



Planning Supporting Statement

Our Ref.	SUT-211
Street Hub Address	Outside Wilko, High Street, Throwley Road, Sutton
Postcode	SM1 1EZ
National Grid Reference	E:525972, N:164079
Project Type	Conversion
Conservation Area	Sutton Town Centre High Street Crossroads Conservation Area
Statutory Listed Buildings	N/A
TfL Red Route	N/A

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1.0 Introduction

1.1 Overview

This Planning Supporting Statement has been prepared by Harlequin Group on behalf of BT Group plc. The statement has been prepared in support of the planning application made to the Council for the installation of a 'Street Hub' outside Wilko, High Street, Throwley Road, Sutton, SM1 1EZ (NGR: E-525972, N-164079). This application is made under the Development Management Procedure Order (2015). The statement sets out the most relevant considerations in respect of the proposed development.

In accordance with the Code of Best Practice on Mobile Network Development and published Government guidance, this proposal was drawn up having regard to the need for good design. This statement sets out the most relevant considerations in respect of the proposed development. This provides context for the proposal, reasoning, technical justification and planning constraints, policy guidance and alternatives.

Considerations of design and layout are informed by the context, having regard not just to any immediate neighbouring buildings but the immediate and wider townscape. The local pattern of streets and spaces, building traditions and materials all help to determine the character and identity of the development.

1.2 Purpose of Street Hubs

Over the last few years, BT have been working as part of an exclusive partnership with InLinkUK to ensure communities in urban areas throughout the United Kingdom are well-served in the digital age through the roll out of 'InLink' units. These were developed and deployed to replace and rationalize the existing network of payphones. Through collaboration with councils, BT have helped in creating a service that has revolutionized streetscapes and helped in providing a connected city solution that delivers the fastest and most robust free public Wi-Fi service in the UK. Councils across the UK have used the InLink units to meet key challenges head-on, upgrading local infrastructure, tackling the digital divide, and freeing the high street from unnecessary furniture.

Unfortunately, InLinkUK (who were supplying the units to BT within the partnership) went into administration in 2019, and, as such, the InLink product is no longer available. Since then, BT have been working over the last 18 months on a new and improved unit - the 'Street Hub'. The Street Hub has all the existing benefits of the previous InLink structure – ultrafast Wi-Fi, free public calls, public information - but with better Wi-Fi range, environmental monitoring, secure power-only USB ports for rapid device charging, and an expanded phone network coverage with 5G mobile enablement. Street Hubs have the capacity to boost 4G and 5G through the installation of small cells within the unit casing, improving coverage and capacity. Consequently, when installed, residents, local businesses and visitors will get a faster, more reliable connection for calls and internet access.

Additionally, these new units will be monitored 24/7, with weekly inspections and a minimum of bi-weekly cleaning services to keep the unit to a high standard of finish within the existing streetscape. All units will be fitted with a direct 999 call button to aid in the efficiency of operations of the emergency services, with emergency (i.e., Police) awareness messaging shown via their advertising screens on either side of the unit.

Furthermore, Street Hubs are powered by 100% renewable carbon-free energy, making them sustainable and durable for years to come.

1.3 The Importance of Mobile Connectivity

The ability to access mobile data and voice services is an integral part of modern life. Mobile devices are relied upon by consumers and businesses. Mobile connectivity is no longer seen as a luxury: the ability to make calls, access the internet and receive e-mail and text is seen as a necessity. Businesses, large and small, need mobile connectivity to operate effectively and to compete in an increasingly global market. In an emergency, the public rely upon mobile devices to call for help and the emergency services rely upon mobile services to respond.

1.4 UK Government Policy on Mobile Infrastructure Deployment

The UK government has identified the need for greater investment in mobile infrastructure to increase the widespread availability and capacity of mobile voice and data networks.

“The Government acknowledges that there has been a profound shift over the last decade in the way citizens approach and access digital communications. What was once seen as a luxury is now a basic need, and people expect to have access to fast broadband at home, irrespective of where they live, and use their mobile devices anywhere they go”. DCMS, May 2016.

The last few years have seen a number of UK-wide initiatives to improve coverage including:

- Coverage commitments in the 4G LTE spectrum awarded to Telefonica O₂ (February 2013) to deliver mobile broadband with 98% indoor premises coverage by the end of 2017
- National commitment by all four MNOs (December 2014) to deliver 90% geographic coverage by 2017
- Mobile Infrastructure Project (MIP) – investment by DCMS of up to £150m (to March 2016) in towers to deliver connectivity in complete mobile not-spots.
- Changes to the Permitted Development rights afforded to communications code operators (such as WIG) to allow new networks to be rolled-out more efficiently.
- Changes to the Electronic Communications to Code (December 2017) to allow mobile operators to more easily roll-out new communications infrastructure.

1.5 National Support for Modern Communications

There is significant UK Government support for the delivery of 5G, particularly as this new connectivity will be a step change from earlier generations of mobile connectivity and will be critical to economic growth and sustainable communities. Our accompanying document of national policy '**National Policy - Delivering Ultra Fast Broadband Mobile Connectivity**', sets out how 5G mobile connectivity will underpin the UK Digital Economy and the significant social, economic and sustainability benefits of advanced modern connectivity. It is essential that the planning system looks to support and facilitate new 5G base station installations such as that proposed to meet the Government's Digital Strategy. In addition, modern connectivity, such as 5G, will be essential to help the Government meet its wider sustainability and climate change targets.

