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Date: 04 March 2021

Property Ref: LE/873/C/TP

Our Ref: DC/21/119916

Mr Robertson
Galliford Try
Leicester Road
Wolvey
Hinckley
LE10 3JF

Dear Mr Robertson,

COMMUNICATIONS DEVELOPMENT – PRIOR APPROVAL
Town and Country Planning Act 1990 (as amended)

The London Borough of Lewisham has considered the proposals, set out in the Schedule below, in accordance with Part 16 of the Town and Country Planning (General Permitted Development) Order 2015.

This Council determines that the prior approval **IS REQUIRED** for the development specified in the schedule below.

This Council determines that the siting and design would be **REFUSED**.

Your attention is drawn to the Statement of Applicant's Rights endorsed overleaf.

SCHEDULE

Application Valid Date: 12 January 2021

Application No: **DC/21/119916**

Plan Nos: 100 Rev A; Cover letter (prepared by Galliford Try, dated 7 January 2021, reference 240240 CTIL/84771 TEF); Clarification of the declaration of ICNIRP compliance (prepared by Cornerstone, dated 7 January 2021, reference 240240 CTIL/84771 TEF); Allaying health concerns regarding 5G and exposure to radio waved leaflet (prepared by the Institution of Engineering and Technology); Notification of prior approval application under Part 15 of the Schedule 2 of the Town and Country Planning (General Permitted Development) (England) (Amendment) (No.2) Order 2016 for permitted development at (Cell ref: 240240 CTIL/84771 TEF) - Yara Court, 10-14 Mercy Terrace, London, Ladywell, Lewisham, London, SE13 7UX; General background information for telecommunications development; Health and mobile phone base stations (prepared by Cornerstone); Supplementary information; Supporting technical information for CTIL (dated 14 July 2020); The public benefit of mobile connectivity (prepared by Cornerstone) received on 12 January 2021. 200 Rev A; 201 Rev A; 300 Rev A; 301 Rev A received on 15 January 2021.

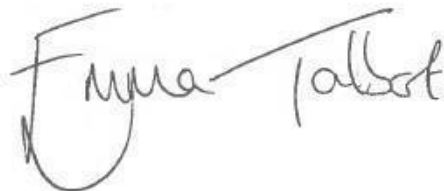
Development:

An application for Prior Approval under Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for rooftop installation of six antennas, 1 no. 600mm dish antenna, 1 no. 300mm dish antennas, a GPS module, three radio equipment cabinets, an associated meter cabinet and enabling operational and development works thereto at Yara Court, 10-14 Mercy Terrace, SE13.

REASON(S) FOR REFUSAL

1. The proposed telecommunications equipment by reason of its siting and appearance, would appear as an unduly visible and incongruous addition to the building that would fail to respond to the architectural design of the building or the appearance of the surrounding area, and would fail to preserve the character or appearance of the Ladywell and St Mary's Conservation Areas. The proposal therefore fails to comply with paragraphs 192-196 (inclusive) of the NPPF (February 2019); Policies D4 'Delivery good design' and HC1 'Heritage conservation and growth' of the London Plan (March 2021); Policies 15 'High quality design for Lewisham' and 16 'Conservation areas, heritage assets and the historic environment' of the Core Strategy (June 2011); and DM Policy 30 'Urban design and local character', DM Policy 31 'Alterations and extensions to existing buildings including residential extensions' and DM Policy 36 'New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens' of the Development Management Local Plan (November 2014).

Yours sincerely



Emma Talbot
Director of Planning

Statement of Applicant's Rights arising from this decision:-

Appeals to the Secretary of State

- If you are aggrieved by the decision of the London Borough of Lewisham to refuse planning permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals must be made using a form which you can get from the Planning Inspectorate, Room 3/13, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, Tel No. 0303 444 5000, Email: enquiries@pins.gsi.gov.uk or fill in a form online via <https://www.gov.uk/appeal-planning-decision>
- The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.