



Appeal Decision

Site visit made on 21 November 2025

by **M Cryan BA(Hons) DipTP MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 27 February 2026

Appeal Ref: APP/X5210/W/25/3371199

Crest View, 47 Dartmouth Park Hill, London NW5 1JB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 16 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- The appeal is made by MBNL (EE (UK) Ltd & H3G (UK) Ltd) against the decision of the Council of the London Borough of Camden.
- The application reference is 2024/5808/P.
- The development proposed is the installation of 3 no. antenna apertures, 1 no.300mm transmission dish and 5 no. equipment cabinets on the roof of the building and development ancillary thereto.

Decision

1. The appeal is allowed and prior approval is granted under the provisions of Article 3(1) and Schedule 2, Part 16 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for The installation of 3 no. antenna apertures, 1 no.300mm transmission dish and 5 no. equipment cabinets on the roof of the building and development ancillary thereto. at Crest View, 47 Dartmouth Park Hill, London NW5 1JB in accordance with the application reference 2024/5808/P and the details submitted with it.

Preliminary Matters

2. The appeal site address was given by the appellants as “Crest View”, though the Council preferred “Crestview” in its evidence, and this is also the form used in signage on the building itself. Both forms were used in submissions by other parties, sometimes within the same document. I have stuck with “Crest View” here, both to reflect its use on the application form and because it is the Royal Mail’s “correct” postal address. In any case, there is no doubt over the building to which the appeal relates.
3. The provisions of Article 3(1) and Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (hereafter “the GPDO”) permit certain categories of development, including the installation of electronic communications apparatus and ancillary equipment. This is subject to the restrictions, limitations, conditions and “prior approval” requirements set out in Paragraphs A.1., A.2. and A.3. of the GPDO.
4. The GPDO does not require regard be had to the development plan for this class of development. Decision makers are required to assess the proposed development solely on the basis of its siting and appearance, taking into account any representations received. I have had regard to development plan policies which have been brought to my attention only insofar as they are material considerations relevant to matters of siting and appearance. The National Planning

Policy Framework (“the Framework”) is also a material consideration, though again it is not a requirement of this part of the GPDO to have regard to it.

5. The appeal site is within the Dartmouth Park Conservation Area (“the DPCA”), and I have a duty under section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (“the PLBCAA 1990”) to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. The site is also close to the Grade II* Listed St Mary Brookfield Church¹, but the duty in respect of the setting of listed buildings under section 66 of the PLBCAA 1990 does not apply to applications for prior approval. Nevertheless, I have taken the listed building into account as a material consideration in my assessment of the siting and appearance of the proposed development.

Main Issue

6. The main issue is the effect of the siting and appearance of the proposed installation on the character and appearance of the DPCA, including the setting of the nearby Grade II* Listed St Mary Brookfield Church and, if any harm would be caused, whether this would be outweighed by the need to site the installation in the proposed location, taking into account any suitable alternatives.

Reasons

Character and appearance

7. Crest View is a residential block, comprising six floors of flats above ground floor garages, built in the early 1960s to a T-shaped plan (with the arm of the T at the southern end of the site and the stem pointing north). It stands at the junction of Dartmouth Park Hill with Dartmouth Park Road and Laurier Road, in a predominantly residential area. The proposed development is the installation of three antennas, one transmission dish, and five cabinets, along with ancillary safety railings and cabling, to the roof of the building. The cabinets and transmission dish would be on the southern part of the main flat roof, while the antennas would be on support structures fixed to the roof access structure which rises above the central part of the building.
8. The DPCA area covers a large, primarily residential area, though with other uses (including community buildings such as schools and churches, and workshops and offices) interspersed throughout. The Council’s 2009 DPCA Appraisal and Management Statement (“the AMS”) describes the area as having a variety and complexity that charts the history of domestic architecture from the late 18th century to the present day. The area brushes the eastern fringe of Hampstead Heath, and the topography allows a variety of long- and close-range views of roofscapes. It is from these factors that the significance of the DPCA, insofar as it relates to this case, is principally derived.
9. Dartmouth Park Hill marks the eastern boundary of the DPCA. Crest View is at a location where the land drops away to the west, south and east from a tongue of the Highgate Ridge; this is particularly evident on Dartmouth Park Hill itself to the south, and along Dartmouth Park Road and Laurier Road to the west. Crest View is identified in the AMS as having a negative impact on the conservation area;

¹ List Entry Number 1067389

close-up because of its “bland design”, and in longer views from the west because of its prominent position and dominance.

