

SUPPLEMENTARY INFORMATION

1. Site Details

Site Name:	Matilda Apartments	Site Address:	Matilda Apartments 4 Earnshaw Street London WC2H 8AJ
National Grid Reference:	529963, 181325		
Site Ref Number:	99309	Site Type: ¹	Macro

2. Pre-Application Check List

Site Selection (for New Sites only)

(Would not generally apply to upgrades/alterations to existing sites)

Was 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: No register available – a physical search of the area was undertaken.		
Were industry site databases checked for suitable sites by the operator:	Yes	No
If no explain why: Yes		

Site specific pre-application consultation with local planning authority

Was there pre-application contact:	Yes	No
Date of pre-application contact:	N/A	
Name of contact:	N/A	
Summary of outcome/Main issues raised: As this is a resubmission of a previously refused application no separate pre-application consultation has been undertaken. For the initial submission, pre-application correspondence was sent to Camden Council by email on 22 September 2020. No response was received.		

¹ Macro or Micro

Community Consultation

Rating of Site under Traffic Light Mode If Required:	Red	Amber	Green
<p>Outline Consultation carried out: As this is a resubmission of a previously refused application no separate pre-application consultation has been undertaken.</p> <p>For the initial submission, pre-application consultation letters were sent by email on 22 September 2020 to the Holborn and Covent Garden Ward Councillors – Councillors Fulbrook, Olad and Vincent.</p> <p>Letters were also sent to the residents of Matilda Apartments on 22 September 2020 – Flats 1 – 53.</p>			
<p>Summary of outcome/Main issues raised: A total of 9 residents from Matilda Apartments objected to the proposed development. Their concerns and objections were summarised as follows:</p> <ul style="list-style-type: none">• Don't want 5G aerials on the roof of the building.• A commercial building should be used rather than a residential building.• The building is of significant architectural value, being designed by Renzo Piano.• The architect and freeholder have objected to previous proposals on the building.• The development would be a health hazard.• The installation and on-going running of the equipment would be a nuisance for residents.• Office buildings in the Central Saint Giles Development are considered more suitable.• Putting antennae on the roof will take away from the design of the building and look terrible.• Queries were raised regarding the purpose of the consultation.• The building is on the cusp of a conservation area and the equipment would be an eyesore.• Previous objections have been objected to by residents. <p>Responses were sent noting the objections and setting out that the site was chosen due of its proximity to the Castlewood House site.</p>			

School/College

<p>Location of site in relation to school/college (<i>include name of school/college</i>): There are no schools close to the proposed site. The closest is Ecole Jeannine Manuel on Bedford Square, which is approximately 300 metres to the north of the site. However, the site is closer to the YMCA Club on Great Russell Street.</p>
<p>Outline of consultation carried out with school/college (<i>include evidence of consultation</i>): As this is a resubmission of a previously refused application no separate pre-application consultation has been undertaken.</p> <p>For the initial submission, correspondence was sent to the YMCA Club on 22 September 2020. No correspondence was sent to Ecole Jeannine Manuel due to the distance from the site.</p>
<p>Summary of outcome/Main issues raised: No responses were received.</p>

Civil Aviation Authority/Secretary of State for Defence/Aerodrome Operator consultation

Will the structure be within 3km of an aerodrome or airfield?	Yes	No
Has the Civil Aviation Authority/Secretary of State for Defence/Aerodrome Operator been notified?	Yes	No
Details of response: N/A – full planning application		

Developer's Notice

Copy of Developer's Notice enclosed?	Yes	No
Date served:	N/A – full planning application	

