MAXIMUS
NETWORKS

To:-
Regeneration Planning and Development Management
London Borough of Camden
5 Pancras Square
c/o Camden Town Hall
Judd Street
WC1H 9JE

06/11/2018

Dear Sir/Madam

Application for Prior Approval
Installation of Electronic Communications Apparatus on the Highway by an Electronic Communication Code Operator

The Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended), Part 16 of Schedule 2 ('the GPDO') and the Communications Act 2003, section 106 as amended by the Digital Economy Act 2017

Introduction

We, Maximus Networks Limited (Company number 09922326) of registered office address 16 Wetherby Gardens, London, United Kingdom, SW5 0JP, apply to the local planning authority ("the Authority") for prior approval pursuant to the provisions of A.3(4) of Part 16 of Schedule 2 of the GPDO.

In particular, a determination is sought from the Authority as to whether its prior approval is required as to the siting and appearance of the proposed development of the electronic communications apparatus described below.

Enclosures

1. Prior approval application form;
2. Payment of the appropriate fee in the sum of £462;
3. Location plan;
4. Evidence that notices have been served which satisfy the requirements of sub-paragraphs A.3(1) and A.3(5)(c) of Part 16 of Schedule 2 of the GPDO.

Supplemental Plans and technical information relating to the siting and appearance of the proposal (Dimensioned Location Plan, Technical Drawing ref: MAX 2 ASSEMBLY, rendered image of proposal)

Oher information requirements (prior approval)

Description of the proposed development:
1 x public call box (as detailed within this letter and its enclosures)

Proposed location:
St. Giles High Street adj. Central St Giles Piazza , WC2H 8AG, E: 530039 , N: 181301

Contact details:
We have instructed Metropolis Planning & Design as our agent and to whom any correspondence about this application should be addressed. The agent's contact address is: 4 Underwood Row, London, N1 7LQ.

Notices:
It is proposed to install the public call box on the public highway. Before making this application notices have therefore been served on the relevant highway authority (and TfL where appropriate) as owner[s] of land to which the development relates, pursuant to the requirements of sub-paragraphs A.3(1) and A.3(2).

The application is also accompanied by relevant evidence of the above, and which thus satisfies the requirements of sub-paragraph A.5(c) beyond any reasonable doubt.

The Applicant: Maximus Networks Ltd

Maximus Networks Ltd ('the Company'/'Maximus') is a privately-owned telecommunications company. The Company is an electronic communications code operator having been granted powers ('Code powers') by the UK's communications regulator (Ofcom) under the electronic communications code (the 'Code') pursuant to section 106 of the Communications Act 2003 for the whole of the UK on 1 November 2016.

The Company is now engaged in rolling out a telecommunications infrastructure network across the UK, using these Code powers and other relevant legislation, in order to build its network, providing choice and competition as intended by Ofcom.

The Company's vision

Maximus is a privately-owned, entrepreneurial and innovative company competing in a sector dominated by multinational companies. It is Maximus's intention to create a network to provide increased choice for the public at large, and consumers, and be part of the more general and much-needed private sector investment into the UK's telecommunications infrastructure.

The telecoms infrastructure of the UK is not currently fit for purpose. Although society has seen an increase in mobile phone usage, there is still a need for public call boxes across all sections of the community.

Maximus is investing significant resources into the identification of potential sites based upon the acceptable criteria for the siting of this infrastructure. This process must also have regard to the technical and operational needs, and constraints, of the network as a whole.

The Maximus public call box network will provide telecommunications services, and, in accordance with the law, will also provide the following services to the public including the disabled:

- Free emergency calls
- Free operator assistance
- Directory enquiries

In addition to the above services Maximus's public call box will provide free telephone calls to ChildLine. A report from ChildLine showed that a significant number of calls by children are still made from public call boxes.

The public call box will also include WiFi and small cell technology in accordance with relevant guidelines and the Code powers granted to the Company. These functions will facilitate network connectivity and cellular coverage to improve access to digital and call-based services.

One of the central aims of Government is to promote social inclusion: as the world becomes ever more connected, certain demographic groups (e.g. low income groups), are liable to become isolated if they do not have equality of access to telephone and digital communication networks.

The telecommunication based services provided by the Maximus call box network will be free to users. This represents a very significant public benefit of the proposal.

The public call box proposed and wider network that it forms part of is a response to Central Government policy objectives for the development of telecommunications networks. The telecommunications Code powers granted to Maximus for this next generation of public call boxes is intended to address the shortfall in this vital piece of infrastructure. The GPDO is the mechanism to deliver this new on-street communications infrastructure in the timescale required by Central Government.

The Maximus network will play a vital part in the future delivery of UK telecommunications, which are (and will be) accessible by all. This will be a truly useful service for the public both now, and as the Company evolves, in the future, as telecommunications become an ever more important part of our daily lives through the connectivity they provide.

Maximus's mission is to make a real difference to people's lives through the power of connectivity provided through technological innovation and expansion of electronic telecommunications infrastructure.

Maximus believes that being truly useful and of benefit to communities will be the key to its success as a business and that through outstanding design will enhance neighbourhoods and streetscapes becoming a much used part of community life.

All units will be installed and paid for by Maximus at no cost to the public, government or Local Authorities.

