

Our ref: LUM0012

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06/04/2022

Dear Sir or Madam

**LUMINET SOLUTIONS LTD**

**FULL PLANNING APPLICATION FOR THE INSTALLATION OF ELECTRONIC COMMUNICATIONS EQUIPMENT AT CHANCELLOR COURT ORDE HALL STREET LONDON WC1N 3JP (NGR: 530549, 181958)**

We write on behalf of our client Luminet Solutions Ltd to make a full planning application for the proposed installation of electronic communications equipment at the above location. The application seeks permission for the development of:

**The installation of 30 no. small antennas attached to the existing handrailing on the roof of the building, the installation of 2 no. equipment cabinets within an internal room and development ancillary thereto.**

This application follows on from permission being granted for the same project and site (LPA Ref: 2019/6250/P) along with a separate application on the adjoining Babington Court (ref 2019/6252/P). These two previous proposals were approved on 26 March 2020, with a condition stating: *'The development hereby permitted must be begun not later than the end of three years from the date of this permission'*. Following these consents, the development was not carried out within the prescribed time frame due to the constraints of the COVID-19 global pandemic. As such, in order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990, this is a resubmission of the very same application, submitted alongside a resubmission of the previously approved application on the

adjoining Babington Court. This updated iteration reflects changes to applicable Local & Central Government Planning Policy literature.

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

We trust the enclosed is acceptable and this application can be registered at your earliest opportunity. We look forward to hearing from you soon with this detail in which should you require any further information to validate the application or have any queries please do not hesitate to email me.

Yours faithfully



**Jake Walther** | Graduate Town Planner

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## Planning, Design and Access Statement

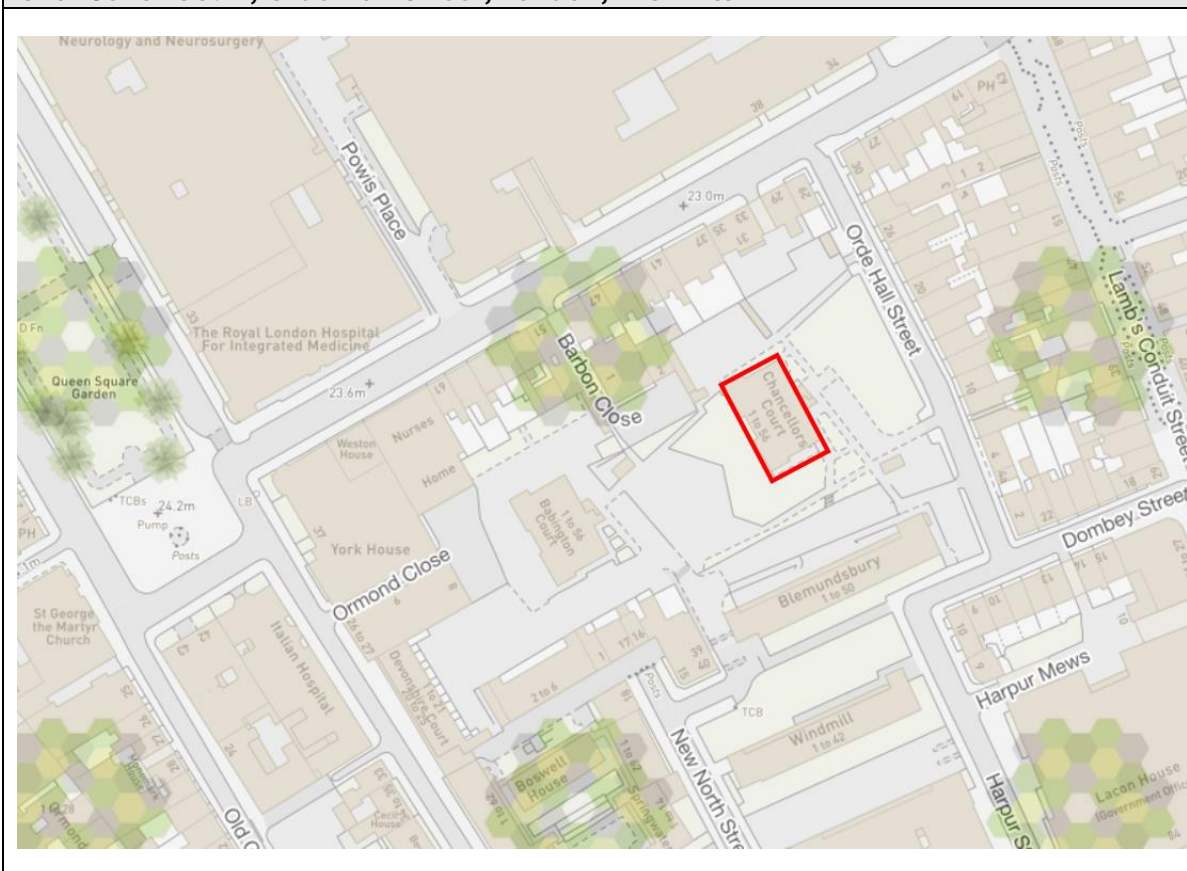
Our Ref.	LUM0012
National Grid Reference (NGR)	530549 (E) 181958(N)
Project Type	The installation of 30 no. small antennas attached to the existing handrailing on the roof of the building, the installation of 2 no. equipment cabinets within an internal room and development ancillary thereto.
Conservation Area	The site is not located within a conservation area; however, the site is located close to the Bloomsbury Conservation Area.