3. Proposed Development

<p>The proposed site:</p> <p>EE and H3G previously had equipment located on Castlewood House on New Oxford Street (immediately to the north of the application site). The operators were served with a Notice to Quit the site due to the redevelopment of the building, and the site has now been decommissioned. Therefore, replacement coverage for both EE and H3G is urgently needed. Due to previous coverage deficiencies, and the ever-increasing current and future demand for mobile communications, it is proposed to meet this current and future coverage requirement with two new sites, the site the subject of this application and Central Cross on Tottenham Court Road (the scheme for this site is now Permitted Development following the recent changes to permitted development rights).</p> <p>The application site is a modern 15-storey building, part of the Central St Giles development. It is located in the north-western corner of the Central St Giles development, at the junction of Earnshaw Street and Bucknall Street. The building has retail uses at ground level and is residential in use above. There are a number of conservation areas around the site, including Bloomsbury to the north and Denmark Street to the west. The application site, however, is not located within a conservation area. There are also listed buildings close to the site, the closest being to the west across Earnshaw Street.</p> <p>A Prior Approval application was submitted for the proposed installation in 2020 (application reference 2020/5822/P). This application was refused in February 2021. This full application is now required due to conditions attached to the original consent for the building limiting permitted development rights.</p> <p>It is noted that, since the original prior approval application was refused for EE and H3G, consent has now been granted at appeal for Vodafone and Telefonica (O2) to install equipment on the building. Circumstances have therefore changed, with the principle of installing telecommunications equipment on the building now considered acceptable.</p> <p>The application site is shown on the photograph below:</p>
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The proposal involves the installation of 6 no. antenna apertures on the roof of the building, two towards the north-east corner, two to the south and the remaining two on the western side of the building. Equipment cabinets are proposed centrally on the roof and 2 no. transmission dishes are proposed adjacent to the cabinets. The development would provide replacement and improved connectivity and network enhancement to the surrounding area for both EE and H3G. In addition, 5G coverage will be provided.

Type of Structure (e.g. tower, mast, etc):	Rooftop	
Description:	The installation of 6 no. antenna apertures, 2 no. transmission dishes and 8 no. equipment cabinets on the roof of the building and development ancillary thereto.	
Overall Height:	54.8 metres (to top of antennas)	
Height of existing building (where applicable):	48.8 metres (to top of steelwork frame)	
Proposed Equipment Housings:		
Link AC Cabinet:	1.2m (width) x 0.6m (depth) x 1.8m (height)	
3900A Cabinet:	0.6m x 0.48m x 1.6m	
Furo Cabinet:	0.75m x 0.6m x 2.1m	
H3G APM5930 Cabinet:	0.64m x 0.6m x 2.16m	
EE APM5930 Cabinet:	0.64 x 0.48m x 1.2m	
3 x Equipment Cabinets:	0.77m x 0.77m x 2.1m	
Materials (as applicable):		
Tower/mast etc. – type of material and external colour:	N/A	
Equipment housings – type of material and external colour:	Steel with a grey finish.	

Reasons for choice of design:
<p>In designing the proposed replacement installation, the applicant has sought to achieve a balance between technical requirements 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 cabin or cabinets which contain the equipment used to generate the radio signals, the supporting structure that holds the antennas in the air or fixes them to a building or structure 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 or generator where a REC supply cannot be utilised), feeder cables that link the equipment housing to the antennas and the various support structures, grillages and fixings, often referred to in general terms as “development ancillary to” the base station.</p> <p>The application site is a substantial and tall building, ensuring the impact from ground level would not be significant. Antennas need to be located close to the edge of the building for technical reasons, so that the signal doesn’t clip the edges of the building, and so they propagate effectively to the whole of the coverage area. Locating the antennas towards the edge of the building also allows the height of the antennas to be kept to a minimum. Antennas closer to the centre of the roof would need to be much higher to avoid clipping. Photomontages, discussed later in this document, illustrate the impact of the equipment, and confirm this minimal impact.</p> <p>As far as the equipment cabinets are concerned, they have been located centrally on the roof of the building to minimise impact. They would not be visible from ground level due to the height of the building. There is an existing screen on the roof of the building, covering the existing substantial amounts of plant on the building. Initially, the preferred location that was investigated for the equipment cabinets was beneath the existing screen. Unfortunately, there is insufficient space and the only location for the equipment is above the screen. Despite this, as already mentioned, the central location would limit its impact to an acceptable level.</p>

The development would provide replacement and enhanced 2G, 3G and 4G coverage for EE and 3G and 4G for H3G, as well as providing new 5G coverage. This will ensure that this busy part of Central London will be at the forefront of the next advance in technology being deployed.

By utilising a rooftop site, for two Operators and for multiple technologies, the proposed development achieves replacement and enhanced coverage to the area with only a minimal visual impact. It is considered, overall, that the design is appropriate to the site and surrounding area and avoids any unacceptable level of impact.

