



**Virgin Media O2 response to Ministry of  
Housing, Communities and Local  
Government consultation: “National  
Planning Policy Framework: proposed  
reforms and other changes to the planning  
system”**

**Non-confidential**

**10<sup>th</sup> March 2026**



## **Overview**

Virgin Media O2 (VMO2) welcomes the opportunity to respond to the Ministry of Housing, Communities and Local Government's (MHCLG) consultation on proposed reforms to the National Planning Policy Framework. We support the Government's intent to improve the planning system; it is a vital lever for enabling digital infrastructure that underpins growth, innovation and public services.

The NPPF is foundational: it sets expectations for local plans and signals national priorities to Local Planning Authorities (LPAs). How digital connectivity is framed in the NPPF therefore has material consequences for infrastructure deployment. The updated draft, however, misses a clear opportunity to champion the necessity of mobile and gigabit fibre connectivity and to direct LPAs to plan accordingly.

In particular, the draft removes the previous, explicit articulation of the contribution of communications infrastructure to economic growth and social wellbeing, and introduces textual changes that collectively tilt the balance towards infrastructure minimisation rather than infrastructure enablement. Although the draft rightly states that LPAs should not question the need for network expansion or upgrade, repeated emphasis on minimising equipment risks disincentivising the very infrastructure required to deliver that expansion. The Government cannot expect the country to reap the benefits of digital infrastructure, to predicate its own growth and productivity ambitions on technologies that fundamentally rely on telecoms infrastructure, and then also shape a planning environment that frustrates the deployment of that infrastructure.

The NPPF also has the opportunity to help address one of the most operationally significant issues we face: lack of developer engagement with mobile providers and the resulting impact on connectivity. This manifests in three ways:

1. New development that generates demand but provides no viable locations for mobile infrastructure to meet that new demand
2. New development that requires us to remove or decommission existing infrastructure due to safety compliance or because it blocks the signal
3. Redevelopment of sites on which our infrastructure is based, requiring us to remove it (such as via a Notice to Quit, NTQ)

The latter is a particularly pertinent problem in dense urban areas where a large proportion of mobile infrastructure must be positioned on rooftops to ensure adequate signal propagation, as well as frequently being the most visually sympathetic location. We lease this space from landlords, and it is often extremely difficult to acquire a replacement site.

The case studies below illustrate these three scenarios in more detail. The ultimate effect is detriment to consumers, whose mobile services either become degraded or not available.

There are elements of the planning systems, such as Certificate of Ownership, Certificate A, that ask landowners about the presence of mobile networks, but this is not required in all scenarios and does not impel meaningful engagement. Therefore, we propose targeted amendments to the

NPPF to require structured engagement and practical safeguards that will integrate mobile connectivity into design, mitigate redevelopment risks, and speed rollout.

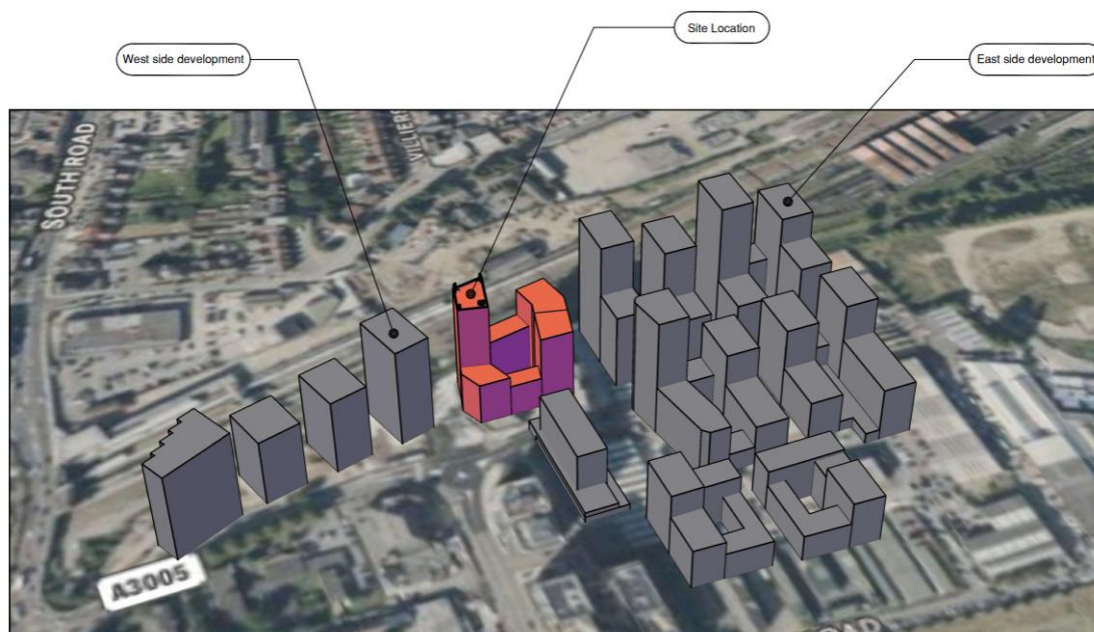
#### 1. Duty on LPAs to consider connectivity

