

SUPPLEMENTARY INFORMATION

1. Site Details

Site Name:	Maple House	Site Address:	149 Tottenham Court Road, London, W1T 7NF
National Grid Reference:	529315, 182245		
Site Ref Number:	CTIL_147283 25	Site Type: ¹	Macro

2. Pre Application Check List

Site Selection (for New Sites only)

(Would not generally apply to upgrades/alterations to existing site including redevelopment or replacement of an existing site to facilitate an upgrade or sharing with another operator)

Was a local planning authority mast register available to check for suitable sites by the operator or the local planning authority?	Yes	No
If no explain why: In the absence of a mast register, the applicant consulted the publicly available planning records in the area.		
Were industry site databases checked for suitable sites by the operator:	Yes	No
If no explain why: N/A		

Site Specific Pre-application consultation with local planning authority


Was there pre-application contact:	Yes
Date of pre-application contact:	10 th November 2020
Name of contact:	N/A

¹ Macro or Micro

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Summary of outcome/Main issues raised:

Pre-application correspondence was sent to the Local Planning Authority by email on 10th November 2020. To date, no response has been received.

It was decided to proceed without formal advice straight to a planning application.

Community Consultation

Rating of Site under Traffic Light Model:	Red	Amber	Green
<p>Outline of consultation carried out:</p> <p>As with all Cornerstone proposals, the site and proposed works were assessed against the Traffic Light Model contained within the Code of Best Practice on Mobile Network Development. A green rating was assigned in this instance and pre-application consultation letters were sent by email on 10th November 2021 to the Bloomsbury Ward Representatives; Councillors Francis, Harrison and Madlani.</p>			
<p>Summary of outcome/main issues raised (include copies of relevant correspondence):</p> <p>A response from Historic England was received and informed the applicant that on</p>			

School/College


<p>Location of site in relation to school/college (include name of school/college):</p> <p>A search for schools and non-domestic childcare institutions was conducted via Ofsted and Department for Education databases which found no schools located within 0.3 miles of the site.</p>
<p>Outline of consultation carried out with school/college (include evidence of consultation):</p> <p>N/A</p>
<p>Summary of outcome/main issues raised (include copies of main correspondence):</p>

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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: The site is not located within 3km of an airfield.		


Developer's Notice

Copy of Developer's Notice enclosed?	Yes	No
Date served:	1 st September 2021- Proof of delivery included within application.	

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3. Proposed Development

The proposed site:

The development site is an existing telecommunications site located on the rooftop of an eight storey commercial building; Maple House located along Tottenham Court Road, north of Grafton Way. The surrounding area is predominantly commercial development with some residential development above ground level.

Development consists mainly of high rise commercial buildings and offices. The level and scale of development in this area of London, combined with the road layouts, means that views of the building are not available over long distances.

The site currently accommodates existing and well-established telecommunications equipment on the building rooftop. The telecommunications equipment situated on this rooftop has become an accepted part of the built environment. The site provides an excellent town planning solution and ensures that network coverage will be continuous. As outlined within this application, the proposed development seeks permission for the installation of 3no. 4.45m support poles supporting 9no. antennas, 3no. of which are relocated from existing supports located on the edge of the building. Given that the next stage of technological progression (5G) is currently being rolled-out across the UK, it is to be expected that established base stations will be upgraded to accommodate the new technologies and improve coverage and capacity to existing mobile networks.

The existing equipment does not look incongruous within the wider area and has now become an accepted and established, modern-day, feature within the built environment, and, over this time, the rooftop has become synonymous with telecommunications equipment.

This equipment will provide improved 2G, 3G, 4G and new 5G network coverage to the surrounding area for Telefonica and Vodafone. It is considered that the proposed equipment is acceptable and that the location of the equipment will be situated in the most suitable position to ensure public views are reduced as far as practicable.


Whilst the proposal development is taller than the existing, the height increase is considered acceptable as will only exceed circa 2 metres above the existing equipment height. The location of telecommunications equipment situated on this rooftop has already been considered as appropriate by the Council and this application simply proposes to relocate 3no. of the existing antenna on new support structures on the top of the rooftop.

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The proposed development will allow the provision of new 5G coverage to the wider area. Given that the actual installation of equipment will take place at approximately 31 metres above street level, it is not anticipated that there will be any significant negative visual impact associated with this proposal. Given the provision of new cutting-edge (5G) technology which will be available to the wider community, it is considered that the upgrading of this established telecommunications site offers the optimum solution in terms of both town planning and network requirements.


Type of Structure (e.g. tower, mast, etc):	
Description:	
The proposed upgrade consists of the installation of 3no. 4.45m support poles (35.65m AGL) supporting 9no antennas (3no. of which are relocated from existing supports) and ancillary works thereto.	
Overall Height: 35.65 metres to the top of antennas	
Height of existing building (where applicable):	31.2 metres
Equipment Housing:	
Length:	N/A
Width:	N/A
Height:	N/A
Materials (as applicable):	
Tower/mast etc – type of material and external colour:	Support poles- Galvanised steel
Equipment housing – type of material and external colour:	N/A

Reasons for choice of design, making reference to pre-application responses:
<p>In designing the proposed upgraded installation, the applicant has sought to achieve a balance between the technical requirements of the Operators and minimising environmental impact as far as was practicable. It, however, must be acknowledged that technical constraints heavily influenced the design and limited the scope to alter the appearance of the site to a significant degree.</p> <p>There are three main elements to a radio base station; the cabinets which contain the equipment used to generate the radio signals, the supporting structure that holds the antennas in the air and the antennas themselves, which emit the radio signals (along with any necessary amplifier or receiver units). Other elements necessary for the base station to function are the links into the network either by fibre cabling or by dish antennas, power source (meter cabinet), feeder cables that link the equipment</p>

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housing to the antennas and the various fixings, often referred to in general terms as “development ancillary to” the base station.