Proposed Install  
**Chancellor Court, Orde Hall Street, London, WC1N 3JP**



Application Site:

**Chancellor Court, Orde Hall Street, London, WC1N 3JP**



## Application Overview

This application is presented as a resubmission of the previously approved application LPA Ref: 2019/6250/P on behalf of Luminet, which expired in March 2023. The proposal is to install infrastructure for broadband development, not for 4G or 5G services. As stated in the previous application, Luminet is on a mission to help over 700 London businesses by delivering high-speed, failsafe connectivity directly to customers. Luminet's portfolio of internet connectivity services has been supporting customers in the Camden area and many more in other parts of Central London. Our client believes this development will provide the next significant step forward in high-speed connectivity within Camden.

We believe it is important to consider this application along with another adjoining Babington Court application LPA Ref: 2019/6252/P which was also approved on 26/03/2020.

## Technical Justification

The most common form of external telecommunications equipment are dish antennas, which receives Direct Broadcasting by Satellite (DBS). Users normally require aluminium dish antennas rigidly mounted in direct line of sight with the satellite in order to receive highly focussed low-powered radio waves. The installation of a satellite dish to minimise its obtrusiveness can be achieved through sensitive siting and selection of equipment.

It is feasible, therefore, to site dishes at a height above the immediate built, in this case on the roof, where the appropriate use of shrubbery or camouflage paint can screen it and minimise its impact. Positioning the dishes on the roof away from natural clutter will reduce the chance of obstruction of the direct line of sight, which could result in the link going down. Therefore, installing such equipment on a tall building is justified by technical considerations.

The London Assembly Regeneration Committee commented that London's economic and international competitiveness faces a significant threat from poor digital connectivity. The area is considered to be poorly served with insufficient fibre connection for internet transmission. In order to remain competitive with other world-leading financial markets and cities, point-to-point microwave dish links must be in operation. Hence the proposal is significantly important in the Camden area.

## Site Selection

There are not many tall buildings or other structures upon which the required apparatus could be installed, and there are no more superior options than the application site to accommodate suitable equipment. This is a material consideration to which significant weight in favour of the application proposal should be given in the overall balancing exercise. Accordingly, Chancellor Court is considered appropriate for this development as it can meet technical requirements and maintain operational security. Additionally, the equipment can be installed within the existing rooftop plant room, which has no public access.

Having regard to the above, it is considered that the proposed development is situated within the most appropriate location available to the applicant, and that the most appropriate design solution has been chosen. Therefore, the careful consideration of the design and siting, as stated above, will have a limited harmful impact upon the character and appearance of the area primarily by virtue of the height of the building. The proposal is, therefore, in accordance with Policy D1 and D2 of the Camden Local Plan 2017, and moderate weight must be given to this in the planning balance.

A previous proposal on the roof of Mullen Towers, on Mount Pleasant, was refused planning consent (application reference 2019/1097/P). This was followed by another application at Chancellor Court in 2020, along with the nearby Babington Court application, which was granted. Therefore, this location was considered suitable by both the applicant and the Planning officer.

### Pre-application Advice

A pre-application consultation response was received on 10<sup>th</sup> December 2022 from Matthew Dempsey, Camden's Planning Department. Feedback for the project overall was positive, suggesting the site is considered favourable in terms of the visual impacts to the area and nearby Conservation Area. Where practicable, all matters raised have been taken on board when finalising the original approved application and have been addressed within the submission.

