



Our ref: LUM0011
Previous LPA Ref: **2019/6252/P**

Head of Planning
Camden Council
Planning - Development Control
Camden Council
Camden Town Hall
London
WC1H 8ND

Solutions 30 UK Limited
Viscount House
River Lane
Saltney
Cheshire
CH4 8RH
www.solutions30.co.uk

06/04/2023

Dear Sir or Madam,

FULL PLANNING APPLICATION
LUM0011 – Babington Court, Orde Hall Street, London, WC1N 3JT

On behalf of our client, Luminet Solutions Ltd., this planning statement is for the installation of 30 no. small antennas attached to the existing handrailing, 2 no. equipment cabinets within an internal room and development ancillary equipment on the roof of Babington Court.

It is noted that this application was previously approved by the council on the 20th of March 2020 (LPA Ref: **2019/6252/P**). The fulfilment of development has not been possible within the 3-year timeframe originally provided under Section 91 of the Town and Country Planning Act 1990 (as amended) and therefore a new application is needed. There have been no changes made to the original application for the one before you, and as such this planning statement is a restatement of previous facts along with an analysis of current site and planning policy conditions.

Project Description

Luminet Solutions Ltd. are a London-based digital service provider delivering high-speed, reliable internet to businesses since 2006. Luminet achieves their gigabit connectivity through their wireless network, fibre services and multitenant internet. Already servicing over 1000 businesses in London and priding themselves on being able to connect new customers to their network within 10-days, this application is an integral part to improving their service in the Camden area.

It is important to note that this application is for broadband service, not 4G or 5G.

In this respect the submission comprises of the following documents:

- Planning Application form and certificates
- Prescribed fee - £462 (Paid electronically via Planning Portal on submission)
- Supplemental drawings
 - Site Location Maps
 - Existing Site Plan
 - Proposed Site Plan
 - Existing Site Elevation
 - Proposed Site Elevation
- Supporting Planning Statement (below)
- CIL questions form

Yours faithfully,



Jake Walther | Graduate Town Planner

☎ Mob: +44(0)7920766487

✉ Jake.Walther@solutions30.com | www.solutions30.co.uk

📍 Solutions30 UK, Regus, 82 King Street, Manchester, M2 4WQ

Table of Contents

Planning, Design and Access Statement	4
Technical Justification	5
Site Selection	6
Pre-Application Consultation.....	6
Planning Policy Context	7
National Planning Policy	7
National Planning Policy Framework (NPPF) - (2021).....	7
National Digital Strategy (2022)	8
National Infrastructure Strategy (2020).....	8
Local Planning Policy.....	9
The London Plan (2021).....	9
Camden Local Plan (2017)	9
Camden Planning Guidance – Digital Infrastructure (2018).....	10
Planning Appraisal	10
Design and Access Statement.....	12
Scale	12
Appearance	12
Historic and Heritage Assets.....	12
Access	12
Planning Conditions (Previous Application)	13
Conclusion	13

Planning, Design and Access Statement

Our Ref.	LUM0011
Previous LPA Ref.	2019/6252/P
Project Address	Babington Court, Orde Hall Street, London, WC1N 3JT
National Grid Reference	E 530493, N181927
Project Description	The installation of 30 no. small antennas attached to the existing handrailing on the roof of the building, 2no. equipment cabinets within an internal room and development ancillary equipment on the roof of Babington Court.

Proposed Install
Babington Court, Orde Hall Street, London, WC1N 3JT



Application Site:
Babington Court



Technical Justification

To re-state the original application, the network established by Luminet is reliant on the use of dish antennas. Dish antennas function by communicating through highly focused, low-powered radio waves which travel in a straight line between each other. They function best when a network is established to send the waves from one base station to another, distance between base stations and dishes effects the network capabilities and size.

