

Application ref: 2022/5002/P
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Waldon Telecom Ltd
Rosemount House
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KT14 6LB
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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)
Prior Approval Required - Approval Given

Address:
Ramsay Hall
20 Maple Street
London
W1T 5HB

Proposal: Installation of telecommunications equipment on rooftop, including 3 x antennas, 1 x equipment cabinet and ancillary development.

Drawing Nos: 100 Rev. C; 200 Rev. B; 201 Rev. B; 300 Rev. B; 301 Rev. B; Allaying health concerns regarding 5G and exposure to radio waves (The Institution of Engineering and Technology); Constraints and solutions for rooftop deployment - The installation of effective rooftop mobile infrastructure (Cornerstone); Cover Letter (prepared by Cornerstone, dated 15/11/2022); General Background Information for Telecommunications Development - England (Cornerstone); Health and Mobile Phone Base Stations (prepared by Cornerstone, dated 11/05/2021); ICNIRP Compliance Declaration (prepared by Cornerstone, dated 15/11/2022); The public benefit of mobile connectivity (Cornerstone); Site Specific Supplementary Information.

The Council has considered your application for prior approval of siting and appearance in respect of the telecommunications equipment described above and hereby determines that prior approval is required and **gives approval**.

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: 100 Rev. C; 200 Rev. B; 201 Rev. B; 300 Rev. B; 301 Rev. B; Cover Letter (prepared by Cornerstone, dated 15/11/2022); ICNIRP Compliance Declaration (prepared by Cornerstone, dated 15/11/2022); Site Specific Supplementary Information.

Reason: For the avoidance of doubt and in the interest of proper planning.

- 3 The apparatus hereby approved shall be removed from the building as soon as reasonably practicable when no longer required.

Reason: In order to minimize the impact on the appearance of the building and local environment in accordance with the requirements of Policies D1 and D2 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting approval:

This application was submitted under Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) Order 2015. The application is to assess whether Prior Approval for the acceptability in terms of siting and appearance is required. It is considered that prior approval would be required and that it can be granted for the following reasons.

The proposal uses an existing rooftop site for telecomms equipment (granted planning permission under application ref. P9600977R1 dated 19/07/1996 and upgraded under application ref. PS9904179 dated 29/04/1999), and it is intended to upgrade this installation to provide 5G coverage and enhanced 3G and 4G provision.

It is proposed to install 3 new antennas on support poles plus a new equipment cabinet, and ancillary development to include a new freestanding handrail and a demarcation chain around the new tripod frame to the south-east of the rooftop. A number of antennas would also be relocated on new support poles on the same rooftop. The locations of the new and relocated antennas and equipment cabinet to the north-west of the rooftop near the junction with Whitfield Street and Grafton Way would be broadly the same as existing; however, in order to ensure ICNIRP compliance and to provide a clear 5G signal, the proposals also include the installation of new and relocated antennas at a new location on the south-east corner of the rooftop adjacent to the junction with Maple Street and Whitfield Street. The proposed antennas would be 0.8m in height, between approximately 1.2-1.4m shorter than the existing, and the overall height of the antennas mounted on poles would remain the same as existing. The antenna support poles and equipment housing would be steel with a grey finish.

The site is located in the Fitzroy Square Conservation Area and is adjacent to the Grade II Listed Indian YMCA (No. 41 Fitzroy Square) and on the opposite side of the road to the Grade II listed No. 112 Whitfield Street. It is also within the setting of Fitzroy Square, an internationally significant heritage asset of Grade I and Grade II* listed buildings.

The existing equipment is visible from public views along Grafton Way and Whitfield Street, including in views of the Grade II listed BT Tower looking south-west from Grafton Way. The new and relocated equipment to the north-west of the rooftop (closest to the neighbouring listed buildings) would be located in similar locations to the existing and would be of a similar scale and the same overall height. As such, it is considered that the new equipment in these locations would only be marginally more visible and prominent in those same views at street level and would thus not create significant additional visual clutter at rooftop level in views along Grafton Way and Whitfield Street and towards the BT Tower.

Although the proposed telecomms equipment would be visible in longer views towards Fitzroy Square and the Indian YMCA from the junction with Grafton Way and Whitfield Street, views of the Square are mostly obscured by street trees and it is thus not considered that the proposals would harm the setting of the listed buildings within Fitzroy Square or the adjacent Indian YMCA. The proposed equipment would not have a visual presence from Fitzroy Square itself. As such, it is considered that the proposed equipment in this location on the rooftop would not have a detrimental impact on the character and appearance of the conservation area or on the setting of the neighbouring listed buildings.

- 2 The proposals would introduce new street level views of telecomms equipment through the installation of the new and relocated antennas on a tripod on the south-eastern corner of the rooftop. The tripod would be visible and prominent in views along Maple Street and Whitfield Street, and it is considered that it would have a detrimental impact on the character and appearance of the conservation area due to increased roof level clutter. However, the impact of the new equipment is lessened through the positioning of the equipment away from the rooftop edge and adjacent to the existing plant room. In terms of the NPPF, the harm to the conservation area would be less than substantial. There would be no impact on the setting of neighbouring listed buildings from the proposed equipment in this location.

The new equipment would use an existing site, which is the preferred approach in accordance with NPPF guidance on locating telecomms equipment. The applicant has demonstrated that the equipment is required for new 5G coverage and that the siting of the equipment on the south-east of the rooftop is necessary for ICNIRP compliance and to provide a clear 5G signal. Therefore, whilst it is acknowledged that the proposed telecomms equipment to the south-east of the rooftop is considered to cause less than substantial harm to the character and appearance of the conservation area, it is considered that there is sufficient justification for the proposed new and relocated equipment in this location and that, in accordance with NPPF guidance on heritage assets, the public benefits of the proposal outweigh the less than substantial harm to the Fitzroy Square Conservation Area.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, and the desirability of preserving the setting of neighbouring listed buildings, under s.66 and s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

The size and location of the new equipment is not considered to cause any new adverse impacts on the amenity of adjoining residential occupiers in terms of loss of light, outlook or privacy. There will be no impact on public health as the application is supported by an ICNIRP Declaration which demonstrates that the equipment meets national safeguards on emission levels in accordance with government guidelines.

As such, the proposal is considered acceptable in terms of its siting and appearance.

No objections were received prior to making this decision. The planning history of the site have been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1, D1 and D2 of the Camden Local Plan 2017 and policy F1 of the Fitzrovia Area Action Plan 2014. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2021.

- 3 You are reminded of the need to ensure that the apparatus shall be removed as soon as reasonably practicable when no longer required, in accordance with condition A.2(2) of Part 24 of the Town & Country Planning (General Permitted Development) Order (as amended).

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2021.

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is written over a light blue rectangular background.

Daniel Pope
Chief Planning Officer