

Delegated Report		Analysis sheet		Expiry Date:		28/12/2021	
		N/A		Consultation Expiry Date:		20/12/2021	
Officer				Application Number(s)			
Matthew Dempsey				2021/5460/P			
Application Address				Drawing Numbers			
60 Gray's Inn Road London WC1X 8AQ				Please refer to Decision Notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Installation of 6 antenna apertures on supporting steelwork at roof level with ancillary works.							
Recommendation(s):		i) Prior Approval Required. ii) Prior Approval Refused.					
Application Type:		GPDO Prior Approval Determination					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	00	No. of responses	00	No. of objections	00
Summary of consultation responses:		A site notice was displayed from 26/11/2021, which expired 20/12/2021. There have been no responses to public consultation.					
CAAC/Local groups* comments: *Please Specify		n/a.					

Site Description

The host property is a seven to eight storey mix use L-shaped building of modern construction on the corner of Gray's Inn Road and Verulam Street.

This application relates to the rooftop only. The existing roof houses some external plant equipment and a vacant plant room. None of the existing plant projects above the maximum height of the existing roof.

The host property is not listed nor within a conservation area; however the site is surrounded by listed buildings, and is also within close proximity to the Hatton Garden and Bloomsbury Conservation Areas. Of particular significance, opposite the site to the west, are both Gray's Inn Square and Gray's Inn Gardens including Grade I, II and II* buildings. Also to the east of the site; is the St Alban's CofE Primary School and the Bourne Estate (Grade II). It is also noted that the line of neighbouring properties to the south of site, along Gray's Inn Road (Nos 38 – 54), are all locally listed.

Relevant History

2011/3200/P - Change of use from offices (Class B1a) to flexible use of offices (Class B1a) and university teaching facilities (Class D1) at part ground and first floor levels. **Granted 18/08/2011.**

2021/2354/NEW - Installation of a stub tower supporting 6No. antenna apertures; installation of 13No. cabinets; ancillary development thereto. **Pre-app request, no fee received. Withdrawn 26/05/2021.**

Relevant policies

National Planning Policy Framework (2019)

The London Plan (2021)

Camden Local Plan (2017)

- A1 Managing the impact of development
- D1 Design
- D2 Heritage

Camden Planning Guidance:

- CPG – Design (March 2019)
- CPG – Amenity (March 2018)
- CPG – Digital Infrastructure (2018)

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

Hatton Garden Conservation Area Appraisal and Management Strategy 2017

Bloomsbury Conservation Area Appraisal and Management Strategy 2011

Assessment

1.0 Proposed development:

1.1 The application has been submitted under Part 16 of schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order (GDPO) 2015 (as amended). The GDPO 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'. In particular, the application seeks determination as to whether the prior approval of the Local Planning Authority is required as to the siting and appearance of the proposed development in relation to telecommunication equipment.

1.2 In this instance, Prior Approval is sought to install new telecommunications equipment on the existing rooftop area. The proposal includes the installation of six antennas mounted on two supporting structures. Proposed cabinets are positioned within the existing vacant plant room at roof level, also with ancillary cabling.

1.3 The maximum height of the existing roof is approximately 26m above ground level. One cluster of antennas would be fitted to new steelwork at the south of the roof at a height of 29m. The other cluster of Antennas is proposed at the north east corner of the roof, with a maximum height of 29m.

1.4 The equipment cabinets required for the installation shall be housed internally within an existing plant room and as such, these specific installations do not require planning consent.

2.0 Justification:

2.1 The proposal is a new installation intended to enhance existing network services by increased capacity and to allow for new 5G provision in the area. It would enable the provision of 2G, 3G, 4G and new 5G services for the MBNL (EE (UK) Ltd and H3G (UK) Ltd) mobile network in this part of London.

2.2 The applicant has provided evidence to show that they have explored alternative development sites within the vicinity of the proposed site location, and given reasons why these alternative sites were not chosen (see page 8 of Site Specific Supplementary Information document).

2.3 Given the position of the proposals at roof level, the applicant states there would be no impact on residential amenity in terms of loss of light or outlook.

2.4 The applicant has indicated that prior to the submission of this application a pre-application consultation was undertaken with the local planning authority (LPA); however no fee was paid and so formal pre-app advice was not undertaken (please see planning history section above). Nevertheless, the Council responded to the pre-app request informally and advised that the application would not be supported. The applicant states that they have taken this advice on board and adjusted the proposal to reduce the bulk initially put forward at pre-app.

2.5 The applicants have declared with appropriate documentation that all of the proposed equipment would comply with International Commission on Non-Ionizing Radiation Protection (ICNIRP) standards on emission levels in accordance with government guidelines.