2.0 Proposed Development

2.1 Site and Proposed Development

The application site comprises a wide pedestrian footpath at Trinity Square, Sutton situated outside Wilko, with the surrounding area resembling a mixed use residential and commercial streetscape. While the proposed site is within Sutton Town Centre High Street Crossroads Conservation Area, there is an existing BT phone box in situ on the footpath, and as such, the principle for telecommunications equipment is established at this location. As the existing phone box will be removed to make way for the new Street hub unit, this will result in a decluttering of the footpath due to the reduced footprint of the evolved unit and consequent enhancement of the area's visual amenity. The site location is shown on the image below, highlighted by way of a yellow star for context.



The proposal would see the installation of a single Street Hub unit to be located on the footpath outside Wilko, High Street, Throwley Road, Sutton, SM1 1EZ (NGR: E-525972, N-164079). This forms part of a strategic package of applications submitted to Sutton London Borough Council containing 15 Street Hubs located throughout Sutton's existing streetscapes. It should be noted that these proposals for the installation of a number of Street Hubs will see with it the removal of existing, outdated and worn-down BT payphones, at no extra cost to the council. This would help in achieving the advancement and decluttering of the council's streetscapes, in line with the UK Digital Strategy, the National Planning Policy Framework, and the Sutton Local Plan.

2.2 Street Hub Design and Dimensions

Street Hubs are free-standing structures featuring a fully accessible tablet interface and digital HD display screens on two sides. Overall Street Hub dimensions are 35cm deep and 123.6cm wide (reduced tapered footprint is 120.1cm), with a height of 298cm to maximize the Wi-Fi range without dominating the street. A narrow base limits the footprint while ensuring access to wheelchair users.

Street Hubs have been designed to be accessible to all users, regardless of their physical or technological capabilities, including:

- Tablet interface placed at 1m to provide easy access for wheelchair users
- Easy-touch 999 call button to ensure it can be used regardless of mobility restriction
- High-contrast large type labels
- TalkBack functionality facilitates full access to the tablet for all users
- Hearing induction loops integrated into each unit Intuitive touch screen interface.

Also, 'Next Generation Text Relay' makes Street Hubs even more accessible to those who are deaf, hard-of-hearing or speech impaired. Using the tablet callers can type words for a Relay Assistant to then speak to the call recipient. The Relay Assistant types back any responses to the caller, allowing for an effective two-way conversation.

The Street Hub unit will be funded through the display of advertising in conjunction with other council and community content, via sponsorship from companies who will utilize the digital HD display screens on both sides of the unit. The two screens automatically dim at night to 600cd/m², following daylight hours and in accordance with the levels set for this type and size of screen (those under 10m) by the Institute of Lighting Professionals, Professional Lighting Guide 05 2015: The Brightness of Illuminated Advertisements - minimizing disturbances to residents in the evening.

The screens will display content at 10-second intervals, in the form of both the commercial content that funds the service, as well as a wide range of local community and council content. As such, the proposed Street Hub will provide 876 hours of free council advertising per year, with the opportunity for discounted advertising for local

business groups (such as BIDs and Chambers of Commerce) and their members through BT's Street Hub Partners Program.

Additionally, every Street Hub provides access to maps giving directions to nearby landmarks and services – a valuable resource for visitors or those without access to a smartphone. They also act as wayfinding boards, giving walkers and cyclists clear directions, and providing local advertisers the opportunity to give simple directions to their businesses.

This sponsorship will also cover the maintenance and servicing costs of the Street Hub. This is necessary to ensure the program remains financially sustainable. Displayed advertisements will comply with all advertising regulations and guidelines. Further detail is provided in the attached Street Hub Product Statement and associated documents.

Moreover, all Street Hubs are powered by 100% renewable carbon-free energy, with energy efficiency prioritized throughout the design process. This is most evident in the following features:

- A state-of-the-art LED-backlit LCD screen that consumes approximately 60% less power than Cold Cathode Fluorescent Tubes
- Screen filters reflect light reducing the need for high power, noisy cooling systems typically seen in competing solutions
- Industrial-grade components designed to function at high temperatures lower the need for cooling without compromising performance
- Passive design for cooling, i.e. aluminium casing for better thermal dissipation
- High-efficiency power supplies providing 80% or better efficiency, compared to 65-70% of typical components.
- Noise from cabinet and equipment should not exceed: 41dB at a distance of 3 metres during day, 35 dB at a distance of 3 metres during night, Operational volume should not exceed 60dB at a distance of 1 metre.

2.3 Application History

Having checked the Councils online planning search, there is no relevant history relating to the proposed site.

2.4 Alternative Site Assessment

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. Where new sites are required (such as for new 5G

networks, or for connected transport and smart city applications), equipment should be sympathetically designed and camouflaged where appropriate.”

In addition to this, Appendix A of the Code of Best Practice (2016) sets out the options for the siting and design of communications equipment. It explains that, “local planning authorities should support the expansion of electronic communications networks, including telecommunications and high speed broadband. They should aim to keep the numbers of radio and telecommunications masts and the sites for such installations to a minimum consistent with the efficient operation of the network. Existing masts, buildings and other structures should be used, unless the need for a new site has been justified. Where new sites are required, equipment should be sympathetically designed and camouflaged where appropriate.”