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, EE Ltd & H3G UK Ltd operates its networks 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 EE and H3G's networks, 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 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>		

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 development is required to provide replacement coverage, along with improved connectivity and network enhancement to EE and H3G in the area. As noted above, apart from providing 2G, 3G and 4G coverage, 5G coverage will be deployed from the site, ensuring the surrounding area benefits from the latest technology.

The first generation of services provided voice calls, the second generation (2G) allowed basic data such as texting and the third generation (3G) offered internet access and the development of apps. Since then, the smart phone has developed further, and the fourth generation has brought video and much faster data speeds allowing the integration of the smart phone into wider use.

The next generation of mobile telephony is 5G which brings greatly increasing data speeds. The advantages this presents range from near-instant downloads of HD films to connected cars, smart medical devices and smart cities. To bring this new technology H3G will need to provide a mix of upgrades to existing sites and the building of new sites. New sites will be needed for many reasons, including that the higher radio frequencies used for 5G do not travel as far as those frequencies currently in use leaving gaps in the network.

Although 5G will undoubtedly bring new opportunities and huge benefits to society, we cannot escape from the requirement that new structures, antennas and ancillary equipment will be needed. It has been acknowledged by Government that we must ensure that we have the infrastructure in place to deliver 5G across our major centres and transport networks. This is one of the many additional structures that will be needed to provide enhanced services.

The higher frequencies that 5G will use can provide more bandwidth and thus greater capacity but the signal will not travel as far as those of previous generations. The implications to the built environment will be that more infrastructure needs to be deployed, as in this case.

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 even greater capacity and lower response times.

As is often the case with the introduction of new mobile technologies, we are aware that there has been a lot of coverage on the internet and in the media with regard to the possible health implications of 5G rollout in the UK. Exposure to non-ionising radiation is regulated and limited and all UK base stations are required to comply with health and safety guidelines set by the International Commission on Non-Ionisation Radiation ('ICNIRP'). This is an independent body of scientists that was set up to provide advice and guidance on the health and environmental effects of non-ionizing radiation which is used in mobile telecommunications. The guidelines set by the commission are in place to protect all members of the public, of all ages and in all states of health and wherever they might be in relation to a base station for 24 hours a day. They are backed by the World Health Organisation, the EU and the UK Government.

The ICNIRP reviewed and updated their guidelines in 2020. The new guidelines provide better and more detailed exposure guidance in particular for the higher frequency range, above 6 GHz, which is of importance to 5G and future technologies using these higher frequencies. The ICNIRP chairman, Dr Eric van Rongen, has advised that "the most important thing for people to remember is that 5G technologies will not be able to cause harm when these new guidelines are adhered to". We confirm that they are adhered to by H3G as well as the UKs other mobile operators.

The Director of Mobile UK has also commented on the updated ICNIRP guidelines and stated that “*The consistent conclusion of public health agencies and expert groups is that compliance with the international guidelines is protective for all persons (including children) against all established health risks.*” (our emphasis).

Public Health England (PHE) commented in 2019 that “*It is possible that there may be a small increase in overall exposure to radio waves when 5G is added to an existing network or in a new area. However, the overall exposure is expected to remain low relative to guidelines and, as such, there should be no consequences for public health*” <https://www.gov.uk/government/publications/5g-technologies-radio-waves-and-health/5gtechnologies-radio-waves-and-health>

There has been a significant amount of other independent, peer reviewed, scientific research by recognised bodies that has been carried out into the technology used in mobile telecommunications over several decades. The consensus of the international scientific community is that there has been no convincing evidence to date that RF field exposure below the internationally agreed guideline levels applied in the UK (ICNIRP) causes negative health effects in adults or children. This includes recent reviews of 5G technology.

In January 2019 the Finnish Radiation and Nuclear Safety Authority (STUK) concluded that “*In the light of current information, exposure to radio frequency radiation from base stations will not rise to a significant level with the introduction of the 5G network. From the point of view of exposure to radio frequency radiation, the new base stations do not differ significantly from the base stations of existing mobile communication technologies (2G, 3G, 4G)*” <https://www.stuk.fi/aiheet/matkapuhelimet-jatukiasemat/matkapuhelinverkko/5g-verkon-sateilyturvallisuus>

Similarly, and also in January 2019, the Norwegian Radiation and Nuclear Safety Authority (DSA), commented that “*The overall research shows that the radiation from wireless technology is not hazardous to health, as long as the levels are below the recommended limit values. This is the prevailing view among researchers in many countries today, and it is supported by the EU Scientific Committee. We have used cell phones and radio 5G and transmitters for decades and much research has been done on how this affects our health. Risk factors of importance to public health have not been found. With the knowledge we have today, there is no need to worry that 5G is hazardous to health.*” <https://www.dsa.no/temaartikler/94565/5g-teknologi-og-straaling>.