2.6 Para 46 of the NPPF states that 'local planning authorities must determine applications on planning grounds. They should not seek to prevent competition between different operators, question the need for the telecommunications system, or determine health safeguards if the proposal meets International Commission guidelines for public exposure'.

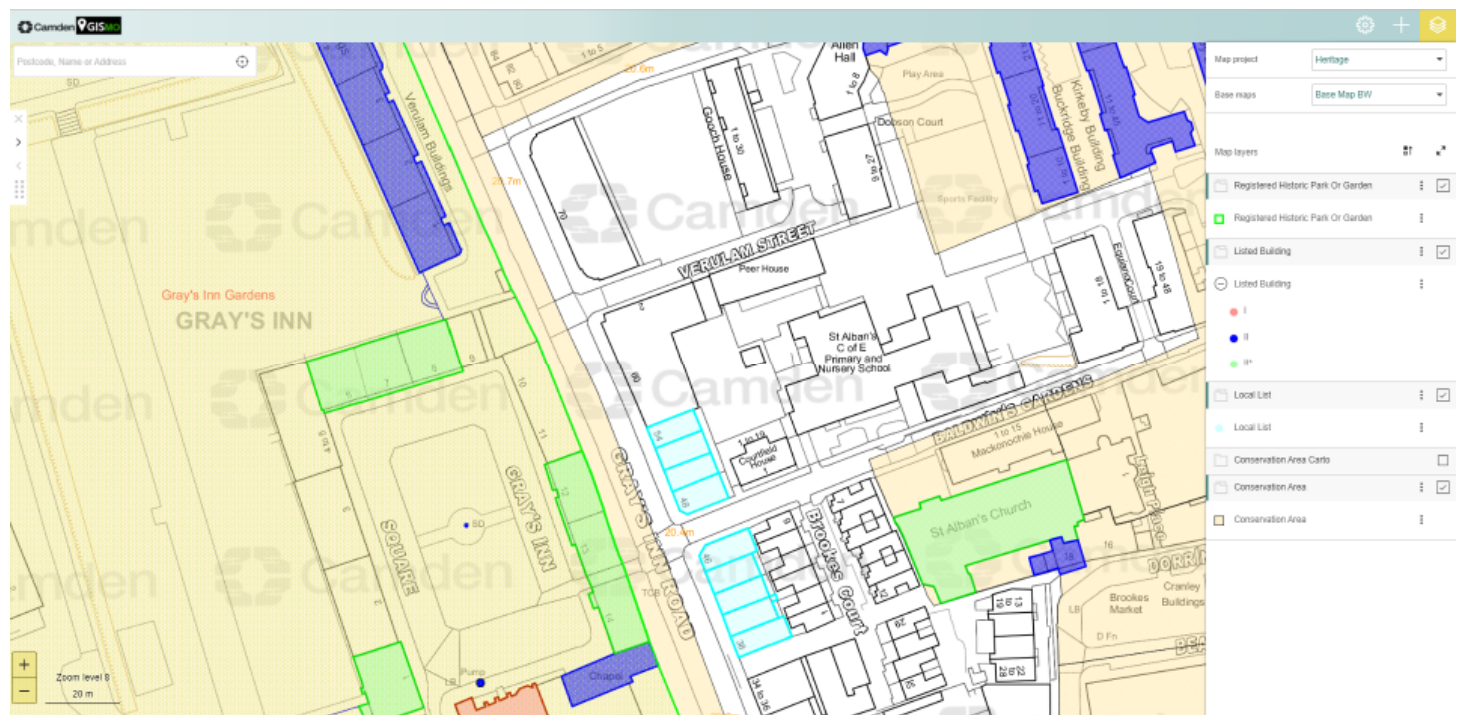
3.0 Siting and appearance:

3.1 To the front, the host property is located in a prominent position at the corner of a main arterial highway (Grays Inn Road) and a more minor local highway (Verulam Street). The host building is a

inconspicuous structure with dark masonry at ground floor and lighter render to the upper floors. It is well-proportioned and contributes positively to the character and appearance of the street scene and surrounding area. It is sensitively nestled between the historic environments of Hatton Garden and Bloomsbury Conservation Areas and a selection of listed buildings and locally listed buildings in close proximity.

