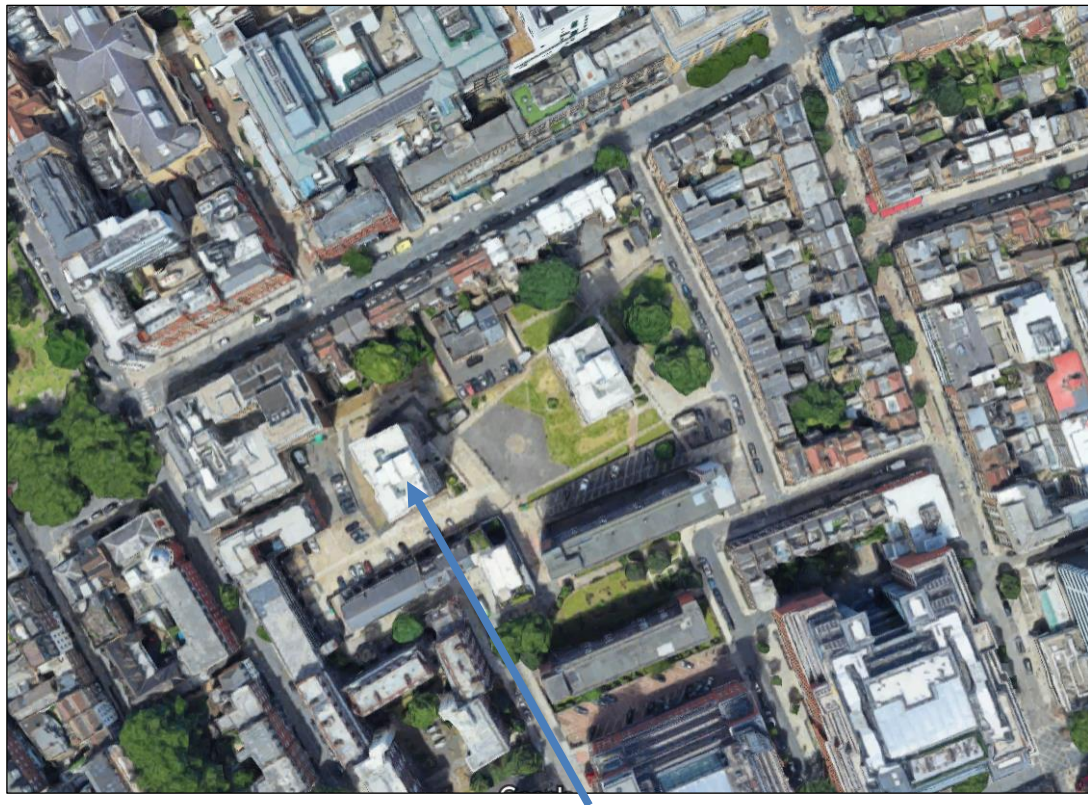


## SUPPORTING PLANNING STATEMENT

Site Name & Reference	Babington Court
Postal Address	Orde Hall Street, London, WC1N 3JT
National Grid Reference (NGR)	E 530493, N181927
Description of Development	The installation of 30 no. small antennas attached to the existing handrailing on the roof of the building, the installation of 2 no. equipment cabinets within an internal room and development ancillary thereto.



Application site



Babington Court

### **Application Overview**

Luminet is the trading name of Urban Wimax Ltd based in Central London. Luminet 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.

This application is submitted along with a separate application on the adjoining Chancellor Court. It is confirmed that this proposal is to install infrastructure for broadband development and is **not for 4G or 5G services**.

### **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 (as in this case).

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 Chancellor Court 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.

It is noted a previous proposal on the roof of Mullen Towers, on Mount Pleasant, was recently refused planning consent (application reference 2019/1097/P). The use of Babington Court, and the nearby Chancellor Court, is seen as a suitable alternative location.

### **Pre-application consultation**

Prior to the submission of this application, on 25 November 2019 the following local stakeholders were notified of the proposals

- Camden Council Planning Department
- Ward Councillors for the Holborn and Covent Garden Ward – Councillors Fulbrook, Olad and Vincent
- Tybalds Residents Association
- St George the Martyr Church of England Primary School, John's Mews
- Great Ormond Street Hospital Staff Nurseries at Queen Square and Long Yard

Matthew Dempsey, from Camden's Planning Department responded on 10 December 2019 with the following comments:

*"With regards to the new proposals for Babington Court and Chancellor Court; I am pleased to see the revisions have taken account of the advice we have provided – Thank you. In terms of visual impact, I think these revisions have addressed my concerns quite well. The reduction in amount of installation is also welcomed, and; there would now appear to be very little visible alteration to the roof line, and; should the installation take place, I do not believe it will be noticeable from the ground, in addition I do not believe there will be a significant impact on occupiers of opposing blocks.*

*We would welcome 'additional extras' which were highlighted at pre-app and on the site visit, i.e.) provision of connectivity for the blocks and / or local community facilities.*

*Also; I recognise that the proposed installations are highlighted on the drawings (which is helpful), but just to remind you, we would prefer to see all new equipment coloured to blend with the existing roof, and furthermore any 'tidying up' which could be included as part of the scope of the works would also be welcomed.*

*In short, I think I would be prepared to support the revised scheme."*

In response, it has been agreed to provide free connection for the estate TRA hall in conjunction with the Connecting Community Spaces project. As far as the colour of the equipment is concerned, the dishes are light grey in colour, which will match the galvanised finish of the supporting handrailing.

