



Dave Shorland Esq
Planning Inspectorate
Room 3/19, Eagle Wing
Temple Quay House
2 The Square, Temple Quay
Bristol BS1 6PN

2 February 2006

Dear Mr Shorland

Your ref: APP/N5090/A/05/1196835

London Borough of Barnet ref: C16391/05

Grass verge between Kenwood Close and Hampstead Lane NW3

We understand that an appeal has been lodged for a mobile phone transmitter within the Hampstead Garden Suburb Conservation Area at the above location. On behalf the Hampstead Garden Suburb Residents Association, we wish to lodge a strenuous objection.

The chosen location for this application could not be more inappropriate. It is a charming grassy bank which divides Kenwood Close from Hampstead Lane. Because of the natural fall in the land, the bank has a unique ambience and is bordered by a traditional open railing.

The grassy bank, although technically a verge, leads the eye towards the famous listed Spaniards Inn, noted for both architectural and historic interest as the reputed haunt of Dick Turpin.

The Residents Association in conjunction with English Heritage and the London Borough of Barnet has recently replaced the former ugly street name signs to Kenwood Close with two of a traditional design and it is intended as a second phase in the project to remove the redundant free standing cul de sac sign at the entrance to Kenwood Close. The replacement of this by a nearby transmitter would be a snub to all the hard work put in by these organisations over the past three years. See attached cutting for an explanation of the project.

Hampstead Garden Suburb will approach its 100th anniversary in 2007 and it owes its continuing charm and beauty to the generally sensible approach of its guardians, the HGS Trust (which operates a scheme of management under the Leasehold Reform Acts), the Council planners and yourself the Planning Inspectorate.

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I refer to three planning appeal decisions where appeals have been dismissed for mobile phone transmitters in the Hampstead Garden Suburb Conservation Area. Unfortunately I do not have the Planning Inspectorate references but I refer to them here under the Barnet reference numbers. They are:

- Highways Verge 190 Falloden Way (2004; C14891A/03);
- Junction of Ossulton Way and Lyttleton Road (2001; C14083/00);
- Highways verge, Spaniards Road (2002; C14341/01)

I suggest that these are precedents which it would be most appropriate to follow. One of the Appeals was at a location at a similar distance the other side of the Spaniards Inn as the Appeal you are considering.

Barnet has also refused permission to nine other applications of similar or identical size in the Garden Suburb Conservation Area: C16333A/05, C16420A/05, C164201/05, C16391/05, C16333/05, C16109/04, C16033A/04, C00065AK/03 and C14082/00. It is no exaggeration to say that the Conservation Area is under threat from these applications and given that there are now five mobile phone companies, without the rational decisions taken to date by Barnet Council, there would certainly have been many more applications.

The Hampstead Garden Suburb Conservation Area is subject to an Article IV Direction which requires owners of properties to submit applications to a very high standard of design and materials. Any alterations to properties must "preserve or enhance" the conservation area. The Residents Association considers that any development in the street (such as a mobile phone transmitter which requires planning consent) should conform to an equally high standard. It does not consider that this application for a transmitter conforms to this standard.

No attempt has been made in the current application to conceal the transmitter or to camouflage it. This contravenes recommendation 24 of *Planning Policy Guide Telecommunications PPG8*, revised September 2003 which states:

"In seeking to arrive at the best solution for an individual site, authorities and operators should use sympathetic design and camouflage to minimise the impact of development on the environment. Particularly in designated areas, the aim should be for apparatus to blend into the landscape."

Detailed recommendations for camouflage are also contained in *Code of Best Practice: Mobile Phone Network Development* published by the Office of the Deputy Prime Minister, 2002. The current application has not adopted the recommendations contained in that document. The HGS Article IV Conservation Area is such a *designated area*.

In addition the transmitter in question will be accompanied by an equipment box. These equipment boxes attract graffiti and are unsightly. There is a very serious problem with graffiti in the Suburb on the existing phone and cable TV boxes which are similar in size to the proposed equipment boxes. Unfortunately these are not subject to planning controls which is a matter of some regret.

