

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b> 09/02/2021	
		N/A		<b>Consultation Expiry Date:</b> 14/03/2021	
<b>Officer</b>			<b>Application Number(s)</b>		
Daren Zuk			2020/5811/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
Havercourt 147 – 151 Haverstock Hill London NW3 4QX			Please refer to draft 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 2no. antennas, 2no. cabinets at roof level and 1no. meter cabinet at ground level and associated works.					
<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>					
		No. of responses	4	No. of objections	4
<b>Neighbour Consultation</b>		<p>Site Notice: posted 17/02/2021, expired 13/03/2022 Press Notice: published 18/02/2021, expired 14/03/2021</p> <p>Four objections were received from neighbouring residents. Their concerns include:</p> <ul style="list-style-type: none"> <li>- The negative impact on the street scene when viewed from Haverstock Hill;</li> <li>- The detrimental effect on the Belsize Park Conservation Area and neighbouring Parkhill and Upper Park Conservation Area.</li> <li>- The applicant's consultation statement is incorrect – there are five schools / nurseries within 0.3 miles of the subject site.</li> <li>- Potential health impacts of the development</li> </ul> <p><i>Officer Comments: The objection letter references policies and material planning considerations which have been discussed later in this report.</i></p>			

**Site Description**

The property is a mid-20<sup>th</sup> century development located on the western side of Haverstock Hill, just south of Belsize Park station and located between Howitt Road and Belsize Grove. In terms of architectural style, it appears to be either 1930s (Deco detailing) or post-war Modernist. It mimics the Georgian town house terrace with pared down detail.

The property is comprised of ground floor parade of retail and commercial units, with three levels of residential above, which wraps around into Belsize Grove with the main entrance on the southern elevation. It is designed to replicate the townhouse terrace ethos of earlier developments

The property is not listed but is located within the Belsize Park Conservation Area. The Belsize Park Conservation Area Statement (2003) notes the development as making a neutral contribution. It is also noted that the property is located opposite the Parkhill and Upper Park Conservation Area.

**Relevant History**

**2012/3517/P** External alterations comprising over-cladding of parts of elevations within insulated render system and changed to pipe-work. **Withdrawn 03/09/2012**

**2012/6111/P** Removal of existing chimney, addition of rendering, and alterations to external plumbing and pipework of residential block (C3). **Granted 09/01/2013**

**National Planning Policy Framework 2021****The London Plan 2021****Camden Local Plan 2017**

Policy D1 Design

Policy D2 Heritage

Policy A1 Managing the impact of development

**Camden Planning Guidance (CPG)**

CPG Design (January 2021)

CPG Digital Infrastructure (March 2018)

CPG Transport (January 2021)

**Belsize Conservation Area Statement (2003)****Code of Best Practice on Mobile Network Development (November 2016)****TfL's Pedestrian Comfort Guidance for London 2010****Camden Streetscape Design Manual****Inclusive Mobility 2005 – Chapter 3 (Footways, footpaths, and pedestrians areas)**

## Assessment

### 1. PROPOSAL

- 1.1. Planning permission is sought to install electronic communications equipment on the rooftop of the host building, comprising of 2 x antennas, 2 x cabinets, and some ancillary works including the installation of a meter cabinet at ground level within a pedestrian alley on the southern elevation.
- 1.2. The proposal would provide improved connectivity and network enhancement, including 5G coverage, to the surrounding area on behalf of established electronic communications operator O2.
- 1.3. The roof area of the host building consists of a main flat roof space measuring 13.8m in height above ground level and two plant rooms; one centrally positioned and another to the south of the building. The centrally located plant room has a height of 16 metres in height above ground level, and the southern plant room has a height of 14.6 metres above ground level.
- 1.4. While the application drawings state that the rooftop is absent of any telecommunications equipment, it was noted during a site visit that multiple antennas are located on the edge of the roof along the southern portion of the building.
- 1.5. The 2 x antennas would be affixed to poles that are mounted the side walls of each of the plant rooms. The top of both antennas are shown as measuring 18.15 metres above ground level.
- 1.6. The 2 x cabinets would also be installed on the roof level, positioned southeast of the centre plant room. The cabinets would measure 700mm x 800mm x 1800mm and 750mm x 600mm x 1980mm, respectively.
- 1.7. The 1x metre cabinet will be located along the southern elevation of the building, within a pedestrian alley currently utilized for waste collection.
- 1.8. The applicant's supplementary information document states that the site and design of the proposed equipment is the least visually intrusive option available and optimum location. The applicant considers that the development would not appear excessive, but rather, would achieve a balance between meeting the technical requirement and avoiding harm to the setting, both in terms of visual amenity and ensuring heritage assets would not be harmed.