The type of technology being deployed determines the type of equipment and antennas required, which in turn impacts upon the type of support structure and or design methods than can be employed on an aesthetic level. For the base station to effectively provide coverage to the desired areas and fit in with the established network pattern, specific antenna orientations and heights, determined by the radio planners, must be achieved.

The application proposes to replace the existing antennas which sit on the edge of the rooftop of Maple House. The upgrading of this installation would provide improved 2G, 3G, and 4G coverage as well as new 5G coverage for two major mobile operators. This will ensure that the surrounding area will be at the forefront of the next advance in technology being deployed.

An equipment upgrade is required at this established telecommunications site to provide cutting-edge 5G coverage. The rooftop currently accommodates antennas which are attached to the edge of the roof level. The top height of these existing antennas is 33.65 metres. The proposed upgrade would result in the replacement of these existing antennas with 6no. new antennas and the relocation of 3no. existing antennas onto the top of the rooftop. The top of the proposed antennas would measure 35.65 metres in height- thereby leading to a height increase of circa 2 metres. It is considered that the small height increase proposed as part of this upgrade, and the public benefits that will be brought forward as a direct consequence, will greatly outweigh any perceived harm to the visual amenity of the building, its setting, or the surrounding area. The proposed development is considered to offer the best option from an environmental and town planning perspective, whilst simultaneously achieving the technical requirements associated with a base station upgrade.

The new support poles will be located on the rooftop and not on the edge of the building. There is a need for the antennas to sit above the existing rooftops to ensure there is no ‘clipping’, as well as on the edge of building rooftops. To ensure the coverage is not clipped by the rooftop edges the support poles will be located close to the edge of the rooftop. As the rooftop currently accommodates telecommunications apparatus, then this location has already been assessed by the Council as being acceptable. The existing telecommunications site has become an accepted part of the built environment. It is anticipated that this will continue, post-upgrade.


The site is situated within an urban environment, and therefore it is not anticipated that the upgraded installation will look incongruous across the wider environment. The

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upgrading of this existing and established telecommunications site is seen as the optimal solution in terms of both town planning and achieving the maximum level of enhanced network coverage. The site has been specifically selected to ensure the impact of the development is kept to an acceptable level and minimised as far as practicable. The additional impact of the development would be outweighed by the significant benefits of the proposal.


As detailed, all apparatus required will play a vital role in enhancing the existing network services by increasing capacity and allowing for new 5G provision for the Telefonica and Vodafone mobile network. It is considered, overall, that the design is appropriate to the site and surrounding area and avoids any unacceptable level of impact.

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Technical Information


	Yes	No
<p>International Commission on Non-Ionizing Radiation Protection Declaration attached (see below)</p> <p>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.</p> <p>When determining compliance, the emissions from all mobile phone network operators on or near to the site are taken into account.</p> <p>In order to minimise interference within its own network and with other radio networks, Telefonica and Vodafone operates its network in such a way the radio frequency power outputs are kept to the lowest levels commensurate with effective service provision</p> <p>As part of Telefonica's and Vodafone's network, the radio base station that is the subject of this application will be configured to operate in this way.</p> <p>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</p>		

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<p>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.</p> <p>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.</p>		
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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

The proposed development will enable the improvement of 2G, 3G, 4G and new cutting-edge 5G services for the Telefonica and Vodafone mobile network in this part of London.

2G was the second generation of mobile phone transmission, it introduced data services for mobile, starting with SMS text messages. 3G was an extension to this and enabled the use of data. The main technological difference that distinguishes it from 2G technology is the use of packet-switching rather than circuit-switching for data transmission. Increased data rate to a minimum of 2 Mbit/s for stationary or walking users, and 384 Kbit/s in a moving vehicle.


4G (LTE, the acronym used for 'Long Term Evolution') supports mixed data, voice, video and messaging traffic and offers speeds of up to five times faster than 3G,

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enabling network users with 4G devices to benefit from ultra-fast internet browsing, video streaming, gaming, e-mail and downloads. 5G is the next generation of mobile internet connectivity, offering faster speeds and more reliable connections on smartphones and other devices than ever before.

Compared to even the most recent and efficient generation of mobile network, 4G, 5G is set to be far faster and more reliable, with greater capacity and lower response times. The technological improvement of 5G when compared to 4G is particularly noticeable in three areas.

Firstly, the bandwidth of 5G is around 40 times faster than current 4G speeds, which will enable large amounts of data to be transferred in a few seconds – for example a full length HD movie of 15GB will take around 6seconds to download on 5G.

Secondly, 5G has an ultra-fast 1ms latency time, providing reliable and near-instantaneous responses between instructions to devices. This would result in an autonomous vehicle travelling at 100km/h would receive a stop signal after moving just 2.7cm. Connections are also ultra-reliable, with a very low error-rate.

Thirdly, 5G is able to support up to 1,000,000 devices within a 1km² area, which will provide the backbone for the evolution of the Internet of Things.

Practical Applications of 5G Connectivity as Example of Material Socio-Economic Benefit:-

Education:

The relationship between 5G and education is evolving at a massive rate with educators exploring the relevance of Virtual Reality (VR) technologies for education and training. Crucially, VR can support remote learning, allowing students a presence in the classroom even when working elsewhere.

5G's ability to deliver real-time information (low latency), ultra-fast speeds (critical for high definition images and video), increased capacity and heightened security will also allow learning on the job, thanks to technologies such as Augmented Reality (AR) goggles, which can give engineers real-time instructions on how to fix a machine on a production line, for example.

