SUPPLEMENTARY INFORMATION

1. Site Details

Site Name:	Academic House	Site Address:	Academic House, 24-28 Oval Road, London, NW1 7DJ
National Grid Reference:	E528550, N183981		
Site Ref Number:	148390	Site Type:[1]	Macro

2. Pre Application Check List

Site Selection (for New Sites only)
(Would not generally apply to upgrades/alterations to existing sites)

Was an LPA mast register used to check for suitable sites by the operator or the LPA?	**Yes**	No
If no explain why: n/a		
Was the industry site database checked for suitable sites by the operator:	**Yes**	No
If no explain why: n/a		

Annual Area Wide Information to local planning authority

Date of information submission to local planning authority	13 October 2015
Name of Contact:	Head of Planning
Summary of any issues raised:	List of existing sites and general rollout at that time within the authority.

Pre-application consultation with local planning authority

Date of written offer of pre-application consultation:	12.01.16	
Was there pre-application contact:	**Yes**	No
Date of pre-application contact:	10.02.16 & 14.04.16	
Name of contact:	Tessa Craig	

[1] Macro or Micro

Summary of outcome/Main issues raised:

It is highlighted at this juncture that an application for :- *"the installation of 6 no. antenna, 2 no. microwave dishes, 6 no. equipment cabinets, related Glass Reinforced Plastic screening and shrouds, and associated ancillary development"*, was submitted to the LPA (LPA ref:- 2014/6766/P). However the application was refused for the following reasons:- *"The proposed antennas, microwave dishes, and associated screening by reason of its siting, height and prominence, would appear as an obtrusive feature on the host Grade II listed building and fail to preserve or enhance the character and appearance of the Regent's Canal Conservation Area, contrary to policies CS5 (Managing the impact of growth and development) and CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy, policies DP24 (Securing high quality design) and DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies, policies 7.4 (Local Character) and 7.8 (Heritage assets and archaeology) of the London Plan and paragraphs 56- 68 and 126-141 of the National Planning Policy Framework."*

The applicant therefore sought to appeal this decision (PINs Ref:- APP/X5210/W/15/3035627), however the appeal was ultimately dismissed by the planning inspectorate due to the proposals impact upon the character and setting of the listed building. However, the inspector did acknowledge that there is already a large amount of existing apparatus located on the roof, very little of which is visible from the ground, even in distant views, as it is predominantly low level equipment and situated back from the Oval Road and Jamestown Road facades.

The operators researched the cell area, however there is no alternative site that meets the operator's technical requirements or that is available, therefore it was deemed necessary to return to the site at Academic House. The operators have sought to amend the design in order to address the reasons for refusal by compromising upon their technical requirements at this site through the use of half height antennas and amending the antenna locations, devising three potential schemes for the authorities' consideration.

Option 1
Installation of 6no. multi-band antennas (4no. face mounted to the exterior of the buildings plant room and 2no. pole mounted upon the roof). There will also be 5no. radio equipment cabinets concealed behind a GRP screen.

Option 2
Installation of 6no. multi-band antennas (4no. face mounted to the exterior of the buildings elevation and 2no. pole mounted upon the roof). There will also be 5no. radio equipment cabinets concealed behind a GRP screen.

Option 3
Installation of 6no. multi-band antennas pole mounted upon the roof concealed behind 3no. GRP screens. There will also be 5no. radio equipment cabinets concealed behind a GRP screen.

A pre-application consultation email was sent to the LPA on the 12.01.16 which included site-specific draft drawings and outlined the need for the telecommunications base station. The applicant's agent met with the Council's case officer Tessa Craig on site to discuss the three scheme proposed. The agent considered that Option 1 would reduce the perceived prominence of the apparatus so that it does not rise above the building to a significant degree and therefore would be less visible from the ground so as limit the impact on the straight, clean lines of the building.

In response the Council provided formal pre application comments on 14.04.2016, in which it was concluded that:- *"The proposed face mounted antennas upon the plant room of the building with 1no. single pole mounted set of antennas (screened by GRP) shown in the mock-up viewpoints for Option 1 are considered to be acceptable given their limited visibility and that the setting of the listed building and the character and appearance of the conservation area would be preserved"*. A copy of the LPA's formal pre application response is enclosed.

Ten Commitments Consultation

Rating of Site under Traffic Light Model:	Red	**Amber**	Green

Outline Consultation carried out:

A pre-application consultation email was sent to the ward councillors and MP on the 30.09.14 which included site-specific draft drawings and outlined the need for the telecommunications base station. An informative email was sent to the ward councillors and MP on 09.05.2016 informing of the design amendments to the proposed scheme.

A pre application consultation letter was also sent to Historic England on 14.04.2016 in relation to the proposed option subject of this application.

Summary of outcome/Main issues raised: To date no comments have been received.

School/College

Location of site in relation to school/college *(include name of school/college):* No school or college was considered to have a direct or functional relationship with the site.
Outline of consultation carried out with school/college *(include evidence of consultation):* N/A
Summary of outcome/Main issues raised: N/A

Civil Aviation Authority/Secretary of State for Defence/Aerodrome Operator consultation (only required for an application for prior approval)

Will the structure be within 3km of an aerodrome or airfield?	Yes	No
Has the Civil Aviation Authority/Secretary of State for Defence/Aerodrome Operator been notified?	Yes	No
Details of response: n/a Full Planning application		

Developer's Notice

Copy of Developer's Notice enclosed?	**Yes**	No
Date served: n/a Full Planning Application		n/a

3. Proposed Development

The proposed site:
For reference please see below a photograph of the proposed site location: -

The proposed telecommunications installation will be located on the rooftop of Academic House, 24-28 Oval Road, London, NW1 7DJ. The immediate land use in the surrounding area is predominantly commercial with residential and office use dominating the street scene. The application site is located within Regent's Canal Conservation Area.