### 2. ASSESSMENT

- 2.1. The material considerations in the determination of this application are as follows:
  - The design and heritage impact of the proposals on the character and appearance of the host building, local views, and the Belsize Park Conservation Area;
  - The impact of the proposal on neighbouring amenity; and
  - The impact of the proposal on the highway, pedestrian, and cyclist's safety.

### 3. DESIGN & HERITAGE

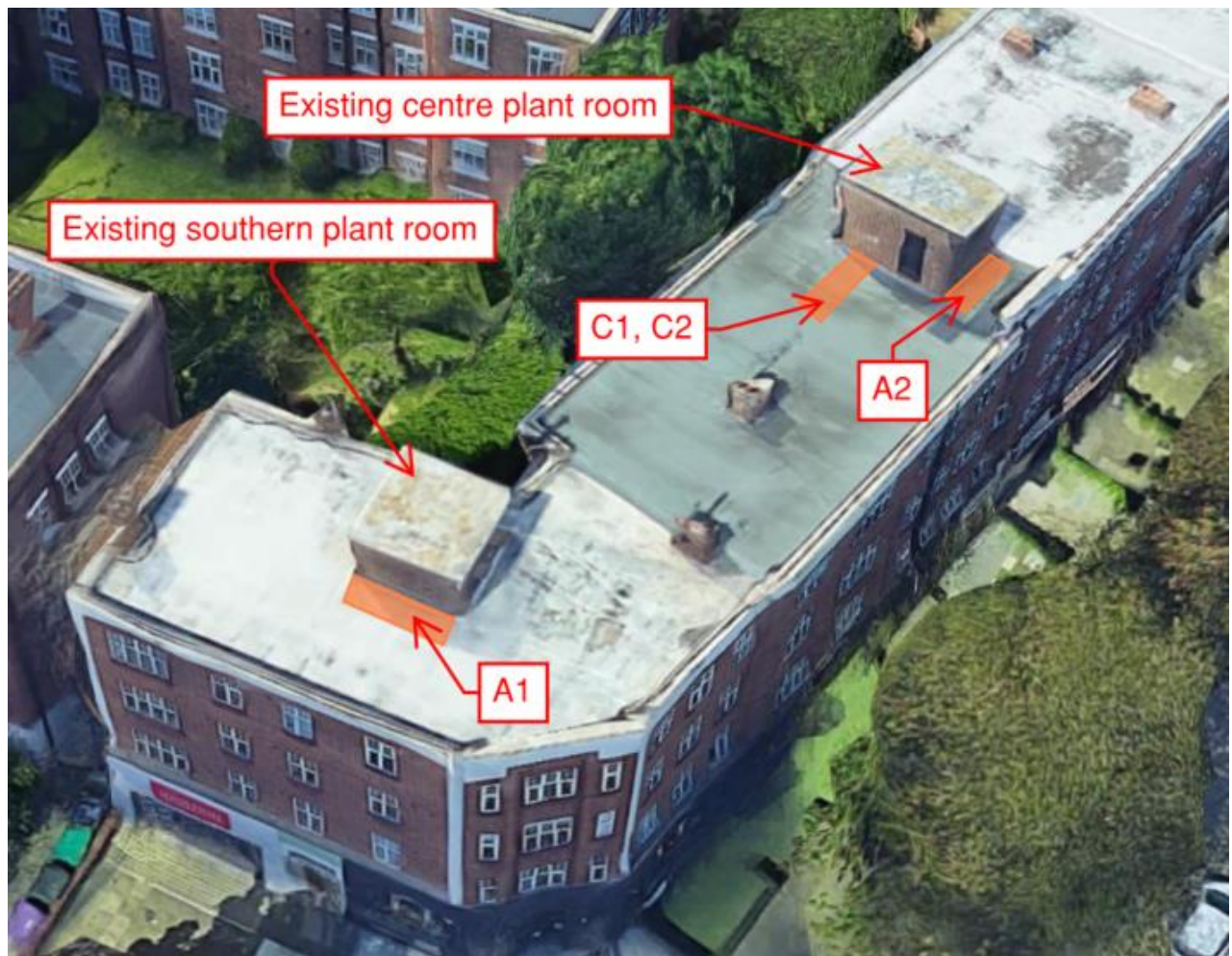
- 3.1. Local Plan Policy D1 (Design) establishes that careful consideration of the characteristics of a site, features of local distinctiveness and the wider context is needed in order to achieve high quality development in Camden which integrates into its surroundings. It advises that *“Good design takes account of its surroundings and preserves what is distinctive and valued about*

