

Delegated Report		Analysis sheet		Expiry Date: 27/01/2023		
		N/A		Consultation Expiry Date: 5/02/2023		
Officer			Application Number(s)			
Brendan Versluys			2022/5259/P			
Application Address			Drawing Numbers			
Highways Land Savernake Road Outside Gospel Oak Primary School London NW3 2JB			See decision notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature			
Proposal(s)						
Installation of 15m high telecoms mast with wrap around base cabinet & 2 x free standing cabinets to pavement.						
Recommendation(s):		i) Prior approval required ii) Prior approval refused				
Application Type:		GPDO Prior Approval Part 16, Class A				
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice				
Informative:						
Consultations						
Adjoining occupiers	No. notified	00	No. of responses	4	No. of objections	3
Summary of consultation responses:	<p>A site notice was displayed near the subject site from 11/01/2023 to 4/02/2023.</p> <p>One objection from a private individual was received during the consultation period, which are summarised as follows:</p> <ul style="list-style-type: none"> The facility will narrow the footway and pose an obstruction for pedestrians on Savernake Road, in particular the elderly, disabled and families with children. <p><u>Officer's Response</u></p> <p>1. Refer to section 5 where transport matters are assessed.</p>					

CAAC/Local groups comments:

An objection was received from the Mansfield Conservation Area Advisory Committee. Their objection is summarised below:

- The facility exhibits and industrial appearance and is out of keeping with the area, and does not preserve or enhance the conservation area.

Officer's Response

Refer to section 4 where impacts to the conservation area are assessed.

Site Description

The subject site is in Savernake Road highways land, directly adjacent to Gospel Oak Primary School, which is located to the north-east of the site. Specifically, the proposed telecommunications facility location is at the inner edge of the north-eastern footway of Savernake Road.

The footway has a total width of approximately 3.9m. Part of the facility will be located adjacent to a pedestrian guard rail and two 'wave' cycle stands. The space between the facility and the guard rail and the cycle stands is approximately 2.6m and 1.5m respectively.

Savernake Road is a two-way road, but narrows to one traffic lane outside Gospel Oak Primary School.

Gospel Oak Primary School includes a mix of single and two level buildings, as well as outdoor play areas and circulation. The side elevation of a single level school block is located adjacent to the proposed facility. Metal security fencing lines the school's boundary with Savernake Road.

To the west of the site on the opposite side of Savernake Road is Gospel Oak Nursery School.

A pedestrian crossing is located further to the south-west of the site on Savernake Road.

Further to the north of the site area three to four level residential terraces.

The application site sits within the Mansfield Conservation Area.

Relevant History

Site History:

There is no relevant planning history for the application site.

Adjacent Sites History:

There is no relevant planning history for the adjacent sites.

There are no granted, yet unimplemented consents which exist for the adjacent sites.

Relevant Policies

Town and Country Planning (General Permitted Development) Order 2015

Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2020

National Planning Policy Framework 2021

London Plan 2021

Camden Local Plan 2017

A1 Managing the impact of development

A2 Open space

D1 Design

D2 Heritage

C6 Access for all

T1 Prioritising walking, cycling and public transport

Camden Planning Guidance

CPG Amenity (2021)

CPG Design (2021)

CPG Transport (2021)

CPG Digital Infrastructure (2018)

Assessment

1. Proposal

- 1.1. The application has been submitted under Part 16 of schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order (GPDO) 2015 (as amended). The order permits the Council to only consider matters of siting and appearance in determining GPDO prior approval applications. As a result, it is not possible for objections to be raised on any other grounds, such as health.
- 1.2. Prior approval consent is sought for the construction of a new 15m high telecommunications monopole, with a wrap around base cabinet & 3 x free standing cabinets located at the pavement.
- 1.3. As described, the facility would be located at the inner edge of the north-eastern footway of Savernake Road
- 1.4. The pole would accommodate 6 x 3G/4G/5G antennas, positioned at the top of the pole. The antennas will be split into a dual stack formation, the upper three 5G antennas being positioned at the top of the pole, and the lower three 3G/4G antennas being positioned 3.35m beneath the upper group.
- 1.5. A wraparound equipment cabinet would be incorporated into the base of the pole, with two equipment cabinets, and an electric meter cabinet, being positioned to the south-east of and positioned consecutively alongside to the pole, offset slightly from the boundary with Gospel Oak Primary School. The two equipment cabinets would be joined together. The wraparound equipment cabinet measures 0.75m (height) x 1.8m (width) x 1.6m (length), the separate equipment cabinets measure 0.66m – 0.7m (length) x 0.65m – 1.9m (width) x 1.1m – 1.827m (height), and the electric meter cabinet measures 0.6m (length) x 0.5m (width) x 1.585m (height).
- 1.6. The pole and cabinets would be mounted on new root foundations. The pole and cabinets are proposed to be coloured grey.
- 1.7. A decision is needed to be made within 56 days of the application's receipt (30th November 2022) unless the applicant has agreed to an extension of time. The applicant has agreed to an extension of time till 27th January 2023. Thus if the applicant does not receive the Council's decision by 27th January 2023, the proposals will have deemed approval by default according to GPDO legislation.