The building is a seven storey office property with an element of residential use that overlooks Regents Canal runs essentially west to east. The appeal site is found on the roof of the building and is bound by Oval Road and Jamestown Road.

Enclose map showing the cell centre and adjoining cells:

Please attached plots

Type of Structure

Description:

The installation of 6no. antennas and 3no. RRHs (Remote Radio Head Units), 4no. to face mounted upon support brackets whilst 2no. shall be fixed to free standing frame.

The proposal also includes the installation of 6no. equipment cabinets on freestanding platforms. The dimensions of the proposed cabinets are detailed below.

4no. antennas shall be installed upon support brackets affixed to the buildings plant room and painted to match the exterior of the building. Whilst 2no. of the proposed antennas and all of the equipment cabinets will be located behind 3.3m and 2m high GRP screens respectively which shall be painted white to match the finish of the building.

Overall Height to top of antenna:	25.4 metres
Equipment Housing:	2no. RBS 6102 Equipment Cabinets
Length:	1300 mm
Width:	700 mm
Height:	1650 mm
Equipment Housing:	1no. PSU Enclosure
Length:	790 mm
Width:	770 mm
Height:	2000 mm
Equipment Housing:	3no. Flexi Racks
Length:	600 mm
Width:	600 mm
Height:	1850 mm
Tower/mast etc – type of material and external colour:	4no. antennas upon support brackets all painted white to match the buildings exterior. 2no. antennas located behind GRP screen upon galvanised steel poles and frame.
Equipment housing – type of material and external colour:	Galvanised steel – located behind GRP screen

Reasons for choice of design:

In this instance, the choice of design tabled in this application has been influenced by the new base station's siting and appearance and the need to provide 2G, 3G and 4G network coverage and capacity to the Camden area for both operators. The area suffers from inadequate coverage, either as a result of no coverage at all leaving a gap in their networks or poor coverage from surrounding cells. A new shared rooftop installation would provide and/or significantly improve network coverage and capacity to this area of Camden. Such an approach keeps the numbers of radio and telecommunications masts and the sites for such installations to a minimum consistent with the efficient operation of the network, which is in accordance with NPPF.

The proposed antennas and their positions on the building offer a technically preferred solution, in which where possible the antennas will be titled and orientated so as to provide cell specific coverage to the demands of the target area. Taking into account the character and appearance of the listed building together with the location with the Conservation Area, the extent of development has been kept to a minimum. Taking into account the proposed camouflaged design and the antennas positioning upon the roofline so that they maintain best maintain the buildings existing form, it is considered the proposal will have a negligible visual impact on the streetscape and skyline.

It is of note that the previous scheme sought to utilise a large single plant room extension with a GRP shroud enclosing all of the antennas. In light of the refusal and dismissed appeal, the operators have sought to disperse the antennas across the roofline so as to minimise its visibility within the streetscene. In this regard 4no. antennas shall be face mount in pairs upon the corners of the buildings plant room and painted white. The remaining 2no. antennas shall be left in their manufactured form and will be located behind a GRP screen designed to match that

of the finish of the building (white). In this regard although the apparatus will be seen from wider vantage points, it is considered that the level of visual impact has been kept within reasonable bounds given the perspective of distance and small scale nature of the apparatus relative to the height of the seven storey building.

This proposal also includes equipment cabinets which will also be located behind GRP screening, positioned in the north-west corner of the roof. In this respect it is considered that the proposed siting of the ancillary development will avoid any visual clutter on the roofline and maintaining the appearance of the host building.

In light of the above it is considered that every effort has been made to limit the visual impact of the scheme. It is considered that reasonable steps have been taken to achieve this by limiting the extent of development by grouping antennas together and locating all proposed equipment shall be camouflaged so as to disguise its appearance within the wider street scene. Accordingly, it is considered that the proposal has taken into account the surrounding Conservation Areas and the base station has been designed to preserve its character and appearance.

Technical Information

International Commission on Non-Ionizing Radiation Protection Declaration attached	**Yes**	No
International Commission on Non-Ionizing Radiation Protection public compliance is determined by mathematical calculation and implemented by careful location of antennas, access restrictions and/or barriers and signage as necessary. Members of the public cannot unknowingly enter areas close to the antennas where exposure may exceed the relevant guidelines. When determining compliance the emissions from all mobile phone network operators on or near to the site are taken into account. In order to minimise interference within its own network and with other radio networks, Vodafone Limited operates its network in such a way the radio frequency power outputs are kept to the lowest levels commensurate with effective service provision. As part of Vodafone Limited's network, the radio base station that is the subject of this application will be configured to operate in this way. All operators of radio transmitters are under a legal obligation to operate those transmitters in accordance with the conditions of their licence. Operation of the transmitter in accordance with the conditions of the licence fulfils the legal obligations in respect of interference to other radio systems, other electrical equipment, instrumentation or air traffic systems. The conditions of the licence are mandated by Ofcom, an agency of national government, who are responsible for the regulation of the civilian radio spectrum. The remit of Ofcom also includes investigation and remedy of any reported significant interference. The telecommunications infrastructure the subject of this application accords with all relevant legislation and as such will not cause significant and irremediable interference with other electrical equipment, air traffic services or instrumentation operated in the national interest.		