- Introduce a duty on LPAs to assess how proposed developments will affect existing mobile infrastructure and local connectivity. This should extend to a requirement to include digital connectivity in the LPA's pre-application stage, encouraging developers to consult mobile network operators where (i) equipment is on/adjacent to the site, (ii) height/massing may affect coverage, or (iii) scheme scale will materially increase demand.

#### 2. Duty on developers to consider connectivity

- Embed a reverse sensitivity principle obligating developers to identify, protect, and design around existing telecoms equipment on or near the site. Where redevelopment necessitates removal or relocation of existing equipment, require a comprehensive re-provision plan, including (i) a temporary solution during construction where feasible, and (ii) a permanent solution on or associated with the completed scheme, to avoid coverage degradation.

### **Case Study 1: New development that generates demand but makes no provision for mobile infrastructure (Ashwell House, Southall)**



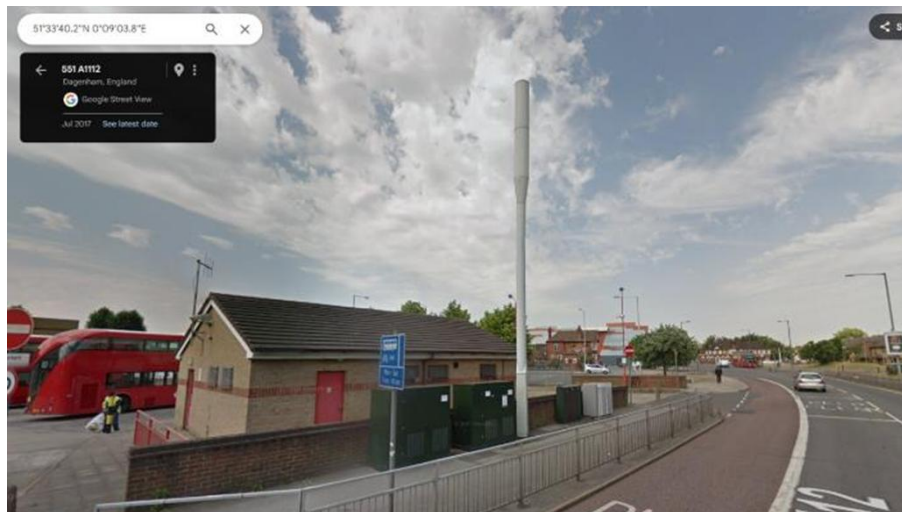
Ashwell House is one of many new tall buildings in the Southall Opportunity Area, none of which have rooftops designed to allow for installation of mobile infrastructure. Despite the clear need for increased coverage and capacity in a rapidly densifying area, the LPA has removed all permitted development rights for telecoms across these rooftops. As a result,