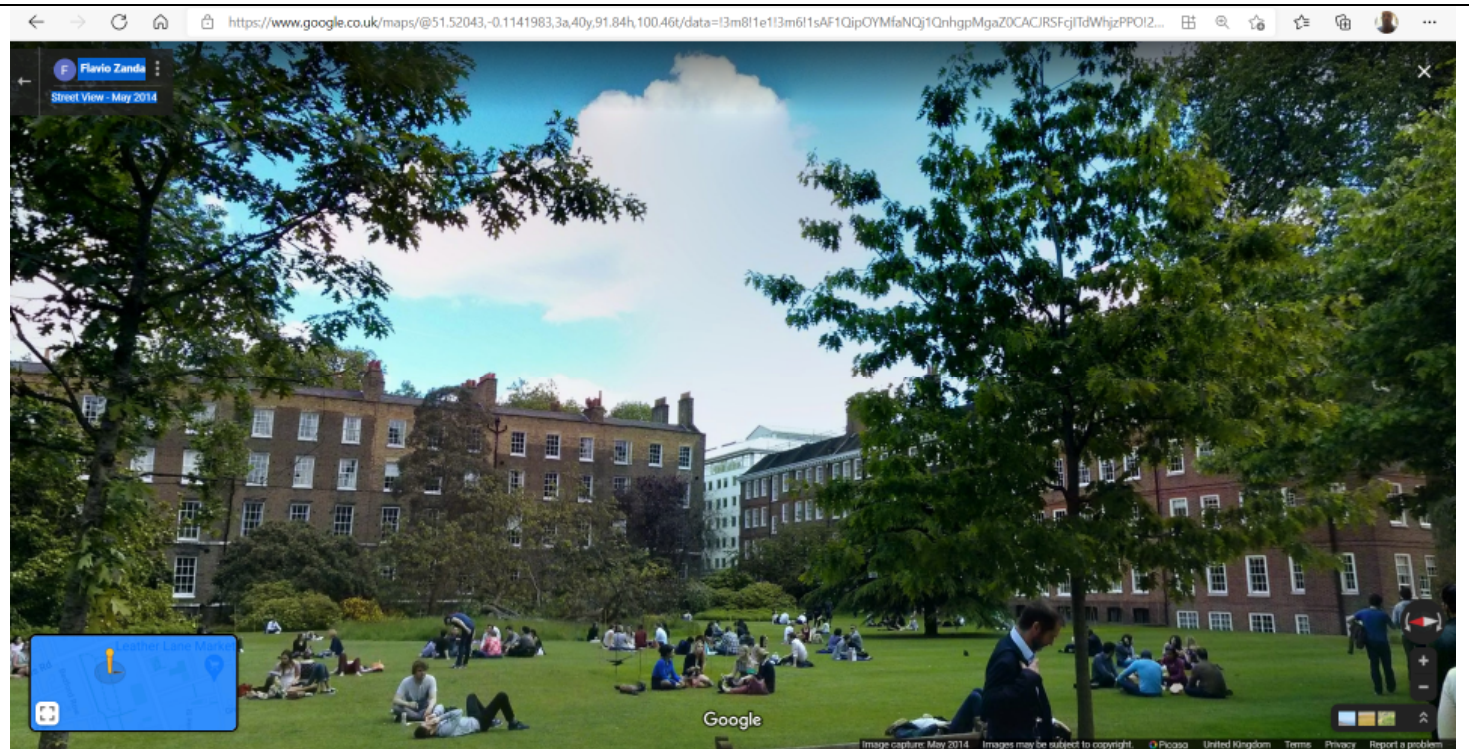
3.2 The highest elements of the roof can be appreciated in views from various locations, including from both directions along Gray's Inn Road, although the highway is quite narrow at this point and so impact here may be quite minimal. However, of far greater concern are the potential for impacts on views from both the St Alban's CofE Primary School to the East of the site and; especially the views from within Gray's Inn Square and Gray's Inn Gardens to the west of the site both of which are Registered Historic Parks/ Gardens, and include many statutorily listed structures.

3.3 Although the site is not within a conservation area itself, its position is such that the site backs on to the Hatton Garden Conservation Area (east of the site) and Bloomsbury Conservation Area (west of site). Furthermore, there are several listed buildings and locally listed buildings in close proximity to the site as can be seen below:



Camden GIS Heritage layer: demonstrates site surrounded by conservation areas [highlighted yellow], and various listed buildings (Grades I [red], II [dark blue] & II [green]), and locally listed buildings [light blue].*

3.4 A screen shot of the street view from within Gray's Inn Gardens demonstrates the prominence of the roof scape from this sensitive location, as below:



Google Street view image: from within Gray's Inn Gardens. The host site [white building] is visible in the corner behind and between Verulam Buildings (Grade II) and Nos 6 – 8 Gray's Inn Square (Grade II*).

3.5 These building and indeed the entire Gray's Inn complex are noted within the Bloomsbury Conservation Area Appraisal and Management Strategy as making a positive contribution to the character and appearance of the area. The roof scape is considered to contribute significantly to the character and appearance of the conservation area. The introduction of antennas projecting 3m above the existing roofline is not welcomed in this location.