As the proposal would see the removal of an existing BT telephone box, it is considered that while the application is for the installation of a new Street Hub unit, works will be undertaken at an established telecommunications site and not for the development of a new site, thus the consideration of alternative sites is not appropriate in this instance. As a result, it is therefore considered that the principle of telecommunications development at this location would represent an acceptable form of development, consistent with Government guidance which seeks to encourage the use of existing sites, buildings and other structures for new electronic communications capability (including upgrading).

It should be noted that a major aim of the Street Hub rollout is to clean up the clutter of outdated phone boxes within the council’s streetscapes. As such, by removing a phone box from the proposed location site and replacing it with a far-superior, technologically advanced Street Hub unit, the general locale will benefit from a system that aims to promote a safer and smarter city – as pursued by NPPF guidance. The application site, therefore, represents the only feasible option in this instance regarding relevant material planning considerations, by allowing the requirement to be met without the deployment of an additional site beyond the existing phone box in the locality.

2.5 The Sutton Rollout

This application is part of a wider scheme of Street Hub deployment across Sutton. A total of 15 locations have been identified for the installation of a Street Hub. All 15 proposals for Street Hubs are currently the subject of applications for Express Advertisement Consent under the Control of Advertisement Regulations in respect of the 2No. LED digital display screens located on either face of the unit.

Initial pre-application consultation was sought with the Sutton London Borough Council through an explanatory email on 26/05/2021 outlining the sites we had identified as being suitable for the installation of a Street Hub.

While a response email was received from the council on the 04/06/2021, a pre-application fee of £287 per site (a total fee of £4305 in total for the 15 sites) was quoted. In respect of the proposed pre-application fee quoted, it is considered that this would

in fact be at odds with the information contained within the code of Best Practice on Mobile Development England 2016. In reference to paragraph 7.3 of the 'Code', this sets out the roles and responsibilities of the LPA and states that Local planning authorities therefore commit to:

*“pre-application dialogue should be proportionate, meaningful and undertaken against the background of national planning policy which seeks to encourage the development of infrastructure to support modern communications. LPAs should therefore: respond positively to requests for pre-application consultation; provide a clear point of contact for that consultation, and provide guidance on preferred locations on proposed new sites or guidance on proposals for significant upgrades (including or replacement) of an existing site; provide guidance or advice on design considerations, where appropriate; provide information on any relevant forthcoming infrastructure plans such as major new developments; agree commensurate and proportionate information requirements for applications as and when required. LPAs should consider carefully if pre-application consultation fees and any associated formal process are appropriate, particularly for relatively minor upgrade or replacement sites. **However, if any pre-application consultation fees or charges are requested then these should be based on a cost recovery basis only** - The Local Government Act 2003 introduced a general power for local authorities to charge for discretionary services but the guidance stipulates that the fees imposed should only cover the cost of provision and should not make a profit.”*

As evident above, the 'Code' is clear on the fee charging of LPA's in respect of such proposals at the pre-application stage, however, from the information provided by the council, it would not appear that the LPA have followed this in respect of the pre-application fee they have proposed, which in this instance is £4305.00.

Taking the pre-application fee suggested by the Council of £4305.00, along with the average salary in the UK based on the ONS figure of £38,600.00, then this average salary in fact equates to an hourly rate of approximately £20 per hour. Taking this average hourly rate, which provides an element of discretion, then for each site the Councils fee would in effect represent circa 14.5 hours of Officer time for each site in order to justify this fee, or for all 15 sites a total number of hours of circa 215 hours, which equates to circa 29 days (based on a 7 ½ hour day). It is clear that a response to the pre-application submitted would not take a total of 215 hours of officer time for the 15 sites and therefore it is in no way defensible that the Council would therefore be making profit on the pre-application in this instance.

In addition to the above, while there are a number of sites included within the pre-application enquiry (15 in total), it is not considered that the scale of each proposal is such that the quoted pre-application fee would be proportionate in this instance. It is considered that despite the number of sites the proposal would still be considered as small-scale, particularly as in most instances the proposal is for removal of an existing telephone box and installation of a replacement freestanding 'streethub' unit. As such, given that the majority of the sites would see this 'like for like' in respect of development on the existing footprint, in taking a view on one of the sites then the principle in respect of advice would be the same for all in this instance as it is fundamentally looking at the

principle of the replacement. As such, the principle is what should be assessed in this instance for the removal of an existing telephone box and replacement with a new 'streethub' as identified. In compiling the pre-application submission, sites were selected on this basis as well as considering what would be material planning considerations in this instance, particularly in respect of amenity and public safety.

In summary, the fee the Council have suggested in this instance is wholly inappropriate for the scale of development proposed, contrary to both the Code of Best Practice as well as the Local Government Act 2003 in that it would clearly represent profit making in this instance. There is no way that the proposal would take circa 29 days of officer time to assess and respond accordingly. As such, the proposed fee was contended with the council due to it being wholly disproportionate, with a view to engaging further in order that an appropriate outcome can be achieved with a pre-application submitted under an appropriate fee. Unfortunately, in this instance, Sutton London Borough Council offered no such appropriate fee and, as a result, the application has been submitted irrespective of the council's participation.

