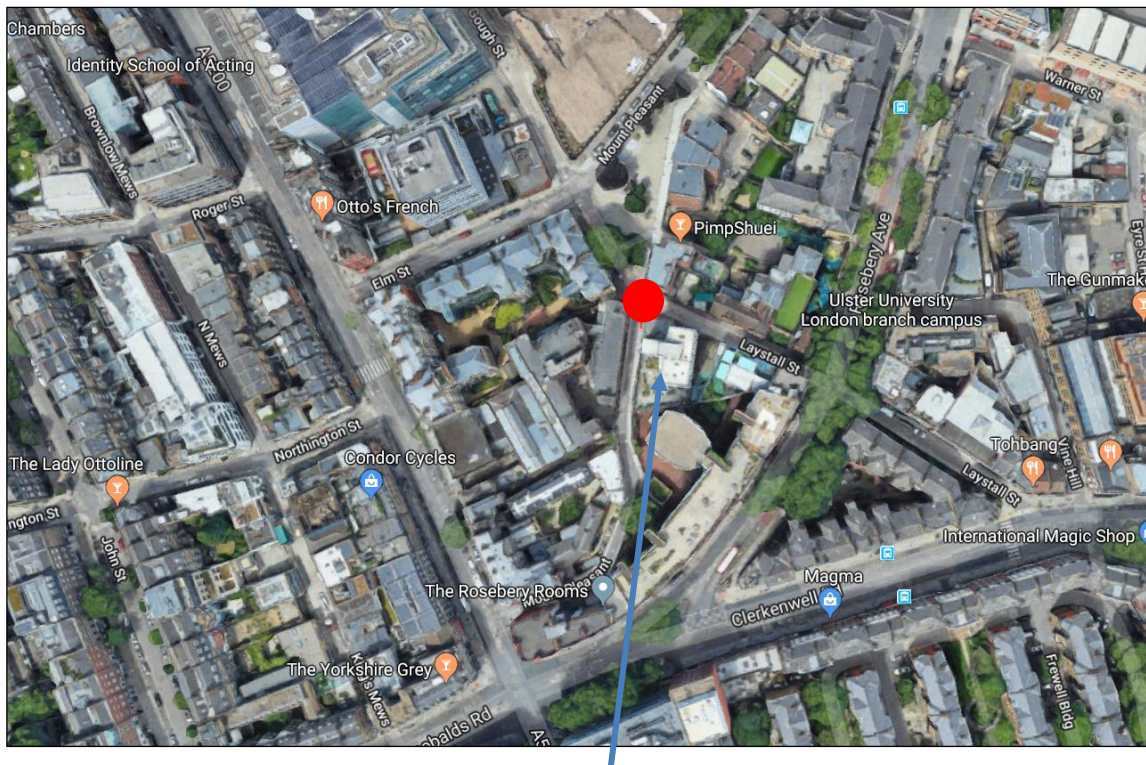


## SUPPORTING PLANNING STATEMENT

Site Name & Reference	Mullen Towers
Postal Address	Mullen Towers, 85 Mount Pleasant, London, WC1X 0AG
National Grid Reference (NGR)	E 531045, N182089
Description of Development	The installation of 48 no. small antennas pole mounted on 10 no. free-standing support frames upon the roof of the building, the installation of 2 no. equipment cabinets and development ancillary thereto.



Application site



Mullen Towers

## **Application Overview**

Luminet is the trading name of Urban Wimax Ltd based in Central London. Luminet's has over 700 business customers in Central London with businesses located in the Camden area and many more businesses in other parts of Central London. Luminet supplies high quality connection to the Internet for these customers and is unusual in being able to connect new customers within 28 days. This proposed development is required to improve Luminet's services within the Camden area.

## **Technical Justification**

Dish antennas operate on a line of sight basis and transmit and receive highly focussed low powered radio waves that travel in a straight line direction. Dish antennas usually have the function of linking a base station, sometimes through a series of dish links, to a base station site elsewhere in a telecommunications network. In this respect dishes can vary in terms of their diameter size, subject to the distance between base station sites and the data it seeks to send.