Due to this, it is essential that dishes be in frequent, accessible areas for the radio waves to reach each other. Preference is given to sites on buildings taller than their surroundings to create a direct service link between dishes, this proposal is an example of this. If this link was to be lowered and/or obscured, then the service would become less efficient.

At the time of the original application, digital connectivity was a tool used to increase skilled employment, household incomes, and create job opportunities. The outbreak of COVID-19, after the application's submission, only amplified the importance of digital connectivity. It is now an essential function within any city to produce and maintain an efficient business sector. This proposal will replace the outdated communications infrastructure with state-of-the-art wireless point-to-point microwave dish links, maintaining and reinforcing London as a competitive business centre.

Site Selection

Babington Court is determined to be a suitable location for the proposal due to its notable height within the surrounding context. Its height means that the technical requirements for efficient and clear service are met. It also ensures that operational security is maintained as it is located in an inaccessible area for residents. The suitability of the site for the proposed works is reinforced by the previous approval in 2020.

Its current residential use as well as scale and massing would mean that the addition of this equipment would bear little to no visual impact from the ground, nor to residents. Access to the site following installation would be required minimally, and only for maintenance, suggesting that the benefit to residents outweighs any potential undesirable effects. The rooftop site further caters to Paragraph 111 of the NPPF by ensuring there is no impact on highway safety, or the residual cumulative impacts on the road network at all. Also, in line with Policy 115, the siting is sympathetic to the surroundings.

Pre-Application Consultation

Prior to the previous application, a pre-application consultation was conducted with:

- Camden Council Planning Department
- Ward Councillors for the Holborn and Covent Garden Ward – Councillors Fulbrook, Olad and Vincent
- Tybalds Residents Association
- St George the Martyr Church of England Primary School, John's Mews
- Great Ormond Street Hospital Staff Nurseries at Queen Square and Long Yard

The results of the consultation were overall positive with Matthew Dempsey, from Camden's Planning Department stating:

"With regards to the new proposals for Babington Court and Chancellor Court; I am pleased to see the revisions have taken account of the advice we have provided – Thank you. In terms of visual impact, I think these revisions have addressed my concerns quite well. The reduction in amount of installation is also welcomed, and; there would now appear to be very little visible alteration to the roof line, and; should the installation take place, I do not believe it will be noticeable from the ground, in addition I do not believe there will be a significant impact on occupiers of opposing blocks.

We would welcome 'additional extras' which were highlighted at pre-app and on the site visit, i.e.) provision of connectivity for the blocks and / or local community facilities.

Also; I recognise that the proposed installations are highlighted on the drawings (which is helpful), but just to remind you, we would prefer to see all new equipment coloured to blend with the existing roof, and furthermore any 'tidying up' which could be included as part of the scope of the works would also be welcomed.

In short, I think I would be prepared to support the revised scheme."

After further consultation, a condition of the final application approval was the provision of free connection for the estate TRA hall in conjunction with the Connecting Community Spaces project. Where possible, other feedback was also taken on board regarding design as well.

Planning Policy Context

This application for Full Planning Permission falls under section 62 of the Town and Country Planning Act 1990 [the 1990 Act]. According to Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the 1990 Act, full planning applications must be determined in accordance with the Local Development Plan unless material considerations indicate otherwise. As such, this application is determined against the Camden Local Plan (2017), and the Site Allocations Plan (2013). Relevant National and Local Planning Policy is outlined in detail below.

National Planning Policy

National Planning Policy Framework (NPPF) - (2021)

Revised on 20 July 2021, the National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied and is a material consideration for Full Planning applications. Relevant policy, including changes from the previous submission of this application (LPA Ref: **2019/6252/P**) are outlined below:

Chapter 10 of NPPF "Supporting high quality communications", sets out the following paragraphs which are applicable to this Luminet application:

Paragraph 114 states: *"Advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections. Policies should set out how high quality digital infrastructure, providing access to services from a range of providers, is expected to be delivered and upgraded over time; and should prioritise full fibre connections to existing and new developments (as these connections will, in almost all cases, provide the optimum solution)."*

This proposal will ensure that the broadband capabilities in the Camden area are kept at a high standard. It will provide high speed, reliable, broadband to the area, providing a necessary service. Supporting the application will meet this policy. It is also worth noting that the original approval provided the Local community with free service, a condition which would be met and held through this application as well.

