and covering a substantial area of the roof terrace of Downing Court (please refer to planning

drawing no. 719816_CMN038_98466_WC0034_M006: Issue F).

It is clear from the proposals that the operator has recognised that due to the increased size and the extent of the health and safety exclusion zones that are to be created by 5G technologies, there is a requirement for the antennas to be moved more centrally and away from the front of elevation of Downing Court. However, due to this more central location, it was necessary for the height of the antennas to be increased to prevent the exclusion zones both entering the student rooms located immediately below the roof of International Hall as well as into the top floor apartments of Downing Court.

However, even with the relocation away from Downing Court and the substantial increase in height of the antenna, the operator has still created an exclusion zone across the roof terrace of Downing Court inside which members of the public cannot enter. If residents do have access to the roof, then this would be in contravention of Paragraph 118 of NPPF as detailed above which state that schemes must be in accordance with health safeguards from the International Commission guidelines for public exposure.

It is worth noting that Paragraph 118 of the NPPF (2021) notes that Local Planning Authorities must determine applications on planning grounds only and not set health safeguards different from the International Commission guidelines for public exposure. The definition of the 'general public' by the International Commission on Non-Ionising Radiation Protection (ICNIRP) includes employees who may be pregnant and others who may not have the same health status as workers that are trained radio-frequency awareness and trained to recognise the effects of over-exposure to electro-magnetic frequencies (EMF).

We are unaware of any checks having been conducted by the operator to establish whether the general public will have access to the roof terrace of Downing Court, including pregnant workers. If there is no evidence of such compliance, then we respectfully suggest that any certificate submitted to the planning authority claiming compliance with ICNIRP guidelines must be invalid and that evidence of compliance with the International Commission guidelines should be provided by the Applicant.

You will understand that the University also shares a duty of care and could be seen to be jointly and severally liable for any harm to health befalling occupiers of and visitors to Downing Court and that any indemnity provided by the operator to the University would be invalid as such matters are dealt with by the HSE through the criminal courts. It is not possible to indemnify against criminal actions.

We therefore consider that the development proposals are contrary to national planning policy, as set out in the NPPF (2021) and the Electronic Communications Code (Conditions and Restrictions) Regulations (2003).

We would be happy to provide further elaboration on any of the technical aspects of our objection if that would be of assistance to Officers.

For the reasons set out above, we consider that this planning application is contrary to planning policies set out both nationally through the NPPF (2021) and locally through Camden's Local Plan (2017). The submission also provides insufficient information that demonstrates accordance with the necessary health and safety regulations and there appears to have been a failure to fully consult on neighbouring residents. We therefore believe that this application should be recommended for refusal.

We trust that our letter will be formally registered as an objection to this application and look forward to receiving confirmation of receipt.

Yours faithfully,



Gerald Eve LLP