



Appeal Decision

Site Visit made on 26 October 2021

by K Savage BA(Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 December 2021

Appeal Ref: APP/X5210/W/21/3276783

110 High Holborn, Holborn, London WC1V 6EU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant prior approval required under Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO).
 - The appeal is made by Cornerstone and Telefonica UK Ltd against the decision of the Council of the London Borough of Camden.
 - The application Ref 2021/4851/P, dated 20 October 2020, was refused by notice dated 10 December 2020.
 - The development proposed is the installation of 2 no. 3m support poles (33.3m AGL) supporting 2no. antennas and 1no. 5m support pole (33.2m AGL) supporting 1no. antenna, 3no. new cabinets and ancillary works thereto.
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Decision

1. The appeal is allowed and prior approval is granted under the provisions of Article 3(1) and Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the installation of 2 no. 3m support poles (33.3m AGL) supporting 2 no. antennas and 1 no. 5m support pole (33.2m AGL) supporting 1 no. antenna, 3 no. new cabinets and ancillary works thereto, at 110 High Holborn, Holborn, London WC1V 6EU, in accordance with the terms of the application Ref 2020/4851/P, dated 20 October 2020, and the following plans and particulars submitted with it: Site Location Plan 100 A, 200 A, 201 B, 300 A, 301 B, 302 B. Cover Letter (20/10/2020), General Background Information for Telecommunications Development, Site Specific Supplementary Information, Developer Notice (02/11/2020), Declaration of Conformity with ICNIRP Public Exposure Guidelines (20/10/2020), Cornerstone: Health and Mobile Phone Base Stations, Cornerstone: Radio Planning and Propagation (V.4 November 2019).

Main Issue

2. The GPDO sets out that in considering whether to grant prior approval under Schedule 2, Part 16, Class A, the issues to be considered are the siting and appearance of the proposal.
3. The main issue, therefore, is whether the siting and appearance of the proposal would be acceptable, having particular regard to the effect of the proposal on the heritage significance of the Bloomsbury Conservation Area and nearby listed buildings, through effect on their respective settings.

Reasons

4. The appeal relates to a modern ten storey commercial building with primarily glazed facades on the northern side of High Holborn. The building spans over

the junction with Procter Street with traffic passing underneath, and extends rearward into Procter Street on its western side. The appeal building does not lie within a conservation area, nor is it listed. However, with the exception of buildings fronting Procter Street to the rear, it is largely surrounded by the Bloomsbury Conservation Area (BCA).

5. The Council also refers to several listed buildings in the vicinity of the appeal site. 233 High Holborn directly opposite is an example of the Modern Movement in architecture dating from 1930. 247-252 High Holborn a short distance to the east on the opposite side of the road is a grand Edwardian Baroque composition. 114-115 High Holborn to the west on the same side is a distinctive modified Jacobean style building dating from 1903-04. 2, 4 and 6 Southampton Row, located to the west around the corner, are Grade II* listed, dating from 1901-03 in the 'Wrenaissance' style with Flemish inspired shaped gables and eclectic Baroque and Arts and Crafts details.
6. The Council's Conservation Area Appraisal and Management Strategy (2011) sets out that High Holborn is an important arterial route within the BCA, characterised by a wide roadway lined with large-scale commercial developments giving a strong sense of enclosure. The appeal building, though not within the conservation area itself, nonetheless forms part of the High Holborn street scene, where it reflects the scale of surrounding development and contributes to the recognised sense of enclosure.
7. The proposal would see five antennas installed at roof level. Four would be positioned towards the centre of the Procter Street wing of the building, mounted on two poles, with ancillary equipment cabinets and safety handrail located in the same area. The fifth antenna would be mounted on a pole located on towards the front of the building facing onto High Holborn.
8. The Council's concern, based on its delegated report, relates primarily to the antenna towards the front of the building, in particular that it would add visual clutter to a presently 'clean' roofline. The appellant's proposed plan drawing shows the antenna located immediately behind the front parapet of the building. However, I saw that the building has two parapets visible from street level, a lower one at the top of the main front façade with railings, and a second, slightly recessed parapet above this at the top of the windows to the uppermost floor of the building. The appellant indicates in their Statement of Case that the antenna would in fact be located behind the parapet of a central section of the roof containing plant and machinery which is set further back again from these visible front parapets. Aerial imagery¹ within the appellant's statement suggests this location is set well back from the visible parapet line.
9. However, the image in question is grainy and lacks precision, and does not form part of the plans submitted. The plan drawing does not appear to show the lower parapet levels to the front side of the building. Rather, it shows a single parapet at the front, in line with the front elevations of buildings to either side, with nothing forward of this. Based on this drawing, the antenna would be positioned at the upper parapet visible from the street immediately above the top floor windows. In the absence of a section drawing, I cannot be certain that the antenna would be located in a setback position as suggested by the appellant in their statement of case. Therefore, I have considered the antenna as being located on the uppermost front parapet, as did the Council.