In this respect dishes need to be positioned at a height above the immediate built and natural clutter so as to have a direct line of sight to the neighbouring dish site it aims to link with. Therefore, if a direct line of sight between base station sites is compromised by an obstruction placed in its path this results in the link going down. Therefore, technical justification dictates that dishes need to be installed on large radio masts or on tall buildings which are taller than surrounding buildings.

Electronic communications have become a critical aspect of business. Looking forward, the economic benefits to the market of transferring data via wireless dish links as opposed to fibre optic cables and email is vast. In order to remain competitive with other world leading financial markets and cities, it is essential that point to point microwave dish links are in operation, hence the proposal is justified.

### **Site Selection**

Due to the sensitive nature of their business and specific network requirements, as explained above, the applicant is limited in the number of available options that fulfil their criteria for site selection. In this respect Mullen Towers is one of a limited number of sufficiently tall buildings in the intended area that can meet both their technical requirements and maintain operational security. The building is considered a suitable location for the proposed equipment.

### **Local & Central Government Planning Policy Context**

#### **Development Plan Policy**

Section 70 of the Town and Country Planning Act 1990 as amended requires planning applications and appeals to be determined having regard to the provisions of the Development Plan and other material considerations, and section 38 of the Planning and Compulsory Purchase Act 2004 requires applications and appeals to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

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

There are no policies relating directly to communications development within the Camden Local Plan. General policies of relevance include D1 (Design) which requires a high standard of development, and policy D2 (Heritage). This policy aims to preserve and enhance Camden's heritage assets, including conservation areas and listed buildings. Development within conservation areas is required to preserve or enhance the character or appearance of the area.

It is considered the proposal complies with both policies. The scheme has been specifically designed for this location. The installation of the dishes would not result in any significant change to the external appearance of the building and the cabinets would not be visible from ground level as they would be set towards the centre of the roof. The proposed antennas would be visible, however impact would be minimal and not sufficient to harm either visual or residential amenity. The additional impact would not be sufficient to cause harm to the host building or the character or appearance of the conservation area. The minimal additional impact of the development would be outweighed by the public benefits of the proposal.

No conflict with been identified with any other development plan policies.

#### **National Planning Policy**

##### **National Planning Policy Framework (2018) (NPPF)**

The new National Planning Policy Framework, which came into force in July 2018, replaces the guidance published in March 2012. The NPPF sets out the Government's planning policies for England and how these should be applied.

Paragraph 7 of the NPPF states "*The purpose of the planning system is to contribute to the achievement of sustainable development*", and in paragraph 10 that "*at the heart of the Framework is a presumption in favour of sustainable development*". In order to achieve the sustainable development objective, the NPPF has identified 3 overarching objectives (paragraph 8):

*“a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

*b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and*

*c) **an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.”*

For **decision-taking** (paragraph 11) this means:

*“c) approving development proposals that accord with an up-to-date development plan without delay; or  
d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date<sup>7</sup>, granting permission unless:*

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”*

Further to this, paragraph 38 states that *“Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area.”*

The proposed development will enable the provision of reliable and enhanced communications services to the surrounding area, bringing about substantial public benefit both socially as well as the allowing for certain businesses to expand, adapt and thrive as well as access new markets.

The NPPF (2018) directly addresses the need for enhanced wireless communication services, first mentioned in paragraph 20, which states that an LPA’s strategic policies must make sufficient provision for:

*“b) infrastructure for transport, **telecommunications** (our emphasis), security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat)”*

Leading on from this, paragraph 112 states that *“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”.*

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 113 states that *“The number of radio and electronic communications masts, and the sites for such installations, should be kept to a minimum consistent with the needs of consumers, the efficient operation of the network and providing reasonable capacity for future expansion. Use of existing masts, buildings and other structures for new electronic communications capability (including wireless) should be encouraged”.*

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

It should be noted that paragraph 116 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 of the guidance deals with ‘Conserving and enhancing the historic environment’. Paragraph 184 sets out that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. Paragraph 196 states: *“where a development proposal*



*will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”* It is considered there would be a less than substantial harm, and that limited harm would be outweighed by the significant benefits of the proposal.

