

UK Broadband Ltd: Installation of a Transmission Dish at the Crowndale Centre, Eversholt Street, Camden, London

Design, Access and Supporting Statement



1. Introduction

This statement forms part of an application for full planning permission, submitted on behalf of UK Broadband Ltd, to install a 0.3m diameter electronic communications transmission dish on the roof of the Crowndale Centre, 218 Eversholt Street, London. It incorporates a 'Design and Access Statement', as required by Section 42 of the Planning and Compulsory Purchase Act 2004 and related amendments to the Town and Country Planning (General Development Procedure) Order 1995.

2. The Proposed Development

UK Broadband Limited is a designated Electronic Communications Code Network Operator that owns the only national 3.5GHz WiMAX spectrum licence in the UK. As a designated Electronic Communications Code Network Operator, UK Broadband operates in accordance with the provisions of the Electronic Communications Code and the Communications Act 2003, which provide the statutory and regulatory basis for the operation of its network.

UK Broadband currently provides broadband services from a number of sites in the UK and has recently commenced WiMAX and 4G deployment that will provide wireless broadband services to the public sector in a number major cities in England. This includes broadband backup services to schools, safe broadband access for digitally excluded students and other wireless services to local government. UKB will also offer broadband wholesale services to universities and other Internet providers. WiMAX and 4G are specifically designed to provide efficient low cost mobile broadband. As the only company in the UK with a 4G national spectrum licence, UK Broadband is the only company able to deploy 4G technologies to provide enhanced mobile broadband in the UK for the foreseeable future.

In this case, the proposed development at the Crowndale Centre forms part of an initiative being undertaken by UK Broadband in conjunction with the IT Department of Camden Council's Directorate of Children, Schools and Families to provide broadband services to support 'e-schooling' in the Borough. More specifically, this initiative will provide the following benefits:

- Secured filtered broadband access to schools across the Borough of Camden.
- Back-up services to the Directorate's broadband network across the Borough.

The installation of the proposed transmission dish will provide the link between the Directorate's computer systems, which are based at Crowndale Centre, and UK Broadband's installation at Denton Tower, Malden Crescent, Camden. The Denton Tower installation, which was the subject of a separate Notification to the Council on 24 July 2009 under the provisions of Regulation 5 of the Electronic Communications Code, consists of antennas and other electronic communications apparatus that provides the required broadband coverage to schools and the wider community in the vicinity of the Denton estate.

The apparatus installed at Crowndale Centre and Denton Tower forms the first phase in the initiative and will be used to assess the efficiency and effectiveness of the system with a view to rollout at other locations in the Borough in the future.

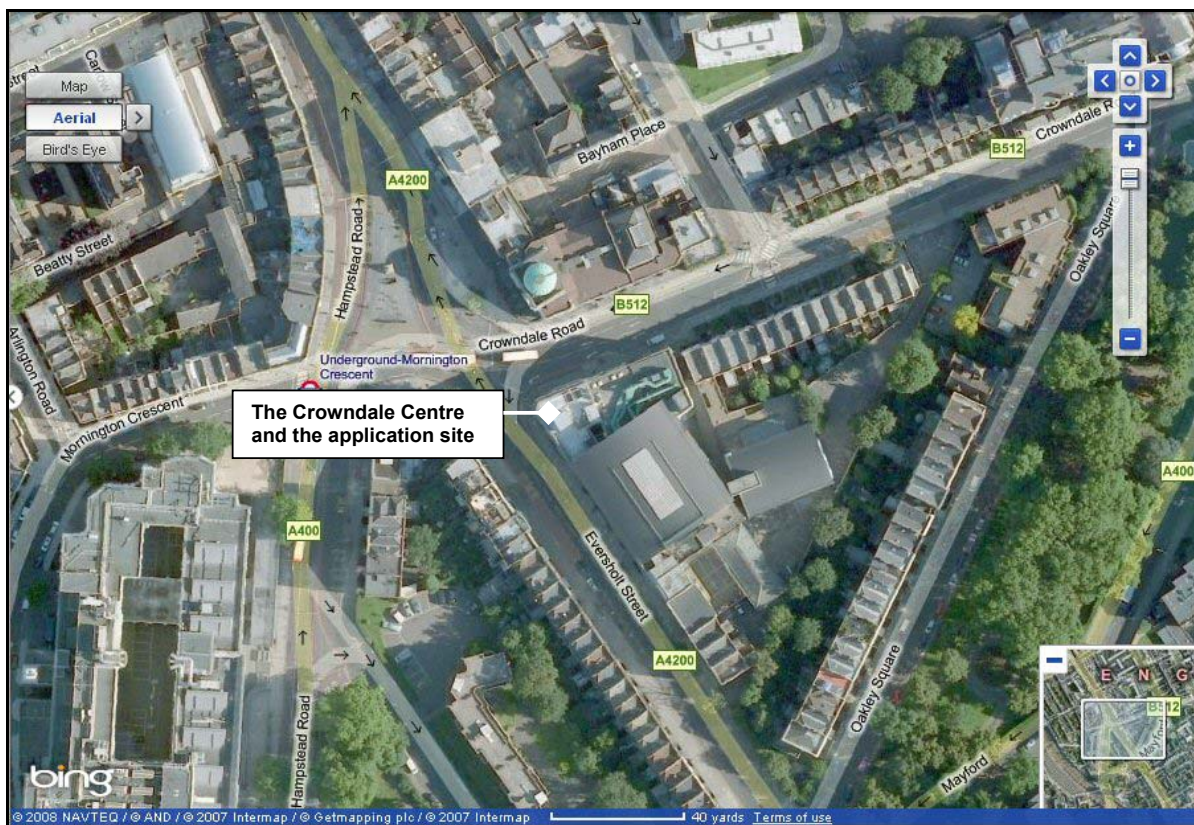
3. Design, Layout, Access and Landscaping Considerations

