

Delegated Report (Refusal)		Analysis sheet		Expiry Date:	
				Consultation Expiry Date:	31/10/21
Officer			Application Number(s)		
Ewan Campbell					
Application Address			Drawing Numbers		
Central Cross Tottenham Court Road London W1T 1BJ			Please refer to decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Installation of 12 no. antenna apertures, 4 no. transmission dishes and 7 no. equipment cabinets on the roof of the building and development ancillary thereto.					
Recommendation(s):		Prior Approval Required – Approval Refused			
Application Type:		GDPO Prior Approval Determination			
Conditions or Reasons for Refusal:		Refer to Decision Notice			
Informatives:					
Consultations					
		No. of responses	02	No. of objections	02
Summary of Consultation responses		<p>A Site Notice was displayed from 06/10/21 and expired on 30/10/21</p> <p>Two responses were received. Concerns include:</p> <ul style="list-style-type: none"> • Damaging affect on setting of Grade I listed buildings in Bedford Square • Impact on siting and appearance • Not consulted prior to any applications being submitted • ICNIRP issues • May stunt potential future development in area 			
CAAC/Local Groups		<p>The Bloomsbury CAAC objected to the Prior Approval application. Concerns include:</p> <ul style="list-style-type: none"> • Central Cross already detracts from setting of Bedford Square and 			

The structures of the aerial array proposed on the roof of the building will make things worse and will be dominant in views from the southern and eastern sides of the Square

- Characteristics are not compatible with current policies which seeks to safeguard heritage assets
- Size, design, height and prominence would be detrimental to the appearance of host building, character and appearance of Bloomsbury and Hanway Street Conservation Areas

Site Description

Central Cross is a large, purpose-built commercial building ranging in height from 12 storeys to 4, located on the west side of Tottenham Court Road.

The site adjoins the Hanway Street and Charlotte Street conservation areas and sits adjacent to Bloomsbury Conservation Area, to the north east.

Central Cross adjoins a number of listed buildings on Percy Street. The roof does not at present have telecommunications equipment and its roofscape is uncluttered other than a simple metal perimeter rail.

Relevant History

Relevant planning records at the application site:

2019/6259/P - Installation of 12 antenna apertures, 4 transmission dishes and 8 equipment cabinets with associated works to the roof – GDPO Prior Approval Determination – Prior Approval Required – Approval Refused (04/02/20)

2020/2469/P - Installation of 12x antenna apertures and 8x equipment cabinets with GRP screens surround at roof level, with ancillary works – Full Planning Permission – Refused (01/04/21)

National Planning Policy Framework 2021

The London Plan 2021

Camden Local Plan 2017

Policy A1 Managing the impact of development

Policy D1 Design

Policy D2 Heritage

Camden Planning Guidance (CPG)

CPG Design (January 2021)

CPG Amentiy (March 2018)

CPG Digital Infrastructure (2018)

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

Assessment

1 PROPOSAL

- 1.1 The application has been submitted under Part 16 of schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order (GPDO) 2015 (as amended). The GPDO sets out the details in regard to the type of development for which planning permission is 'deemed' to be granted, more commonly known as 'permitted development'. Under part 16 condition A3 (3) of the GPDO, before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the siting and appearance of the development.
- 1.2 The proposal lists the development as the installation as 12 antenna apertures, 4 transmission dishes and 7 equipment cabinets with associated works to the roof. All equipment would be sited on the tallest part of Central Cross, understood to be 12th floor level.
- 1.3 The antennas proposed would be in three different locations on the roof. To the south, east and north of the building the antennas would have approximate dimensions of 58.2m in height above ground level.
- 1.4 There is existing plant on the roof but the new antennas and associated equipment would be the tallest structures on the building.

2 Applicant Justification

- 2.1 The proposals are intended to upgrade telecommunications equipment in relation to 5G coverage.
- 2.2 The applicants have declared that the proposed equipment would comply with International Commission on Non-Ionizing Radiation Protection (ICNIRP) standards on emission levels in accordance with government guidelines. Members of the public cannot unknowingly access areas close to the antennas where exposure may exceed the guidelines. Therefore, the equipment is not anticipated to have any direct impact on public health.
- 2.3 There would be no materially harmful impacts on residential amenity in terms of loss of light or outlook.