In terms of roll-out, where possible and practicable, it is proposed to install Street Hubs either as a direct replacement for existing BT payphones, or in very close proximity to such payphones. As these existing payphones will be removed it should minimise impact on existing streetscenes by reducing street clutter, or at least not adding to it at particular locations. Whereby a new Street Hub is proposed, BT payphones will be removed, again where possible and practicable from the same streetscape, or same visual envelope, again to try to minimise impact on visual clutter. All 15 of the proposed Street Hubs directly replace or are very close to existing payphones for removal. The proposed Street Hub's will help to deliver a comprehensive network of connectivity within the borough whilst decluttering Sutton's streetscene.

3.0 Planning Policy

This section sets out the most relevant national and local planning policy concerning the proposed development.

3.1 National Planning Policy and Guidance

National Planning Policy Framework (2019)

Planning policy is provided at the national level by the National Planning Policy Framework (NPPF). It is a material consideration in planning decisions. The NPPF is pro – development with a 'presumption in favour of sustainable development' seen as a golden thread, running through both plan making and decision taking'. The thrust of this guidance is positive and a reminder to LPAs that we need to build the requisite infrastructure to enable economic growth.

In this regard the Framework can be summarised as follows:

- Government policy is to support high quality communications infrastructure and systems as essential for sustainable economic growth;

- Government policy is to keep the inevitable environmental impact associated with electronic communications development to a minimum;
- The best way to minimise environmental impact is to avoid the unnecessary proliferation of new radio masts and sites;
- The starting point for planning new networks or the expansion of existing networks is therefore to use existing electronic communications sites as and when applicable;
- The emphasis on minimising environmental impact is greater per the sensitivity of the site. The emphasis on exploring and utilising site sharing opportunities is consequently higher in these circumstances;
- Great weight should be given to conserving landscape and scenic beauty in certain specified designated landscapes, e.g. National Parks, Areas of Outstanding Natural Beauty, Conservation Areas, etc.;

The NPPF as a whole is aimed at encouraging a more positive approach to town planning. While the NPPF builds environmental protection into the definition of sustainable development, there is also a very clear emphasis that local planning authorities should be looking for ways to help development come forward and not reject applications simply on environmental grounds. This is emphasised in paragraph 10 of the NPPF, which states that in order that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development. The NPPF recognises that this is especially relevant where a development might have other significantly important benefits such as being essential to meet, for example, enhancement and improvement to existing communications infrastructure.

Paragraph 11 of the NPPF state that for 'decision-making', the presumption in favour of sustainable development means approving development proposals that accord with an up-to-date development plan **without delay**; or 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:

- 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*
- 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.*

As such, development proposals that accord with the provisions of the Development Plan should be approved without delay. In respect of this guidance, the following sections of this statement demonstrate that the proposed development accords fully with all relevant Development Plan and NPPF policies and, therefore, permission should be granted for the development.

The importance of the proposed development in providing the upgrading and expansion of the existing communications network is clearly an important material planning consideration as it directly supports sustainability and is also precisely the type of new digital infrastructure that the NPPF is seeking to support. The development proposed is comparatively small scale, sited where the principle of telecommunications development has been long established and therefore accepted, designed in a way that is predominately consistent with the existing infrastructure setup and so should be acceptable in every respect.

However, for completeness we still highlight some of the key points within the NPPF as they help demonstrate why the application should be permitted:

Paragraph 7 advises that the purpose of the planning system is to contribute to the achievement of sustainable development. It then states that: *“At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.” [our emphasis];*

Paragraph 20 advises that strategic policies should *“make sufficient provision for.....telecommunications” and that it should “be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances”*

Paragraph 38, on “decision-making” states that authorities should *“work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible”.*

The NPPF builds on the aspiration to build a strong, competitive economy. Paragraph 80 states: *‘Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking in to account both local business needs and wider opportunities for development. The approach taken, should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation40’...*

Footnote 40 of the NPPF states: *‘The Government’s Industrial Strategy sets out a vision to drive productivity improvements across the UK, identifies a number of Grand Challenges facing all nations, and sets out a delivery programme to make the UK a leader in four of these: artificial intelligence and big data; clean growth; future mobility and catering for an ageing society. HM Government (2017) Industrial Strategy: Building a Britain fit for the future’.*

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. Policies should set out how high quality digital infrastructure, providing access to services from a range of providers, is expected to be delivered and upgraded over time.....”*. This wording echoes guidance set out in paragraph 42 of the 2012 version of NPPF. However, unlike the previous version it also includes the importance of reliable communications infrastructure for both economic growth and social well-being.

While supported, paragraph 113 of the NPPF retains the requirement to minimise the number of installations consistent with the efficient operation of the network but also includes being consistent with the needs of consumers and providing reasonable capacity for future expansion.

Paragraph 116 retains the guidance set out in previous versions of the NPPF version and 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”*.

As can be seen from the above, the NPPF clearly acknowledges the benefits of modern electronic communications and seeks to encourage such development as being essential due to their role in supporting a modern economy, contributing to sustainable objectives, and enhancing local community access to a range of goods and services. Local planning authorities are advised to respond positively to proposals for electronic communications development and this must include an understanding of the associated special problems and technical needs of developing and upgrading communications networks.

Public benefits are defined within the NPPG and could be anything that delivers economic, social or environmental progress. Benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.

In the case of this proposal site, the installation of the Streethub unit would provide a modern, multifunctional alternative to the traditional 'mast' that would act as a communication hub within a dense urban area.