All EE and H3G base stations are designed to be fully compliant with ICNIRP guidelines, and a certificate of compliance is included with the application. In addition, a document entitled ‘Mobile UK Health Fact Sheet’ is included with the application documents. This provides a simple explanation of 5G and the equipment behind it, including the antennae and the masts, in particular in relation to health issues.

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.

One of numerous benefits of this, on a wider scale, is that this allows for an increase in home working, by providing the opportunity to create a “virtual office”, reducing in the need to travel for work as a consequence, which is helpful in supporting the sustainable development agenda.

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. 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”.

Predictive coverage plots are included with the application to confirm the need for replacement coverage to the area. Plots are included for both EE and H3G, with 3G and 4G coverage plots for both Operators. The area map shows the previous Castlewood House site which has now been removed (annotated NTQ - 98116). It also shows the sites proposed to provide replacement and enhanced connectivity to the area. The application site is the southernmost site (annotated REP - 99309). The other site shown is Central Cross on Tottenham Court Road (referred to above in the ‘Proposed site’ section).

For both 3G and 4G coverage red levels of coverage are required to provide a good level of service. For each Operator and each technology plots are included to show the coverage that is currently provided (with the Castlewood House site removed), coverage with the proposed application site (99309), and proposed coverage from the application site and from Central Cross (77564). The plots confirm that without the Castlewood House site coverage drops below levels required to provide an acceptable level of service to customers. Including this application site coverage levels are restored to an acceptable level, with a significant level of improvement to the area with the application site and Central Cross. Capacity would also be improved in this busy area of Central London, and new 5G coverage would also be provided.

Further details of the new 5G technology are included within this application in the form of the 5G and Future Technology document, and the 5G guide from Ofcom.

5. Site Selection Process

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

Site	Site Name and address	NGR:	Reason for not choosing
RT	Endeavour House, 189 Shaftesbury Ave, London WC2H 8JR	530044, 181259	The site is further from Castlewood House and this option would not provide as suitable replacement coverage as the application site.
RT	127 Charing Cross Road, London WC2H 0EW	529829, 181230	The site would not provide as suitable replacement coverage as the preferred option as it is a lower building. It is also moving from the search area towards an existing installation to the south-west. This option has therefore been discounted.
RT	Wingate House, 93-107 Shaftesbury Avenue, London W1D 5BT	529814, 180980	This site is too close to existing installation to the south-west. Use of this building would duplicate coverage and not meet the coverage requirement.
RT	151 Shaftesbury Avenue, London, WC2H 8DG	529944, 181117	This site is too close to existing installation to the south-west. Use of this building would duplicate coverage and not meet the coverage requirement.

RT	TUC building, Congress House, 23-28 Great Russell St, London WC1B 3LS	529939, 181485	The roof is surrounded by taller buildings. A substantial structure would be needed on the building, and this would harm heritage assets around the site.
RT	Dominion Theatre, Tottenham Court Road, London W1T 7AQ	529851, 181435	The roof is surrounded by taller buildings. A substantial structure would be needed on the building, and this would harm heritage assets.
RT	TK Maxx, 120 Charing Cross Road, London, WC2H 0JR	529880, 181192	There is insufficient space on the roof of the building to accommodate the required equipment.
RT	Travelodge, 1 Museum Street, London WC1A 1JR	530196, 181396	This building has been discounted as it is too far to the east of the search area. It is close to an adjacent site and would not provide the required level of coverage to the target area.
RT	Google, Central St Giles, London, WC2H 8AG	530043, 181350	This is the largest building of the complex. Placing antennas at the edges of the building would result in extremely long feeder cables from the antennas to the equipment cabinets, and this would result in the site not working as efficiently as the preferred option. This option has therefore been discounted for technical reasons.
RT	St Giles in the Fields Church, St Giles High Street, London, WC2H 8LG	529962, 181259	This is not considered a suitable option as it is a Grade I listed building – use of the building would harm heritage assets.
RT	Fairgate House, New Oxford Street, London, WC1A 1HB	529996, 181441	This building is lower than the application site, it is within a conservation area and the parapet of an adjacent building would block signal rendering coverage insufficient. This option has therefore been discounted.
RT	279 Tottenham Court Road, London, W1T 7RJ	529852, 181407	This building is Grade II listed and located within a conservation area, it has been discounted due to its unacceptable impact on heritage assets.
RT	25 Soho Square, London, W1D 3QR	529741, 181205	This site is too far outside of the search area to provide the required level of coverage to the target area.