*the local area.”*

- 3.2. Local Plan Policy D2 (Heritage) states that the Council will only permit development within conservation areas that preserve and enhance the character and appearance of the area, and will resist development that would cause harm to significance of a listed building through an effect on its setting.
- 3.3. Policies D1 and D2 are supported by Camden Planning Guidance (CPG) Design and Digital Infrastructure. In particular, CPG Design in Chapter 9 (Building services equipment) recognizes that design considerations within the setting of a conservation area should include the visual impact of building services equipment on the host building within this context.
- 3.4. The National Planning Policy Framework (NPPF) in Paragraph 114 of Chapter 10 (Supporting high quality communications) requires Local Planning Authorities to: keep the number of radio and electronic communication masts, and the sites for such installations to a minimum; consistent with the needs of consumers; within the efficient operation of the network; and to provide reasonable capacity for future expansion. The use of existing masts, buildings, and other structures for new electronic communications capability (including wireless) should be encouraged.
- 3.5. The host building, Havercourt, is not listed but is located within the Belsize Park Conservation Area. The building itself is four storeys in height with a flat main roof area that steps up slightly going north along Haverstock Hill. Two plant rooms are located on the roof; one the southern portion of the roof of the building and one in the centre.
- 3.6. The Image 1 below shows Havercourt and the immediate surrounding area and Image 2 shows the relevant roof areas most affected by the proposal. The approximate locations of the 2 x antennas are identified as A1 and A2. The areas containing the 2 x cabinets are shown as C1 and C2.



**Image 1:** *Havercourt looking NW from Haverstock Hill*



**Image 2:** *Locations of proposed telecommunications equipment*

3.7. Havercourt is also located at a prominent corner at Belsize Grove, which makes it highly visible when travelling north along Haverstock Hill. The building is also visible when travelling north along Belsize Grove (see Image 3).





**Image 3:** *Havercourt looking north from Belsize Grove*

- 3.8. As a result of the building's prominent corner location at Haverstock Hill and Belsize Grove, the resulting roofscape is highly visible from a variety of public vantage points.
- 3.9. It is acknowledged that it isn't uncommon for electronic communications equipment of this kind to be located appropriately on the rooftops of residential buildings, however, in this particular case the proposed equipment would introduce conspicuous visual clutter to an otherwise uncluttered roofscape given its particular context. The most noticeable part of the proposals affecting the roof area involves the installation of the 2 x antennas mounted on the roof level which would rise 5.7 above the height of the main roof.
- 3.10. Moreover, the proposed positioning of all the equipment in a variety of positions around the roof area would serve to emphasize their height and make the equipment even more conspicuous in views from Haverstock Hill and Belsize Grove. Under these circumstances, the proposals are considered to be inappropriate as they would introduce excessively high and prominently positioned equipment which would appear unattractive and overly dominant additions to the roofscape, resulting in harm to the appearance of Havercourt, particularly given the building's high degree of visibility along Haverstock Road.
- 3.11. Though the host building is identified as making a neutral contribution to the local area (as stated in the Belsize Park Conservation Area Appraisal), it is nevertheless located within the designated Belsize Park Conservation Area. In this regard, its designation as a conservation area provides the bases for policies design to preserve or enhance the special interest of an area.
- 3.12. While it is accepted that electronic communications equipment, by the nature of their functional design and aesthetic may not blend seamlessly in all environments, the proposed equipment, by virtue of its excessive size and scale, as well as, its prominent siting and number, would appear as particularly overbearing and discordant, and as such, as odds with the historic character and setting of the conservation area. Similarly, the proposal would also significantly degrade the visual amenity of the local conservation and neighbourhood areas through the unacceptable harm caused to their character, appearance, and settings.
- 3.13. In regard to the other proposed works at roof level, including the siting of low level RRU