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.

### **London Plan (2016)**

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 Luminet network is 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 Luminet to provide services 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.

The Luminet network is 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.

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

A relevant Government paper titled ‘Fixing the foundations: Creating a more prosperous nation’, otherwise known as Productivity Plan was published in July 2015. In this paper Chapter 7 – ‘World class digital infrastructure in every part of the UK’ is relevant to telecommunication development and is stated as follows:

*“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. Investment in high speed broadband will support long-term economic growth, with GVA increasing by £6.3 billion, causing a net increase of 20,000 jobs in the UK by 2024. Geographic coverage and take-up of superfast broadband in the UK is already the highest of the 5 largest EU economies. The government’s superfast broadband programme is passing an additional 40,000 premises every week – superfast speeds of at least 24Mbps will be available to 95% of UK households by 2017.*

*7.2 By reducing regulatory red tape and barriers to investment, the government will support the market to deliver the internationally competitive fixed and mobile digital communications infrastructure the UK’s businesses need to thrive and grow, and which will enable the UK to remain at the forefront of the digital economy. The government is working with business so that the market can play the lead role in delivering against the ambitions set out in the Digital Communications Infrastructure Strategy, published in March, of near-universal 4G and ultrafast broadband coverage.*

*7.3 The government will take decisive action to make it easier for the market to roll out the fixed and mobile infrastructure that the UK needs:*

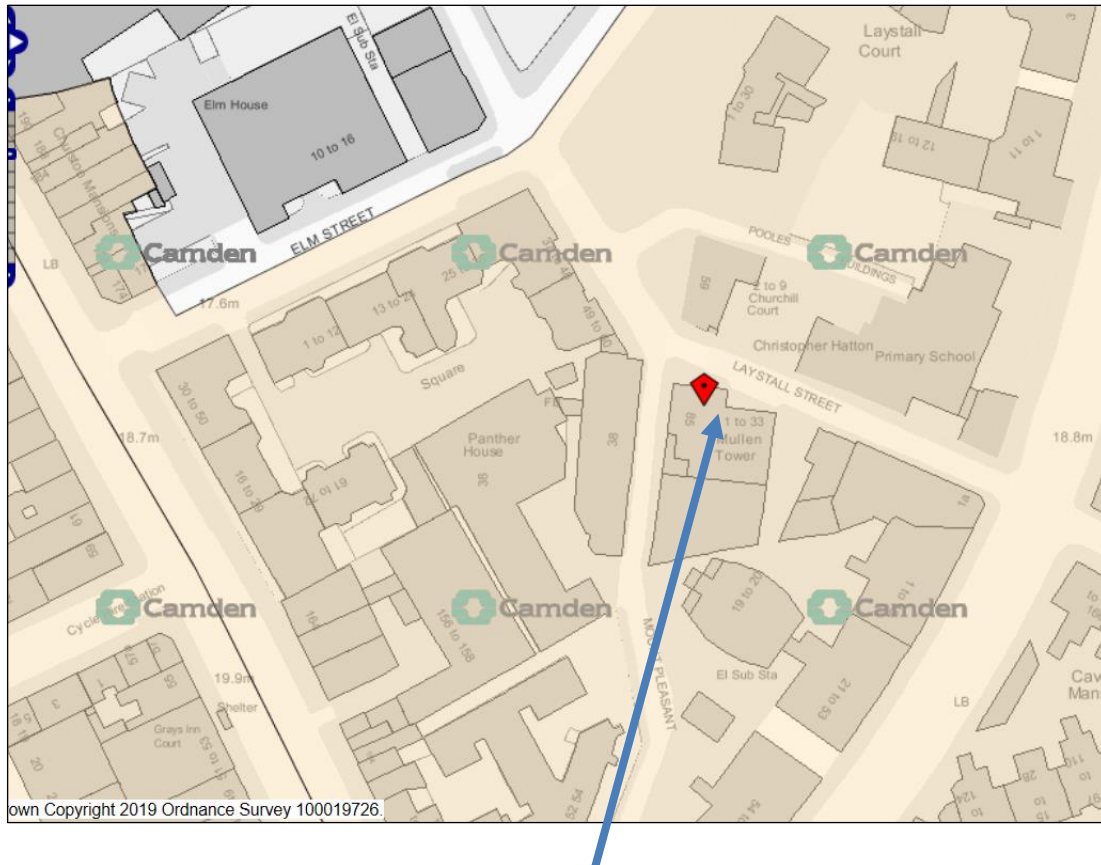
- the government proposes to extend permitted development rights to taller mobile masts in both protected and non-protected areas in England. A call for evidence on these proposals has been published today*
- the government intends to introduce legislation in the first session of this Parliament to reform the Electronic Communications Code, which regulates the relationship between electronic communications network operators and site providers*
- the government will be consulting later this year on implementation of the EU Directive on measures to reduce the cost of deploying high-speed communications networks*
- the government is also considering making the 2013 planning relaxations supporting fixed high speed broadband infrastructure rollout permanent*