Code of Best Practice on Mobile Network Development in England (24 November 2016)

The Code of Best Practice has been fully revised in November 2016 and is now even more supportive of mobile network provision in line with Government aspirations that everyone should have access to the information super highway no matter where they are located whether that be in rural or urban areas. This Code provides guidance to mobile network operators, their agents and contractors and equally to all local planning authorities in England. It supersedes the Code of Best Practice on Mobile Phone Network Development (2013).

The principal aim of this Code is to ensure that the Government's objective of supporting high quality communications infrastructure, which is vital to continued economic prosperity and social inclusion for all, is met. The development of such infrastructure must be achieved in a timely and efficient manner, and in a way, which balances connectivity imperatives and the economic, community and social benefits that this brings with the environmental considerations that can be associated with such development. The Code also has an important role in making sure that appropriate engagement takes place with local communities and other interested parties.

Section 2 of the Code highlights the Government's Communications Policy and Planning Policy. It acknowledges that the continued expansion and development of mobile networks is a key element of the National Infrastructure Delivery Plan 2016 – 2021. This recognises that digital communications are now a crucial component of everyday life, with improvements in connectivity being key to a vibrant economy (para 2.1). Paragraph 2.2 goes on to state that consumers, businesses and public bodies increasingly rely on mobile communications and expect to receive a signal wherever they are. The Code indicates that recent changes in planning policy [and regulation] are intended to align with Government communications policy, where the ultimate goal is to achieve mobile coverage wherever it is needed. Furthermore, Section 2 of this Code also reiterates NPPF guidance in strongly supporting high quality communications infrastructure, which is seen as essential for sustainable economic growth.

Section 3 of this Code acknowledges that there are special operational and technical considerations associated with mobile network development, which have changed over time due to changes in technology and associated changes in demand. The Code acknowledges that there remains a reliance on radio masts to provide the main umbrella of coverage. Paragraph 3.1 explains that radio signals operate like light and must "see" over the target coverage area, they cannot be hidden and so there will always be a degree of visual impact. Paragraph 3.2 clearly indicates that in assessing the visual impact, greater emphasis than previously should now be placed on the radio planning requirements to achieve mobile coverage (as shown in the recent changes to permitted development rights, at the end of November 2016, and the reduced test in the most recent NPPF).

Paragraph 3.3 goes on to highlight that the [operator systems tend to be demand-led or to fulfil coverage obligations. With the ever-increasing demand for data hungry

applications available to a range of connected devices, such as smart phones and tablets, the requirement to upgrade and improve networks through changes to existing sites and the development of new sites is constant. As most parts of the country move on to a superfast highway, so the need to bring coverage to 'not spots' (i.e. areas where there is no mobile coverage from any operator) and improve coverage in 'partial not spots' (i.e. where there is some coverage but not from all operators) intensifies. Paragraph 3.4 of The Code provides advice to local Planning authorities who are concerned about proposals, stating that they should not 'look for problems' but should work proactively with the Mobile Network Operators to find solutions, in line with the aims of the NPPF.

Section 4 of the Code sets out the evolution of mobile networks from 2G voice calls and text to 4G superfast mobile broadband which are now approximately the same speeds as fixed broadband connection. Paragraph 4.1 of the Code acknowledges that customer expectations have evolved with technology. The expectation is that they will always be connected and able to access services in exactly the same way as fixed broadband for personal, educational and business purposes. Paragraph 4.2 acknowledges that data, i.e. using the internet, puts increased demand on capacity and therefore the need for additional base stations to keep abreast of customer demand. Also, 3G base stations, originally using higher frequencies didn't travel as far and therefore each base station covered a smaller area. However, changes in working practices for the operators, in line with national guidance, streamlining networks, sharing base stations has reduced the overall amount of infrastructure required.

The Code goes on to acknowledge that operators maximise the use of their existing network infrastructure for the provision of 4G services and are similarly upgrading their 3G network infrastructure to improve capacity and coverage. However, the revised Code continues to advise that this does not mean that there will not be a need for any new base stations. Indeed, for example, more base stations will be needed in areas where there has previously been only limited or no coverage and where coverage and capacity needs to be enhanced in line with Government commitments and customer demand. Similarly, some new sites will be required to replace existing sites that are lost, for example, through redevelopment of an existing building. Some masts may need to be redeveloped or replaced to enable an upgrade in services to take place.

Section 5 relates to mobile connectivity in the 21st Century, explaining that mobile phones and other devices are now everywhere. Mobile connectivity is not just making calls and texts but also mobile broadband. The majority of mobile phones in the UK are Internet enabled smartphones and large numbers of people also now own tablet devices. People are increasingly choosing to access the internet using a mobile device even when they have fixed broadband connection available.

The Code acknowledges that by the second decade of the 21st Century, the greatest increase in traffic across mobile networks was in data i.e. internet use (para 5.3). Paragraph 5.4 states that in terms of the wider economic impact of mobile connectivity, research by Deloitte on the economic impact of mobile broadband across a range of countries, showed that a doubling of mobile data use leads to an increase of 0.5% in the Gross Domestic Product per capita, while another study put the benefit of 4G

mobile broadband to the UK economy at £75 billion over a decade. Section 5 of the Code goes on to highlight that connectivity promotes social inclusion. In recent years, more people rely on a mobile phone than they rely on a landline. Furthermore, people on lower incomes are even more likely to live in a mobile only household, or to access the Internet using a mobile connection (para 5.5).

