

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	07/09/2021		
		N/A / attached	<b>Consultation Expiry Date:</b>	03/10/2021		
<b>Officer</b>			<b>Application Number(s)</b>			
Matthew Dempsey			2021/3402/P			
<b>Application Address</b>			<b>Drawing Numbers</b>			
Rooftop at Albion House 55-59 New Oxford Street London WC1A 1BS			Please refer to decision notice.			
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>			
<b>Proposal(s)</b>						
Installation of 9 antennas, 2 x 300mm dishes, 2 equipment cabinets with ancillary works to roof.						
<b>Recommendation(s):</b>		Refuse Planning Permission.				
<b>Application Type:</b>		Full Planning Permission				
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notice				
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>			No. of responses	00	No. of objections	00
<b>Summary of consultation responses:</b>		Site notices were displayed from 08/09/2021, which expired 02/10/2021. A press notice was published 09/09/2021, which expired 03/10/2021.  No objections were received through public consultation.				
<b>CAAC/Local groups comments:</b>		The Bloomsbury Conservation Area Advisory Committee were consulted on the proposed development but provided no response.				

## Site Description

The host building is a modern construction of ten storeys in height. The building has mostly glazed elevations with cladding to structural elements. It is an island-site, bounded by New Oxford Street, Shaftesbury Avenue, Bucknall Street and Dyott Street. The property is within the Bloomsbury Conservation Area and adjacent to the Seven Dials (Covent Garden) Conservation Area. It is also positioned within the Central London Area, part of the borough that lies within the historic central core of London. To the East, the nearest neighbour is No.53 New Oxford Street which is listed grade II (James Smith and Sons est.1830). To the South, the nearest neighbour is No.233-235 Shaftesbury Avenue which is listed grade II (former Bloomsbury Central Baptist Church,1845-48). There are also several other listed buildings within close proximity. The application which is the subject of this report relates to proposed installations at roof level. The main roof is approximately 30m above ground level. There is an existing plant area and associated enclosure positioned centrally on the rooftop. The existing plant screen is approximately 33m above ground level.

## Relevant History

Host site, Albion House (55-59 New Oxford Street):

**2020/0552/PRE** - Installation of telecoms equipment. **Advice issued 05/02/2020.**

**2020/1649/P** - Installation of 9 antennas, 5 transmission dishes, 3 equipment cabinets, and ancillary development thereto. **Refused 05/10/2020.**

Castlewood House (77-91 New Oxford Street):

**2006/5234/P** - Installation of three antenna, two microwave dishes, six equipment cabinets and associated ancillary development in connection with the development of a mobile telecommunications base station at roof level to existing office building (Class B1). **Granted 13/02/2007.**

**2011/4036/P** - Installation of three radio antennas, three 600mm dish antennas, and two equipment cabinets to the rooftop of office building. **Granted 27/09/2011.**

**2017/0618/P** - Proposal: Demolition of existing office building at Castlewood House (Class B1), and erection of an 11 storey office building (Class B1) with retail and restaurant uses (Class A1/A3) at ground floor level; enlargement of existing double basement level and formation of roof terraces and rooftop plant along with associated highways, landscaping, and public realm improvement works. Partial demolition of Medius House with retention of the existing façade, and erection of a two storey roof extension including private roof terraces, in connection with the change of use of the building from office (Class B1) and retail (Class A1) to provide 18 affordable housing units (Class C3) at upper floor levels with retained retail use at ground floor level. **Granted subject to S106 Agreement 21/12/2017.**

## Relevant policies

**National Planning Policy Framework (NPPF) 2021**

**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)  
The Seven Dials Estate (Covent Garden) Conservation Area statement (1998)

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

## **Assessment**

### **1.0 Proposal**

- 1.1 Planning permission is sought for the installation of telecommunications equipment at roof level to facilitate 5G coverage in the vicinity of the site.
- 1.2 The proposed installations include:
- Nine antennas,
  - Two transmission dishes,
  - Two equipment cabinets,
  - And ancillary development, such as support structures and cable trays.
- 1.3 The site proposed has been identified as a replacement for the existing installations at nearby Castlewood House, 77-91 New Oxford Street, which has been granted permission for demolition and redevelopment.
- 1.4 It may be noted that this application has been submitted alongside a similar application for an installation of telecommunications equipment to replace the Castlewood House installation, at No.100 New Oxford Street ref: 2021/2315/P which has recently been granted approval 26/01/2022.
- 1.5 It is also noted that this application is substantially similar to a recently refused application at the host site, see planning history section above.