2. Assessment

2.1. Prior approval is required for this type of development as it includes the installation of a mast, under Condition A.2 (3) (c) (i).

2.2. The main considerations in relation to this proposal are:

- Applicant's Justification
- Siting and Design
- Planning balance

3. Applicant's Justification

3.1. The proposal is based on the principle of meeting operational requirements of the mobile operator H3G (Three). It is for a new mast in the area and does not replace any existing equipment. The equipment would ensure the latest high quality 3G/4G provision can be provided in the area, as well as providing new 5G coverage. The applicant has provided sufficient justification to demonstrate that the principle of a new facility, including the antennas, mast and cabinets, within the search area is required, particularly with regard to the provision of 5G technology.

3.2. The applicant has advised that as part of their site selection process, their 'search area' for a new facility does contain any existing masts or tall buildings, and therefore a ground-based solution was required.

3.3. The applicant has considered seven other alternative sites for a telecommunications facility. However, these sites were disregarded for a number of reasons, including the alternative sites having a greater impact on residential amenity and or footway width than the application site, or constraints posed by underground services, overhead wires, and visibility splays.

3.4. Notwithstanding the range of environmental restrictions which exist when identifying and selecting a site for a telecommunications facility, it is considered that an insufficient number and range of sites were explored, nor sufficient justification given for this location. There is adequate justification provided to explain why mast and site sharing, and locating on existing building structures were discounted. However, the alternative site location map provided by the applicant indicates the applicant has also not explored the feasibility of establishing a facility on non-highways land, such as privately owned land or the railway corridor.

3.5. The applicant has provided a ICNIRP Declaration certificate, which states 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.

4. Siting and Design

4.1 Local Plan Policies D1 (Design) and D2 (Heritage) are aimed at achieving the highest standard of design in all developments. Policy D1 requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area; and Policy D2 states that the Council will preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including listed buildings.

4.2 CPG Digital Infrastructure states that "the Council will aim to keep the numbers of radio and telecommunications masts and the sites for such installations to a minimum consistent with the efficient operation of the network. Existing masts, buildings and other structures should be used unless the need for a new site has been demonstrated to the satisfaction of the Council.

Where new sites are required, equipment should be sympathetically designed and appropriately camouflaged where possible.”

- 4.3 The proposed mast would measure 15m in height and the new cabinets would range from 0.75m to 1.827 height.
- 4.4 The site is located within the Mansfield Conservation Area. The proposed monopole and cabinets would be visible in views towards the views towards the semi-detached houses on the eastern end of Savernake Road, which are positive contributors to the conservation area. The proposed monopole would neither preserve nor enhance the character and appearance of the conservation area. As discussed under section 4, due to the inadequate range and number of alternative sites explored, it is uncertain whether another feasible location for establishing the facility exists, which is located either outside the conservation area or within the conservation area in a less harmful location. Council’s Conservation Officer has advised that may be possible to balance the harm caused by the proposals against public benefit, but it is difficult to do this given that it is unclear why the proposed site is the only viably or least harmful location. Overall, given the scale of the facility and its visibility and dominance within views of the nearby positive conservation contributing buildings on Savernake Road, when considered in the context of inadequate number and range of potentially less harmful facility locations explored, the proposed facility would cause unacceptable harm to the character and appearance of the Mansfield Conservation area.
- 4.5 In terms of the siting within the highways land, the facility will result in a cluttered street setting, being positioned in close proximity to the adjacent pedestrian guard railings and cycle stands. The monopole will be located on a local road, and not a wide, spacious arterial road, where the bulk and scale of the pole and cabinets could be more easily absorbed within the landscape. As the monopole and cabinets will be located in a narrower, local road, generally only used by local traffic and for school pickups/drop offs, and given the absence of any similar scale vertically oriented structures in the nearby environment, the facility will be more noticeable and the cabinets specifically will appear as bulky. Consequently, the facility will appear as not in keeping with the neighbourhood and streetscape character.
- 4.6 The proposed equipment due to its excessive height, number, bulk, and inappropriate siting would result in overly dominant visual clutter which would affect the openness and setting of the street, causing material harm to the character and appearance of the street scene.