The Residents Association responded on 3 December with the following comments:

*"The association does not agree to any additional antenna being installed on top of both tower blocks.*

*Please provide the following information:*

- 1. Who is the lead council official giving you instructions for these antennas and related infrastructure to be installed?*
- 2. Who is the planning case officer dealing with the planning pre-application?*
- 3. What is the frequency of the radio waves from these transmitters?*
- 4. What extensive studies are you aware of about these radio waves causing cancer and to damaging body cells and are these studies **conclusive**?*
- 5. Can you provide better illustrations to understand how they look visually and provide photographic evidence of similar antennas installed already from different elevations?*
- 6. What will be the distance of the antennas to the nearest flat in each tower block?*
- 7. What will be the weight of the complete infrastructure on the roof?*
- 8. What are the benefits to residents living in the tower blocks and the surrounding environment?*
- 9. Where are the nearest similar antennas in the area?*

*Both tower blocks are near sensitive conservation area and in heavily built up residential area with further redevelopment plans to build properties. The plans will destroy the character of the area. Also , The need to make money by the council housing department does not have higher priority then the health risks to children leaving in overcrowded homes in the tower blocks, which contain over 50 three bedroom properties and over 50 two bedroom properties.*

*Please read:*

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5920374/>

*Please submit this email in its entirety and any further email correspondences from us with any submission to the pre or main planning application and if you pursue the application we will make formal representation at each and every stage to object to the proposals and will encourage others in the community to support us.*

*We look forward to receiving information above."*

A response was sent to the Residents Association on 10 December 2019 addressing their concerns and answering their queries. A copy of the correspondence is attached for information.

No further responses have been received.

## **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) and the Site Allocations Plan (2013).

There are no policies relating directly to communications development within the development plan documents. 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 revised scheme, attaching dishes to the existing handrailing and accommodating equipment cabinets internally, ensures the proposed dishes would have a negligible impact on the host building and the surrounding area. The building is not located within any designated area, however is close to the Bloomsbury Conservation Area, and there are a number of listed buildings in the surrounding area. The sympathetic design ensures there would be no harm to heritage assets – the pre-application response from the Local Planning Authority noted *“there would now appear to be very little visible alteration to the roof line, and; should the installation take place, I do not believe it will be noticeable from the ground”*.

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

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

## **National Planning Policy**

### **National Planning Policy Framework (2019) (NPPF)**

The new National Planning Policy Framework, which came into force in July 2018, replaces the guidance published in March 2012. The guidance has subsequently been updated in February 2019. 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 with a negligible visual impact, 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 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 on the adjacent conservation areas, 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 the 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 stated the following which supports the proposal:

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

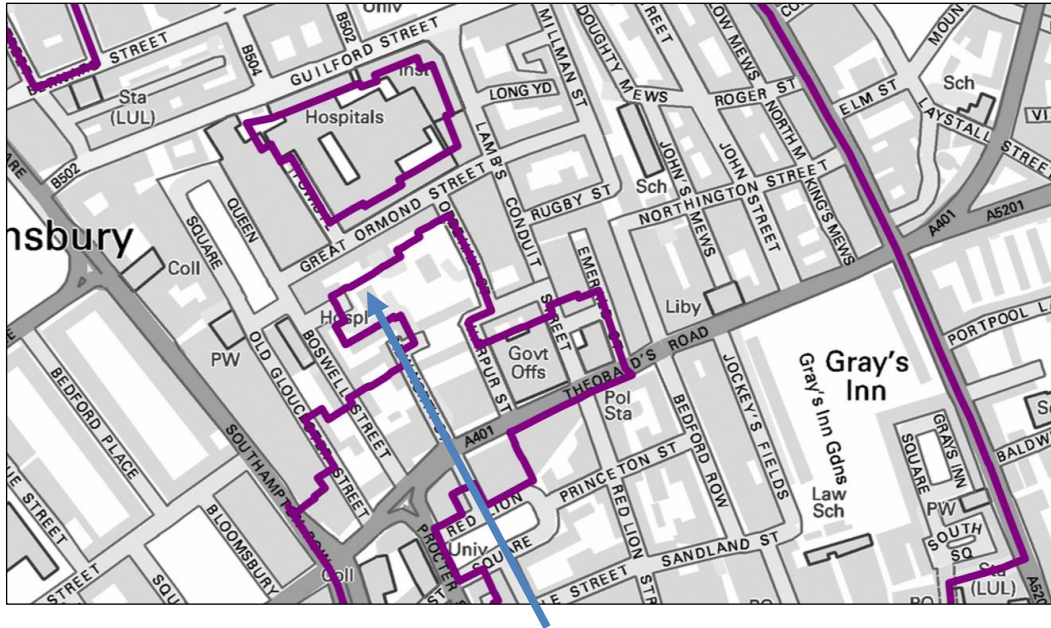
- the government proposes to extend permitted development rights to taller mobile masts in both protected and non-protected areas in England. A call for evidence on these proposals has been published today*
- the government intends to introduce legislation in the first session of this Parliament to reform 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."*