### **2.0 Assessment**

- 2.1 The principal considerations in the determination of this application are:
- Design – Impact on the character and appearance of the host building, street scene, conservation area(s), and nearby listed buildings; and
  - Amenity – Impact on neighbouring amenity.

### **3.0 Design**

- 3.1 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.
- 3.2 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.

- 3.3 The proposal would introduce a significant amount of telecommunications equipment to the rooftop space, and would be visually prominent where it breaches the existing plant screening in place. As highlighted during pre-application advice issued and noted in the previously refused scheme, prominence of the new installations would be exacerbated by the position of the host building at a corner site.
- 3.4 Although the two new equipment cabinets would be shielded from view within the existing plant screen, the highest part of proposed installations, including all antennas and dishes, would be positioned at approximately 36m above ground level, which is approximately 3m above the highest part of the existing roof structures.
- 3.5 The applicant suggests that the proposed equipment is designed so that it resembles rooftop infrastructure commonly found within the urban streetscene, however; this argument is given limited weight, as the proposed installations should be suited to the specific host property and site context in accordance with best practice and the pre-application advice offered, rather than suited to a generic streetscene. Pre-application advice was offered with the expectation that bespoke designs would be considered for any installations within conservation areas and/ or affecting the setting of listed buildings or other heritage assets. No significant design alteration has been put forward to distinguish this scheme from the recently refused application.
- 3.6 The existing building benefits from a well-considered roof top plant area which contains and screens all existing plant. There is no ad hoc plant equipment visible from the surrounding streetscene and no existing telecoms equipment, and given the prominent location of the building, there are many long views of the site from surrounding streets. Due to the visual prominence of the installations proposed above the existing screen, and inappropriateness due to the design, siting, and height of the unsympathetic telecommunications equipment, the equipment would be highly visible from the surrounding streets and consequently would neither preserve nor enhance the Bloomsbury Conservation Area, or the setting of the adjacent Seven Dials (Covent Garden) Conservation Area. Furthermore, the proposed installation is considered to have a negative impact on the setting of nearby listed buildings. It is not considered that this harm would be outweighed by the public benefit of improving 5G connectivity.
- 3.7 The proposal by virtue of its inappropriate design, siting, height, and prominence would result in a highly visually prominent, cluttered, and incongruous development which would harm the character, appearance and setting of the host building, surrounding Bloomsbury Conservation Area, the setting of the adjacent Seven Dials (Covent Garden) Conservation Area, and the setting of nearby listed buildings, contrary to policies D1 and D2 of the Camden Local Plan 2017, The London Plan 2021 and NPPF 2021.

#### **4.0 Amenity**

- 4.1 Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered.
- 4.2 Due to the nature of the proposal it is unlikely to result in harm to neighbouring occupiers by way loss of light or privacy Any construction and maintenance impacts would be temporary and would be unlikely to cause undue disturbance to neighbouring residents.
- 4.3 It is considered there would be an impact on the outlook of residents in upper floors occupying taller buildings in the immediate vicinity of the site, however; this impact is considered to be quite minimal and would not constitute a reason for refusal.
- 4.4 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.
- 4.5 The applicant has provided supplementary information confirming that there are no schools in close proximity to the site, and therefore no such consultations were undertaken; 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. A declaration of conformity with ICNIRP Public Exposure Guidelines has also been submitted.

## **5.0 Conclusion**

- 5.1 It is recommended that planning permission is refused for the following reason:
- 5.2 The proposed equipment, by reason of its design, siting, height, size, and prominence, would be detrimental to the appearance of the host building and character and appearance of the Bloomsbury Conservation Area and the setting of the Seven Dials (Covent Garden) Conservation Area contrary to policy D1 (Design) and D2 (Heritage) of the Camden Local Plan, the London Plan 2021 and Section 10 (paragraphs 114 – 118) of the National Planning Policy Framework 2021.