4. Technical Justification

Enclose predictive coverage plots if appropriate, e.g. to show coverage improvement. Proposals to improve capacity will not generally require coverage plots.

Reason(s) why site required e.g. coverage, upgrade, capacity

It was announced in mid-2009 that the Vodafone Group were to form a strategic partnership with the Telefónica Group to share their telecommunication infrastructure assets across Europe. In the UK this project was called 'Cornerstone' as saw both Vodafone Ltd and Telefónica UK Ltd, commonly known as O2 working closely together to pool their resources and infrastructure making substantial improvements to their 2G and 3G networks. This initial agreement between the two aforementioned operators broke barriers in addressing the historical limitations encountered in conventional mast share schemes. It allowed both organisations to consolidate a number of base stations through, where appropriate, sharing each other's sites and in turn significantly reducing the environmental impact of their network deployment. Although infrastructure development formed part of Cornerstone, Vodafone and Telefónica have continued to actively compete in the telecommunications market place to retain and win mobile phone customers and both operators differentiate themselves on the quality of their customer experience. Although Vodafone and Telefónica share their infrastructure, they operate entirely independently as businesses

with their own separate strategies and networks. Accordingly the key focus as part of Cornerstone was to build new sites which had the capabilities to provide coverage for both operators.

In February 2013, the Office of Communications, commonly known as Ofcom, who are the independent regulator and competition authority for the UK's communications industries announced the winners of the 4G mobile spectrum auction. 4G is the fourth generation of mobile phone technology and follows on from 2G and 3G. 2G technologies is predominately used for making calls and sending text messages, whilst 3G enables access to internet services more effectively through a mobile device. 4G services are intended to improve mobile broadband services into the future, enabling greater capacities of data to be shared via mobile technologies with speeds likely to be nearer those currently experienced via home broadband. Both Vodafone and Telefónica were awarded 4G licenses, hence they have entered into a new agreement in which the two companies now plan to jointly operate and manage a single network grid across the UK. This initiative strengthens the network infrastructure partnership between the two companies, previously rolled out as part of Cornerstone. This next phase of consolidation will primarily involve upgrading existing base stations to accommodate 4G technology and will be facilitated by Cornerstone Telecommunications Infrastructure Limited (CTIL), a newly formed joint venture company owned equally by Vodafone and Telefónica. The single grid infrastructure will enable both organisations to pool and consolidate their respective networks yet further while running two, independent, nationwide networks.

The rollout of multiple technology networks to support the growth of mobile devices has had an impact on more conventional ways of communications. Latest figures from the regulator, Ofcom, show that consumers are spending less time using their landlines in the year to June 2014, a reduction of 12.7% in one year alone. In this respect it is thought that fixed line call volumes are declining as people are using mobiles speak to each other. Also the way people communicate on mobile devices is changing as they have instant access to video calls and may choose to utilise the in-built capabilities of various messenger and social media applications.

In December 2014, Ofcom published their finding on the status of electronic communications networks and services in the UK. The Infrastructure Report 2014 acknowledges that robust telecommunication networks present vital enablers towards supporting a vast amount of economic and social activity, by both general consumers and businesses. The report provides an overview of the state of telecommunications infrastructures in the UK in terms of its coverage, capacity and reliability. In Ofcom's Infrastructure Report 2014 it suggests that fixed broadband connections are now almost universally available throughout the UK, however internet and downloads speeds can be patchy. However it is said that 18% of households do not have any home fixed line internet access at all and with about 16% of households already having no voice landline, it is apparent that mobile connectivity is a society choice that has importance.

According to Ofcom in November 2014, UK 4G speeds were more than twice as fast as 3G. However in a report of the same year compiled by OpenSignal, who studies mobile phone signal strengths, it was suggested that 4G speeds had almost halved in the past year as more people sign up to such services. In this respect, as well as providing coverage representation a base station will also provide much needed capacity to a network. Added capacity will create a reliable customers experience by reducing not-spots, call dropping and provide a more consistent mobile internet connectivity which people expect from their mobile devices whenever and wherever they are using them.

A base station site is required in this location in order to provide improved 2G and 3G network coverage and capacity, as well as catering for added multiple technologies, most notably 4G for both Vodafone and Telefónica, commonly known as O2.

Details regarding the general operation of the Vodafone and Telefónica networks can be found in the accompanying document entitled 'General Background Information for Telecommunications Development'. This information is provided to assist the Local Planning Authority in understanding any technical constraints on the location of the proposed development. Supporting information can also be found in the attached CTIL document called 'Radio Planning and Propagation', which discusses how radio networks are planned, the need for height and the limitations associated with the technology.

Furthermore the new Code of Best Practice on Mobile Phone Network Development published by the Mobile Operators Association (MOA) in July 2013 explains the special operational and technical considerations, which the telecommunications industry encounters. It also details the evolution of mobile networks and discusses the implications of mobile connectivity in the 21st Century. The new Code of Best Practice on Mobile Phone Network Development explains how mobile networks function and the challenges faced in providing sufficient signal, coverage and capacity to supporting customer experiences. It is also of note that the MOA has produced a new guidance document to clarify some of the technical aspects of network development entitled 'Mobile Networks: What They Are and How They Work', August 2013.