## Local & Central Government Planning Policy Context

### Planning Legislation

This application is for full planning permission under section 62 of the Town and Country Planning Act 1990 [the 1990 Act]. Applications for full planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the 1990 Act).

For the purposes of Section 70, the current adopted development plan for Camden Council, relevant to the proposal, comprises the Camden Local Plan (2017) and the Site Allocations Plan (2013).

### Camden Local Plan 2017

Although there are no policies which directly connects to digital communication, other general policies are considered relevant to this type of development:

Policy D1: Design



*The Council will seek to secure high quality design in development. The Council will require that development:*

- a. respects local context and character;*
- b. preserves or enhances the historic environment and heritage assets in accordance with Policy D2 Heritage;*

#### Policy D2: Heritage

*The Council will preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas, listed buildings, archaeological remains, scheduled ancient monuments and historic parks and gardens and locally listed heritage assets.*

The proposal complies with both policies as the design of the required equipment is considered sympathetic to the surrounding context. To ensure the host building and the surrounding area was not negatively impacted, the revised scheme proposed for the dishes to be attached to the existing handrailing and accommodating equipment cabinets internally. The dishes are also coloured light grey and would not stand out against the galvanised finish of the handrailing

The building is not located within a conservation area; however, it is found in close proximity to the Bloomsbury Conservation Area, and there are a number of listed buildings in the surrounding area. The material finishes of the equipment is not believed to detract from or hinder the preservation of heritage assets or the character of the Conservation Area

Also, to note is Camden Planning Guidance – Digital Infrastructure (2018). This document sets out as a key message that “*The Council will support the expansion of electronic communications networks, including telecommunications and high-speed broadband*” and goes on to set out that proposals for telecommunications equipment will be determined in accordance with the National Planning Policy Framework (outlined below).

#### UK Digital Strategy

Digital connectivity is now considered to be a utility, and modern life is increasingly impossible without it. Connectivity drives productivity and innovation and is the physical underpinning of a digital nation. Being connected is fundamental to the success in our modern forward-thinking streets and the proposed development provides a way for communities to get online and take advantage of available opportunities. The Government has committed that every individual and every business should have the skills and confidence to seize the opportunities of digital technology and have easy access to high-quality internet wherever they live, work, travel or learn. An update to the



UK's Digital Strategy was published in June 2022 and reaffirms the continued promotion of the government's policy of delivering improved digital infrastructure and connectivity.

## National Planning Policy

### National Planning Policy Framework (2021) (NPPF)

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: 2019/6250/P) are outlined below:

It should be noted that paragraph 118 states that: 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.

In terms of heritage assets, section 16 paragraph 201 supports this development: It is considered there would be a less than substantial harm on the adjacent conservation areas and that any minor to negligible harm that could be caused would be significantly outweighed the myriad of public benefits the development will bring to residents and businesses in this part of Camden.

The NPPF 2021 is very supportive of high-quality communications. Indeed, Chapter 10 'Supporting high quality communications' is dedicated to high quality communications, emphasising the importance that the Government attaches to digital connectivity. It states that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. However, it also includes the importance of reliable communications infrastructure for both economic growth and social well-being. The NPPF 2021 continues to support the expansion of electronic communications networks . These relevant paragraphs are highlighted below:

*114. 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).*

While supported, the number of base stations are encouraged to be kept to a minimum in which the efficient operation of the network can be provided. Paragraph 115 states: *“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.”*

By proposing to utilise a rooftop site to meet the required network enhancement the proposed development is in line with the above policy.

*116. Local planning authorities should not impose a ban on new electronic communications development in certain areas, impose blanket Article 4 directions over a wide area or a wide range of electronic communications development, or insist on minimum distances between new electronic communications development and existing development.*

The proposal outlined within this document and the supporting enclosures, is in complete accordance with the guidance as set out in the National Planning Policy Framework.

### National Infrastructure Strategy

Published in November 2020, the Government acknowledges in its National Infrastructure Strategy that investment in our infrastructure is critical as the UK seeks to recover from the Covid-19 pandemic. The Strategy puts innovation and new technology at its heart, in which Luminet is at the forefront of this technological revolution. The Government’s ambition is to support fast and reliable digital connectivity that can deliver economic, social and well-being benefits because new technologies have enormous potential to improve the environment and the daily lives of people across the UK.