Health:


Patients across the country are now becoming accustomed to relying on remote healthcare services such as NHS 111, virtual GP appointments, and ordering online deliveries of essential medical supplies.

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5G will prove critical in providing the infrastructure required to deliver remote health services over the next decade. By design, 5G's ability to deliver real-time information (low latency), ultra-fast speeds (critical for high definition images and video), increased capacity and heightened security are going to be fundamental in scaling the patient benefits of remote healthcare and keeping medical records secure and private. For instance, trials have shown that connecting ambulance crews to expert resources using 5G allows paramedics to work with doctors and conduct specialist procedures in real time whilst on the road.

High-quality communications infrastructure is essential for sustainable economic growth. High-speed broadband technology and other communications networks can play a vital role in enhancing the provision of local community facilities and services. Furthermore, mobile telecommunications are vital for the UK's economic competitiveness and in promoting social inclusion. The very high level of mobile phone use and ownership within the UK population is a very clear indication of the public's overwhelming acceptance of the benefits of mobile communications, which requires the installation and maintenance of base stations to provide the necessary connection between the mobile phones and the UK telecommunications network.

The UK Government, recognising the benefits to commerce, industry and the public in general, places great emphasis on the benefits of mobile telecommunications to modern life and this is promoted throughout the planning system. Paragraph 122 of the NPPF (2019) 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) ...*" The NPPF takes account of the growth of the industry and technology, of the new social and economic demands for communications, and of the Government's environmental policies. This proposal, to enable Telefonica and Vodafone to provide improved network services to the surrounding area, will assist in achieving these objectives within Camden.

The Planning Inspectorate too has in recent years continually recognised the importance of this issue and cited it in appeal decisions that have overturned the decisions of local authorities across the UK where there has been a failure to apply due weight to the value of connectivity to social and economic prosperity in the assessment of applications made for telecommunications development, even in or close to protected or sensitive areas.


In May 2019, the decision of the Royal Borough of Kingston-upon-Thames Council to refuse planning permission for the replacement of a 2no flagpole antennas with 3no antennas on the new raised roof level was overturned by the Planning Inspectorate (EE Ltd and H3G UK Ltd Vs the Royal Borough of Kingston-upon-Thame Council,

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appeal reference APP/Z5630/W/19/3221200). The appeal site, 145-155 Ewell Road, is situated within the Oakhill Conservation Area, and within the setting of locally listed buildings. Despite this, within the decision notice, the Inspector stated that, in reference to the proposed antennas:

*"Their visual impact is consequently quite localised to the immediate vicinity of the appeal site, but where they are visible, they are prominent. **When seen in this visual context and commercial urban setting and atop a modern building which is itself different from the wider character and appearance of the area, I am satisfied that the antennas would not appear out of place** (emphasis added).*

The antennas are located on a building adjacent to and close to locally listed buildings. While the full height of the antennas can be seen alongside these buildings, their position on the roof top of an already contrasting and considerably taller, modern building limits their impact on the setting of these buildings whose visual interest is largely experienced at street level.

***I therefore conclude that the development does not harm the character and appearance of the area or the significance of the CA or the settings of locally listed buildings nearby.** As such the character, appearance and significance of the CA would be preserved" (emphasis added).*

More recently, in October 2020, the decision of the Council of the London Borough of Islington to refuse planning permission for the installation of 6no antennas and 2no. 0.3 metre dishes on to the rooftop of 74-76 St John Street, was overturned by the Planning Inspectorate (Cornerstone, Telefonica and Vodafone Vs the Council of the London Borough of Islington, appeal reference APP/V5570/W/20/3246770). The appeal site was within the Clerkenwell Green Conservation Area (CGSA) and immediately adjacent to, and visible from, the Charterhouse Square Conservation Area (CSCA). In allowing this appeal, the Inspector offered the following comments in their Appeal Decision:


"I am mindful of the statutory duties that require special attention to be paid to the desirability of preserving or enhancing the character or appearance of conservation areas and of preserving or enhancing listed buildings, their settings or any special architectural or historic interest which they possess. I am also conscious that the Framework indicates that, when considering the impact of a proposal upon the significance of designated heritage assets, great weight should be given to the assets' conservation. This is irrespective of whether any identified harm to its significance is at a substantial or less than substantial level.

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Nevertheless, I am content that the minor level of less than substantial harm that I have identified to multiple designated heritage assets, even when considered in a cumulative sense, would be outweighed by the significant public benefits that would be achieved by the proposal.

I have found **that the proposal would fail to preserve the character or appearance of the CGCA** and would cause a minor level of less than substantial harm to the heritage significance of the CGCA and various other designated assets through development within their settings. I have also identified associated policy conflicts. Indeed, **the proposal conflicts with the development plan when read as a whole** (emphasis added).

However, I have also found that the proposal would deliver significant public benefits through improved digital communications networks. **These benefits would outweigh the heritage harms that I have identified.** Thus, material considerations indicate that, in this instance, the proposal should be determined other than in accordance with the development plan" (emphasis added).

Despite the Inspector considering that the appeal proposal would cause harm to numerous heritage assets, and would be in direct conflict with the Local Authority's development plan, the appeal was allowed.

The Appellants submit that the same conclusions can be drawn from the two above appeals (APP/Z5630/W/19/3221200 & APP/V5570/W/20/3246770), in that the provision of improved network connectivity and capacity, and a high quality communications network, is a matter certainly in the public interest.