5. Site Selection Process

Alternative sites considered and not chosen (not generally required for **upgrades/alterations to existing sites** including redevelopment of an existing site to facilitate an upgrade or sharing with another operator)

Site	Site Name and address	NGR	Reason for not choosing
Existing mast	Existing MBNL mast (Operator ref:- 98472) 12 Oval Road, London, NW1 7DH	528578 183939	The existing mast is not designed to be shared between operators from joint ventures as each operator requires their own antennas systems and sufficient vertical separation between them so as not to interfere with each other. Further the site provider is unwilling to accommodate the operators. Therefore this option has to be discounted.
Rooftop	12 Oval Road, London, NW1 7DH	528565 183933	The site provider was approached about accommodating a telecommunications installation on a number of occasions; however they confirmed that they were unwilling to accommodate the operators. Therefore, this site has to be discounted as the operator does not have the owner's permission to use their building.
Rooftop	Lock House, 35 Oval Road, London, NW1 7BF	528515 183973	The site provider was approached about accommodating a telecommunications installation on a number of occasions; however they confirmed that they were unwilling to accommodate the operators. Therefore, this site has to be discounted as the operator does not have the owner's permission to use their building.
Rooftop	38 Jamestown Road, Camden, London, NW1 7BY	528591 184005	The site provider was approached about accommodating a telecommunications installation on a number of occasions; however they confirmed that they were unwilling to accommodate the operators. Therefore, this site has to be discounted as the operator does not have the owner's permission to use their building.
Rooftop	10 Jamestown Road, London, NW1 7BY	528704 184027	The building is unsuitable to house an installation of this nature given it is relatively low rise and would therefore fail to provide the required coverage to the intended target area. Therefore this site has to be discounted as it does not meet the operator's technical requirements.
Rooftop	Holiday Inn London, Camden Lock, 30 Jamestown Road, London NW1 7BY	528673 184009	The hotel is unsuitable to house a rooftop installation given it is relatively low rise, in its relationship with neighbouring taller buildings and would therefore fail to provide the required coverage to the intended target area. Therefore this site has to be discounted as it does not meet the operator's technical requirements.
Rooftop	Elsevier Science, 32 Jamestown Road, London, NW1 7BY	528644 184000	The building is unsuitable to house a rooftop installation given it is relatively low rise and would therefore fail to provide the required coverage to the intended target area. Therefore this site has to be discounted as it does not meet the operator's technical requirements
Rooftop	226 Arlington Road, London, NW1 7HY	528722 184399	The building is unsuitable to house an installation of this nature given it is relatively low rise and would therefore fail to provide the required coverage to the intended target area. Therefore this site has to be discounted as it does not meet the operator's technical requirements.
Rooftop	Iceworks 34-36 Jamestown Road, Camden, London, NW1 7BY	528623 183999	The building is unsuitable to house an installation of this nature given it is relatively low rise and would therefore fail to provide the required coverage to the intended target area. Therefore this site has to be discounted as it does not meet the operator's technical requirements.
Rooftop	Morrisons Supermarket, Chalk Farm Road. Camden, NW1 8AA	528424 184083	The building is unsuitable to house an installation of this nature given it is relatively low rise and would therefore fail to provide the required coverage to the intended target area. Further to this, the site is located upon the periphery of the cell search area. Therefore this site has

			to be discounted as it does not meet the operator's technical requirements.
Rooftop	Bar 55, 31 Jamestown Road, Camden Town, London NW1 7DB	528697 183990	The building is unsuitable to house an installation of this nature given it is relatively low rise and would therefore fail to provide the required coverage to the intended target area. Furthermore the design of the building does not present any suitable positions to locate the required equipment. Therefore this site has to be discounted as it does not meet the operator's technical requirements.
Rooftop	33-35 Jamestown Road, Camden, London, NW1 7DB	528664 183975	The building is unsuitable to house an installation of this nature given it is relatively low rise and would therefore fail to provide the required coverage to the intended target area. Therefore this site has to be discounted as it does not meet the operator's technical requirements.
Rooftop	A P T N, The Interchange, Oval Rd, London, NW1 7DZ	528575 184128	The site provider was approached about accommodating a telecommunications installation on a number of occasions; however they confirmed that they were unwilling to accommodate the operators. Therefore, this site has to be discounted as the operator does not have the owner's permission to use their building.

If no alternative site options have been investigated, please explain why:

n/a

Land use planning designations:

The application site is set within an area characterised as predominantly commercial office use and residential in the wider area.

It is noted that Academic House, 24 - 28 Oval Road is a Grade II Listed Building that was first listed on 6th July 1981 (Historic England Ref:- 1113236). It is included as part of a group asset list entry which describes the special architectural or historic aspects of no.'s 24 – 28 Oval Road and no.'s 38-46 Jamestown Road. The building is noted as an early example of reinforced concrete construction. Historic England highlight within the buildings listed that:- *"The building incorporates technical innovations by consulting engineer Felix Samuely, e.g. the foundations are floated on cork insulation to protect the wine from the vibration of nearby trains. Air conditioning too was incorporated"*. For reference the properties listing details are attached as part of this appeal.