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

N/A

Additional relevant information:

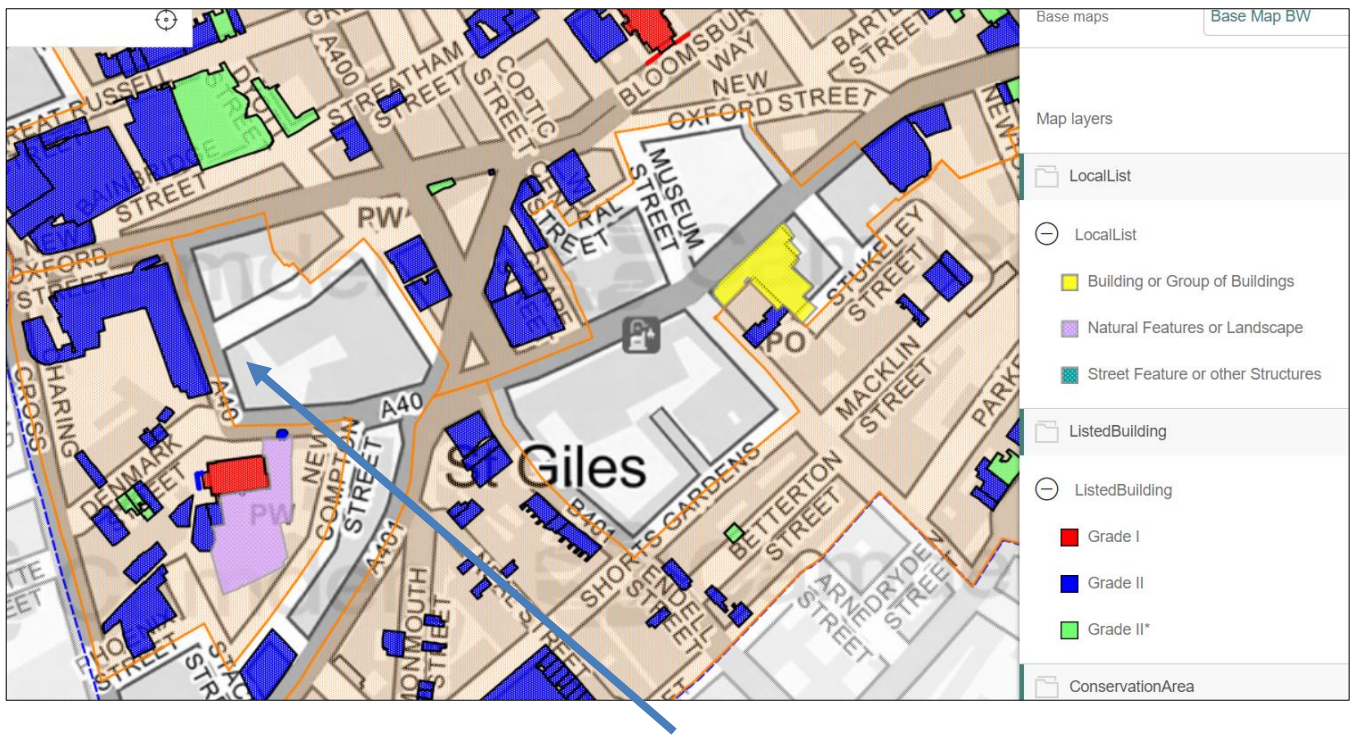
Siting and Appearance

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 coverage can be provided to the area. A substantial non-residential building is proposed to be utilised. By sharing a site for two operators will assist in keeping the impact of telecommunications development in the area to a minimum.

The height of the development has been kept to a minimum by proposing antennas located around the roof of the building, rather than centrally on a stub tower on the plant room of the building. A stub tower would result in a more prominent development.