### The London Plan 2021

The London Plan sets out the Mayor's planning strategy for Greater London and contains strategic thematic policies, general crosscutting policies and more specific guidance for sub-areas within the Metropolitan Area. The document clarifies a *'specific focus on tangible policies and planning issues and provides greater clarity over how the plan will be implemented and where in London major development and infrastructure should be delivered'*, highlighting how the London Plan recognises the strategic importance of providing the necessary digital infrastructure, including modern communications networks, that the city requires to secure its long-term growth. Such matters are further echoed by the Mayor's Offices long term strategy as documented in the London Infrastructure Plan 2050.

Luminet network is an essential element in securing the Mayor's vision for the delivery of modern communications networks across London. More specifically, Policy SI 6 which is highlighted below;

*Policy SI 6 Digital connectivity infrastructure*

*To ensure London's global competitiveness now and in the future, development proposals should:*

- 1) ensure that sufficient ducting space for full fibre connectivity infrastructure is provided to all end users within new developments, unless an affordable alternative 1GB/s-capable connection is made available to all end users...*
- 4) support the effective use of rooftops and the public realm (such as street furniture and bins) to accommodate well-designed and suitably located mobile digital infrastructure*

The aim of the Infrastructure Plan is to enable for fast, ubiquitous access to the internet from mobile and fixed devices. Elements of the Plan are highlighted below to indicate how the London Mayor's Office seek to support Digital connectivity infrastructure and its importance to the current context of the city and visions for its future.

*9.6.1 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.*

*9.6.3 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.*

*9.6.6 Access for network operators to rooftops of new developments should be supported where an improvement to the mobile connectivity of the area can be identified. Where possible, other opportunities to secure mobile connectivity improvements should also be sought through new developments, including for example the creative use of the public realm.*

The Luminet network bears integral elements in securing the Mayor's vision for the delivery of modern communications networks across London. More specifically, the proposed development is entirely consistent with and shall help to implement the strategic objectives contained in the London Plan and London Infrastructure Plan, as defined above.

### Fixing the foundations: Creating a more prosperous nation (2015)

Creating a more prosperous nation', otherwise known as the Productivity Plan (2015) sets out a 15-point plan that the government will put into action to boost the UK's productivity, of which telecommunication development plays a big part in. The following paragraphs apply to this proposal:

*7.1 Reliable and high quality fixed and mobile broadband connections support growth in productivity, efficiency and labour force participation across the whole economy. They enable new and more efficient business processes, access to new markets and support flexible working and working from home.*

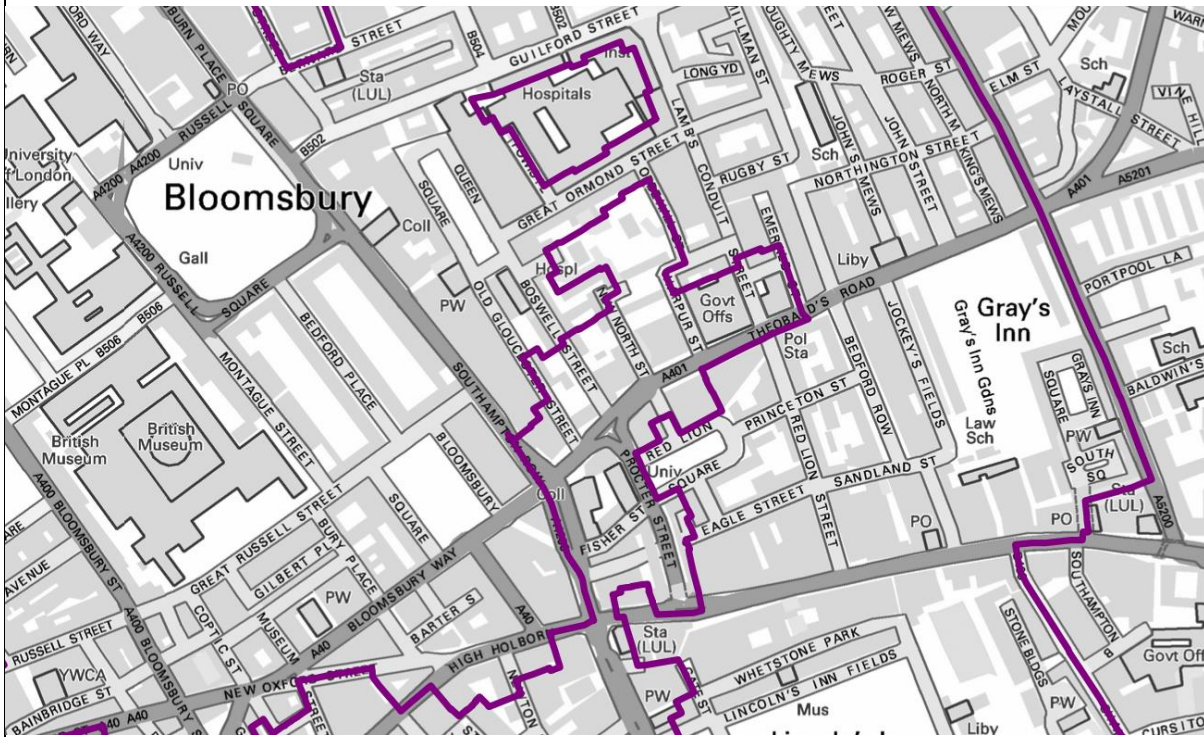
*7.5 Electromagnetic spectrum is a valuable and scarce resource. By securing more efficient use of public sector spectrum (while safeguarding departments' ability to deliver critical operational public services), the government will be able to share or release more of its spectrum, realising wider economic benefits both in terms of generating capital receipts and by supporting digital communications innovation and the development of new technologies. To deliver this, the government has implemented a new model for the centralised management of public sector spectrum."*