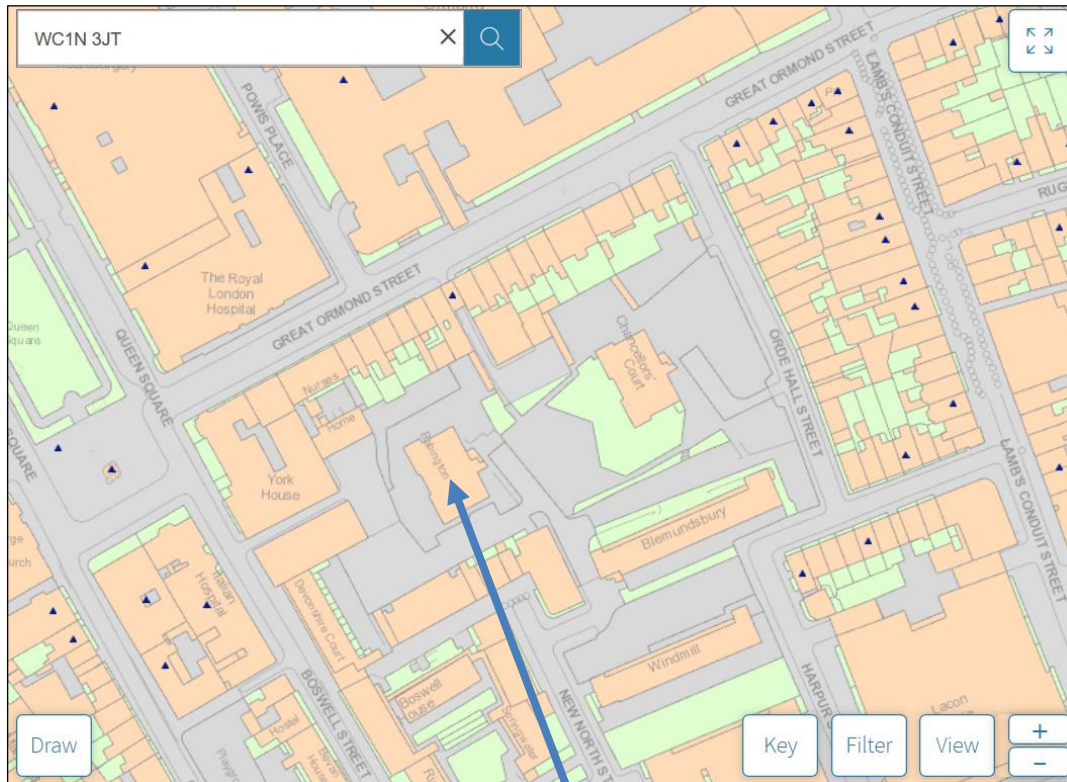
## Planning Appraisal

Babington Court is a 14-storey residential building, constructed in the 1960's. It rises to 37.8 metres to the main roof level. It is one of the tallest buildings in the surrounding area. The site is not located within a conservation area; however, the site is located close to the Bloomsbury Conservation Area. The location of the site in relation to the conservation area is shown below (taken from the Council's Bloomsbury Conservation Area map):



Location of Babington Court

In terms of listed buildings, the host building is not listed and neither are any in its immediate vicinity, however there are a number of listed buildings in the wider surrounding area on Dombey Street, Great Ormond Street and Lamb's Conduit Street. 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 equipment is proposed to be attached to the existing handrailing on the building. This will ensure it does not protrude above the existing roofline. The dishes are coloured light grey and would not stand out against the galvanised finish of the handrailing. Ancillary equipment cabinets are proposed within the plantroom and would not be visible. Any impact would be negligible. Any impact would be outweighed by the benefits of the proposal – as noted in the pre-application consultation section above it has been agreed to provide free connection for the estate TRA hall in conjunction with the Connecting Community Spaces project, therefore also providing benefit to the local community.

In terms of heritage assets, given the small-scale and sensitive siting of the proposed dishes, it is considered that the proposed equipment will not harm the character and appearance of the adjacent Bloomsbury Conservation Area or listed buildings in the area. 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 30 no. small antennas attached to the existing handrailing on the roof of the building;  
The installation of 2 no. equipment cabinets within an internal room.

### **Layout**

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

### **Scale**

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

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

### **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 not located within a conservation area, nor is it a statutory or locally listed building, however it is close to the Bloomsbury Conservation Area. There are no listed buildings in the immediate vicinity of the site, however in the wider area there are a number of listed buildings on Dombey Street, Great Ormond Street and Lamb's Conduit Street. 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.