It is considered its appearance would not appear excessive due to the height and bulk of the building and the location of the equipment cabinets set back centrally on the roof. Any impact would be outweighed by the significant benefits of the proposal, with two Operators achieving continued and enhanced coverage to the area. The site would provide coverage for both EE and H3G, therefore helping to keep the overall number of installations to a minimum.

Siting opportunities which do not impact upon heritage assets are minimal. Virtually every building in the area is either within or adjacent to a conservation area, and there are numerous listed buildings within the search area. The map below (an extract from the Council's mapping system) illustrates this point. Conservation areas are shaded with listed buildings also shown:



Application site

The application site is located outside of a conservation area. There is still an impact on heritage assets as the building is close to a conservation area boundary, and also to a number of listed buildings. Therefore, any site chosen will be either within or close to a conservation area, and also would be close to listed buildings. **It is not possible within the search area to find a site which doesn't have an impact on heritage assets.**

It is also noted that Castlewood House has now been demolished. This previous development, which was visible along New Oxford Street, should be taken into account as part of the assessment of this current application. This site was also adjacent to a conservation area, and close to listed buildings.

Photomontages have been produced to give a better indication of how the equipment would be viewed if built. The following locations were used to produce the montages:

- From St Giles Churchyard looking north towards the application site.
- Looking south from the junction of New Oxford Street and Earnshaw Street.
- Looking north-east from the junction of Denmark Street and Tottenham Court Road.

The montages confirm that from ground level the antennas would be visible as these need to be located on the edges of the building to comply with ICNIRP guidelines. The equipment cabinets have been sites more centrally and would therefore not be widely visible from ground level. Although some equipment would be visible, the impact is considered minimal. It is noted the montage from the junction of New Oxford Street and Earnshaw Street will have a reduced impact as the replacement Castlewood House building is completed, screening the building more fully from New Oxford Street.

Generally, the montages confirm that, although visible, the equipment would not cause an unacceptable level of harm to the surrounding area, or to heritage assets. As set out above the less than substantial impact would be outweighed by the substantial benefits of the proposal.

Within the constraints set out above, and with the specific location of the equipment, it is considered that the development would result in a less than significant harm to heritage assets. Whilst the equipment would be visible from certain viewpoints the impact would be limited.

The importance of improved connectivity and the significant public benefits of telecommunications proposals has been cited in recent appeal decisions. An example is appeal reference APP/V5570/W/20/3246770 for a rooftop development within the London Borough of Islington. In allowing the appeal the Inspector noted at paragraphs 20, 21, 26 and 27:

“20. As set out in the National Planning Policy Framework (February 2019) (the Framework), any less than substantial harm to designated heritage assets should be weighed against the public benefits of the proposal.

21. As set out in the Framework, advanced, high quality and reliable communications infrastructure is essential for economic growth and social wellbeing and planning decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections. The scheme would support high quality communications and digital connectivity by providing 2G, 3G and 4G connectivity for two different nationwide networks that have a high market share in cumulative terms, as well as the future ability/opportunity to upgrade to 5G services.

26. 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.

27. 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.”

In terms of the balancing exercise for this proposed development, it is considered that there would be a less than substantial harm, and that the significant public benefit would outweigh the less than substantial harm.

As noted earlier in this Statement, since the last submission, planning permission has been granted at appeal to install telecommunications equipment onto the roof of the building. Appeal reference APP/X5210/W/21/3272448 granted consent for Cornerstone, Telefonica UK Ltd & Vodafone Ltd to install 10 no. antennas, 2 no. transmission dishes and equipment cabinets on the roof of the building.

It is considered this approval changes the circumstances of this proposed development, with the principle of installing telecommunications equipment on the building now established and considered acceptable. The decision letter made several points relevant to this current application and these are copied below, for ease of reference:

One of the main concerns of the LPA has been the perceived impacts of the development on heritage assets, with the site been located outside of, but adjacent to conservation areas, and also close to a number of listed buildings. Paragraph 8 of the decision letter notes however: *“The Conservation Area Appraisal (March 2010) acknowledges that the setting of St Giles Church and the DSCA has been significantly altered by the post-war redevelopment of the north side of St Giles High Street, most recently the Central St Giles scheme.”*