The application site is not situated within a conservation area, however is adjacent to a Bloomsbury Conservation Area. It is considered that when the balancing method advocated in the NPPF is applied to the proposal, where the need and significant public benefit of improving network coverage is provided, especially given the current global pandemic, is balanced against the appearance and level of associated visual impact on the proposed site, that the application proposal is positively in favour and is considered wholly appropriate.


The very high level of mobile phone use and ownership within the UK population is a very clear indication of the public's overwhelming acceptance of the benefits of mobile communications, which requires the installation and maintenance of base stations to provide the necessary connection between the mobile phones and the UK telecommunications network. Ofcom's 2018 Communications Market Research Report shows that smartphones are owned by four of every five UK consumers and smart TVs are in almost half of all households. Demand for data continues to grow

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rapidly for UK consumers, with 1.9GB consumed by an average mobile subscription per month in 2017, (up from 1.3 GB the previous year). The report found that more than seven in ten now use their mobile to access the internet.

Research by TouchPoints in 2017 found that 64% of adults in Great Britain agreed that the internet was an essential part of their life, up from 54% in 2012. Among under-35s, more than 80% agreed, but the steepest increase was among over-65s, with 36% considering the internet to be essential, up from 22% five years previously. This shows that all ages of society are now utilising and valuing being connecting, aiding in the transformation of telecommunication services being viewed as an essential utility, rather than a service.

The Ofcom Connected Nations 2020 UK Report outlines a sharp increase in both mobile and voice data, particularly during the enforced national lockdowns of 2020. The report states that average call volumes and average call duration increased in the week that national lockdown was introduced in March 2020. Furthermore, the traffic carried in England in June 2020 (during lockdown) exceeded that carried across the whole of the UK (England, Scotland, Wales, and Northern Ireland) in February 2020 (prior to lockdown).

In his speech at Connected Britain 2020, in September 2020, Digital Infrastructure Minister, Matt Warman, stated the following:

"COVID has altered the way we live, work and, most importantly, stay connected with our family and friends. The digital infrastructure that keeps us all connected was essential to our daily way of life under lockdown - and is now more important than ever as we head into recovery. Many of these changes - such as increased working from home - will stay with us for the foreseeable future".

The implementation of a third national lockdown in January 2021 has seen a return of most aspects of life associated with the three previous lockdowns, and the same increases in voice calls and mobile data consumption has continued with the increased working from home now lockdown has been lifted.

Mr Warman also stated the following:


"The world is in the middle of a digital revolution. COVID has accelerated this process, digitising almost every part of our everyday lives and making the infrastructure that connects us more important than ever. That's why it is at the top of the government's agenda".

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Central Governments' direction of travel is to support the roll-out of 5G technology and this was the case pre-pandemic. Since its initial roll-out in 2019, Operators have continued to deploy 5G across the UK, largely via the upgrading of existing base stations. Around 3,000 base stations now carry 5G technology. Mr Warman also confirmed that legislative reforms were being undertaken to make it easier for Operators to deploy and upgrade telecommunications base stations.

The UK Government has previously recognised the benefits to commerce, industry and the public in general, and places great emphasis on the benefits of mobile telecommunications to modern life. This position was reinforced by a statement made by then Prime Minister David Cameron in March 2016 when he specifically addressed the vital importance of mobile connectivity for residents and local economies and highlighted that the urgent delivery of the required network improvements is a Government priority;

"Ten years ago, we were all rather guilty of leading campaigns against masts and all the rest of it. Our constituents now want internet and mobile phone coverage. We need to make sure that we change the law in all the ways necessary, that the wayleaves are granted, that the masts are built, that we increase coverage and that everyone is connected to the information superhighway. This is substantiated in the most recent budget announcement of 16th March 2016, which commits to provisions for "greater freedoms and flexibilities for the deployment of mobile infrastructure".

Since 2016, and particularly during the enforced lockdowns of 2020 and 2021, public and business reliance on the established mobile networks has continued to increase. Improved mobile coverage and connectivity is now no longer viewed as a 'luxury', but rather an every-day necessity.

Further detail regarding the general operation of the network can be found in the accompanying document entitled 'General Background Information for Telecommunications Development' and 'Digital Public Benefit Brochure'. This information is provided to assist the local planning authority in understanding any technical constraints on the location of the proposed development.


5. Site Selection Process

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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 Type	Site name and address	National Grid Reference	Reason for not choosing site
			N/A

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

Paragraph 113 of the revised National Planning Policy Framework, in which the Government's supportive stance towards developing high-quality communications infrastructure is laid out, 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."*

This proposal is for the upgrading of an established telecommunications site and not for the development of a brand-new site, thus the consideration of alternative sites is not appropriate. However, the applicant has examined its portfolio of sites in this region and determined that there are no other, viable alternatives in the area which can be upgraded to meet the specific technical requirement for providing 5G network coverage to the surrounding area. The application site, therefore, represents the only feasible option in this instance which allows the requirement to be met without the deployment of an additional base station in the locality.

As the proposed development will upgrade an existing and established installation, the result is no net increase of telecommunications sites within the area. This wholly accords with national planning guidance.

Environmental Information (refer to Section 2 of Site Finder Report):

The application site is not ecologically sensitive and there is no evidence of any protected species or their habitats in this location.