The Code illustrates that mobile connectivity helps in the delivery of public services e.g. to access Central and Local Government via online services, acknowledging that lives are more likely to be saved when a 999 call is made from a mobile than from a landline, Telehealth is becoming increasingly important and text message reminders also improve compliance with medication and keeping NHS appointments.

Good mobile connectivity also promotes sustainability e.g. it reduces the need to travel and thus carbon emissions (para 5.7). The Code continues to support mobile telecommunications network as it is seen as a crucial piece of national infrastructure in economic, community and social terms (para 5.8). Paragraph 5.9 states that there is a need to continually upgrade and improve mobile networks, which will not function without the necessary infrastructure on which they rely. This is driven by increasing consumer demand for data, improved connectivity and more capacity, together with Government aspirations for improving connectivity and coverage.

Section 7 of the Code sets out the need for all agencies to work together to deliver connectivity that is essential to the country's economy and society including Central Government which provides the overall strategy for connectivity, mobile operators to deliver the mobile network development through the planning system and helping to identify land and structures suitable for mobile infrastructure. Local Planning authorities can also ensure that the planning function works in tandem with other relevant departments and agencies such as their own economic development departments and appropriate digital connectivity teams in order to facilitate digital connectivity.

The Code provides guidance on siting and appearance principles at Appendix A. It sets out a number of design principles in respect of telecommunications development. However, the code acknowledges that the options for design used by an operator will be affected by site conditions including requirement to link the site to the network, landscape features and coverage and capacity requirements. The main options for the operator include:

- Mast and/or site sharing (including redevelopment of a site to enable upgrade or sharing with another operator)
- Installation on existing buildings and structures;
- Erecting new ground-based masts;
- Camouflaging or disguising equipment where appropriate;
- Using small scale equipment (although small cells themselves are generally used to address capacity issues as opposed to providing coverage) - **[OUR EMPHASIS]**;

The proposal looks to provide this, with the BT Streethub unit providing additional small-cell capability in a street setting to provide infill coverage to the local area for

residents, visitors and businesses alike. Additionally, free Wi-Fi connectivity would also be provided as part of the units provisions

Proposed Reforms to Permitted Development Rights to Support the Deployment of 5G and Extend Mobile Coverage (August 2019)

Although the application does not benefit from current permitted development rights based on the increase in width for the replacement mast of more than a third that of the existing mast, the applicant is mindful of the recent government support for the development of digital connectivity set down within recent consultation on changes to permitted development rights.

Important text states that the Government recognises that widespread coverage of mobile connectivity is essential for people and businesses. People expect to be connected where they live, work, visit and travel. The Government is committed to extending mobile geographic coverage further across the UK, with continuous mobile connectivity provided to all major roads.

As well as improved mobile signal, 5G networks are also crucial to drive productivity and growth across the sectors that local areas are focusing on through their emerging Local Industrial Strategies. Enabling and planning for 5G implementation is central to achieving the Government's objective to deliver prosperity at the local level and enable all places to share in the proceeds of growth.

The Government is determined to ensure the UK receives the coverage and connectivity it needs. The Future Telecoms Infrastructure Review, published in July 2018, sets out the Government's long-term strategy for meeting its digital connectivity targets. It restated the Government's commitment to tackling barriers to deployment and concluded that there were steps the Government could take in order to create the right conditions for the investment required to deliver additional network coverage and capacity.

The Government wants to be a world leader in 5G, the next generation of wireless connectivity, and for communities to benefit from the investments in this new technology. All of the four main mobile network operators have announced intentions to begin deployment of 5G networks in 2019 and the current application is a manifestation of this commitment.

The case for 5G is compelling as it will bring faster, more responsive and reliable connections than ever before. More than any previous generation of mobile networks, it has the potential to improve the way people live, work and travel, and to deliver significant benefits to the economy and industry through the ability to connect more devices to the Internet at the same time – creating the so-called "Internet of Things". This will enable communities to manage traffic flow and control energy usage, monitor patient health remotely, and increase productivity for business and farmers, all through the real-time management of data.

3.2 Local Planning Policies

3.3 Planning Policy Assessment

While it is considered that the proposal would be consistent with the aims of the NPPF in respect of supporting high quality communications, it remains the case that any such proposal should be well located and ensure there is no significant visual impact that would outweigh the social and economic benefits of the proposal. In this respect, the existing site has supported communications facilities at its location for a number of years and therefore the principle of such development at this location is considered acceptable. While an establish part of the streetscape, the introduction of the Street hub unit will to some degree be a noticeable change. However, it should be appreciated that the visibility of any such evolution does not automatically result in any adverse harm occurring, particularly when it involves the essential upgrade of an existing site where all material planning and operational requirements were considered as is the case with this proposal.

In line with the requirements of the NPPF and Code of Best Practice, the proposal would see the conversion of an existing and established communications site to a more contemporary designed and multifunctional unit, in fitting with the modern world. This in itself is not a valid reason to conclude that it is not appropriate at the specific location.

Paragraphs 3.2 – 3.3 of the Code of Best Practice explain that there is now far greater emphasis that visual impact should not override significant radio planning requirements to achieve mobile coverage to a particular area, particularly with the need to support the massively growing and intensifying demand for mobile communications across the UK.

Indeed, in terms of looking to meet operational needs, the Code of Best Practice emphasises that the NPPF now applies a reduced policy test compared to previous guidance. This helps clarify than an operator is only required to satisfy the normal test of acceptability having regard to all material planning circumstances, rather than looking for the 'optimum' solution as required under the former PPG8.