Paragraph 15 concludes that the impact on the adjacent conservation area would be limited: *“In both cases, the appeal building forms a substantial backdrop to these parts of the conservation area, one which is clearly contemporary in character and which does not relate to the historic architecture or urban grain of the DSCA... In this context, the proposed antennas would simply appear as additional, minor elements of modern development outside of the conservation area. They would be visible, but would not be of a scale or massing that would materially alter the overall relationship of the parent building to the adjacent conservation area.”*

Views of the equipment, and their impact on the form of the Central St Giles complex was also addressed. Paragraph 13 noted: *“From the top of Earnshaw Street, the antennas would appear as minor, ancillary installations when compared to the scale of the host building. The ongoing redevelopment of the former Castlewood House in the foreground of these views will further change the immediate surroundings of the appeal site, adding more features of visual interest to the street scene that would in time dilute the prominence of the antennas. Moreover, given their slender form and setback position from the roof edge, the antennas would not have a significant effect on the appreciation of the distinctive facades of the buildings in the Central St Giles complex, which would continue to draw the eye of the observer in the first instance.”* Whilst this proposal would add further equipment to the roof (assuming the approved scheme is implemented), the context of the surrounding buildings and the height of the host building, would ensure the equipment would not appear unduly prominent.

In conclusion, although noting there would be a limited harm to the building paragraph 35 stated: *“I find that these public benefits would outweigh the limited harm to character and appearance which I have identified. Therefore, material considerations exist which indicate that the proposal should be determined other than in accordance with the development plan.”*

For this current scheme, the minimal impact of the development would be outweighed by the significant benefits of the proposal, with two Operators achieving continued and enhanced coverage and capacity to the area. The alternative of providing separate installations for EE and H3G would have a greater overall impact. The minimal impact of the development would be outweighed by the significant benefits of the proposal.

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 (2021) (NPPF)

The National Planning Policy Framework came into force in 2012. The guidance has most recently been revised in July 2021. 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 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 enhanced mobile communications services to the surrounding area, bringing about substantial public benefit both socially as well as the allowing for certain businesses to expand, adapt and thrive as well as access new markets. 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 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 114 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 115 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 utilising a rooftop site to provide enhanced coverage and capacity for two operators and for multiple technologies, the proposal is in line with the above policy.

It should be noted that paragraph 118 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 189 sets out that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. Paragraph 202 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, being located on a substantial tall building, and that any very 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.

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.

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

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

The London Plan

This revised guidance emphasises the importance of digital infrastructure. Policy SI 6 deals specifically with Digital connectivity infrastructure. The general aim of the policy is for new development to meet demand for connectivity. This is expanded upon in the supporting text for the policy. Paragraph 9.6.1 states: “*The **provision of digital infrastructure** is as important for the proper functioning of development as energy, water and waste management services and should be treated with the same importance. London should be a world-leading tech hub with world-class digital connectivity that can anticipate growing capacity needs and serve hard to reach areas. 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.*”

Of particular relevance to the development is paragraph 9.6.6 which states: “*Access for network operators to rooftops of new developments should be supported where an improvement to the mobile connectivity of the area can be identified.*”

The revised guidance is clearly supportive of the proposal and the role that it will perform allowing EE and H3G to provide replacement and improved coverage to the surrounding area.

Local Plan

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 host building is very tall and substantial, and the proposal would have a minimal impact on the application site and the surrounding area, as confirmed by the photomontages included with the application. The equipment would be visible from certain viewpoints, particularly the antennas, however any impact would be minimal, as the building is very tall, and the equipment cabinets are proposed to be located centrally on the building. The building is not located within any designated area, however is close to designated conservation areas, and there are a number of listed buildings in the surrounding area. Although having an impact on heritage assets, any building in the search area would be either within or adjacent to a conservation area, and close to a listed building. The impact of the development on heritage assets is considered less than substantial and the impact would be outweighed by the significant benefits of the proposal.

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 above).

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

Overall, it is considered the proposal complies with both national and local policy. In terms of national policy, the proposal is sympathetically designed, it minimises the number of installations and has a high quality of design. It would enhance the provision of local community facilities and services.

Summary

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

The specific requirement of the operators in this instance is to provide replacement and enhanced coverage to the area, with a minimal impact and without harm to the local environment. The proposed development is compliant with the NPPF. Thus, siting and design are considered the most appropriate solution to providing the coverage requirements to the area.

The proposal is fully compliant with ICNIRP guidelines.

Confirmation that submitted drawings have been checked for accuracy

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