5. Transport

- 5.1 Policy T1 of the Local Plan (2017) outlines the need to promote sustainable transport by prioritising walking, cycling and public transport in the borough. It goes on to state that in order to promote walking in the borough and improve the pedestrian environment, the Council will seek to ensure that developments are easy and safe to walk through (‘permeable’) and provide high quality footpaths and pavements that are wide enough for the number of people expected to use them. Features should also be included to assist vulnerable road users where appropriate.
- 5.2 In support of the above, CPG Transport states that that the Council expects developments to consider the movement of people in and around a site, and to include the following: Ensuring the safety of vulnerable road users, including children, elderly people and people with mobility difficulties, sight impairments, and other disabilities; Avoiding street clutter and minimising the risk of pedestrian routes being obstructed or narrowed, e.g. by footway parking or by unnecessary street furniture.
- 5.3 The proposed monopole and cabinets would be installed in the footway, and leave a narrow gap of approximately 1.5m in between the cabinets and the cycle stands. This gap does not

account for any bicycles parked at the cycle stands, which may reduce the effective width between the cycle stands and facility further. The remainder of the footway adjacent to the facility would have a gap of approximately 2.3m – 2.6m. While the space provided in the footway and the facility likely complies with the minimum requirements of the GDPO for inclusive mobility, it is noted the GDPO measurements are *minimum* requirements and are not necessarily desirable outcomes for the street environment. It is noted Camden Council has a minimum 1.8m effective footway width as a minimum standard.

5.4 The section of the footway is in a busy location where parents and students congregate during school drop-off and pickup times. The proposed 3x cabinets would cause disruptions to pedestrians, parents and students on Savernake Road. Council's Transport Officer objects to the proposal and has advised that a reduction in the footway width at this location would not be acceptable. The facility will also worsen the legibility of the street environment. Due to the facility being in close proximity to the cycle stands and leaving a narrow gap for pedestrians, the pathway through the footway may be confusing and not easily understood for pedestrians. Particularly at school drop off/pick up times when the pavement is likely to be more busy, pedestrians may be more likely to risk deviating off the pavement and walking on the traffic lane as a way of avoiding the cluttered and illegible pavement, which is a poor transportation outcome.

5.5 Overall, while the facility would maintain the minimum GDPO footway width requirements, the outcomes for pedestrians due to the narrow footway width as a result of the size and location of the facility, will likely unduly inhibit pedestrian movement and create an environment outside the school which is uninviting and unwelcoming for pedestrians.

6. Amenity

6.1 Para 45 of the NPPF states that applications for telecommunications development should be supported by the necessary evidence to justify the proposed development. This should include, 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 on nonionizing radiation protection guidelines. Para 46 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.

6.2 As discussed in section 3.5, the applicant has submitted a ICNIRP Declaration certificate, which states 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.

6.1 The pole and cabinets will be sufficiently separated from nearby residential properties so as to not result in undue shadowing over or adversely effect the outlook from residential properties.

6.2 However, as discussed in section 5, the facility's adverse impacts on pedestrian movements and the streetscape character are sufficient to justify refusal. Further, the monopole will not be in keeping with the conservation area given it will affect the conservation values of the nearby Edwardian terraces on Savernake Road, nor will it be in keeping with the character of the area given the absence of other tall buildings and the facility's siting in a narrower, more confined street where it will appear as more visually dominant.

7. Planning Balance

- 7.1 Considerable importance and weight has been attached to the desirability of preserving or enhancing the character or appearance of the Mansfield 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.
- 7.2 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"*.
- 7.3 Given that the assessment as outlined above in Section 4 (Siting and Design) of this report, it is considered that the proposed electronic communications equipment would result in unacceptable harm to the street setting and neighbourhood character, and the Mansfield Conservation Area.
- 7.4 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.
- 7.5 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, it is considered the applicant has not explored alternative to give sufficient justification for the establishment of the facility at the application site. In particular, it is considered the applicant has also not explored the feasibility of establishing a facility on non-highways land, such as privately owned land or the railway corridor. It is noted that regardless of the alternative site analysis (to which officers have reservations), the harm caused by the proposed facility would not be overcome by the public benefits of the proposal.
- 7.6 Council acknowledges that the proposal would have public benefits in the sense that it would provide improved 3G/4G coverage and new 5G coverage and reception in the area and would enable enhanced connectivity for residents, students, businesses and services. Nevertheless, weighing the harm caused to the setting of the conservation area and streetscape character, and harm caused to pedestrians as a result of the proposed development against this demonstrable public benefit, it is considered on balance that the benefit to the public arising from enhancing the local telecommunication coverage and increased capacity would not outweigh the harm arising to the character, amenity and transport network of the local area.
- 7.7 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.
- 7.8 The proposal would therefore fail to accord with policies D1, D2, T1, T3 and A2 of the Camden Local Plan 2017. The development would create overly dominant visual clutter in a key area of the street position, causing harm to the street setting, pedestrian amenity and the setting and character of the conservation area.

8. Recommendation: Prior approval required - Approval refused on grounds of unacceptable siting and design.

Reason:

The proposed monopole, by reason of its height, bulk, size and alien appearance in this location, would result in overly dominant visual clutter in a key position of the street position which would cause material harm to the local visual amenity, and be detrimental to the character and appearance of the street scene, pedestrian amenity, and the character of the wider Mansfield Conservation Area, contrary to policies A1 (Managing the impact of development), D1 (Design), D2 (Heritage), T1 (Prioritising walking, cycling and public transport) and T3 (Transport infrastructure) of the London Borough of Camden Local Plan 2017.