(a) Physical Context

The Crowndale Centre occupies a prominent location at the corner of the A4200 Eversholt Road and B512 Crowndale Road, at the southern end of Camden Town Centre. It comprises a 4 and 5 storey former Edwardian Post Office building that was converted to office space by Camden Council in the late 1980's. A large cantilevered curved roof was added to the building as part of this conversion work.

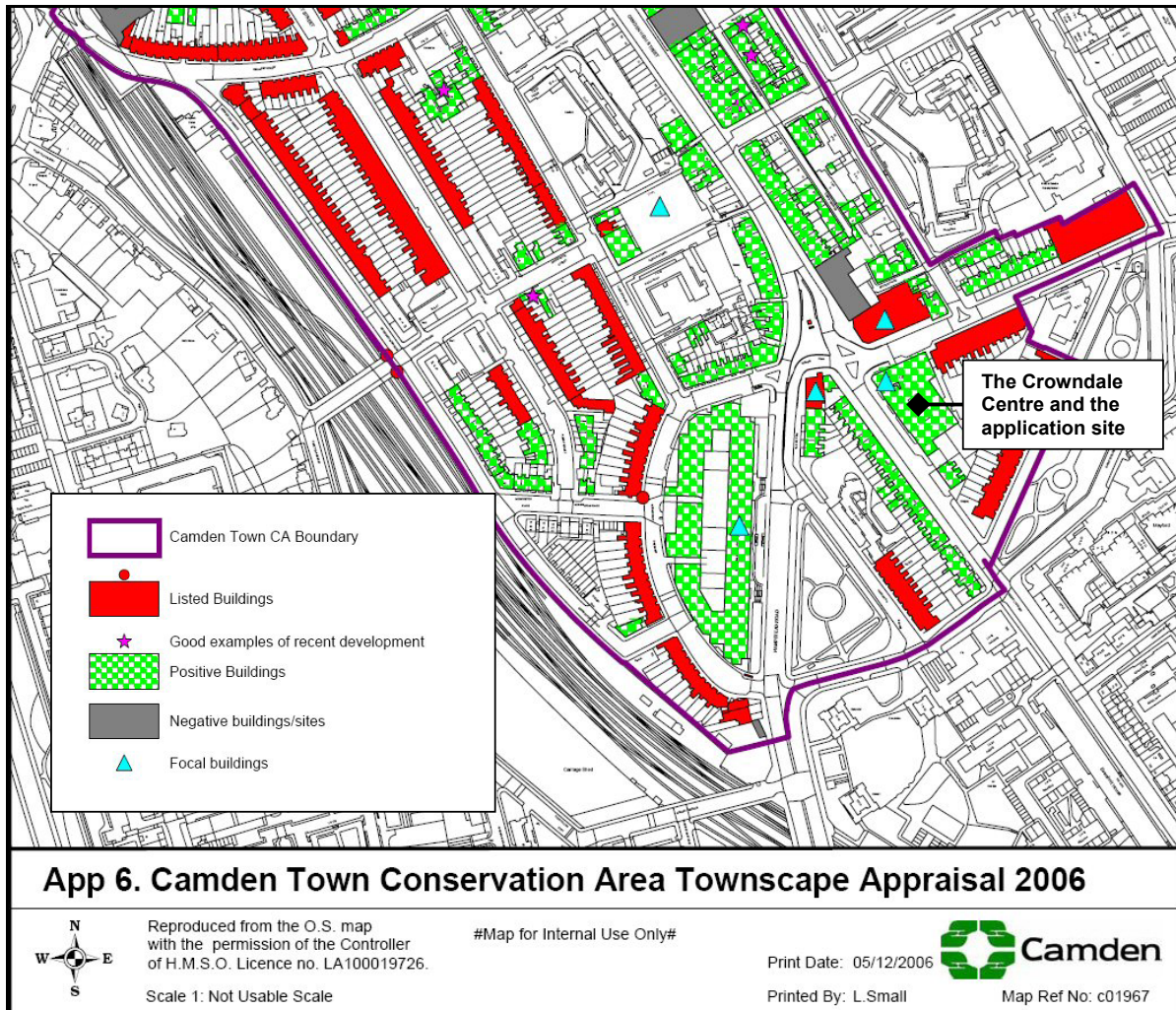
As can be seen from the figure 1 below, the cantilevered roof is set back from the Crowndale Road frontage of the site so that it covers the central and southern sections of the building. The lower level flat roof part of the building located towards the Crowndale Road frontage of the site is host to an 8m high exhaust vent, three plant rooms, solar panels and various air-conditioning equipment. It is proposed to install the transmission dish on the most westerly of these plant rooms, as shown on the drawings submitted with the planning application.

