



Fabien Bernard-Gaudin
Planning, Housing and Regeneration Service
Building 4, North London Business Park
Oakleigh Road South
London N11 1NP

2 May 2009

Dear Mr Bernard-Gaudin

F/01175/09 – Lyttelton Road, London N2 – grass verge opposite Belvedere Court

We understand that an application has been received for a mobile phone transmitter within the HGS Conservation Area at the above location. On behalf of the HGS Residents Association, we wish to lodge a strenuous objection.

The HGS 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. We consider that any development in the street (such as a mobile phone transmitter which requires planning consent) should conform to an equally high standard. We do not consider that this application for a transmitter conforms to this standard and does not “preserve or enhance” and should therefore be rejected.

We refer to the four previous applications by the same applicant the other side of the Lyttelton Road from this location (C16420A, C16420B, C16420D and F/0391-08) where you gave the following reasons for refusal and would suggest that the same reasons (and additional ones below) would apply in this case:

“The proposal, by reason of its size, siting and design, would be unduly obtrusive in the street scene and would lead to an increase in street furniture causing harm to the character and appearance of this part of the Conservation area.”

In addition a precedent must surely be C16333A/05 on Lyttelton Road which was refused three times by yourselves and was subsequently refused at appeal.

The increased street furniture that the mast and electrical cabinet would create would be an inappropriate addition to this part of the Conservation area, and would be highly prominent in the street scene. The proposed site is directly opposite

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The Hampstead Garden Suburb Residents Association
has 2,200 households in membership. It is believed to be
the largest such association in the UK.

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a Grade II listed building (Belvedere Court) and would be a totally inappropriate position for any obtrusive street furniture.

In addition this site is extremely close to Kerem School and we believe that the Council must follow Sir William Stewart's recommendation in the latest Stewart Report (2005), that masts should not be positioned near to schools.

The proposal conflicts with policies D16, HC12, D1, D2, and HC1 of the Barnet UDP, adopted May 2006.

Policy D16 states that proposals for telecommunications equipment will be permitted where:

- 1. It can be demonstrated that there are no significant adverse visual affects on the ...character of heritage land and areas of special character.*
- 2. the special character or appearance of listed buildings or conservation areas are preserved or enhanced*
- 3. they are appropriately designed, coloured and landscaped to take account of their setting*
- 4. there is no significant adverse impact on the visual amenity of neighbouring occupiers*

Policy HC12 states: *"Development proposals must respect the setting of a listed building or group of listed buildings..."*

Policy D1 states: *"in sensitive areas such as conservation areas, the vicinity of listed buildings and areas of special character, particular care is needed to ensure designs preserve or enhance the special qualities of the area."*

D2 States: *"The council will encourage development proposals which are based on an understanding of local characteristics, preserve or enhance local character and respect...the overall character and quality of the area."*

The design, materials and dimensions of the application cannot be justifiably claimed to conform to the recommendations for the camouflage of such transmitters. In particular section 24 of the *Planning Policy Guide Telecommunications PPG8*, revised September 2003 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."

There has been no attempt to camouflage this 'telecommunications column' and we feel it and its accompanying equipment box and meter pillar will be an unacceptable eyesore in the Hampstead Garden Suburb Conservation Area.

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*.

With reference to the equipment box we believe it will attract unsightly graffiti. 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.

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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 standardisation of size, designs or colours. 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.



We 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 application is also in conflict with the guidance in PPG15 *Planning and the Historic Environment* and PPG8

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.

We refer to eight appeal decisions where appeals have been dismissed for mobile phone transmitters in the HGS Conservation Area:

- Junction Litchfield Way/Meadway (2008; C17228/07)
- Land opposite 82 Addison Way (2007; C16919B/06)
- Land adjacent to 2 Lyttelton Road (2006; C16333A/05)
- Junction of Meadway and Kingsley Way (2006; C16474/05)
- Kenwood Close/Hampstead Lane (2006; C16391/05)
- Highways verge 190 Falloden Way (2004; C14891A/03)
- Spaniards Road (2001; C14341/01)
- Junction of Ossulton Way and Lyttelton Road (2001; C12083/00)

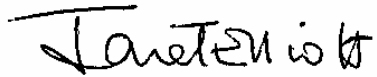
We therefore urge you to reject this application as damaging to the character of the Conservation Area and inconsistent with current standards of good practice as laid out in your UDP, PPG15, PPG8, the English Heritage document, the Code of Best Practice and the previous refusals of which eight were appealed and your decision was upheld in all eight cases. Hampstead Garden Suburb has just

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celebrated its centenary and it is due to rigorous planning decisions that it has remained an area of beauty and should continue to be so.

If officers are minded to accept this application, we would request that a member of our Association be permitted to speak in person at the Planning Committee or Sub-Committee meeting.

Yours sincerely

A handwritten signature in black ink that reads "Janet Elliott". The signature is written in a cursive style with a horizontal line above the first few letters.

Janet Elliott
Chairman