Paragraph 115 states that: *The number of radio and electronic communications masts, and the sites for such installations, should be kept to a minimum consistent with the needs of consumers, the efficient operation of the network and providing reasonable capacity for future expansion. Use of existing masts, buildings and other structures for new electronic communications capability (including wireless) should be encouraged. Where new sites are required (such as for new 5G networks, or for connected transport and smart city applications), equipment should be sympathetically designed and camouflaged where appropriate.*

Through consultation with the LPA and local stakeholders, the design and size of the proposal has been adjusted to suit local needs. The design is kept to a simplistic, standardised style and the applications location on a high rooftop ensures that it is undetectable to the layman. The chosen site for the application ensures the minimum requirement for efficient service in the area is met.

Paragraph 118 states: *“Local planning authorities must determine applications on planning grounds only. They should not seek to prevent competition between different operators, question the need for an electronic communications system, or set health safeguards different from the International Commission guidelines for public exposure.”*

Section 16 of the NPPF sets out guidance related to conserving and enhancing the historic environment. Although this application is within close proximity to the Bloomsbury Conservation Area, Babington Court is not a Listed Building, nor is it situated within the conservation area. As the proposal is located on the roof of the building, out of site from the surrounding areas, it is our firm belief that the proposal will not have a negative impact on the surrounding heritage assets.

The decision notice for the approval of the original application re-enforces this by stating:

Overall, the proposal is acceptable in terms of its design, scale, position and as such, is considered would preserve the setting of the adjacent Bloomsbury Conservation Area.”

National Digital Strategy (2022)

An updated version of the UK Digital Strategy was published in 2022 and emphasises the country’s commitment to deliver improved digital infrastructure and connectivity. The document highlights the importance of digital connectivity in driving innovation and productivity. The Government states that digital infrastructure provides a service which is increasingly impossible to live without.

This application provides the physical digital infrastructure to connect businesses throughout Camden and London in general. Expanding an exiting network of digital connectivity to meet the needs of the community and propel it into the future of the digital world.

National Infrastructure Strategy (2020)

There is an overarching theme within the National Infrastructure Strategy (2020) to promote the upgrading and implementation of digital infrastructure, including broadband. There is an understanding from the National Government that the establishment of better digital infrastructure will connect and strengthen communities both social and economically.

This proposal will help the National Government meet its goals of establishing better, more reliable digital connectivity.

Local Planning Policy

The London Plan (2021)

The London Plan (2021) is the strategic plan which guides the economic, environmental, transport and social development of London over the next 20-25 years. Policy SI 6 highlights the importance of connected digital infrastructure to the sustainable growth of London.

Paragraph 9.6.1 states: *“The provision of digital infrastructure is as important for the proper functioning of development as energy, water and waste management services and should be treated with the same importance. London should be a world-leading tech hub with world-class digital connectivity that can anticipate growing capacity needs and serve hard to reach areas. Fast, reliable digital connectivity is essential in today’s economy and especially for digital technology and creative companies. It supports every aspect of how people work and take part in modern society, helps smart innovation and facilitates regeneration.”*

This proposal will provide the London community with fast, reliable, and efficient broadband which will aid in establishing London as a world-leading digital hub equipped with world-class digital infrastructure. Servicing the surrounding community with Luminet’s failsafe connectivity will protect its modernity and promote smart innovation and regeneration.