Photographs of mobile phone transmitter boxes recently installed not far from our conservation area illustrate how detrimental to the character of the Conservation Area this equipment can be. As well as the graffiti, there is no

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standardisation of size, designs or colours on the equipment boxes. It would be extraordinary that permission could be contemplated for such proposals when in the Article IV Direction, even the colour of paint on the front door of a resident's house is subject to planning consent.



I suggest the test should be whether permission would be granted to a resident who wished to erect the proposed equipment boxes in his or her front garden. The answer would self-evidently be no.

Part of our Association's work is concerned with reducing the amount of street clutter in the area. We feel this application is contrary to good practice contained in *Streets for All: A guide to the management of London's streets* published by English Heritage which was commissioned by English Heritage, the Government Office for London, the London Forum and the Pedestrians Association. This publication describes good practice for Street Furniture. The location of these boxes close to the advertisement signs mentioned above would be inappropriate, even if there were no application for a pole.

I sent a copy of the draft of this letter to English Heritage and I would like to incorporate the comments I received in reply (dated 31 January 2006) from Richard Parish, the Historic Buildings and Areas Adviser at English Heritage for our area:

"Thank you for your copy letter, I think this addresses the issues extremely well. Whilst the proposal falls outside requirements to consult English Heritage, we are of course concerned on the basis of our initiatives to promote best practice in historic areas, as set out in our *Streets For All Publication* and *Save our Streets Initiative*, and our funding of public realm works within Hampstead Garden Suburb. It is extremely unfortunate that consideration in finding a more appropriate place for the transmitter seems to have been ignored.

"The accumulative impact of new equipment within the historic streetscape results in a constant erosion of the quality and character of the public realm and is directly opposed to the desire to encourage the removal of unwanted clutter and poor quality infrastructure from the historic environment (a view shared with Transport for London and the Greater London Authority).

"The deregulation of many of the former statutory undertakers has placed great pressure on historic areas and it is essential that a robust view is taken in the controlling proposals for new infrastructure and that a sensitive approach is encouraged and adopted by service providers. I would hope that the Appeal would enforce the recommendations set out in PPG8, PPG15 and the local authority guidance. Please feel free to forward this response if you feel these comments are helpful."

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The Association suggests that such a transmitter would be in conflict with policies T1.1, T3.1, T3.2, G3, T7.1 and T8.1 of the Barnet Unitary Development Plan (1991) and policies D1, D2, D7, D16, D20 and HC1 of the UDP Draft Deposit Modifications (28/06/05) and is also in conflict with the guidance in PPG15 *Planning and the Historic Environment* and PPG8 *Planning Policy Guide Telecommunications* as described above.

It is imperative that the highest emission levels are within ICNIRP guidelines and are not considered a health hazard to the public. Evidence should be sought to prove that no health risk is likely.

The Residents Association therefore urges you to reject this application as damaging to the character of the Conservation Area and inconsistent with current standards of good practice as laid out in the Barnet UDP, PPG15, PPG8, the English Heritage document, the Code of Best Practice and the 12 previous planning refusals quoted above of which three were appealed and the Borough's decision to refuse was upheld in all three cases.

The Residents Association does accept that our members use mobile phones and our objection does not rule out the location of mobile phone transmitters in our area provided any potential health hazards are overcome and the transmitters and associated equipment boxes are completely invisible.

It is accepted within an Article IV Conservation Area that building work generally needs to be carried out to a higher standard of aesthetics than elsewhere and that is inevitably more costly for the residents. The same high standards should also apply in the provision of mobile phone transmitter design but have not been achieved in the case of this Appeal and we therefore urge you to reject it.

Yours sincerely

David Lewis, Chairman

David Lewis Chairman
Hampstead Garden Suburb Residents Association
The Hampstead Garden Suburb Residents Association is the representative body
for residents of Hampstead Garden Suburb. The Association has 2,200 households in membership.
It is believed to be the largest such association in the UK.