Furthermore it is noted that the application site is found with designated Article 2(3) land, notably being set within Regent's Canal Conservation Area.

In this regard the impact of the development, if any, on the site's land use designation will be considered in more detail in the Planning Assessment section of this Supplementary Information submission.

Additional relevant information (planning policy and material considerations):

Planning Policies

Local Planning Policy

It is acknowledged that the Council's approach to the plan-led system has evolved. Central Government now seek to streamline the process for the preparation and adoption of Development Plans, in which Local Planning Authorities are now required to adopt a new Development Plan in accordance with section 20 of the Planning and Compulsory Purchase Act 2004 (as amended) and the National Planning Policy Framework. The documents that provide local planning policies are referred to within the 'Local Plan', in which they describe the spatial strategy for the authority. The Core Strategy is the key document that forms the Local Plan and this is supported by various types of detailed information about the local and sub-regional matters. Once adopted decisions will be made in accordance with the Local Plan unless material considerations indicate otherwise.

In this regard, there is no saved policy specific to telecommunications development. However the following development policy is considered relevant in this instance.

DP25 – Conserving Camden's heritage

"Conservation areas
In order to maintain the character of Camden's conservation areas, the Council will:
a) take account of conservation area statements, appraisals and management plans when assessing applications within conservation areas;
b) only permit development within conservation areas that preserves and enhances the character and appearance of the area;
c) prevent the total or substantial demolition of an unlisted building that makes a positive contribution to the character or appearance of a conservation area where this harms the character or appearance of the conservation area, unless exceptional circumstances are shown that outweigh the case for retention;
d) not permit development outside of a conservation area that causes harm to the character and appearance of that conservation area; and
e) preserve trees and garden spaces which contribute to the character of a conservation area and which provide a setting for Camden's architectural heritage.

Listed buildings
To preserve or enhance the borough's listed buildings, the Council will:
e) prevent the total or substantial demolition of a listed building unless exceptional circumstances are shown that outweigh the case for retention;
f) only grant consent for a change of use or alterations and extensions to a listed building where it considers this would not cause harm to the special interest of the building; and
g) not permit development that it considers would cause harm to the setting of a listed building.

Archaeology
The Council will protect remains of archaeological importance by ensuring acceptable measures are taken to preserve them and their setting, including physical preservation, where appropriate.

Other heritage assets
The Council will seek to protect other heritage assets including Parks and Gardens of Special Historic Interest and London Squares."

National Planning Policy

National Planning Policy Framework (2012)

It is recognised that in seeking to adopt a new Local Plan and Core Strategy national guidance on the matter suggests that repetition, should be avoided thus the most up-to-date policy stance regarding telecommunication development should be taken from National Planning Policy Framework.

5 - Supporting high quality communications infrastructure
The National Planning Policy Framework (NPPF) set out Central Government's planning policies for England and how these are expected to be applied. It replaces a number of planning documents including Planning Policy Guidance 8 – Telecommunication. NPPF sets out the Central Government's requirements for the planning system only to the extent that it is relevant, proportionate and necessary to do so. It provides a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities.

Pertinent to telecommunications development section 5 of NPPF sets out the Governments general overview regarding supporting high quality communications infrastructure and is stated as follows: -

"42. Advanced, high quality communications infrastructure is essential for sustainable economic growth. The development of high speed broadband technology and other communications networks also plays a vital role in enhancing the provision of local community facilities and services.

43. In preparing Local Plans, local planning authorities should support the expansion of electronic communications networks, including telecommunications and high speed broadband. They should aim to keep the numbers of radio and telecommunications masts and the sites for such installations to a minimum consistent with the efficient operation of the network. Existing masts, buildings and other structures should be used, unless the need for a new site has been justified. Where new sites are required, equipment should be sympathetically designed and camouflaged where appropriate.

44. Local planning authorities should not impose a ban on new telecommunications development in certain areas, impose blanket Article 4 directions over a wide area or a wide range of telecommunications development or insist

on minimum distances between new telecommunications development and existing development. They should ensure that:

- *they have evidence to demonstrate that telecommunications infrastructure will not cause significant and irremediable interference with other electrical equipment, air traffic services or instrumentation operated in the national interest; and*
- *they have considered the possibility of the construction of new buildings or other structures interfering with broadcast and telecommunications services.*

45. Applications for telecommunications development (including for prior approval under Part 24 of the General Permitted Development Order) should be supported by the necessary evidence to justify the proposed development. This should include:

- *the outcome of consultations with organisations with an interest in the proposed development, in particular with the relevant body where a mast is to be installed near a school or college or within a statutory safeguarding zone surrounding an aerodrome or technical site; and*
- *for an addition to an existing mast or base station, a statement that selfcertifies that the cumulative exposure, when operational, will not exceed International Commission on non-ionising radiation protection guidelines; or*
- *for a new mast or base station, evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure and a statement that self certifies that, when operational, International Commission guidelines will be met.*

46. Local planning authorities must determine applications on planning grounds. They should not seek to prevent competition between different operators, question the need for the telecommunications system, or determine health safeguards if the proposal meets International Commission guidelines for public exposure."