## Planning Appraisal

Chancellor Court is a 14-storey residential building constructed in the 1960's. It rises to 37.8 metres from the main roof level. It is one of the tallest buildings in the surrounding area.

While the site is not within a conservation area, it would be important to consider potential impacts on the setting of the Bloomsbury Conservation Area in its proximity. Clearly, there will always be challenges in finding a balance between limiting any visual harm created by the siting of development upon proximity to heritage assets when weighed against the public benefits it will bring to the area. When seen in perspective within the street scene, the proposed siting of the development will not have a significant material impact on the setting or views of the Conservation Area. The location of the site in relation to the conservation area is shown below (taken from the Council's Bloomsbury Conservation Area map):

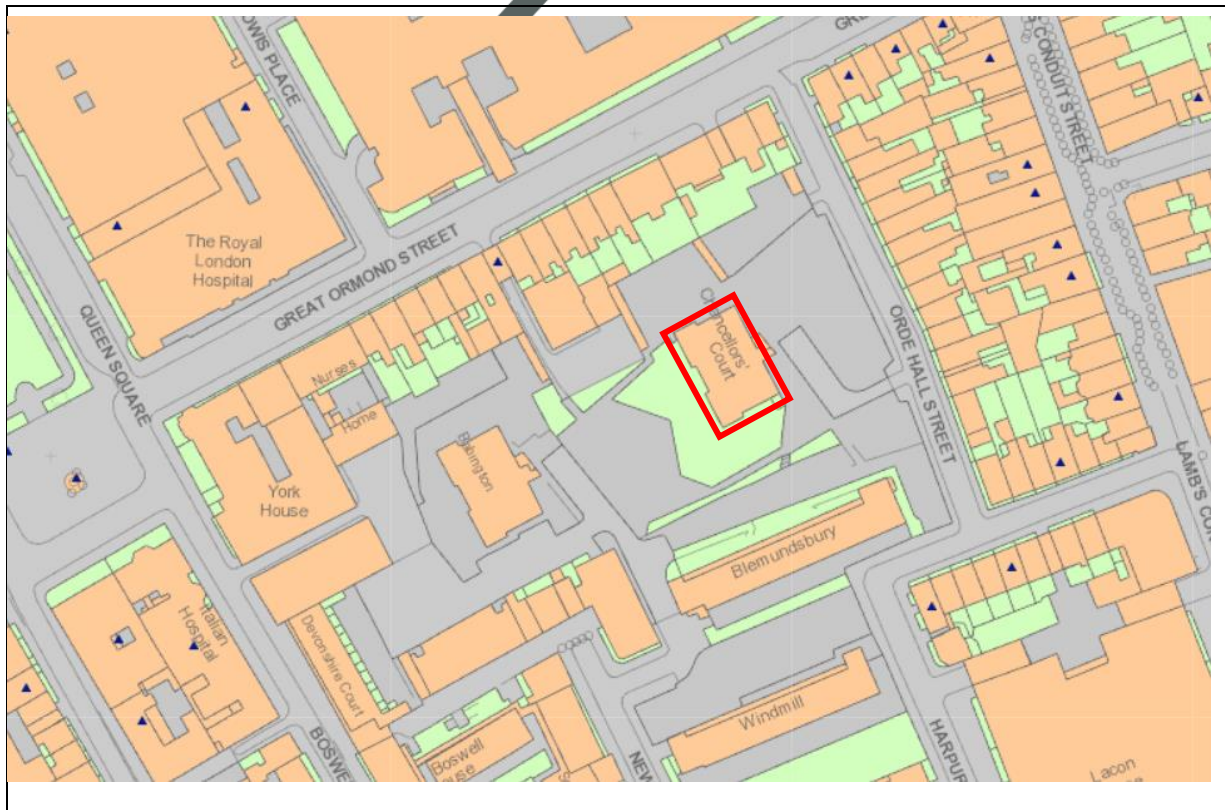
## Conservation Area Bloomsbury Conservation Area