*7.4 These measures will make it cheaper and easier for providers to build the infrastructure UK businesses need.*

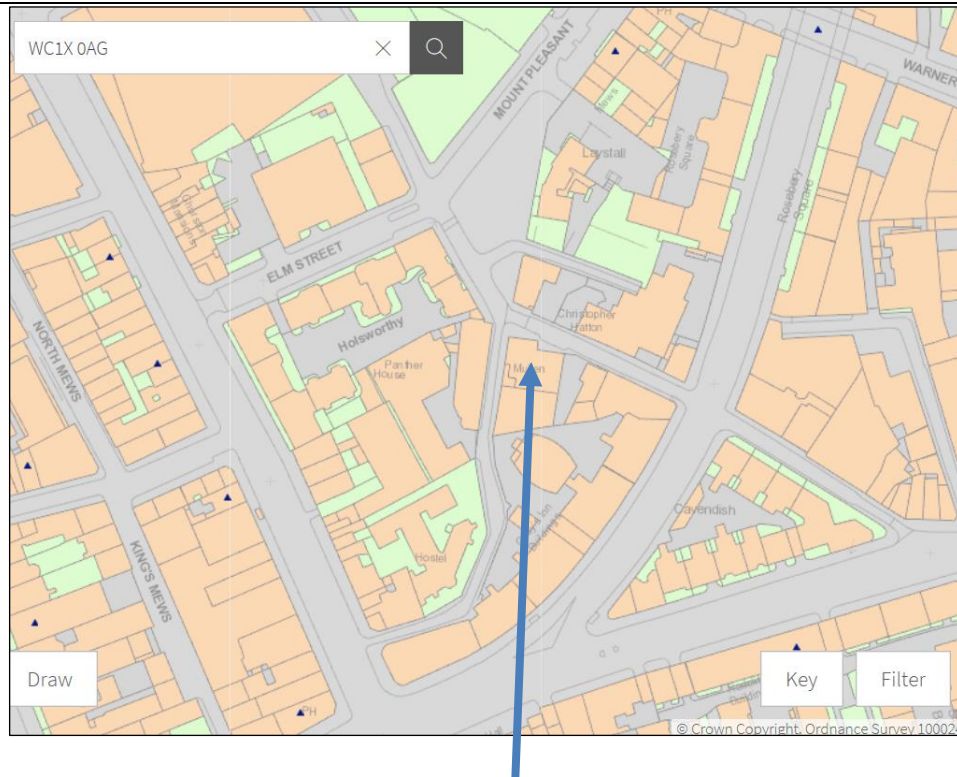
*7.5 Electromagnetic spectrum is a valuable and scarce resource. By securing more efficient use of public sector spectrum (while safeguarding departments' ability to deliver critical operational public services), the government will be able to share or release more of its spectrum, realising wider economic 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