units, cable trays, and the 2x cabinets, it is considered that these would not cause any significant harm in visibility terms due to their modest size, low height, and siting, and under different circumstances where an approval might be possible. However, the proposed handrail along the Haverstock Hill facing roof edge are considered to cause additional harm in terms of their visibility and siting, and would further add to the visual harm and clutter caused by the other elements of the proposal.

- 3.14. At ground level, the proposal involves the siting of a meter cabinet within a pedestrian alley at the southern elevation of the building, which is accessed from Belsize Grove. The associated cable tray and trunking would run vertically from the cabinet to roof level on the external face of the building, running up the entire height of the building. Due to the relatively low visibility of the southern elevation of the building, coupled with the size and scale of the cabinet and trunking, it would unlikely be widely noticeable or harmful to the existing character and appearance of the building.

#### **4. PLANNING BALANCE**

- 4.1. Considerable importance and weight has been attached to the desirability of preserving or enhancing the character or appearance of the Belsize Park Conservation Area, and the settings of any listed buildings, under s.72 of the Planning (Listed Buildings and Conservation Areas Act 1990) as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.
- 4.2. Local Plan Policies D1 and D2, and Chapter 16 (Conserving and enhancing the historic environment) of the NPPF, seeks to preserve and enhance designated heritage assets. The NPPF states in Paragraphs 201 that “*Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use*”.
- 4.3. Given that the assessment as outlined above in Section 3 (Design and Heritage) of this report, it is considered that the proposed electronic communications equipment would result in a less than substantial harm to the character and appearance of the host property, local views from the street, and the Belsize Park Conservation Area.

##### 5G System and Public Benefit

- 4.4. The supporting information recognizes 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 high productivity, amongst other benefits.
- 4.5. It is noted, however, that new 5G systems have a more complex radio requirement. Where previously 2G, 3G, or 4G systems could be accommodated without the need for extra supporting structures or raising the antenna heights, 5G signals involve locating antennas closer to the building edge and with a raised antenna heights to avoid the ‘clipping’ effect of building edges given that 5G signals are more prone to the shadowing effect of adjacent buildings or existing structures.
- 4.6. The applicant’s supplementary information document asserts that the site and design of the proposed equipment is the least visually intrusive option available and optimum location given the technical constraints of 5G systems.

## Planning Balance

- 4.7. It is clear from CPG Digital Infrastructure guidance and Paragraph 115 of the NPPF that the number of radio and electronic communications masts and sites should be kept to a minimum, and that where new sites are required (such as for new 5G networks), equipment should be sympathetically designed and camouflaged where appropriate.
- 4.8. In terms of alternative site locations, the submitted documents indicate that the applicant has identified and undertaken consideration for a number of sites within the locality and that these were not chosen as being suitable for various reasons. However, the reasoning given for discounting the alternative sites is vague and does not include enough site specific information or evidence in support of the applicant's claim that these alternative locations were unsuitable. No comparison appears to have been made between the merits or otherwise of the proposed site with any of the alternative discounted sites. It is also considered that not enough alternative sites (new or existing) have been explored to give sufficient justification for the establishment of a new base station at the application site. It is noted that regardless of the alternative site analysis (to which officers have reservations), the less than substantial harm would not be overcome by the public benefits of the proposal.
- 4.9. To conclude, weighing the less than substantial harm caused as a result of the proposed development against the demonstrable public benefit, it is considered on balance that the benefit to the public arising from enhancing the local electronic communication coverage and increased capacity would not outweigh the harm arising to the character and appearance of the host property, local views from the street, and the Belsize Park Conservation Area.
- 4.10. Overall, therefore, on balance, the proposed development does not accord with Chapter 16 of the NPPF which seeks to preserve and enhance heritage assets. The proposal is also contrary to Policies D1 and D2 of the Local Plan. As such, the proposal is considered to be unacceptable in terms of design, appearance, and location.