Land use planning designations (if Heritage Statement is required then include here or make reference to attached Heritage Statement):

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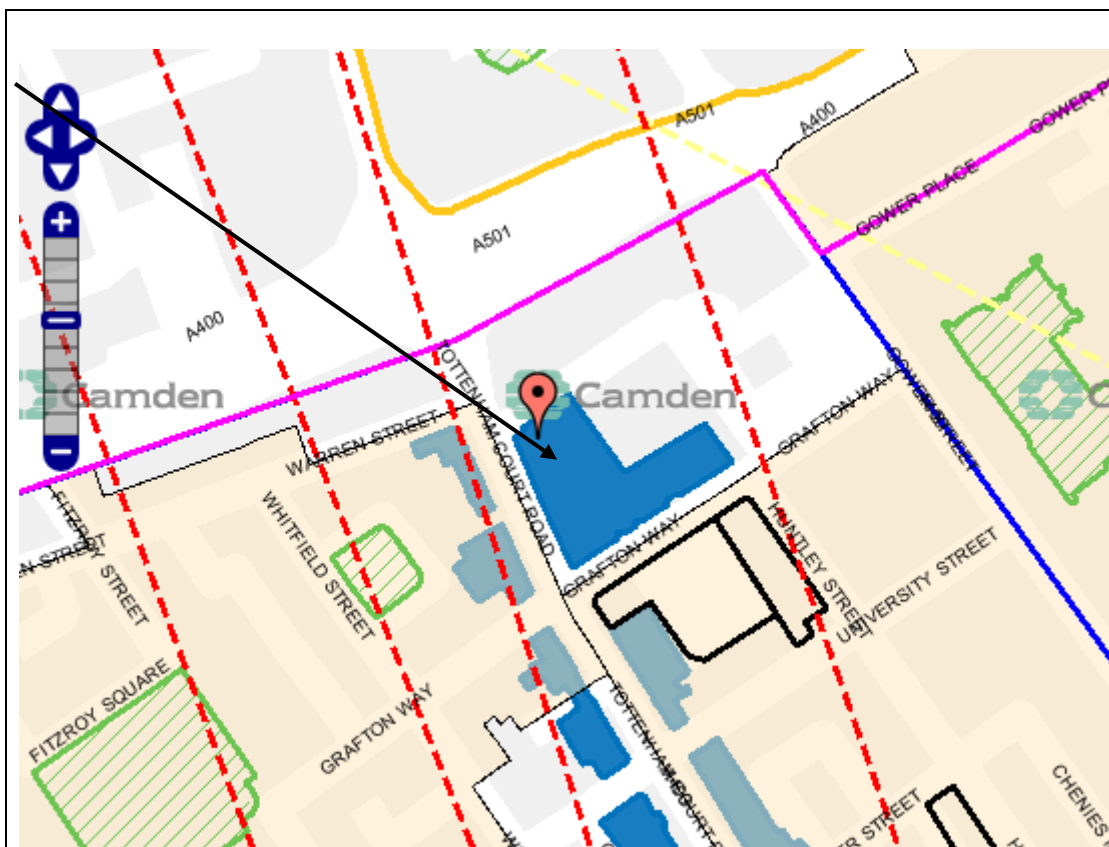
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Registered Address:








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VAT No. GB142 8555 06



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1530 Arlington Business Park,
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Map key

-  Designated View
-  2B.1 Parliament Hill oak tree to Palace of Westminster - Viewing Corridor
-  Central London Frontage
-  Central London Area
-  Central London Area (Clear Zone Region) CLA
-  Fitzrovia Area Action Plan
-  Conservation Area Bloomsbury

The above map and key are taken from the London Borough of Camden's Local Plan (Adopted July 2017) and confirms that the site is not located within any special land use area or planning designation. However, the site is located adjacent to the Bloomsbury Conservation Area.


The application site sits adjacent to a Conservation Area. When determining planning applications that affect heritage assets, the National Planning Policy Framework (February 2019) (NPPF) advises that local authorities should take account of:

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'a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality...' (para. 192)

'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.' (para. 196)

'Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance.' (para. 201)

In considering the development proposal, a key consideration is the balance of preserving heritage assets whilst also enabling the economic growth and social needs of Camden to be suitably served by quality electronic communication services.

The proposal could constitute 'viable use' of the building's rooftop space consistent with conservation of the heritage asset, and as such this should be given weight in accordance with the NPPF (para. 192). Furthermore, while the mobile base-station is located adjacent to the Conservation Area, it will also serve a high number of residents, businesses, and visitors that are located in the area; thereby enhancing the function of the area and providing public benefits which include contributing to 'sustainable communities' and 'economic vitality'. The proposal accords with paragraph 192 of the NPPF in this respect.

The setting of the conservation area will be preserved and the development would not be prominent in views towards or from the conservation. It could reasonably be concluded that the proposal would lead to "less than substantial harm" (NPPF, para 196) to the setting of the setting of the conservation area. As such and in accordance with the NPPF, the less than substantial harm must be weighed against the public benefits to the surrounding area which are considerable.

Additional relevant information (include planning policy and material considerations):

Siting and Appearance

It is considered that the proposed location is the least visually intrusive site and design available to the applicant which also ensures suitable continued and enhanced mobile coverage can be provided. The site is an existing and established communications installation situated on the rooftop of Maple House. During modern

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times, this location has become synonymous with telecoms installations as the rooftop has accommodated antennas for a number of years. The proposed upgrade is the next step in technological progression. The current installation is not seen as a prominent or incongruous development on the rooftop and it is not anticipated that the upgraded installation will be seen as such.

For operational reasons, it is imperative that the antennas sit above the rooftop and therefore network signals are not obscured or blocked. As discussed previously, the proposed increase in equipment height is 2 metres – a measurement that is unlikely to be noticed at street level or in any public views from the ground. The proposed equipment will be installed on top of the main roof level rather than the edges of the rooftop. New support poles and antennas are required because the existing antennas are not capable of providing the increased range of services from the site. As telecommunications apparatus is already evident on the rooftop, it is considered that the additional height and equipment that should be assessed, rather than the development of a brand-new rooftop scheme.