Code of Best Practice on Mobile Phone Network Development (2013)

A new English Code of Best Practice on Mobile Network Development has replaced the original guidance document that was first published in 2002. Since the previous version, there have been significant changes in planning policy with NPPF replacing PPG8, as well as in technology and infrastructure rollout due to consolidation agreements. The planning process and tools in the new Code of Best Practice remains much the same as previous, in which the following is considered relevant in this particular case: -

The opening paragraphs of the new Code of Best Practice acknowledge the material weight that should be given to NPPF, in particular Section 5 - Supporting high quality communications infrastructure as noted above. It is noted in paragraph 3.2 that special operation and technical considerations should be taken into account in which it is stated that due to increased demands of mobile device users there will be *"the requirement to upgrade and improve networks through changes to existing sites and the development of new sites"*

It is highlighted in paragraph 7.5 and in Appendix A which sets out the operators Ten Commitments that there will always be an emphasis on site sharing. Operators will *"continue to work together to locate base stations on existing structures, and to share sites wherever viable in order to reduce the need to build new masts on which to locate their equipment and to minimise the number of base station sites in the UK."*

Appendix B discusses the general principles for telecommunications development. It is stated that *"The Government's general policy on telecommunications development is to facilitate the growth of efficient and effective telecommunication systems whilst keeping the environmental impact of such development to a minimum. The siting and design of telecommunications equipment, if undertaken with care and sensitivity, will be vital in achieving this policy aim. Good siting and design should not only be respected in environmentally sensitive areas but should also be applied to all telecommunications development. In all circumstances, the sensitivity to context of the proposed development should be considered.*

In particular, the following general design principles should be regarded as important considerations in respect of telecommunications development:

- *Proper assessment of the character of the area concerned*
- *Design should be holistic and three dimensional showing an appreciation of context;*
- *Analysis of the near and far views of the proposal and to what extent these will be experienced by the public and any residents;*
- *Proposals should respect views in relation to existing landmarks and distant vistas;*
- *Proposals should seek to consider the skyline and any roofscapes visible from streets and spaces;*
- *Choice of suitable designs, materials, finishes and colours to produce a harmonious development and to minimise contrast between equipment and its surroundings.*

The options for the design used by an operator will be affected by site conditions, technical constraints, landscape features and coverage and capacity requirements. The main options would include:

- *Mast and/or site sharing;*
- *Installation on existing buildings and structures;*
- *Camouflaging or disguising equipment where appropriate;*
- *Using small scale equipment;*
- *Erecting new ground based masts."*

Appendix B goes on and recognises that mast and site sharing is a longstanding Government policy objective. In this regard the Government encourages telecommunications operators, wherever viable, to share masts and sites as a means of minimising overall mast numbers. It is stated in Appendix B that *"If operators are able to share sites, and install more equipment on each site, this reduces the overall visual impact of network infrastructure, because even though shared sites will tend to be slightly bigger, it means that fewer sites are needed to improve coverage and capacity, infrastructure becomes more feasible, and is more cost-effective to deploy. In fact, sharing of sites is now the norm, and network operators now share much of their network infrastructure via joint venture commercial arrangements."*

Mobile Networks: What They Are And How They Work (2013)

It is highlighted that the new Code of Best Practice is supplemented by a document titled 'Mobile Networks: What They Are And How They Work'. It explains the main factors that affect radio signals such as shadowing, attenuation, diffraction and reflection. In this regard it should be appreciated that antennas need to be sited with the clearest possible view of the area for which they are intended to provide coverage. It is stated that *"there are various reasons that can lead to the need for new cell sites. Two main ones are the need for additional coverage and capacity. Other factors that can lead to the need for new sites include the introduction of new technologies and services; new property developments in an area requiring new coverage or additional capacity; or redevelopment of an area requiring existing sites to be replaced."*

London Plan (2015)

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. In Paragraphs 1.38-1.41 *'Ensuring the infrastructure to support growth'*, the London Plan recognises the strategic importance of providing the necessary 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.

It is considered that the Vodafone and Telefónica networks are an integral element 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 will help to implement the strategic objectives contained in Policy 4.11 'Encouraging a Connected Economy' of the London Plan. Policy 4.11, and its written justification, is clearly supportive of the proposal and the role that it will perform in allowing Vodafone and Telefónica to provide additional 3G and 4G coverage to the surrounding area.

The aim of the Infrastructure Plan is to enable for fast, ubiquitous access to the internet from mobile and fixed devices. Chapter 16 of the Plan indicates how the London Mayor's Office shall support an economically viable mix of technologies including fibre broadband, mobile broadband and future methods of wireless internet delivery to address the capacity crunch in the short term as well as aiming to make London the first capital city in the world to deploy 5G in the 2020s. This document is supported by the report Raising London's High Speed Connectivity to World Class Level. As detailed within these Digital Connectivity is now considered the fourth utility. Internet access not only affects the productivity of businesses and proves essential to the future growth of many firms, it is also vital for many residents to take part in modern society as more services move online.

The Mayor's Office shall work with central government and London's local authorities to ensure that strategic communication networks are enabled rather than inhibited by the planning and other regulatory systems whilst ensuring the utility works themselves are properly managed.

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Planning Assessment

The Council have a policy specific to telecommunications development in the adopted Local Plan and there are

detailed policies for the historic environment. These policies and NPPF are material planning considerations in determining this application.

The National Planning Policy Framework (NPPF) does not change the statutory status of the development plan as the starting point for decision making (NPPF paragraph 12). The NPPF adds (paragraph 215) that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework; the closer the policies in the plan to the policies in the Framework, the greater the weight that they may be given as a material planning consideration.