Figure 1 Aerial photograph of the Crowndale Centre



The Crowndale Centre is located within the Camden Town Conservation Area and is included within the commercial sub-area for the purposes of the Council's Camden Town Conservation Area Appraisal and Management Strategy Supplementary Planning Guidance (see annotated extract in figure 2 overleaf). This classification relates to the predominantly retail, commercial and office uses found alongside Camden High Street, Eversholt Street and Hampstead Road that collectively comprise Camden Town Centre.

Figure 2 Extract from Camden Town Conservation Area Appraisal SPG



As can be seen from Figure 2, the Crowndale Centre is identified as a focal building and one that makes a positive contribution to the townscape in the Camden Town Conservation Area Appraisal SPG. The designation of the Crowndale Centre as a focal building relates to its prominence in views south along Camden High Street from higher ground to the north of Delancy Street. The curved roof of the Crowndale Centre is also clearly visible in the approaches to the site from most directions.

Immediately to the north of the application site is KOKO, formerly known as Camden Palace and the Royal Camden Theatre, which is included as Grade II in the Statutory List of Buildings of Architectural or Historic Interest. To the east of application site are a number of Grade II Listed Buildings, including nos. 31-53 and 44-46 Crowndale Road and further Grade II Listed Buildings are found a little further to the south at Oakley Square

(b) The Siting, Scale and Amount of Development

The scale and amount of development are dictated by the overriding technical objective of ensuring that the transmission dish can provide a link between the Council's computer systems located within the Crowndale Centre and UK Broadband's installation at Denton Tower.

The guiding factor here is that the proposed transmission dish needs to be positioned so that it has a clear and unobstructed 'line of sight' view to UK Broadband's transmission dish at Denton Tower. This is the key technical constraint affecting the siting of the development, as dish antennas transmit and receive a weak radio signal in a narrow, conical beam around one or two degrees wide. The dish collects the incoming signal and focuses the outgoing signal in much the same way as the reflector in a torch focuses a beam of light. In order to communicate with each other, dish antennas must have a clear line of sight, sometimes known as point-to-point communications, free of any physical obstructions such as trees or buildings which would reduce or disrupt the low-powered signal. It is for this reason that dish antennas are always mounted high on rooftops or other tall structures.