In this respect, by converting the existing structure, the visual amenity of the area would not be detrimentally or demonstrable impacted upon to any significant further degree. When considering the long-established use of the site for communications, this would ensure any such upgrade and conversion remains acceptable in terms of any resultant visual impact. This is in line with the requirements of NPPF which supports equipment which is sympathetically designed and keeps the number of masts to a minimum [paragraph 113] and The Code of Best Practice.

Economic and Social Benefits

The NPPF strongly supports sustainable development as does the London Plan and the Council's Local Plan. Mobile communication plays a significant role in sustainable development. Being able to access the internet via a mobile device allows people to

access a wide range of central and local government services, buy groceries, manage finances, apply for jobs/university and carry out school projects, send emails, download applications, send and receive instant messages, streaming and downloading data to name just a few of the benefits of being able to use an internet enabled handheld device. It also allows people to work from home or on the move without the need to return to the office. This reduces travel time, carbon emissions and increases the speed in which information is processed/shared. This fully complies with the aims of the NPPF and the Council's Local Plan to minimise the effects on climate change by reducing the need to travel and as a consequence the carbon footprint.

It is therefore clear that the Government places significant importance on reliable communications and as such the Planning Inspectorate gives significant weight to the public benefit arising from local service provision. The issue of benefits and planning balance is considered in Appeal Ref: APP/L1765/W/18/3197522 (Land at the junction of Andover Road and Athelsan Road, Winchester for the erection of a 17.5m street works pole).

The Inspector found at Paragraph 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". In this instance, the proposal is not so much seeking to provide significantly higher standards but to maintain recent local provision of 2G, 3G and 4G services as a result of a notice to quit from a nearby site that was providing these services. 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'.

In addition to the above, this issue of public benefit and planning balance was also considered in Appeal Ref: APP/X5990/W/3162918 (55-59 Oxford Street). In this case, the Inspector found at Paragraph 20 'Whilst I have paid special attention to the desirability of preserving or enhancing the character or appearance of the conservation area, the above factors lead me to conclude that there is less than substantial harm to the character and appearance of the existing building and the SCA. Therefore, whilst there is some conflict with WCP and UDP policies, the less than substantial harm that I have identified is outweighed by the clear public benefits of the proposal in maintaining and improving vital communications infrastructure at an important location'.

Mobile connectivity is essential to the future success of the economy. The combined value of 4G and 5G mobile connectivity is estimated to add £18.5bn to the economy by 2026 (Councils and Connectivity Sept 2018). Mobile connectivity is essential to creating a better society. Digital inclusion can help people gain employment, become more financially secure and improve health and well-being. Mobile connectivity is also essential to fulfilling the potential of new technologies. Innovation such as artificial

intelligence and connected cars will change how we work, spend our leisure time and run our public services.

Paragraph 38 of the NPPF (2019) 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. Decision-makers at every level should seek to approve applications for sustainable development where possible’.

Maintaining high quality 2G, 3G and 4G coverage and capacity within the area fully meets this aim of the NPPF. The social and economic benefits are significant material considerations which should be weighed against any visual impact associated with the proposed development at this location, whether a conversion or relocation as is the case in this instance. In addition to the above, HM Treasury outline such benefits in its report ‘Fixing the Foundations: Creating a more Prosperous Nation’ (July 2015). Paragraph 7.1 states that 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.

Paragraph 7.2 goes onto highlight strong support for high quality communications infrastructure. It states:

‘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’.

Indeed, MPs have noted in parliament that the UK’s Superfast Broadband connectivity was ‘relatively poor’. As such, there has been continuing and growing strong national support for a high quality communications infrastructure that is fit for purpose and helps promote the UK as a world leader in this regard, particularly with the roll-out of 5G coverage.

Further to Governments commitment to improve connectivity, on 24th November 2016 the new ‘permitted development’ rights for telecommunications operators came into force, designed to lift the restrictions on mobile operators such is the significance of the significant weight that Government places upon the benefits attached to modern connectivity.

In October 2016, there was also the BIG Infrastructure Group (as chaired by MP Grant Shapps) Report release calling on operators to improve their network. This is signed

and has comments from numerous MP's nationally. A National Needs assessment – A Vision for UK Infrastructure was also published in October 2016. It sets out the infrastructure needs for the UK which includes the importance of digital technology. An extract of this assessment can be found below:

'A lack of sufficient digital connectivity has a detrimental effect on business operations, productivity and output and hence competitiveness in the global marketplace. Securing digital connectivity is thus critical to the UK's long term prosperity. A key challenge for the digital sector is a persistent digital divide between those who have access to the latest technologies and those who do not, with resulting social and economic exclusion, particularly as dependence on e-services and digital communications increases'.

The Assessment goes on to note that 'Universal digital connectivity would serve as an equaliser of economic opportunity in that it enables participation in a modern digital economy'. This Assessment goes on to further explain the consequences of a lack of coverage and the effects this has on social and economic prosperity. This clearly highlights the importance of maintaining high quality 2G, 3G and 4G coverage to this busy area a short distance to the east of the capital, where the social and economic benefits significantly outweigh the environmental considerations.