National policy on Communications (the NPPF)

The Government attaches high importance to the provision of efficient and effective communications in the UK. This is enshrined in the latest revision to the National Planning Policy Framework (NPPF) issued in July 2018, which states:-

> "*Advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology"*
>
> (Paragraph 112)

NPPF, paragraph 116 also adds:-

> "***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.*"

These economic and social imperatives encompass two of the three overarching objectives of the NPPF, which form the very bedrock of the "presumption in favour of sustainable development": see NPPF, paragraph 8. The Government also encourages opportunities to be taken to secure net gains across each of the different objectives.

As regards the **economic** objective the Government supports "*innovation and improved productivity; and by identifying and coordinating the provision of infrastructure to help build a strong, responsive and competitive economy.*"

As regards the **social** objective the Government policy "*supports accessible services ……. that reflect current and future needs and support communities' health, social and cultural well-being*".

The Maximus public call box and network clearly help to fulfil both of these objectives

Photovoltaic Solar panels on the roof canopy and sides of each public call box will power the phone. This will contribute to meeting the Government's third overarching principle, the **environmental** objective, which includes "*…. making effective use of land, …… minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*"

Permitted development for Communications (Part 16 of the GPDO)

The Government has deemed it appropriate to bestow certain permitted development rights on the Code operators in order to facilitate the timely delivery of this vital electronic communications infrastructure.

These permitted development rights are subject to a prior approval process which confines the consideration of applications by local planning authorities to two specific factors only: **siting** and **appearance**. It is neither material nor appropriate for the determining authority to concern itself with other issues such as the demonstration of 'need'.

This legislative framework thus recognises the strong national policy imperative towards the expansion of electronic communications networks.

Relevant factors: siting and appearance

As outlined above, the prior approval process is solely concerned with matters relating to siting and appearance:-

Siting

The Company has carefully considered the development plan for the area, including policies G1, A1, D1, D2, E1 and T1 of the Camden Local Plan 2017.

Reference has also been made to Section 9 of Supplementary Planning Document CPG1, updated in 2018.

The proposed location for this public call box is:

- Aligned with other items of street furniture and so is well assimilated into the existing street scene.
- Not an area where there is, or would be, visual congestion.
- On a pavement, at least 450mm back from the pavement edge, with sufficient width to allow unhindered pedestrian flow in line with TfL's Pedestrian Comfort Guidance.
- Away from pedestrian desire lines so that it will not interfere with pedestrian flows
- In an area where it will not result in any adverse impact on pedestrian or vehicular safety.

The orientation of the public call box is designed to maintain satisfactory safe and unimpeded pedestrian flows on the adjacent footway.

Appearance

The detailed design of the public call box is shown on the technical specification document, plans and illustrative images enclosed with this application.

This is the latest version of the Maximus public call box (referred to as Max 2), which is a sleek, modern and sympathetically designed piece of communications apparatus.

In a fast moving sector of the economy, this latest design incorporates the free-to-use, inclusive and accessible telephone, supplemented, in accordance with the operator's Code powers, by WiFi and small cell technology to improve broadband, mobile phone and data connectivity to facilitate calls made by the public.

This public call box is an updated design, using the same principles of the original Maximus public call box (referred to as Max 1) in terms of a simple design approach, sympathetic in scale and form to existing street furniture. The design has however been updated reducing its profile within the street scene so that the public call box will only be readily visible in direct views along the pavement, where it will form part of the recognisable street furniture in terms of design and scale.

The footprint of this public call box has been substantially reduced when compared to more traditional designs, to minimise the impact on useable pavement area and to be extremely discrete when viewed in profile or oblique views, as a response to perceived concern over appearance within the streetscape. The height and width is a specific response to the space and function requirements of the extensive telecommunications equipment housed within. The canopy serves a shelter, and housing for the photovoltaic solar glass panels that will power the phone. In addition, the entire face of the structure incorporates photovoltaic solar glass panels to maximise the energy generating potential. The phone is easily accessible by wheelchair users. Every element of this design has been carefully considered to ensure that form follows function.

The submitted proposal is an enhancement of the traditional public call box design in every regard, and will make a positive contribution to the townscape in terms of operation, function and design (e.g. by designing out crime).

The ground or base area of the structure does not exceed 1.5 metres square in accordance with the requirements of the GPDO. The orientation of the public call box is designed to optimise customer comfort, convenience and accessibility and at the same time.

Solar panels on the roof canopy of each public call box will power the phone. The phone will connect to the network via mobile telephone technology. As a result, the public call boxes do not require support from any utility services and are completely independent.

Other matters: installation and operation

The public call box will be manufactured in the UK by Trueform Engineering Ltd, one of the most reputable manufacturers and installers of street-side infrastructure in the UK. The units will be fixed to the pavement using a slot connection. The steel base plate will be embedded in a concrete footing, and the public call box will slot over the plate, and bolt together with a recessed hex head bolt to secure the public call box to the ground. This will involve minimal invasive works being carried out on the pavement. All street work requirements necessary to undertake the works, such as submitting opening notices or obtaining permits (as appropriate), shall be complied with.

Conclusion

In light of the above, it is our strong view that the Authority should grant prior approval for the siting and appearance of the proposed public call box as permitted development under Class A of Schedule 2, Part 16 of the GPDO.

We look forward to hearing from you.

Yours faithfully

G. Hayes
Development Manager
For and on behalf of Maximus Networks Ltd