Mullen Towers is a substantial 12 storey building, constructed in the 1960's. The building rises to 31.0 metres to the main roof level and 34.0 metres to the top of the plant room. It is one of the tallest buildings in the surrounding area. The site is located within the Hatton Garden Conservation Area. The location of the site in relation to the conservation areas is shown on the plan below (taken from the Council's Interactive Conservation Area map):



In terms of listed buildings, the host building is not listed and neither are any close to Mullen Towers. It is also noted that, whilst within a conservation area, the host building is of little architectural merit. The extract below from the Historic England website confirms the location of listed buildings in relation to the site (marked as blue triangles on the map):



The size and position of the proposed dish antennas on the roof of the building offer the technically preferred solution. The dish antennas are grouped on support frames around the roof of the building with the aim of minimising impact. It is acknowledged that the proposed dishes and support structures will project above the roofline of the building, however given their proposed location at a height above street level of over 30 metres, it is considered that their visual impact will be negligible from public viewpoints. The streets surrounding the building are quite narrow, therefore views of the proposed equipment would be limited from ground level.

Given the small-scale of the proposed dishes, together with the modest size of the support frames, it is considered that the proposed equipment will not harm the character and appearance of the Hatton Garden Conservation Area. The proposed dish antennas would not be overly bulky and are considered to be unobtrusive features in the context of the size of the building. Furthermore, the applicant is seeking to use the operational minimum number of support frames upon the building, limiting the potential for the cluttering of the roofline. The dishes are proposed to be light grey in colour, therefore reducing impact when set against the sky.

Heritage assets would not be harmed. Any limited impact of the development would be outweighed by the significant benefits of the proposal.

It is emphasised that building a strong and competitive economy, as well as supporting high quality communications infrastructure, is encouraged in the NPPF and thus significant weight should be attached when considering these benefits against the minimal visual impact of the proposed development as outlined within this statement.



## DESIGN AND ACCESS STATEMENT

This Design and Access Statement is provided in conjunction with the Supporting Planning Statement, drawings and other material that has been submitted with this full planning application. For the avoidance of doubt the following is presented to explain the design principles and concepts that have been applied to the proposed development. It also demonstrates the applicant's approach to access and how relevant Local Plan policies have been taken into account. In this respect given the extent of development and its use for communications, the level of detail in this Design and Access Statement is proportionate to the complexity of the application.

### **Amount**

The installation of 48 no. dish antennas;  
The installation of 10 no. support frames;  
The installation of 2 no. equipment cabinets on the roof of the building.

### **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 34 metres above ground level to the top of the plant room.

The dish antennas are proposed to be positioned at a height of approximately 33 metres and measure 35cm and 30cm in diameter respectively.

### **Landscaping**

The proposed development is on the roof of an existing building, therefore there is no landscaping proposed as part of this application.

### **Appearance**

The proposed dishes will be left in their manufactured grey form;

### **Historic Environment & Heritage Assets**

The host building is located within the Hatton Garden Conservation Area. It is not a statutory or locally listed building. An assessment of the impact of the proposed development upon heritage assets is contained within the supporting planning appraisal, and confirms they would not be harmed.

### **Access**

Given the siting of the proposed equipment on the roof of a tall building, the site will only be accessed by those personnel associated with the applicant. In light of the siting of the dishes on a privately-owned building, and the intended use, it is highlighted that the public should have no interest or need to access the equipment. Therefore, it should be recognised that access to the proposal is set well away from recognised public rights of way and is remote from recognised pedestrian and vehicular movements within the public realm.

The applicant will make use of on-site and existing internal routes during construction. It is likely that once built, the site will be visited infrequently for maintenance purposes only. Right of entry to the site will be primarily by foot in which the applicant will make use of on-site and internal access arrangements so as to gain access to the dishes and ancillary equipment. In the event of the dishes needing to be maintained this will be achieved by rooftop access.