The Chancellor Building is not listed, and neither are any in its immediate vicinity. However, there are several listed buildings in the surrounding areas of Dombey Street, Great Ormond Street and Lamb's Conduit Street. Nevertheless, the proposal is situated far enough that it will not impact any view of heritage assets. In addition, given the small-scale and the siting of the proposed dishes, this would not detract from or hinder the preservation of heritage features. The extract below from the Historic England website confirms the location of listed buildings in relation to the site:

## Listed Buildings Bloomsbury Conservation Area





## Design and Access Statement

This design and access statement forms part of an application provided in conjunction with the Supporting Planning Statement, drawings and other material. To assist your determination this section provides a description of the process adopted in the design of the proposal and in some cases an assessment of its merits against relevant local and national (NPPF) planning policy.

## Amount

The 30 no. small antennas attached to the existing handrail on the roof of the building;  
The installation of 2 no. equipment cabinets within an internal room.

## Layout

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

## Scale

The scale of the proposed development is relative to the height of the building which is approximately 38 metres above ground level.

The dish antennas are proposed to be positioned at a height of 39 metres above ground level and measure 30cm in diameter.

## Appearance

The equipment is proposed to be attached to the existing handrailing on the building. This will ensure it does not protrude above the existing roofline and remain discreet. The dishes are coloured light grey and would not stand out against the galvanised finish of the handrailing. Ancillary equipment cabinets are proposed within the plantroom and would not be visible. The design of the equipment is in line with policy D1 and D2 of the Camden Local Plan as stated in the Planning Policy Context.

## Access

The proposed equipment would be located on top of a tall building so that the development would not become visually intrusive to the immediate area. The rooftop would only be accessible to personnel associated with the client, set well away from public rights of way. This is supported by Policy SI6 of the London Plan 2021, which recognises the use of rooftops as a favourable way to accommodate digital infrastructure. Furthermore, proposing to utilise a rooftop site to meet the required network is in line with Paragraph 115 of the NPPF, which recommends using existing buildings and other structures.

During construction, the site would be accessed through on-site and existing internal routes and would only be permitted to personnel. The same internal routes will be accessed for maintenance purposes, which would require acquired access.

## Planning Conditions

The application LPA Ref :2019/6250/P decided on 26-03-2020 at the same location was granted subjected to the following conditions:



*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).*

*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.*

*The development hereby permitted shall be carried out in accordance with the following approved plans KUM0011-01 C, LUM0012-02 C, LUM0012-03 C, LUM0012-04 C, LUM0012-05 C. 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.*

*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.*

These conditions would again be acceptable to be attached to the decision to ensure a granted decision. If any further conditions to be applied, this can be discussed Planning Officer, Agent and Applicant as required.

## Conclusion

It has clearly been demonstrated in the siting and design section that great care and consideration has been afforded to the problem posed by delivering an adequate telecommunications network to this area of Camden which would

have a minimal impact on the amenities of the local area and nearby Conservation Area, and that the solution put forward is the optimum from a technical and planning perspective.

After taking into account all relevant factors in this area it is considered that Chancellor Court is an appropriate site in terms of required coverage, reduction of negative impact upon local amenity/adverse effects on the surrounding landscape, and compliance with local and national policy. Taking all of this into consideration it is our opinion that the proposal meets all the-policy stipulated by the Camden Local Plan 2017, The London Plan 2021 and national policy within the NPPF.

For the reasons set out above, we would respectfully invite the case officer to grant full planning permission for the proposed development to install 30 no. small antennas attached to the existing handrailing on the roof of the building and 2 no. equipment cabinets within an internal room at Chancellor Court considering the principle of the proposed development has been previously agreed by Camden Council for this site (2019/6252/P). The present planning application seeks approval for the same previously approved development, the planning framework and the surrounding build environment remained unchanged, and the proposal accords to the relevant national and local planning policies. Therefore, the proposal applies presumption in favour as per Paragraph 11 of the NPPF 2021 and the present application should be approved without delay.