## **5. SUPPLEMENTARY INFORMATION**

- 5.1. Chapter 10 (Supporting high quality communications) of the NPPF in Paragraph 117 requires that all applications for electronic communications development should be supported by the necessary evidence to justify the proposed development. This should include:
- a. *The outcome of consultations with organizations 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.*
- 5.2. The applicant has provided supplementary information that confirms that according to the Ofsted and Department of Education databases, there are no schools or nurseries located within 0.3 miles of the subject site. However, it was determined that five schools or nurseries are indeed located within 0.3 miles of the site: Rosary Catholic Primary School (0.21mi), Royal Free Hospital Children's School (0.26mi), The Village School (0.27mi), St Christopher's School (0.27mi), and the Fine Arts College (0.28mi). The applicant has therefore failed to carry out adequate pre-application consultation in this regard.



- 5.3. Additional supplementary information was provided that confirms that Belsize Ward Councillors, the Local Member of Parliament, and letters to 242 residential properties on Haverstock Hill and Belsize Grove were notified at pre-application stage. The applicant states that pre-application consultation correspondence was sent to the Council; however, the Council has no record of receiving any pre-application correspondence. There is also no indication by the applicant that other parties with a potential interest were notified of the proposal at the pre-application stage, such as the Belsize CAAC, or other residents groups. The applicant has therefore failed to carry out adequate pre-application consultation.
- 5.4. The applicant advised that zero pre-application consultation responses were received objecting to the proposals.
- 5.5. The supplementary information confirms that application is not located within 3km of an aerodrome or airfield, and confirms that the Civil Aviation Authority and Secretary of State were not notified as a result.

#### Public Health

- 5.6. The supporting information for the application 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.
- 5.7. It is noted that a number of consultation responses have been received from local residents objecting to the proposed electronic communications 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.
- 5.8. Notwithstanding this, the Council notes various advice available on health issues which conclude that mobile phones base stations do not pose any health risk to people, including children. This advice includes amongst other, an independent report in 2012 by the Advisory Group on Non-Ionizing Radiation (AGNIR) which concluded that there is no convincing evidence that exposure to radio frequency within the agreed guideline levels in the UK causes health effects in adults and children.

### **6. AMENITY**

- 6.1. Local Plan Policy A1 (Managing the impact of development), supported by Camden Planning Guidance (Amenity), seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered and by only granting permission for development that would not harm the amenity of communities, occupiers, and neighbouring residents.
- 6.2. In regard to possible noise impacts, no perceptible sound would typically be emitted from the proposed equipment. The cabinets are the only pieces of equipment with the potential to cause some degree of vibration; however, this would typically be low and dampened by the secure fixing of the cabinets so as to minimize any undue impact. There would be no impact on levels of privacy, outlook, daylight or sunlight to neighbouring premises from the proposed development.
- 6.3. Overall, therefore, it is considered that there would be no adverse impact on residential amenity or public safety issues for any neighbouring residential occupiers. As such, the proposal accords with the relevant provisions of the NPPF as required, Camden Local Plan

Policy A1, and Camden Planning Guidance in this regard.

## **7. CONCLUSION**

7.1. The proposal would fail to accord with Policies D1 and D2 of the Camden Local Plan 2017 and Chapter 16 of the NPPF, and the relevant guidance outlined above. The development would create an overly dominant visual clutter in a prominent location and degrade the visual amenity of the area. As such it would detract from the character and appearance of the host property and the Belsize Park Conservation Area. The proposal is not considered to have any adverse impact on residential amenity or public safety issues for any neighbouring occupiers.

## **8. RECOMMENDATION**

8.1. It is therefore recommended, on balance, that planning permission be refused for the following reason:

8.2. The proposed electronic communication equipment located at roof level, by reason of its design, size, height, and location, would result in visual clutter which would detract from the character and appearance of the host property and the wider Belsize Park Conservation Area, thus rendering the proposal contrary to Policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017.