The area suffers from poor coverage as a result of a weak signal level, which in turn impacts on its capacity and the services that can be offered. A reduction in the strength of the radio signal increases the likelihood of lower quality or dropped calls and significantly reduced or no data rates for internet browsing, for example. Therefore, a multiple technology network requires robust signal levels to provide the capacity and speeds needed to make calls, send texts and access the internet either on the move or static for all its users wherever they are in the country. However, none of this can happen without a robust infrastructure network in place that delivers mobile communications service.

In taking a sequential approach to site selection, in accordance with Government guidance the starting point for consideration should always be with an operator's own existing masts and/or sites in the first instance and secondly using existing telecommunications structures belonging to another code system operator, i.e. mast sharing. The next appropriate steps are to consider co-location or site sharing alongside existing telecommunications development then installing antennas on existing buildings or tall structures before erecting a new ground based mast. If a new mast or base station is required, evidence that the applicant has explored the possibility of erecting antennas on an existing mast, building or other structure is necessary in accordance with paragraph 45 of NPPF.

To find a new site an assessment of four possible alternative sites were considered which explored existing masts, buildings and new sites for mast within the search area. The starting point was with the existing telecoms site, which was discounted as there are not any. Consequently, there are no existing telecommunications structures and sites belonging to another code system operator to share or site share, however, there is an appropriate tall building available within the search area. Also, surrounding base station sites cannot be upgraded to compensate for the inadequate coverage. Those existing surrounding sites in each respective network have been optimised to their full potential and many are also subject to their own upgrade requirements as part of the CTIL initiative. It should be recognised that given the residential and historic nature of the cell search area, many of the residential buildings are unsuitable due to their design and construction and were therefore not considered as viable options.

Sites were discounted because of site providers were not interested in accommodating a telecommunications installation and the roof top of the building was considered unsuitable for accommodating telecommunications equipment. The preferred option is for a new rooftop installation. The new Telefónica/Vodafone rooftop installation seeks to consolidate both Telefónica and Vodafone's 2G, 3G and 4G network onto one structure to form part of a single network grid restructuring across the UK, building on and improving the existing sites capabilities, coverage and capacity, creating a robust infrastructure network.

The identified site remains the operators technically preferred location as it firstly fulfils their primary coverage objectives for 2G, 3G and 4G technology within the cell area but also given that it has an established coverage footprint within the respective networks and therefore forms part of a cohesive network of cells for each operators network. The proximity of each base station is an influential factor from a radio perspective and this ensures that the installation has sufficient separation from existing and planned new cells within the shared network, preventing the base station from causing any technical interference between sites. Each cell site sends and receives signals within its intended area of coverage and as the user travels from one area to another, the base station where the call originated weakens and hands over the call to the neighbouring base station. If the distance between base station sites is too large a gap between cells will form resulting in a dropped call. Similarly should telecommunications sites be too close together, this creates technical interference between the two sites and within the wider network as sites compete with each other to become the dominant cell.

Furthermore, the reduction (or decay) in signal power is affected by a number of variables, in which the main factors are frequency, distance (from transmitter), terrain (such as hills), clutter (such as buildings, foliage, vehicles, and water) and atmospheric conditions (such as rain). Any physical object such as buildings and geographical terrain (hills and trees) together with changes to the landscape (new developments and tree growth) that obstructs the propagation of radio signals, causes a reduction in signal strength reaching a customer's device. A reduction in the strength of the radio signal increases the likelihood of lower quality or dropped calls and significantly reduced or no data rates for internet browsing, for example. To ensure sufficient services are

provided and coverage is maintained single or dual stack antennas cannot be lower than they were originally as coverage would be significantly reduced. Therefore, to provide sufficient services to customers height increases on existing masts or additional new masts may be required. The former is the preferred option in many cases.

In this respect and mindful of the very nature of the target area, it is considered that the proposal has been positioned in a site specific location together with its design which on balance respects the character and appearance of the area and surrounding land uses.

Conservation Area

It is appreciated that application site is found within Regent's Canal Conservation Area which was designated in 25th April 1974 and subsequently extended on 16th June 1981 (Stanley Sidings and Stable Buildings), 14th June 1983 (King's Cross Goods Yard), 20th March 1984 (part of Bonny Street, Camden Street, the Waterside Centre, Suffolk Wharf Jamestown Road, Wharf Road, Camley Street and Goods Way), 18th June 1985 (King's Cross Goods Yard). The Council note within their Conservation Area Character Appraisal that:- *"The Regent's Canal, part of the Grand Union Canal, winds its way through many London Boroughs before reaching the Thames, forming a corridor of unique character. It is an important feature of historic and visual interest in the townscape and following the decline of traditional canal-related commercial activities has been increasingly recognised as a valuable resource for water-based leisure activities, for its ecological value and its potential for transportation and informal recreation. It is the Council's aim to conserve and enhance the existing character of the canal and to improve its potential for recreation, transportation and wildlife propagation.*

The ever changing vista, the variety and contrast of townscape elements and the informal relationship between buildings and canal contribute more than any other factors to the character of the canal. The sections of the canal vary considerably in the water level, width and direction and in the nature and use of adjacent buildings and landscape."