In this case, the required transmission links are between Denton Tower, a 57m high multi-storey residential tower block located at Malden Crescent, and the Crowndale Centre, a four and five storey building located in a densely built up area characterised by 4-5+ storey buildings. While the dish attached to Denton Tower is free of obstructions due to the height of the building, particular care is required with the siting of the dish at the Crowndale Centre as there are a number of buildings of equal or greater height in the immediate vicinity.

In order to secure the required line sight link, it is proposed to install the dish on the sidewall of a 3.3m high plant room located on the lower roof level of the Crowndale Centre where tests have confirmed that technical and operational requirements can be achieved. The proposed 0.3m dish is the minimum size of dish antenna that can meet the technical requirements in this case.

The proposed siting of the transmission dish also takes account of the physical context of the application site and the sensitive location of the Crowndale Centre within the Camden Town Conservation Area. In this regard, the proposed dish will not appear as a significant or incongruous addition to the building due to the following factors:

- It will be installed at a height of approximately 17m above ground level and will be attached to the sidewall of a plant room set back 4m from the Crowndale Road frontage of the building. Consequently, it will not be prominent in short-distance views from pedestrians walking along Crowndale Road, Eversholt Street or Camden High Street due to perspective and the height of the building. An indication of the limited visual impact of existing rooftop structures at Crowndale House is provided by the site photograph included on drawing number NW0024A/01 submitted with the planning application. As can be seen, the existing plant rooms are not visible in this photograph and only the upper section of the 8m high exhaust vent can be seen. It follows that the proposed transmission dish will register little, if any, visual impact in this view.
- Similarly, the dish will not be prominent in medium-long distance views towards the application site. In views from the north, e.g. along Camden High Street, the dish will be lost against the backdrop of existing structures at lower roof level and the building's visually dominant cantilevered curved roof. In views from the west, e.g. the upper floors of flats at nos. 235-237 Eversholt Street, the dish will not be visible at all as it is located on the opposite side of the plant room wall to these properties. The dish may be more visible in views from the east, e.g. along Crowndale Road, but not significantly so as it does not extend above the height of the plant room.

Consequently, it will not be visible against the skyline and will just be seen as minor addition to the range of roof top structures, such as air-conditioning units, vents and pipes, at this large building. The Crowndale Centre's curved roof will, of course, totally screen views of the transmission dish from the rear of properties at Oakley Square.

For these reasons, we consider that the proposed development will not have any significant visual impact in the street scene. It follows that it will not affect the setting of any of the Listed Buildings nearby and it will be such a minor addition to the Crowndale Centre that it will cause no harm to the overall character and appearance of the Camden Town Conservation Area.

(c) Landscaping

It is considered that a scheme of soft or hard landscaping would be inappropriate in this case, as the proposal relates to the installation of electronic communications apparatus located at a height of 17m above ground level on the roof of building to which there is no right of public access.

(d) Access

Maintenance and construction access to the transmission dish will use the existing access points onto the lower roof level of the Crowndale Centre. Other than in cases of extremis, e.g. a fault or operational failure, there will be one or two maintenance visits to service the dish per annum. Electronic communications apparatus, such as transmission dishes, and the sites for such equipment, are not designed to be accessible by members of the public. Consequently, there is no requirement to incorporate any inclusive access arrangements into the design and siting of the development.

(e) Social and Economic Context

In respect of socio-economic factors, it is a key objective of Central Government to facilitate the growth of new communications, such as wireless Broadband technology, due to its importance in providing fast, reliable and cost effective services that can support the economy and help to meet sustainable development objectives. The Government is also keen to ensure that people and organisations have a choice as to who provides their telecommunications service, a wider range of services from which to choose and equitable access to the latest technologies as they become available.

These objectives were most recently expressed in the Digital Britain report published by the Government's Department for Culture Media and Sport in June 2009. This report restates the Government's ambition to secure the UK's position as one of the World's leading digital knowledge economies and sets out a number of objectives to secure this vision. Paragraph 18 of the Executive Summary of the report states that:

*"18. We are at a tipping point in relation to the online world. It is moving from conferring advantage on those who are in it to conferring active disadvantage on those who are without, whether in children's homework, access to keep up with their peers, to offers and discounts, lower utility bills, access to information and access to public services. Despite that increasing disadvantage there are several obstacles facing those that are off-line: **availability, affordability, capability and relevance.**"*

In order to overcome these obstacles, the report sets out the following key objectives that are directly relevant to the provision of broadband services:

- A Universal Service Commitment to ensure that all can access and benefit from broadband. This will be delivered by a mix of technologies: DSL, fibre to a street cabinet, wireless and possibly satellite infill broadband.
- Support for the provision and rollout of next generation broadband infrastructure and services through 4G and WiMax networks.
- To ensure that the delivery of public services in the UK keeps pace with users' expectations and is smart in its delivery of ICT systems. In relation to education and skills, paragraphs 63 and 64 of the Executive Summary state that:

"63. Ensuring the healthy pipeline of talent starts in the education system, from primary school right through to Higher Education. The Department for Children, Schools and Families' Children's Plan aims to make this country the best place in the world for children and young people to grow up. The Digital Britain report highlights many ways in which the digital agenda can help to realise better outcomes for children and young people, including through the Home Access Programme, by ensuring parents have the digital skills and confidence to support their child's safe, effective and balanced use of the Internet, by ensuring good quality, plural and relevant multi platform content for children and young people and by giving our children and young people the skills to make the most of new technology.

64 At primary level, the Government endorses the Rose Review of the curriculum which upgrades digital (ICT) competence to a core competence alongside English, mathematics and personal development. We are also piloting a new creative entitlement of five hours a week delivered by professionals in the creative and cultural sector. At secondary level the Government is rolling out a major programme of reforms to the 14-19 curriculum including an emphasis on applying digital knowledge real life contexts. New GCSEs in English, Maths and Information and Communications Technology, incorporating functional skills will come on stream from next year. The new Diplomas for 14-19 year olds in IT and Creative and Media will help swell the numbers of those entering the professional digital workforce with the desired mix of practical and transferable skills, industry knowledge and business awareness."

The achievement of these objectives will, of course, only be realised by the provision of the relevant broadband infrastructure such as that proposed in this planning application.

The full copy of the Digital Britain Report is available for viewing or download at:

http://www.culture.gov.uk/what_we_do/broadcasting/6216.aspx

4. Planning Policy Context

(a) The Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that *"if regard is to be had to the development plan for the purposes of any determination to be made*

under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.”

In this case, the Development Plan comprises the following documents:

- The London Plan 2008
- The Camden Local Development Framework
- Saved policies and proposals of the Camden Unitary Development Plan

(i) The London Plan

The installation of UK Broadband's transmission dish at the Crowndale Centre and its role in providing secure filtered broadband access to schools across Camden is entirely consistent with the objectives of the following policies of the London Plan:

- Policy 3B.6 'Improving London's ICT Infrastructure', which states that: *“ Working with strategic partners, the Mayor will: seek the provision of affordable and competitive access for all uses, regardless of size and location within London...”* Furthermore, the written justification to this policy, which is set out in paragraph 3.165 of the Plan, states *“measures that will generally enhance access to broadband should be supported...”*

- It will support the implementation of Policy 3B.7 'Promotion of e-London', where the Mayor states the intention to work with strategic partners to secure the following objectives:

“-help to develop the e-government agenda for London and support the LDA's e-Business Strategy, which will co-ordinate pan London e-initiatives.

- identify more specifically the areas and groups currently without access to e-resources and draw up a rolling programme of mechanisms to address this.

- support the introduction of more effective and socially inclusive e-education for Londoners and e-support for London's businesses especially SMEs.”

(ii) The Camden Local Development Framework

The most recent version of the Camden Local Development Scheme (CLDS) was brought into effect in 2007 and a revised version of the LDS was submitted to the Mayor of London in March 2009, although this has yet to be approved. The Council's has also adopted the Statement of Community Involvement and has reached the Preferred Options consultation stage in the preparation of the Camden Core Strategy.