Ministers from the DCMS and MHCLG wrote to all CEOs of the Council's in England (March 2019) setting out the position in respect of supporting investment in high-quality, reliable digital connectivity. The Government acknowledges that such infrastructure is essential for communities to benefit from faster economic growth and greater social inclusion. Ministers state:

'it is essential to keep pace with growing demand for internet bandwidth and mobile data from local businesses, residents and those who visit our communities. As outlines in the Future Telecoms Infrastructure Review, the Government would also like to see national full fibre coverage by 2033. We would also like the UK to be a work leader in 5G, with the majority of the population covered by a 5G signal by 2017. We are writing to ask for your help in supporting the investment necessary to achieve these objectives.

Recent years have seen substantial investment in mobile and fixed digital infrastructure across the UK. While mobile coverage across the UK has been significantly improving, there are still too many areas where coverage is poor. The UK has now achieved 95% superfast broadband coverage but still only 6% full fibre coverage.

We need to create the market and policy conditions to support the large-scale commercial investment required to extend and future-proof digital connectivity. A key part of this is making it easier for operators to deploy infrastructure. To help to achieve this, the Government recently reformed the Electronic Communications Code – the statutory framework which underpins agreements between communications network providers and those in both the private and public sectors who can provide sites for the installation of network equipment. The purpose of the reform was to make it easier

and more cost effective for communications network providers to deploy and maintain digital infrastructure.

Local Authorities have an essential role to play as site providers. As Chief Executives, you can support investment in digital communications infrastructure by ensuring your organisations have policies and procedures in place that promote effective engagement with the digital communications industry and minimise barriers to deployment'

The proposed conversion will continue operators to provide high quality coverage and capacity, supporting the Government's aim to 'focus on ensuring everyone is connected to the information highway'. This fully meets the aspirations of the NPPF and the Council's strategic strategy in general terms.

4.0 Maintenance and Servicing

Maintainability and durability were key considerations in the design, with regular cleaning and servicing planned. BT is responsible for the management of Street Hub services with each unit physically inspected weekly across the estate.

Inspection Regimes

The Street Hubs are visited every two weeks for cleaning, by hand and with pressure washers. The materials used make this process easy with defined materials and processes. Whilst cleaners are on site, they check for damage and ensure the tablets and screens are working. In addition, BT's in-field quality inspection teams visit at least every two weeks on an alternative schedule to their cleaning team, performing several checks including (but not limited to):

- Full walk-around with supporting photos to check for damage, graffiti and black screens
- Functionality checks on the tablet to test calls, maps, 999 and USB charging.

BT can also send out emergency visits if reported as necessary by internal sensors.

Monitoring and Repair Management

Street Hubs are monitored remotely 24/7, with this being the primary mechanism to spot faults with the above local inspections ensuring the effectiveness of this monitoring. Once identified, BT have processes to resolve issues within agreed service levels. Most will be resolved within three working days, with safety and power issues having a more rapid resolution target than cosmetic issues like graffiti.

Design Materials

High-quality materials have been used to ensure longevity, holding up to abuse and diminishing scratches. These include:

- A galvanised mild steel structure, powder coated external grade aluminium exterior

- Painted powder coated aluminium main casing – attractive, durable, easy to service, and cooling
- Displays fronted by tempered and laminated glass to reduce glare
- RF transparent radio compartment

The modular design of exterior and interior components makes servicing simple and economical.

Future Upgrades

BT plan to make changes as needed to address identified faults or to improve services. Whilst some may involve physical attendance at the unit, the majority will be done remotely via software upgrades. All updates are rigorously quality assured before release.

5.0 Health and Safety

Telecommunications planning guidance states that it is not for the local planning authority to seek to replicate through the planning system controls under the health and safety regime as it is a matter for the Health and Safety Executive.

The Government guidelines state that provided a proposed base station meets the ICNIRP guidelines for public exposure, then it should not be necessary for the local planning authority to consider the impacts of health concerns.

The proposed Street Hub will not be fitted with small cell technology integrated inside the unit casing. When BT do opt to implement small cell technology within this Street Hub, however, this will be managed through the submission of a license notification under Regulation 5 of the Conditions and Restrictions of the Communications Act 2003 (as amended) in respect of upgrading works to an existing telecommunications mast. This will be the chosen route as these works constitute permitted development under Class A of Part 16 of The Town and Country Planning (General Permitted Development Order) 2015 (as amended). Consequently, at the time of submitting the license notification, an ICNIRP certificate will be attached to confirm that the equipment complies with both national and international emissions standards and that the proposed design and location allows the equipment to be well within the parameters set by the ICNIRP standard.

6.0 Conclusion

The Street Hub, in providing free Wi-Fi connectivity, improved 4G and 5G coverage, and other valuable services to shoppers, tourists and others (thereby encouraging greater use of the city centre and enhancing recreational areas) is part of the wider digital connectivity expected in modern cities. It is precisely the type of high-speed digital infrastructure that the government is seeking to support as part of the presumption in favor of sustainable development.

The proposed Street Hub is considered to gain support in terms of its location for Wi-Fi connectivity, and its appearance in terms of overall impact on the existing



streetscene. Street Hubs are of a high quality, accessible design that would be a significant improvement over the existing payphones in the Council's borough.

As such, the Council should support the proposal in the interest of the significant public benefits which would outweigh any harm caused when weighing up all material planning considerations. Both the planning application and accompanying application for advertisement consent should be timeously approved, with appropriate conditions attached if necessary.