3 Insufficient information

- 3.1 The plans themselves remain significantly unclear and do not provide enough information for the Council to make a full assessment. The proposed antennas are located on various parts of the building on multiple sides; however, only one elevation has been provided. Furthermore, the submitted elevation does not adequately show the proposals. Officers contacted the planning agent requesting further information but it was confirmed this could not be provided within the statutory determination time. The proposals have therefore been assessed based on the poor quality of information given.

4 Siting and Appearance

- 4.1 Policy D1 of the Camden Local Plan seeks to secure high quality design in development; specifically requiring development to respect local context and character; preserve or enhance the historic environment and heritage assets in accordance with Policy D2; and preserve strategic and local views. Policy D2 states that the council will seek to protect heritage assets and non-designated heritage assets. Policies D1 and D2 are supported by the Council's Design CPG and Digital Infrastructure CPG
- 4.2 Local Plan Policy D2 (Heritage) states that the Council will resist development outside of a conservation area that causes harm to the character or appearance of that conservation area.

The Council will also resist development that would cause harm to significance of a listed building through an effect on its setting.

- 4.3 The NPPF 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. Where new sites are required (such as for new 5G networks, or for connected transport and smart city applications), equipment should be sympathetically designed and camouflaged where appropriate.
- 4.4 Central Cross is an imposing mid-20th century development which has been refurbished in recent years. The roofline view from street level at present is almost entirely uncluttered, with only the appearance of a perimeter metal rail noted. The roofline is prominent from a number of locations in short in long views. This includes from Tottenham Court Road and beyond.
- 4.5 The proposed elevation indicates 5 large telecoms structures around 4.2m in height above the roof tops. There are an additional two groups of equipment at a height at similar heights.
- 4.6 Central Cross has a distinctive geometric architectural style with long balcony components giving a strong horizontal emphasis. The roofline is characterised by its clean chamfered edges, contributing to its special character. The scale and siting of the proposed equipment would be highly prominent on top of the building, located right on the parapet edge, cluttering the rooftop and compromising the building's visual aesthetic. This is demonstrated by both Figure 1 and Figure 2 taken on Tottenham Court Road (below).



Road)

(Figure 1 (left): Photo showing Central Cross from Tottenham Court



(Figure 2 (left): Photo showing Central Cross from

Tottenham Court Road)

- 4.7 The site sits alongside Hanway Street Conservation Area to the south, Charlotte Street Conservation Area to the north, as well as being in close proximity to Bloomsbury Conservation Area to the north east. The proposed telecommunications equipment would be highly noticeable against the skyline and clearly visible from close and long public views. The antennas would upset the largely uniform and uncluttered roofscape when viewed from within the conservation areas along Tottenham Court Road and Bayley Street. As such the proposal would fail to preserve or enhance the special character of the surrounding conservation areas.
- 4.8 It is accepted that in the previous application 2020/2469/P effort was made to block the views of the apparatus by using a large screen. However, this added additional bulk to a very prominent area of the building and was refused. The current scheme places antenna in significantly more prominent areas of the site, right up against the parapet/edge of the building and in some instances removing existing mansafe railings, resulting in proposals that cause harm to the character and appearance of the building, surrounding area and nearby designated heritage assets.
- 4.9 Furthermore, located directly to the west of the site is Bedford Square (Within Bloomsbury CA). This contains a number of Grade I and Grade II listed buildings and has been described in the Bloomsbury Conservation Area Management Appraisal as:

This sub area is a virtually intact and exemplary piece of late 18th century town planning, consisting of terraced housing built speculatively by a number of different builders to a plan produced by the Bedford Estate... The terrace frontages have a strong uniformity since they are of similar scale and proportion and share neo-classical architectural element.

- 4.10 Figure 3 below demonstrates the overbearing nature that Central Cross Building already has on Bedford Square and how prominent the locations of the proposed antennas would be from views in this part of the conservation area.



Figure 3 (above): image of views of Central Cross from Bedford Square

- 4.11 Additional information was previously requested from the applicant, including a view from Bedford Square in order to show the impact on the main cause for concern (i.e. the Listed Buildings around Bedford Square). Also requested were elevations from around the building to show the proposed installations from each side.

- 4.12 This request has not been followed up. No photomontages views from the square have been provided nor elevations from around the buildings to show the proposed installations from each side.

5 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.

5.3 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.

5.4 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.

5.5 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 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 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.

6.3 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.

6.4 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. Whilst there has been a number of previous applications on

the site, there has been no pre-application discuss with the Council to explore all options available.

7 Conclusion

7.1 Prior Approval Required – Prior Approval refused on grounds of unacceptable siting and appearance with regards to location, scale, height and design