3.6 Due the close urban grain of the Hatton Garden Conservation Area, where historic street patterns tend to have narrow lanes, the host site is not appreciable from many public views at ground level; however as demonstrated in the image below, the clean existing roof line can be appreciated along the route between the Hatton Garden and Bloomsbury Conservation Areas via Baldwin Gardens:



Google Street view image: from within Hatton Garden Conservation Area; Baldwin Gardens & Leigh Place. The host site

[white building] is visible behind the St Albans CofE Primary School in the foreground and locally listed buildings to the left of the site.

3.7 The image above also clearly shows the lack of clutter along this roof scape where the host site meets the line of locally listed buildings immediately adjacent to it. The introduction of two clusters of antennas projecting 3m above the existing un-cluttered roof line is considered to be harmful in views from both sides of the site. Given the fine urban grain and limited views from the Hatton Garden CA at ground level, the impact on the Bloomsbury CA are considered to be more severe, nevertheless the proposed installation is not considered appropriate in context and is not in keeping with the character of either Conservation Area.

3.8 The applicant notes within their supporting information that they have consulted the local primary school and have not received any response. It is considered, given the close proximity of the local school to the proposed siting of the installation, that greater effort to engage with the school could have been made. It is noted that the pre-app process with the local planning authority did not go further than an enquiry without any fee payment.

3.9 Policy D1 of the Camden Local Plan seeks to secure high quality design in development. Policy D2 (Heritage) states that the Council will resist development that would cause harm to views into and out of conservation areas, and affecting the character or appearance of conservation areas and the setting of listed buildings.

3.10 The existing roofline of the host building is clean and uncluttered. The proposed telecommunications equipment is considered to cause harm to the character and appearance of the host building, surrounding conservation areas and the setting of the nearby listed buildings.

3.11 The existing roof is characterised by the absence of any telecommunications equipment or similar visible clutter. The prominence and scale of the installation as proposed would be visible above the existing roof line, where it would be highly noticeable against the skyline, and clearly visible from public views close by and also from longer views.

3.12 Given that the proposed installation would rise up above the existing roof line, it would add conspicuous and noticeable clutter to the rooftop, and as such, its siting is considered to be visually insensitive and harmful to the character and external appearance of the building and wider roof scape.

3.13 Overall, it is considered that the location, bulk, scale, height and design of the proposed screening and telecommunications equipment would be harmful to the character and appearance of the host building, local views and the adjacent Hatton Garden and Bloomsbury Conservation Areas. It would also be harmful to the setting of the nearby listed and locally listed buildings in the vicinity of the site.

4.0 Planning balance:

4.1 Considerable importance and weight has been attached to the harm to the designated heritage assets, and special attention has been paid to the desirability of preserving or enhancing the character and appearance of the adjacent Hatton Garden and Bloomsbury Conservation Areas in particular, under s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

4.2 Local Plan Policy D1, consistent with Section 16 (Conserving and enhancing the historic environment) of the NPPF 2019 which seeks to preserve and enhance heritage assets, states that the Council will not permit harm to a designated heritage asset, including conservation areas and Listed Buildings, unless it can be demonstrated that the harm is necessary to achieve substantial public benefits that outweigh that harm.

4.3 Given the assessment as outlined in sections 1-3 of this report, it is considered that the proposed telecommunications equipment would result in 'less than substantial' harm to the character and appearance of the Hatton Garden and Bloomsbury Conservation Areas. It is recognised that the

proposed scheme would result in better network coverage, and as such, some public benefit would be derived from the scheme. However, in weighing the harm caused as a result of the development against this public benefit, the proposal is considered to be contrary to Section 16 of the NPPF (2019) which seeks to preserve heritage assets.

4.4 The council does not dispute the public benefit entailed by improving connectivity and indeed welcomes this aspiration, however the harm arising from the prominent visibility of the proposed equipment from within an historic open space of key significance within the Bloomsbury Conservation Area and from public views within the Hatton Garden Conservation Area is considered to outweigh this public benefit, it is therefore considered that the particularly strong heritage constraints of this site prevent the Council from recommending this application for approval.

4.5 The proposal would therefore fail to accord with policies D1 and D2 of the Camden Local Plan 2017. The development would create overly dominant visual clutter on a prominent roof scape, causing harm to the host building, local views and to the character and appearance of the Hatton Garden and Bloomsbury Conservation Area and nearby listed and locally buildings.

5.0 Recommendation:

5.1 Prior Approval Required and Prior Approval Refused, on grounds of the proposal's detrimental impact on the character and appearance of the host building in terms of both siting and appearance; unacceptable location, scale, height and design; and the dominant visual clutter resulting in harmful impact to local views, the conservation area and the settings of nearby listed and locally listed buildings.