Paragraph 9.6.3 states: *“Better digital connectivity with a focus on capability, affordability, security, resilience and the provision of appropriate electrical power supply should be promoted across the capital. The specific requirements of business clusters, such as a symmetrical-capable service with the same upload and download speeds, should also be met.”*

As previously stated, this proposal will improve connectivity of the area through strengthening an already established network of dish antennas in the Camden area. This proposal does not set out to exceed the minimum number of bases required, it intends to meet the minimum to strengthen the broadband capabilities in the area. It will ensure that the level of service essential for efficient and appropriate connection is provided.

Camden Local Plan (2017)

The Camden Local Plan (2017) outlines the “robust, effective, and up-to-date planning policies” which guide development of Camden into the future. The plan covers a 15-year period, 2016-2031. This document is a main material consideration for the determination of this application.

There are no policies specifically related to the development of digital infrastructure within the Plan itself, there is however a supplementary document which guides this form of development which is covered in the next section of this application.

Policies which relate generally to the application before you are D1 (Design) which requires a high standard of development, and policy D2 (Heritage) which requires that any new development preserve or enhance the character or appearance of the heritage assets i.e., nearby conservation areas, listed buildings.

This proposal is not located within a conservation area; however, it does border the Bloomsbury Conservation Area. It is our firm belief that the application does not adversely impact the Conservation Area, this is further proven by the previous approval of the application in 2020. In

the time since the approval, there have been no physical changes to the surrounding area which would make the proposal inappropriate or out-of-place.

The physical design of the proposed technology is simple and blends into its surroundings. Located on the roof of a tall building, the infrastructure would not easily be noticed by residents or passers-by. The design is of the highest quality for its function.

In the decision notice for the previously approved application (LPA Ref: **2019/6252/P**), it was specifically stated that:

‘The proposed development is in general accordance with Policies A1, D1, and D2 of the Camden Local Plan 2017.’

This further proved the appropriateness of the application.

Camden Planning Guidance – Digital Infrastructure (2018)

In 2018, the Camden Planning Guidance – Digital Infrastructure was published. It is a formal Supplementary Planning Document (SPD), and therefore a material consideration in planning decisions.

One of the key messages from the document states:

“The Council will support the expansion of electronic communications networks, including telecommunications and high-speed broadband”.

This action was seen by the council when the first application was approved. Approval of this application for the same proposal will promote the expansion of high-speed broadband in the area.

Planning Appraisal

Built in the 1960's on Orde Hall Street, Babington Court is a 14-storey residential building. It is one of the tallest buildings in the area, standing at 37.8 metres to main roof level, where this application is proposed. As stated, the proposal is not located within a conservation area nor is it a Listed Building itself. However, it is located within proximity to Bloomsbury Conservation Area and several Listed buildings on Dombey Street, Great Ormond Street, and Lamb's Conduit Street. The location of the site in relation to the conservation area and listed buildings is shown in the map below (taken from the National map of planning data). Yellow circles represent the location of Listed Buildings.



The application proposes that all equipment be attached to existing handrails to prevent it from protruding over the existing roofline, this is to remain as discrete as possible. The equipment is grey in colour and would blend into the existing galvanised finish of the hand railings. Additionally, the proposed cabinets would be fully concealed within the plantroom. As stated in the previous application:

‘Any perceptible impact would be negligible and be outweighed by the benefits of the proposal – as noted in the pre-application consultation section above it has been agreed to provide free connection for the estate TRA hall in conjunction with the Connecting Community Spaces project, therefore also providing benefit to the local community.’

This statement remains true for this application.

Regarding the location in relation to the Conservation Area and other Heritage Assets, the proposal will not have an adverse impact on either. Given the location and scale of the works out of site from passer-by, it is our belief that there will be minimal to no impact to the historic amenity of the area. To reiterate the previous approved application, the benefit that this proposal provides the community outweighs the potential minimally adverse impacts that it could potentially have on the surrounding area.

To paraphrase section 16 of the NPPF guidance, when the impact of a proposed development on heritage asset is being considered, the weight attributed to the asset should be proportionate to its effect, and that limited harm would be outweighed by the benefits of the proposal. Given the scale of Babington Court, and the addition of antennae with 30cm diameters is unlikely to cause significant visual harm.