As such, the small increase (of 2 metres) in height on a rooftop which already accommodates telecommunications equipment, is unlikely to cause any significant visual harm to the host building, or the surrounding area. This additional height, and any associated visual impact, is considered acceptable from a town planning and environmental perspective. Given the significant public benefits that will be brought forward as part of this upgrade, in terms of providing improved 4G and new 5G coverage, it is considered that these benefits greatly outweigh any perceived negative visual impacts of this small height increase.

The application site is not located within a designated area, however as mentioned it does sit adjacent to a Conservation Area. This building has been specifically selected and the proposed scheme has designed to ensure that its prominence on the rooftop has been minimised to the greatest effect. It is, therefore, considered that the proposal will not bring about substantial harm to the character of the area but will bring benefit to the public through retained and improved connectivity and communications services.

The Code of Best Practice on Mobile Network Development in England emphasises that *"Existing masts, buildings or other structures should be used unless the need for a new site has been justified"*, encouraging the use of existing buildings to improve connectivity where possible, such as in this case. In this case, the technical requirement can be met through using an existing rooftop and allowing for the upgrading of the equipment to provide network coverage for two major mobile operators, as opposed to the deployment of a new telecommunications site which would have a greater impact on the surrounding area. Therefore, the proposal is in line with this guidance by utilising this existing telecommunications site and keeping

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the overall amount of base stations to a minimum in the area. It is therefore considered, with all of the above in mind, that the siting of the proposal on an existing rooftop is wholly appropriate.

While the applicants do not suggest that the proposal will have no impact, it is considered that when applying the balancing method advocated in the NPPF, the proposal finds itself in favour. It is important to keep the impact of telecommunications development in the area to a minimum and it is considered that the proposed development achieves this. When considering the benefits of the proposal, the public benefit from improved connectivity and wireless communication services is a significant one. Not only will this proposal provide improved 3G and 4G network coverage, but the development will provide cutting-edge 5G coverage to this area of London. The applicant considers that any perceived visual impact on the area, or skyline, has been mitigated, as far as practicable, through the best design available within the technical constraints of the site, and that this development will provide excellent public benefits – both in the present, and in the future.

In this case, it is suggested that the application of the balancing method advocated in the NPPF, for the provision of communications and connectivity services, in the public interest, be utilised to balance the need for continued connectivity with the potential impact of the site. It is considered that when this balance test is applied to the proposal, where the need and significant public benefit is balanced against the appearance and level of associated visual impact of the proposed site, that the application proposal is positively in favour and is considered wholly appropriate.

This has been emphasised by the Planning Inspectorate on a number of appeal cases where, the planning inspectorate has ruled in favour of proposed developments of a similar nature, where this balance was applied. Some recent examples of where this balance was applied by the Planning Inspectorate include appeal cases referenced APP/Q3305/W/18/3206555 and APP/L1765/W/18/3197522. Extracts from these appeal decisions are included below for your convenience:

"In considering the need for the proposal, Government policy, as set out in the Framework states that advanced, high-quality and reliable communications infrastructure is essential for economic growth and social well-being. In this respect, I have found that there is a need for the proposal which therefore weighs strongly in its favour. As I have found that the level of harm relating to this second main issue would be low, that identified need would outweigh the harm in this case."


"I conclude on this issue that despite the less than substantial harm that would be caused, the public benefits of the proposal would outweigh that harm."

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"9. The Government places a high priority on the provision of high-quality communications. The National Planning Policy Framework (the Framework) at Paragraph 112 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 (such as 5G) and full fibre broadband connections... The Council has commented that service provision would be 'adequate' without the proposal, but the appellant has an obligation to provide not only appropriate coverage but also capacity for the network. I attach significant weight to the public benefit arising from the continuation of local service provision."

"13. Having regard to all relevant considerations, including national planning policy and the potential availability of alternative sites, my findings are that the proposal's public benefit in maintaining and enhancing local telecommunication coverage and capacity would outweigh the limited harm arising to the character and appearance of the area."

Whilst each application needs to be assessed on its own merits, the above appeals (along with a growing number of others) indicate a growing trend, based on national policy and guidance, to favour important utilities and infrastructure developments in the wider public interest when the potential harm is outweighed by the important and unavoidable public benefits they provide.

The selected siting is considered wholly appropriate. The proposal has been designed specifically to achieve a balance between meeting the technical requirement and avoiding harm to the host building and the surrounding area. The antenna apertures have been kept as low in height as technically possible, thereby reducing any perceived visual impact on the host building and the adjacent conservation area. The impact of the rooftop scheme has been mitigated as far as practicable by the proposed design – with height increases isolated to three areas of the rooftop.

On balance this proposed location is considered to be the optimum location in terms of siting and design, with the less than substantial harm it may impose on the surrounding area being balanced by the provision of replacement and enhanced services to the area in the public interest. As such, equilibrium will be achieved between technical requirements and environmental impact.

PLANNING POLICY

National Planning Policy Guidance


National Planning Policy Framework (2019) (NPPF)

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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, 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

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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 improved mobile communications services to the surrounding area for Telefonica, 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. Reliable wireless technology also allows for home working, and the creation of the 'virtual office', thus reducing the need to travel and contributing to the sustainability agenda.

Government advice in recent years has been to promote and encourage communications services. Within his presentation to Parliament in July 2015 of the Government report "Fixing the Foundations: Creating a more prosperous nation" the Chancellor of the Exchequer reiterated the importance of a high-speed digital communication infrastructure. "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.

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."

The NPPF (2019) 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".