To expand upon the siting and appearance of the scheme within the context of Article 2(3) land, firstly it should be acknowledged that the application site is found within Regent's Canal Conservation Area, therefore in this respect the proposal has been designed sensitively to respect the historic environment. Furthermore the extent of telecommunication development in this case has been kept to a minimum and has been progressed proportionate to the asset's importance. In this regards it should be appreciated that the proposal has been designed with no more development than is sufficiently needed to fulfil the technical requirements of this site.

The telecommunication equipment would be discretely located, either affixed to the exterior of the plant room or situated behind GRP screens which would be designed to match the finish of the building. It is considered that the position of the antennas would not form incongruous features within the context of the host property. The antennas have been posited upon a less significant section of the building, where existing plant is apparent so as to not impact upon the architectural merits of the building, namely the clean lines of its elevations. In this regard, it is the applicant's opinion that the telecommunication development not appear untoward within the context of the host building or the Regents Canal Conservation Area. It is considered that the antennas would not be noticeable to the casual glance given their discrete positions and size. Therefore the applicant deems that the siting and appearance of the proposed new equipment would preserve the character and appearance of the listed building and Conservation Area.

Taking into account the operators efforts to best camouflage the antennas, it is considered that the proposal will have a neutral visual impact on the streetscape and skyline as the apparatus would be visually absorbed upon the building. In this regard, it is considered that the level of visual impact has been kept within reasonable bounds when balanced against the technical need for improved coverage and capacity within this locality. Furthermore this proposal also includes ancillary radio equipment cabinets that are necessary to the operation of the proposed antennas and dishes. These cabinets would also be located behind the proposed GRP screens and hence would not be apparent upon the building's roof. In this respect it is considered that the siting of the ancillary development will avoid any visual clutter on the roofline and maintain the appearance of the host building as the additional screen will appear as an extension to the existing plant enclosures.

In conclusion it is considered that when balanced against all material factors of this case, the proposal's siting and appearance will not have a significance impact on this designated heritage asset. It is clear that the telecommunications development respects the historic qualities of the site and its surroundings, whereby it would not undermine those specific features as listed that warranted the site's designation.

With regards the need for the development it has been highlighted previously that the base station is required to meet the existing and future demands of mobile users. Irrespective of a site designation, the public benefits of the telecommunication development in providing coverage and capacity should be seen as a material planning consideration. The use of mobile devices has become an essential part of everyday life for the vast majority of

people in the UK. Indeed mobile technology is important for personal communications, but it is becoming more and more important for businesses, making a vital contribution to overall economic prosperity. In this respect the network infrastructure development progressed by the operators is largely determined by consumer demand. These customers wish to be able to use their devices wherever they are, in which in designated areas this coverage requirement is no different. Albeit conservation areas can present difficulties in terms of their built and natural character, it is considered that the technical needs have been addressed by taking a responsible and sensitive approach to the siting and appearance of this base station development. In this regard it is considered that the wider public benefit of providing multiple technologies for two operators is sufficient to outweigh any undue harm to the designated asset.

It should be acknowledged that a sequential approach to site selection has been taken. Taking into account the context in which the proposal would be read and albeit upon a listed building within a conservation area, it is considered that this site is an appropriate location to site a telecommunication base station given the camouflaged design of the revised scheme. The discreet nature of the proposed apparatus, together with reduction in the dimensions of the antennas, their reduced heights and re-positioning upon an architecturally less sensitive part of the building, are all considered measures would help assimilate the proposed apparatus upon this building and into the wider street scene. In light of the above, it is considered that the proposal would not be overly intrusive in this particular environment. Taking all matters into account, it is the applicant's opinion that the visual impact as a result of the proposed changes would not outweigh the other material merits of this case.

In light of the case presented above, the applicant considers that the proposal strikes a good balance between environmental impact and operational considerations.

Health & Safety

Court cases have confirmed that the public perception of health risks can be a material consideration within the planning system. That said the weight to be attached to this issue has to be determined accordingly in each case by the decision maker. However it has been generally upheld and widely established at planning appeal, that health concerns are not a sufficient basis alone for withholding planning permission providing it has been demonstrated that the proposed base station will comply with the International Commission on Non-Ionizing Radiation Protection guidelines.

It should be recognised that it has been long since established that it is Central Government's stance that the planning system is not the appropriate mechanism for determining health safeguards. It remains Central Government's responsibility to decide what measures are necessary to protect public health. Most notably it is Central Government's view that if a proposed development meets the ICNIRP guidelines for public exposure it should not be necessary for a Local Planning Authority, in processing and determining an application for planning permission or prior approval, to consider further the health aspects and concerns about them.

In this respect the operators believe that it is not necessary to consider health effects further. Vodafone and Telefónica as well established operators are committed to ensuring that all new and upgraded installations are ICNIRP compliant. In this regards there should be no basis for this case to be refused on health and safety grounds or for reasons relating to public concerns about health and safety. An ICNIRP compliance certificate is attached as part of this submission, as required by NPPF paragraph 45. As previously noted in this submission statement the ICNIRP declaration takes into account the cumulative effect of the emissions from the proposed installation and all radio base stations present, at or co-located near to the proposed installation. Albeit the proposal has dual user capabilities and seeks to provide multiple technologies the radio frequency emissions from the proposed development will be may times lower than the ICNIRP reference standard in all publicly accessible areas around the installation. In the light of the above information, it is clear that the weight to be given to such health and safety concerns should not be so great as to warrant a refusal of the case on these grounds.

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