Section 10 of the NPPF reinforces this by stating the importance of supporting advanced high-quality communications infrastructure. Specifically highlighting its positive outcomes for economic growth and social well-being the NPPF encourages the development of

communications infrastructure and specifically states that the potential visual impact be considered secondary to its positive impact improving communication and connection.

Design and Access Statement

The following Design and Access Statement is presented in combination with the Supporting Planning Statement, drawings and supplementary material that has been submitted with this full planning application. It explains the design principles and concepts that have been applied to the proposed development.

The proposal is for 30 no. small antennas attached to the existing handrailing on the roof of the building and the installation of 2 no. equipment cabinets within an internal room.

Scale

The proposed dish antennas are to be positioned 39 metres above ground level and measure 30centimetres in diameter. This scaling is deemed appropriate to pose minimal visual impact given the overall building height of 38 metres.

Appearance

The proposed dishes are grey in colour and will blend in with the hand railing that they are to be attached to. Given the height of the building and subtle design of the equipment it is determined that there will be minimal visual impact on the surrounding area.

The application, as stated, was previously approved in 2020 and at the time, after pre-application consultation and amendments to design, was deemed to be minimal enough for approval.

Historic and Heritage Assets

The proposal is not located within a Conservation Area, nor on a Listed Building. It is however, located within proximity to the Bloomsbury Conservation Area and several Listed Buildings along Dombey Street, Great Ormond Street, and Lamb's Conduit Street. Given the scale and setting of the proposal outside of direct site from the heritage assets it is concluded there would be no adverse impacts on them.

Access

The proposal is confined to the useable areas of the roof and considers existing equipment, safety measures and access arrangements.

The proposal is located on the roof of a privately owned tower building, and access will be limited to personnel associated with Luminet. There is no requirement for public access to the equipment, rendering its established entry points far from public rights of way.

Existing on-site and internal routes will be utilised by the applicant during construction. Once built, the site will only require infrequent maintenance, for which access/ entry to the site will be primarily by foot. Luminet will make use of on-site and internal access arrangements to gain access to the dishes and ancillary equipment and maintenance of the dishes will be through rooftop access.

Planning Conditions (Previous Application)

The previous iteration of this application was approved with the following conditions attached, and as such we would be pleased to accept these or a mutually agreed version of them to be included as part of any planning consent:

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. All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan 2017.

3. The development hereby permitted shall be carried out in accordance with the following approved plans KUM0011-01 B, LUM0011-02 B, LUM0011-03 B, LUM0011-04 B, LUM0011-05 B. Planning Supporting Statement, Background Information, Response statement 30/12/2019, Declaration of conformity for RF Exposure.

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

4. 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 policy D1 and D2 of the London Borough of Camden Local Plan 2017.

If there is a desire on behalf of the council to append any further conditions to this application, we would be most grateful if they could be discussed with us at your earliest opportunity during the determination process.

Conclusion

This present planning application for the installation of state-of-the-art broadband will expand the communications network of the Camden area. The proposed installation of 30 no. small

antennas and 2 no. cabinets on the roof of Babington Court has been previously approved by the LPA in 2020, seen by the council as a benefit to the community.

The benefit to the community was seen to outweigh any potential adverse impact in terms of visual amenity. Since the time of approval, there have been no material changes to the proposed development, the proposed development site and to the National and local planning policy frameworks.

The present planning, design and access statement clearly demonstrates that the proposed installation of small antennas and cabinets on the roof meet relevant planning policies and supplementary planning guidance.

We are of a view that the proposal is a good example of a sustainable development with strong benefits to the local and wider community and economy with no adverse impact on the amenities of the vicinity.

We cordially invite the Council to support the present planning application and grant consent for the proposed sustainable development without delay as per paragraph 11 of the National Planning Policy Framework 2021.