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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 Covent fibre broadband connections”. Again, the proposal is entirely consistent with the aims expressed within the NPPF.

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”.

The proposal seeks to utilise an existing telecommunication to meet the technical requirement, in direct compliance with paragraph 113.

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”. Compliance with these guidelines (ICNIRP) is confirmed and a declaration of such is included with the application.

It is stated in Section 4 of this statement that the Planning Inspectorate has in recent years continually recognised the importance of connectivity. When applying the balancing exercise encouraged at paragraph 196 of the NPPF, the Inspectorate has found in multiple cases that the provision of network services can outweigh less than substantial harm to heritage assets.

In determining one such appeal, brought operator Telefónica (O2) against the decision of the London Borough of Harrow to refuse Prior Approval for the installation of a 12.5 metre high monopole with shrouded antenna section and accompanied by an equipment cabinet on a roadside verge in the urban area of Harrow-on-the-Hill (appeal reference APP/M5450/W/17/3180345, determined in December 2017), the Inspector concluded that:

“The proposal would be permitted development and provide public benefits in extending the telecommunications capacity of the area. In applying the balancing test of paragraph 134 of the Framework, I consider that these benefits outweigh the harm that would arise from the proposal's impact on the character and appearance of the Conservation Area”.

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These findings were echoed by the Inspectorate in determining a further case brought by the same Appellants against the decision of the London Borough of Hillingdon to refuse planning permission for a 15 metre high monopole with shrouded antenna section and associated equipment housing at a roadside location within the urban area of West Drayton (APP/R5510/W/16/3143922, 2016).

The Inspector concluded:

"The Framework sets out the importance of an advanced high-quality communications infrastructure for sustainable growth and makes specific reference to the development of high-speed broadband technology. This is reflected in the London Plan and the public benefit arising from the improvement of the telecommunications infrastructure is a material planning consideration that weighs in favour of the proposal.

Taking account of all matters I have concluded that the limited harm caused to the significance of the heritage asset (the CA) would be outweighed by the public benefit that would arise from improving the communications infrastructure".

In both cases cited the developments were new base station installations proposed within Conservation Areas and it was determined that they would give rise to a degree of harm to the heritage asset in question. Despite this, the importance of providing a quality communications infrastructure was recognised by the Inspectorate and awarded due weight in the determination of the cases brought. That weight was sufficient for both appeals to be successful, despite the recognised harm. In the case of this application, the same public benefit occurs, and it is considered that any harm to the adjacent listed building is less than significant and should therefore receive Officer support.

In summary, 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.

Development Plan Policy


Section 70 of the Town and Country Planning Act 1990 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.

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For the purposes of section 70, the current adopted development plan for Camden Council, relevant to the proposal comprises:

- The London Plan: Spatial Development Plan for Greater London 2021;
- The Camden Local Plan (2017) and the Site Allocations Plan (2013).

The London Plan 2021

ENSURING THE INFRASTRUCTURE TO SUPPORT GROWTH

'Digital connectivity and associated infrastructure is a key consideration in the CAZ where densities of commercial development in particular are high. Where necessary, development proposals should seek to aggregate demand in areas not currently served by high-speed connectivity and liaise jointly with providers to ensure that infrastructure requirements can be planned and delivered appropriately (see Policy SI 6 Digital connectivity infrastructure).'

Planning for a 'smarter' city, with world-class digital connectivity will enable secure data to be better used to improve the lives of Londoners. (para 1.0.10)

The right infrastructure is also required to help businesses succeed across London. The digital economy, underpinned by world-class digital connectivity, data and digital services is of ever-increasing importance, improving processes, opening up new markets and allowing more flexible working. Convenient transport connections and street, rail and waterway networks that allow the efficient movement of goods and people are also vital, alongside the schools, healthcare facilities and other amenities that employees need to be healthy and productive.' (para. 1.5.4)

POLICY SI 6 DIGITAL CONNECTIVITY INFRASTRUCTURE

A. To ensure London's global competitiveness now and in the future, development proposals should:

1) ensure that sufficient ducting space for full fibre connectivity infrastructure is provided to all end users within new developments, unless an affordable alternative 1GB/s-capable connection is made available to all end users

*2) **meet expected demand for mobile connectivity generated by the development***


3) take appropriate measures to avoid reducing mobile connectivity in surrounding areas; where that is not possible, any potential reduction would require mitigation

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4) **support the effective use of rooftops** and the public realm (such as street furniture and bins) **to accommodate well-designed and suitably located mobile digital infrastructure.**

B. Development Plans should support the delivery of full-fibre or equivalent **digital infrastructure**, with particular focus on areas with gaps in connectivity and barriers to digital access. (emphasis added)

'Fast, reliable digital connectivity is essential in today's economy and especially for digital technology and creative companies. It supports every aspect of how people work and take part in modern society, helps smart innovation and facilitates regeneration.' (para 9.6.1)

POLICY D2 INFRASTRUCTURE REQUIREMENTS FOR SUSTAINABLE DENSITIES

'Where there is currently insufficient capacity of existing infrastructure to support proposed densities (including the impact of cumulative development), boroughs should work with applicants and infrastructure providers to ensure that sufficient capacity will exist at the appropriate time. This may mean that if the development is contingent on the provision of new infrastructure, including public transport services, it will be appropriate that the development is phased accordingly.'

The revised guidance is clearly supportive of the proposal and the role that it will perform allowing Telefonica and Vodafone to provide new and improved coverage to the surrounding area.