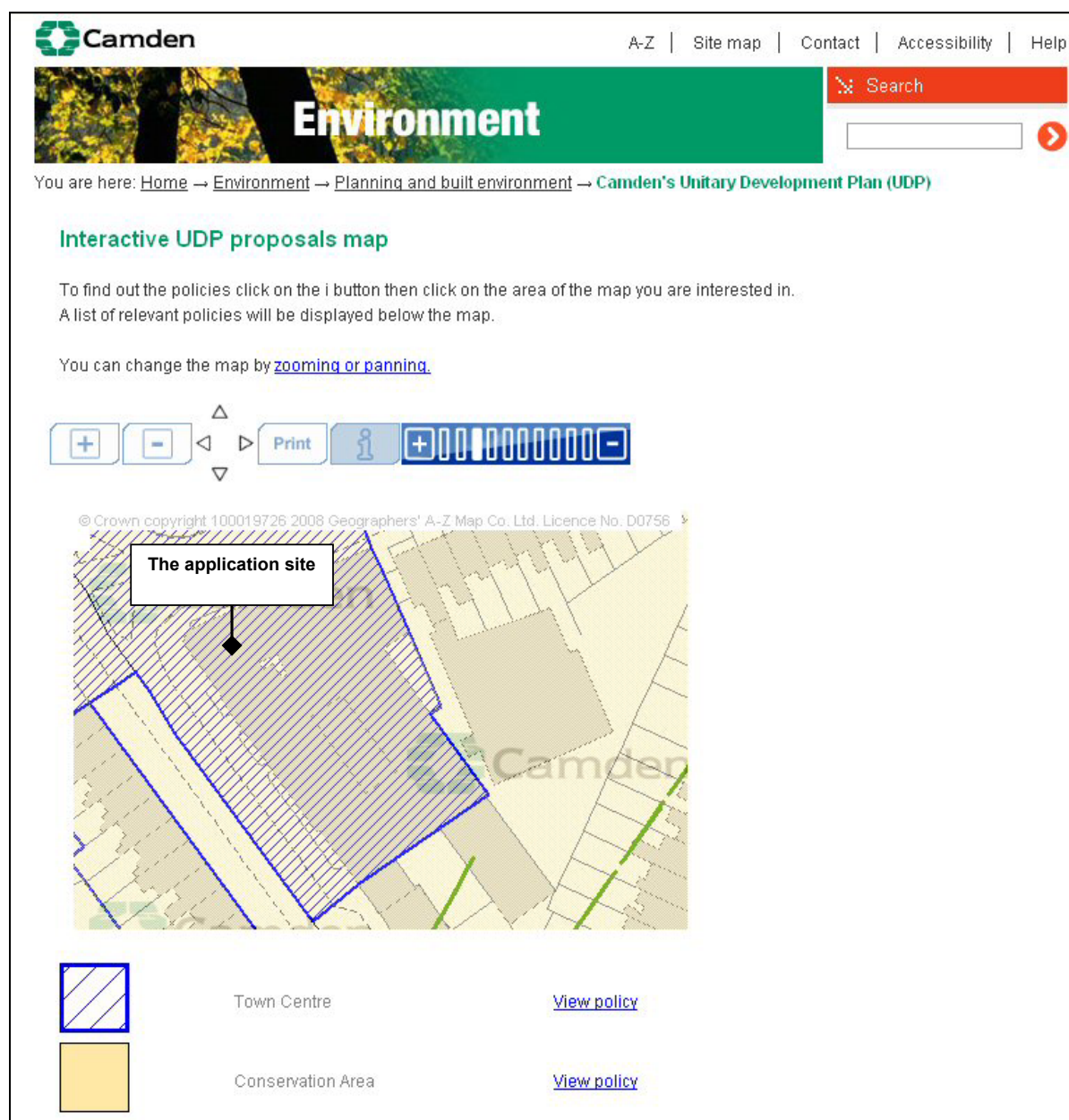
At this early stage in its preparation, the Camden Local Development Framework does not contain any adopted planning policies that are directly relevant to the proposed development.

(iii) The Saved Policies of the Camden Unitary Development Plan

The Proposals Map of the Camden Unitary Development Plan (CUDP) shows that the

application is located within a designated conservation area and within the defined boundary of Camden Town Centre.

Figure 3 Extract from the Interactive Camden UDP Proposals Map



Contrary to Government Guidance contained in PPG8, the Plan no longer contains a policy for telecommunications development following the omission of policy B5 'Telecommunications' from the schedule attached to the Secretary of State's Direction of 10 June 2009. Consequently, this policy is no longer in force and Saved policy B7 'Conservation Areas' provides the only guidance relevant to the application proposal.

Saved policy B7 is split into two parts so that part A deals with the character and appearance of conservation areas and part B deals with demolition of unlisted buildings in conservation areas. It is only part A of the policy that is relevant in this case and this states that:

“A – Character and Appearance

The Council will only grant consent for development in a conservation area that preserves or enhances the special character or appearance of the area. The Council will not grant planning permission for development outside of a conservation area that it considers would cause harm to the conservation area’s character, appearance or setting.”