10. St Mary Brookfield Church is described in the official List Entry as dating from 1869—75, by William Butterfield, in a Decorated Gothic style. It is of brown brick, with red and black diaper work, and yellow stone and red brick bands. Its position at a high point at the corner of Dartmouth Park Hill and Dartmouth Park Road means that it is in a prominent position; the AMS describes it as “an imposing edifice” and “a landmark visible from many points”.
11. Crest View is around 19m tall, and of a relatively simple form and design. The existing roof access structure is a plain light-painted box which stands out against the backdrop of the sky, but there is little else in the way of visual clutter – aerials and satellite dishes shown on the “existing” site drawing had been removed by the time of my site visit (and apparently a good while previously). The proposed antennas would rise to around 3.5m above the flat top of the access structure, and a little over 6m above the main roof parapet. They would therefore increase the overall height of the main building by around a third and, while they would be relatively slender, they would nevertheless be a stark and utilitarian addition. The equipment cabinets would also add bulk to what is currently open roofspace close to the building’s southern elevation.
12. In medium and long-range views, the proposed installation would be a very visible addition to the building, adding an intrusive and disruptive element to the existing clean lines of Crest View. It would sit alongside the roofline of St Mary Brookfield Church in views from the west, such as from Parliament Hill and thereabouts, and in front of it in views from the north along Dartmouth Park Hill, detracting from appreciation of the church as a significant landmark. I acknowledge that Crest View itself could already be said to have undermined the prominence of the church, given its height and form, but that would be exacerbated by the proposed installation.
13. From close range, at least from ground level, much of the installation would be hidden from view by the parapet around the rooftop. However, the antennas and support structures, roof access ladder and other elements would still be seen from various angles. The 1.1m guardrail would be also visible above the parapet from many street-level vantage points, so the additional clutter on Crest View would be appreciable. The effect on St Mary Brookfield would be less noticeable close-up; from ground level around the junction of Dartmouth Park Hill, Dartmouth Park Road and Laurier Road the viewing the church itself means looking past, or away from, Crest View. Because of the quality of its design and execution, including the brick diaper work which is seen at its best in close views, the church would tend to draw the eye and so would remain the visually-dominant and most significant building.
14. The appeal site is in an urban location where telecommunications infrastructure, including rooftop aerials and similar installations, is to be an expected part of the environment. Nevertheless, for the reasons I have set out above, including its relationship with the Grade II* Listed St Mary Brookfield Church, the form and siting of the proposed installation would be a harmful addition to the local townscape.

15. The siting and appearance of the proposed installation would therefore fail to preserve or enhance the character and appearance of the DPCA. The harm would be limited by the relatively small scale of the development, and in the Framework's terms the harm to the significance of the Conservation Area as a designated heritage asset would be less than substantial. I address the "public benefits" of the scheme, as required by Paragraph 215 of the Framework, in the following section.
16. Because of the harm to the DPCA which I have found, and insofar as they are material considerations, I conclude that the proposal would conflict with Policies D1 and D2 of the 2017 Camden Local Plan, and Policies DC2 and DC3 of the 2020 Dartmouth Park Neighbourhood Plan. Together, and among other things, these policies seek to ensure that development respects local character, preserves or enhances the historic environment and heritage assets, including the DPCA.

Need, alternatives and other considerations

17. The Framework supports the provision of high quality and reliable communications, which it states are essential for economic growth and social well-being. Paragraph 119 states that planning policies and decisions should support the expansion of the electronic communications network, including next generation mobile technology such as 5G.
18. The supporting information submitted with the application indicates that the proposed development would replace a now-decommissioned base station at Hill House, close to Archway Station some 500m or so north-east of the appeal site. It would fill a coverage gap in two operators' networks, increasing capacity in the surrounding area and assisting in the roll out of 5G technology in accordance with aspirations in the Framework. It also explains that none of the "sequentially preferable" options set out in the Framework is available, and that the search area for a new mast is tightly constrained by the need to be sufficiently distant from other base stations serving the same operator so as not to cause interference. I am satisfied that the appellant has demonstrated that there is an identified need for the proposed development to be located somewhere within the search area.
19. Site selection information has been provided in respect of alternative sites in the vicinity, which were discounted for a variety of reasons. Several of these were highlighted by interested parties during the appeal, who suggested that they would represent better options than the Crest View roof, and I have taken those comments into consideration here.
20. Many people proposed Dartmouth Park Hill Reservoir as the most suitable alternative; it is a secure site at a high point a couple of hundred metres or so north-east of Crest View. However, the appellant has indicated that a mast somewhere between 20m and 25m tall would be required to achieve the necessary network coverage, so it would be a substantial structure with a high visual impact. The appellant also considers that, given the use of that site as an operational service reservoir, it is unlikely that it would be possible to construct adequate foundations in that location for the size of mast required.
21. Reuse of the previous site at Hill House was also suggested. While the appellant acknowledged that this may be a possibility, they stated that the smaller cell size of 5G networks means that it would not provide adequate coverage of the target area, and an additional base station would be required in any event. Vantage Point (formerly known as Archway Tower) was also suggested; that is also close to

Archway station but slightly further away from the target area than Hill House. While that was not one of the sites examined by the appellant I am not therefore persuaded that it is a realistic alternative to the appeal site.