London Infrastructure Delivery Plan 2050 (published 2014)

As part of the work on the 2015 London Plan Alterations, the Mayor commissioned work to develop a long-term infrastructure investment plan for London, and in 2014 the 'London Infrastructure Delivery Plan 2050' was published. The stated aim of the Infrastructure Delivery Plan is to provide for fast, ubiquitous access to the internet from mobile and fixed devices. Chapter 16 of the Plan, Digital Connectivity, indicates how the Mayor's Office will support a mix of technologies including 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. Deployment of the proposed base station will contribute to London's agenda for reliable high-speed communications as it has been designed to incorporate emerging and future technologies. Among other matters the Delivery Plan stated:


"Broadband is now considered the fourth utility. The Government has stated that it wants 99% of the population to have superfast connections by 2018. Internet access

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speeds and coverage affect the productivity of businesses and are now a factor considered by homebuyers. Access is not only essential to many businesses, but also, as more local authorities are encouraged to move the services they provide online, access is essential for residents to be able to take part in a modern society. The Mayor wants every resident and business in London to be able to have affordable high-speed internet connectivity, should they choose to access it".

This proposal seeks, individually, to provide high speed internet connectivity throughout London. The revised guidance is clearly supportive of the proposal and the role that it will perform allowing Telefonica to provide improved coverage to the surrounding area.

The Camden Local Plan (2017)

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), which 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. Another policy of relevance is policy A2 (Open space) which aims to protect, enhance and improve access to Camden's parks, open spaces and other green infrastructure.

It is considered the proposal complies with both policies. The upgrade scheme has been specifically designed for this location. The host building is substantial and the proposal would have a minimal impact on the application site and the surrounding area. Due to the position of the antennas and the height of the building, the equipment would hardly be visible from ground level and the visual impact will be kept to a minimum. As outlined within the application, the proposed development has been minimised as far as practicable, in terms of size and scale, to ensure that the impact that may occur can be balanced by the positive public benefits brought forward. The applicants note a requirement for development to make a positive contribution to the local character of an area and it is considered that the continuation and enhancement of established mobile network services within the area would indeed contribute to the character of the area. The applicants consider that the level of harm associated with the proposed upgrade to the adjacent Conservation Area is minimal and is outweighed by social, economic and environmental benefits.


Policy E1- Economic Development necessitates that the council will secure a successful and inclusive economy in Camden by creating conditions for economic growth and harnessing the benefits for local residents and businesses. The proposal would directly support and empower this strategy by increasing the number of rural

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businesses who would be able to gain or receive improved connection for mobile phone and data connectivity. As previously detailed reliable wireless technology also allows for home working, and the creation of the 'virtual office', thus reducing the need to travel to work. In addition, as mentioned throughout the application, in the current climate, with a dramatic shift towards home-working, online shopping and virtual social gatherings, the importance of connectivity for economic, social and physical wellbeing is more apparent than ever before.

A further policy of relevance is policy A1 (Managing the impact of development) which aims to ensure that the amenity of communities, occupiers and neighbours is protected and balances the needs of development with the needs and characteristics of local areas and communities. The proposal has been designed carefully in order to ensure that views of the equipment from the Bloosbury Conservation Area are not detrimental, as such complying with the above policy. In addition, as mentioned throughout the application this proposal will provide new and improved network coverage for Vodafone and Telefonica in the area. As there is no timeframe of when things will return to 'normal' the provision of increased network capacity is of paramount importance whilst the majority of the country continue to work from home. Therefore, it is argued that this proposal is balancing the needs of development for continued network coverage with the needs of maintaining the character of the area by minimising any visual impact as far as possible.

Also, of relevance 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 above).

The proposal therefore complies with the above policies and no conflict with any other aspect of the plan has been identified.

In summary, as there is no specific telecommunications policy within the Camden Local Plan (2017) then greater weight should be given to the National Planning Policy Framework (2019) (NPPF), which, as outlined above, is largely supportive of telecommunications development.

Overall, the proposal is the optimum siting option which is felt strikes a good balance between environmental impact and operational considerations and is fully in accordance with the council's development plan. In terms of national policy, the proposal is sympathetically designed, it would enhance the provision of local community facilities and services and would protect visual and residential amenity.

In the first instance, all correspondence should be directed to the agent.


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Registered Address:

Cornerstone Telecommunications, Infrastructure Limited,
Hive 2, 1530 Arlington Business Park, Theale, Berkshire, RG7 4SA.

Registered in England & Wales No. 08087551.

VAT No. GB142 8555 06

 Cornerstone, Hive 2,
1530 Arlington Business Park,
Theale, Berkshire, RG7 4SA

The impact of the development would be outweighed by the significant benefits of the proposal.

Summary


National Planning Policy is to facilitate the growth of new and existing telecommunications systems, and operators have obligations to meet customer demands and government targets for a continued and improved quality of service.

This application involves the upgrade of an existing telecommunication site to provide new and improved network coverage to the surrounding area for Telefonica and Vodafone. The upgrade has been designed to minimise the visual impact to the surrounding area as much as possible. It is considered the proposal complies with both national and local policy. It is of significance that the development ensures a continued provision of local community facilities and services.

The proposal is fully compliant with ICNIRP guidelines.

On balance, the application warrants support and there are no material considerations that indicate otherwise.


Confirmation that submitted drawings have been checked for accuracy

Name:	Megan	Telephone:	01932 963604
(Agent)	Palmar		
Operator:	Telefonica UK Limited and Vodafone Ltd		
Address:	c/o Waldon Telecom, Phoenix House, Pyrford Road, West Byfleet, Surrey, KT14 6RA	Email Address:	Megan.palmar@waldon telecom.com
Signed:		Date:	2 nd September 2021
Position:	Junior Planner	Company:	Waldon Telecom

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(on behalf of
Cornerstone
and above
operator)

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