¹ Image 28

10. In this position, the full height of the antenna, at some 3 metres, would be visible above the parapet line from points to the east and west on High Holborn, where it would interrupt the presently clean parapet line. However, whilst visible, it would be a slender object of limited massing that would be modest in scale compared to the size of the host building. It would not be so large or conspicuous that it would detract significantly from the overall design of the building or its contribution to the street scene. It would appear as an ancillary element at roof level, of which there are other visible examples nearby on the roof of Holborn Tower to the west. However, I accept that the loss of the unaltered roofline would detract from the clean lines of the building and would have a limited harmful effect on its overall appearance.
11. In terms of the effect on designated heritage assets, the appeal building, although not meriting inclusion in the BCA, nevertheless forms part of its setting, and the settings of the aforementioned listed buildings, through it forming part of the High Holborn streetscape. As set out, the antenna would have a limited adverse effect on the appearance of the building itself, but it would not be of a scale that would materially alter the overall relationship of the parent building to the adjacent conservation area or listed buildings. It would be noticeable only when intentionally viewing the rooflines of the street, but would generally form an ancillary element offset above the main vistas along High Holborn that would not materially alter the street scene in longer views. Moreover, in this position, it would not intrude harmfully into the principal views of the nearby listed buildings and so would not adversely affect their settings.
12. The other antennas and associated equipment are not considered in detail within the Council's delegated report. They would be located centrally on the roof, in a position where they would not be visible from High Holborn due to the intervening presence of neighbouring roofs and chimney stacks. These installations may be glimpsed from points on Procter Street, which lies outside of the BCA, but given their setback position, they would be largely concealed by the massing of the buildings in the foreground. As such, I find that these elements of the proposal would not have a harmful effect on the settings of the BCA or nearby listed buildings.
13. In summary, the proposed antenna to the High Holborn elevation would cause limited harm to the appearance of the building itself, but neither it nor the other works proposed would materially alter the overall relationship of the parent building to the surrounding BCA, the setting of which would therefore be preserved. Moreover, they would form insignificant elements of the dense urban townscape that surrounds the aforementioned listed buildings. Consequently, the settings of these listed buildings would be preserved.
14. So far as it is material to the appeal, the minor harm to the appearance of the host building would conflict with Policy D1 of the Camden Local Plan (July 2017) (the CLP), which seeks development of the highest architectural and urban design quality that complements and enhances the distinct local character and identity of the area. However, I find that there would be no adverse effect on the settings of the adjacent BCA or listed buildings, the heritage significance of which would therefore be preserved. No conflict would therefore arise with Policy D2 of the CLP, which seeks to preserve and, where appropriate, enhance Camden's heritage assets and their settings.

Other Matters

15. The Council has not sought to challenge the appellants' evidence in respect of the need for the proposal, nor has it questioned the site selection process undertaken. The appellant has set out the operational requirements underpinning the proposal, including the rollout of 5G coverage in the area, and the economic and social benefits this would deliver for businesses and the general public. There is strong support within the London Plan and the Framework for digital infrastructure as a key part of delivering economic growth within London and nationally. The upgrading of the mobile telecommunications network through the appeal scheme would therefore deliver significant public benefits weighing strongly in favour of the proposal.

Planning Balance

16. I have found that there would be minor harm caused to the host building due to the interruption to its roofline and consequent undermining of its appearance. However, I have concluded that this harm would not extend to the settings of nearby heritage assets.

17. Set against this, the proposal would help to deliver improved mobile telecommunications service in the area, in direct accordance with the aims of the Framework and London Plan to deliver advanced, high quality and reliable communications infrastructure essential for economic growth and social well-being. Accordingly, I afford this benefit significant weight.

18. I find that these public benefits would outweigh the limited harm to character and appearance which I have identified. Therefore, I conclude that prior approval should be granted in this case.

Conditions

19. The GPDO does not provide any specific authority to impose conditions when granting prior approval beyond the deemed conditions for development by electronic communications code operators. These specify that the development must be carried out in accordance with the details submitted with the application, begin within 5 years of the date of the approval and be removed as soon as reasonably practicable after it is no longer required for electronic communications purposes and the land restored to its condition before the development took place.

Conclusion

20. For the reasons set out, I conclude that the appeal should be allowed and prior approval given.

K Savage

INSPECTOR