This has guidance is fully reflected in the proposed siting of the development. For the reasons given in section 3(b) of this statement, the small size of the transmission dish and context provided by the backdrop of other structures at roof level will ensure that it will appear as a very minor addition to the Crowndale Centre. It follows that it will have no material effect on the overall character and appearance of the Camden Town Conservation Area. There is, therefore, no conflict with the statutory requirement to ensure that development either preserves or enhances the special character of the conservation area.

(b) National Guidance and other Material Planning Considerations

National guidance contained within planning policy statements, planning policy guidance notes and Governmental circulars have been determined to be material considerations in determining planning applications. In this instance, it is our opinion that the guidance contained in PPG8, PPG13 and PPG15 are material to this proposal.

(i) PPG8 ‘Telecommunications’

PPG8 clearly acknowledges the benefits of modern telecommunications and seeks to encourage such development as being essential to a modern economy and contributing to sustainable objectives. In view of this policy, local planning authorities are advised in PPG8 to respond positively to proposals for telecommunications development and to understand the associated special problems and technical needs. That advice applies even in locations usually subject to policies of restraint.

Paragraph 7 of PPG8 identifies the very important technical limitations that relate to the siting of telecommunications base stations:

“7. Each telecommunications system has different antenna types, siting needs and other characteristics. Planning authorities should have regard to any technical constraints on the location and proposed development.”

This guidance is directly relevant to the proposed development and, in particular, the critical line of sight links to UK Broadband’s installation at Denton Tower that have been described in section 3(b) of this statement.

Paragraph 3 of the Planning Policy section of PPG8 and paragraph 74 of its Supporting Guidance Appendix refer to the Government’s well-established policies for the protection of urban areas – particularly areas and buildings of architectural or historic importance. Consequently, PPG8 encourages a careful approach to the siting and design of electronic communications apparatus in such areas having regard to the relevant technical and other constraints affecting the development. This has guidance is fully reflected in the proposed siting of the development. For the reasons given elsewhere in this statement, the small size of the transmission dish and its proposed siting will ensure that the development it will not affect the setting of any of the Listed Buildings nearby.

Furthermore, it will be such a minor addition to the Crowndale Centre that it will cause no harm to the overall character and appearance of the Camden Town Conservation Area.

Government guidance in PPG8 also requires operators to consider the shared use of existing telecommunications sites where possible. This is not achievable in this case, due to the overriding technical requirement for the transmission dish to be installed at the Crowndale Centre so that a direct link is provided into the Council's computer systems located within the building. The proposed development is, however, entirely consistent with the guidance contained in paragraph 21 of Planning Policy section of PPG8, which states the following:

*"21. Use should also be made of **existing buildings** and other structures, such as electricity pylons, to site new antennas..."* (my emphasis).

(ii) PPG13 'Transport'

The benefit and role of modern communications networks, such as broadband technology, in achieving sustainable development objectives is emphasised in paragraph 33 of PPG13 in the following terms:

"The introduction of new information and communications technology (ICT) is enabling rapid changes to be made in the size, specification and location of development, particularly in the service sector and the knowledge based economy. Although the effects of ICT are difficult to predict, it is creating opportunities to reduce the need to travel. ICT is facilitating increased flexibility in working patterns, including more home working, which has the potential to reduce daily commuting to work and enable some journeys to take place outside of the peak periods..."

(iii) PPG15 'Planning and the Historic Environment'

PPG15 is also relevant to the determination of this application, as it is proposed to undertake development on land within the Camden Town Conservation Area. The relationship between the proposed development and conservation area considerations is dealt with elsewhere in this statement in relation to Saved policy B7 of the CUDP. As demonstrated there, the proposed development is such a minor addition to the building that it will not cause any harm to the overall character and appearance of the conservation area.

It must also be remembered that transmission dish proposed is a transient feature that will be bracketed to the building and can be easily removed in the future. In this respect it is like other transient additions to buildings, such as air-conditioning units, lights etc., whose impact is entirely different to other more major building works in conservation areas. The following guidance in paragraphs 4.19 and 4.20 of PPG15 is, therefore, relevant to the proposed development:

"4.19 The Courts have recently confirmed that planning decisions in respect of development proposed to be carried out in a conservation area must give a high priority to the objective of preserving or enhancing the character and appearance of the area. If any proposed development would conflict with that objective, there will be a strong presumption against the grant of planning permission, though in exceptional circumstances the presumption may be overridden in favour of development which is desirable on the ground of some other public interest."

