

Delegated Report		Analysis sheet		Expiry Date: 25/11/2021			
		N/A / attached		Consultation Expiry Date: 01/11/2021			
Officer			Application Number(s)				
Matthew Dempsey			2021/4722/P				
Application Address			Drawing Numbers				
379 Kentish Town Road London NW5 2TJ			Please refer to decision notice.				
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Installation of 6 face mounted antennas, retention of existing rooftop equipment cabinets and ground based meter cabinet, with ancillary works including removal of 6 pole mounted antennas.							
Recommendation(s):		Refuse Planning Permission with warning of Enforcement Action					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:				No. of responses	00	No. of objections	00
Summary of consultation responses:		Site notices were displayed from 08/10/2021, which expired 01/11/2021. No objections were received through public consultation from individual members of the public.					
CAAC/Local groups comments:		The Kentish Town Neighbourhood Forum were consulted on the proposed development but provided no response. Kentish Town Road Action (Residents Association) objected to the scheme. Their concerns can be summarised as follows: <ul style="list-style-type: none"> • Scale of the development. • Negative appearance of the installation. • Negative impact on the roof scape. • Negative impact on Kentish Town Road and surroundings 					

Site Description

The site is located on the western side of Kentish Town Road in close proximity to the junction between Kentish Town Road, Highgate Road and Fortress Road, with railway lines to the rear. The host building is a five storey end of terrace property with a commercial unit at ground floor level and residential use above. The upper floors are set back from the projecting ground floor retail unit. The surrounding area is characterised by a mixture of uses including retail, commercial and residential uses.

The flank wall of the host building features a large prominent mural welcoming visitors to Kentish Town. The site is not located in a Conservation Area and is not a Listed Building, however it is situated in close proximity to Kentish Town Conservation Area to the east-southeast and it is within the Kentish Town Neighbourhood Area.

Relevant History

2018/2336/P - Retention of 6no antennas and equipment housing on the rooftop, 1no electrical meter cabinet located at ground level and ancillary development. **Refused 29/10/2018.**

EN18/0231 - Alleged breach: mobile phone antennae erected at roof level. **Written Representations 20/05/2019, Appeal Dismissed 28/08/2019.**

2021/0452/NEW - The proposed installation consists of the following: Relocate 3no. VF antennas and 3no. TEF antennas fixed to bespoke cantilevered brackets, Proposed 10no. VF ERS units mounted on 110mm ERS rail as shown in green on the attached dwgs, Proposed 6no. TEF RRUs, Proposed 1no. VF GPS unit and 1no. TEF GPS unit, VF and Tef cabinets to be refreshed, And ancillary development thereto. **Pre-app Withdrawn (no fee received) 23/10/2021.**

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

Kentish Town Road Neighbourhood Plan (2016)

Policy D3: Design principles

Camden Planning Guidance

CPG Amenity (2018)

CPG Design (2019)

CPG Digital Infrastructure (2018)

Kentish Town Conservation Area Appraisal and Management Strategy (2011)

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

Assessment

1.0 Proposal

1.1 Planning permission is sought for the installation and retention of telecommunications equipment at roof level to facilitate 5G coverage in the vicinity of the site.

1.2 The proposed installations include:

- Six face mounted antennas, to replace six unconsented pole-mounted antennas (re-positioned).
- A series of Radio Receiver Units (RRUs) mounted at the perimeter of the parapet.

1.3 The proposed retention includes:

- Equipment cabinets, already in place at roof level.
- And ancillary development, such as support structures and cable trays.

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, neighbourhood and adjacent conservation area.
- 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 By way of providing background to the installations in place at this site; the existing installation as shown on the drawings provided was installed as an emergency which allowed for a temporary 18 month installation, by virtue of the permitted development concessions in Part 16 Communications, at Class A.(b) of the Town and Country Planning (General Permitted Development) (England) Order 2015 – as amended by the (Amendment) (No.2) Order 2016. This temporary installation was not removed as it should have been. The Council instigated enforcement action, which was appealed but dismissed (please see relevant history section above).

3.4 It is worth noting the Inspector concluded that the appeal installation is detrimental to the appearance of the immediate area and that it unacceptably blights the existing skyline. They went on to say that the existing installation does not comply with council policy guidelines,

highlighting the Local Plan Policies D1 (Design) and D2 (Heritage).

- 3.5 The proposal would introduce a significant amount of telecommunications equipment to the rooftop space, which would be highly visible from the streetscene and railway line to the rear given the prominent end terrace location of the site.
- 3.6 Although the proposed face mounted antennas would sit somewhat lower than the currently unconsented installation; due to the prominent position and bulky nature of the apparatus, it is considered that this proposal would have a detrimental impact on the appearance of the host building. By being directly fixed to the front and rear elevations, it would cause much greater harm to the architectural character and appearance of the building.
- 3.7 The applicant suggests that the proposed face mounted equipment is positioned at a lower height (than unconsented equipment) to limit the impact of the installation, however this approach is not considered to have been successfully accomplished and the resulting proposal is not considered appropriate. It should also be noted that the unconsented arrangement is not considered appropriate at this site; as evidenced by the previous application refusal reference: 2018/2336/P, enforcement action which followed (reference: EN18/0231), and the subsequent Appeal to the planning inspectorate which was dismissed 28/08/2019 (Please see relevant history section above).
- 3.8 The site is highly prominent from views within Kentish Town Conservation Area and forms part of a local setting. Due to the visual prominence of the installations proposed, and inappropriate design, siting, and height, the proposal would neither preserve nor enhance the adjacent Kentish Town Conservation Area and would have an unacceptable impact on the appearance of the local neighbourhood.
- 3.9 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 and appearance of the host building and the setting of the adjacent Kentish Town Conservation Area, contrary to policy D3 of the Kentish Town Neighbourhood Plan 2016, 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 of 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:

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 adjacent Kentish Town Conservation Area, contrary to policy D3 (Design Principles) of the Kentish Town Neighbourhood Plan 2016, and policies D1 (Design) and D2 (Heritage) of the Camden Local Plan 2017, the London Plan 2021 and Section 10 (paragraphs 114 – 118) of the National Planning Policy Framework 2021.

5.2 It is recommended that enforcement action is taken to secure the removal of the existing unauthorised equipment.