22. Bickerton House on Bickerton Road was discounted because the presence of rooftop terraces on that building would not comply with ICNIRP requirements. While it was suggested by some respondents that antennas are routinely screened in similar circumstances, there is no substantive evidence before me to indicate that the appellant's assessment is incorrect. New developments such as the scheme underway at 2 Chester Road, and the recently-completed Highgate Community Centre were also suggested as omissions from the search, but I am not persuaded that it is reasonable to expect an assessment of alternatives to include buildings which are only in the planning or construction stage at the time of making an application.
23. The need for the installation has not been disputed by the Council, although it did itself not put forward any further possible alternative sites. Based on all the evidence before me, including my observations on my site visit, I am satisfied that there is not a more suitable site for the required facility.
24. Taking all of these points together, while the development proposed would cause some harm to the character and appearance of the area, it has been demonstrated that there is an identified need for the proposed equipment within this area and that there are not more suitable alternatives available. In terms of the "heritage balance", I conclude that the limited level of less than substantial harm to the DPCA arising from the development would be outweighed by the public benefits identified. The proposal would therefore accord with the provisions of the Framework in respect of conserving and enhancing the historic environment

Other Matters

25. Interested parties raised a number of objections to the scheme, to which I have had regard in reaching my conclusion. Matters relating to the appearance of the proposed installation, its effects on the DPCA and St Mary Brookfield Church, and alternative sites, are addressed above.
26. Some inaccuracies in the submitted plans as they relate to the existing Crest View were brought to my attention. As well as the now-removed tv aerials and dishes I have mentioned above, the drawings showed the wrong number of garages on the south elevation of the building, and other incorrect detailing. However, I was able to see the layout and detail of Crest View during my visit, and am satisfied that these minor errors in the drawings have had no significant impact on my understanding of the proposal or its possible effects.
27. It was suggested that the proposed installation would not comply with the limitations of Part 16 Class A of the GPDO; specifically paragraph A.1.(2)(f)(ii) which states that development is not permitted on article 2(3) land – that includes land within conservation areas – where "the height of any antenna other than dish antenna to be installed would exceed 3 metres". However, my understanding of the legislation is that this refers to the size of the antennas themselves, not their height above roof level². I am satisfied that the proposal complies with the GPDO in this respect as, I note, was the Council.

² C.F. A.1.(2)(b), for example, which sets limitations related to the height of the building.

28. Concern was raised that the development would lead to noise or vibration which would cause unacceptable disturbance to residents of Crest View or neighbouring buildings. However, no substantive evidence to support that suggestion was put forward. Similarly, I note concern about structural matters, and whether the building would be able to support the installation, but it would be for the operator to ensure that the building would be capable of safely accommodating the development and complying with all relevant requirements (including the Building Regulations) in this respect.
29. It was suggested that the need for the mobile network operators to have access to Crest View to maintain the installation, including 24-hour access to deal with any emergency, would present a security risk. I have not been made aware of any evidence that this would be the case, either in terms of mobile communications installations generally, or in respect of Crest View in particular. It would be for the managers of the building to agree an appropriate way in which access could be ensured.
30. Finally, and on a related note, I understand that the company which owns the Crest View freehold is not supportive of the scheme, and indeed since taking over the property has sought to reduce the number of aerials and so on the roof of the building. That is a private matter for it rather than a planning matter for me to consider; the owners would be quite within their rights not to permit the scheme to go ahead, regardless of my decision in this appeal.

Conditions

31. The GPDO does not provide any specific authority for imposing additional conditions beyond the deemed conditions for development by electronic communications code operators contained within it. These specify that the development must be carried out in accordance with the details submitted with the application, begin within 5 years of the date of the approval and be removed as soon as reasonably practicable after it is no longer required for electronic communications purposes and the site restored to its condition before the development took place.

Conclusion

32. While I have found that the siting and appearance of the proposed mast would cause some harm to the character and appearance of the DPCA, I consider that this would be limited and would be outweighed by the need for the installation to be sited as proposed, and the public benefits of the scheme, taking into account alternative locations investigated.
33. I therefore conclude that the appeal should be allowed, and prior approval should be granted.

M Cryan

Inspector