4.20 As to the precise interpretation of 'preserve or enhance', the Courts have held (South Lakeland DC v Secretary of State for the Environment [1992] 2 WLR 204) that there is no requirement in the legislation that conservation areas should be protected from all development which does not enhance or positively preserve. Whilst the character and appearance of conservation areas should always be given full weight in planning decisions, the objective of preservation can be achieved either by development which makes a positive contribution to an area's character and appearance, or by development which leaves character and appearance unharmed."

Even if some minor detrimental impact on the conservation area is perceived, it is our view that this is overridden by the need to provide for the development in the wider public interest. The public interest in this case is UK Broadband's Ofcom licence and the role the development will play in supporting e-schooling initiatives by the Council's Children, Schools and Families Directorate.

(iv) The Draft Camden Core Strategy

The draft Core strategy is at an early stage in preparation following publication of the Core Strategy Preferred Approach in 2008. Nevertheless, its emerging policy statements still carry some, albeit minor, weight in the determination of this planning application. In this regard, it is UK Broadband's opinion that the proposed development is in accordance with the following emerging policies:

- Preferred Approach CS8 – Promoting high quality spaces: by preserving Camden's rich heritage of conservation areas (second bullet point).
- Preferred Approach CS10 – Supporting community facilities and services: by providing broadband services to the community (first and second bullet points).

(v) The Camden Town Conservation Area SPG

Reference to this SPG, including the inclusion of an extract from the townscape appraisal plan, is made elsewhere in this statement. Part 2 of the SPG sets out the management strategy for the Camden Town Conservation Area and it includes the following statement in respect of telecommunications development:

"Telecommunication equipment, cable and satellite dishes

External telecommunications apparatus including cable runs can harm the appearance of an historic building. Guidance on the installation of telecommunication equipment including satellite dishes can be found in the Camden Supplementary Design Guide or by contacting the Planning Services above."

This guidance has been considered very carefully and, as demonstrated elsewhere in this statement, the proposed development is such a minor addition to the building that it will not cause any harm to the overall character and appearance of the conservation area.

5. ICNIRP Compliance

The same guidelines, established by the International Commission on Non-Ionizing Radiation Protection (ICNIRP), that apply to mobile telecommunications in general apply to dish antennas. However, because of the extremely low power levels and

the focused nature of the beam in transmission links, exposures from dish antennas will be even smaller fractions of guidelines than from mobile phone base station antennas.

The proposed development, in common with other UK Broadband installations, is designed to operate in accordance with ICNIRP guidelines and signed declaration of this position is provided with the planning application. Relevant Government guidance on ICNIRP certification and wider health issues associated with telecommunication development is provided in paragraph 30 of PPG8:

“It is the Government’s firm view that the planning system is not the place for determining health safeguards. It remains central Government’s responsibility to decide what measures are necessary to protect public health. In the Government’s view, if a proposed mobile phone base station meets the ICNIRP guidelines for public exposure it should not be necessary for a local planning authority, in processing an application for planning permission or prior approval, to consider further the health aspects and concerns about them.”

Although this guidance is provided in respect of mobile phone base station infrastructure, it applies with equal force to electronic communications apparatus operated by other Electronic Communications Code Network Operators such as UK Broadband.

The consistent and reassuring message from the International scientific community, Government, the Courts and the World Health Organisation is that there is no proven evidence to suggest that electronic communications equipment operating within ICNIRP guidelines can cause adverse health effects. Given these circumstances, UK Broadband considers that any health-based objections submitted to the proposed development, although genuinely held, are unfounded and little weight should be given to them in the determination of the planning application.

6. Summary

The proposed development is required as part of an initiative between UK Broadband and Camden Council’s Children, Schools and Families Directorate to provide broadband services in the Borough. As demonstrated in this statement, the proposed transmission dish will be an extremely minor addition to the Crowndale Centre and it will not have any detrimental impact on the overall character and appearance of the Camden Town Conservation Area.

It follows that the proposed development is in accordance with the provisions of the development plan and relevant material planning considerations such as statements of national planning guidance.