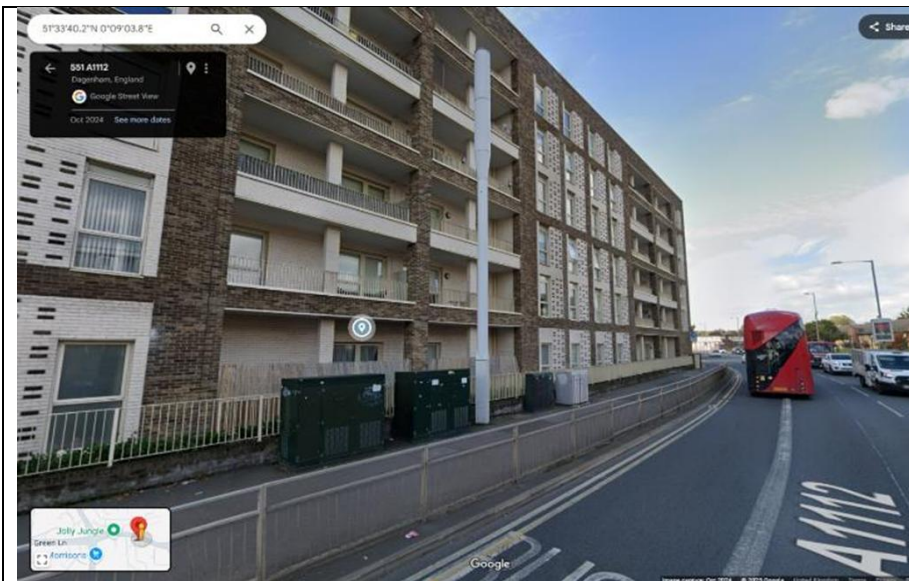
even minor rooftop installations require a full planning application rather than a Regulation 5 notification.

Our application for Ashwell House (244545FUL) was refused in February 2025, and although we have redesigned the installation and commissioned updated montages, we expect it to be refused again. This is because the LPA has indicated a strong preference for “uncluttered” new roofs, leaving no realistic alternative location for essential coverage and making an appeal more likely.

This case highlights a systemic issue: major development is proceeding at scale without any early engagement with mobile operators and without safeguarding suitable rooftop space. The result is a cluster of tall buildings where mobile infrastructure cannot be deployed under permitted development and where planning authority resistance severely restricts viable options even when we go through full planning. An NPPF that directs LPAs and developers to consider how developments will affect existing connectivity, what demand it will drive, and how the development can host or support connectivity would help avoid scenarios like this.

### **Case Study 2: Adjacent development sterilising a live site (Barking and Dagenham)**

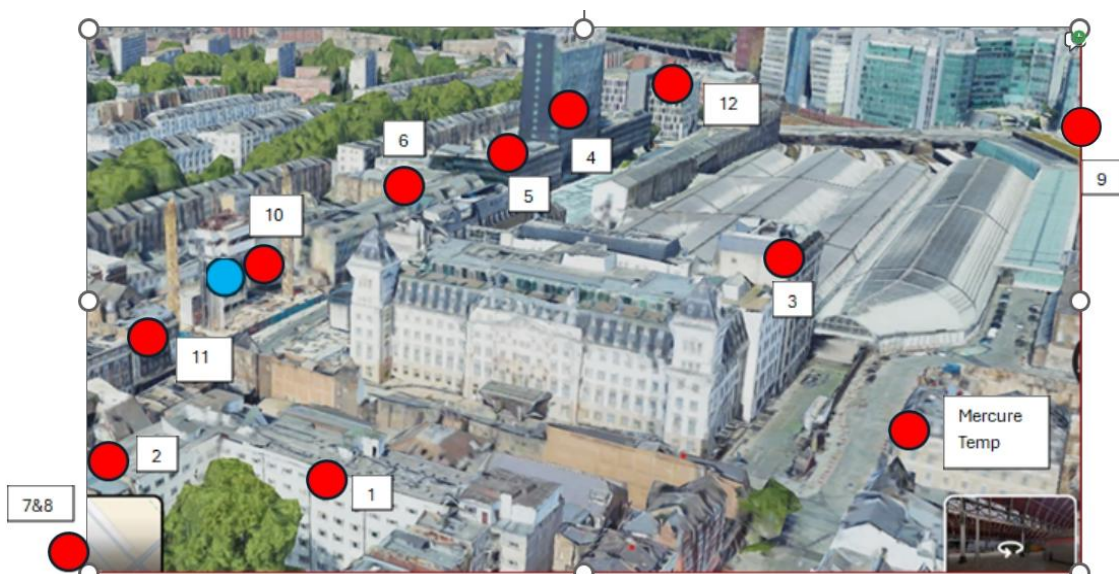




New residential blocks were constructed immediately adjacent to an existing monopole. Once those flats became occupiable, the installation ceased to be ICNIRP-compliant due to exclusion zones, forcing decommissioning. This resulted in residents losing coverage from that site.

Early engagement and a requirement on developers to consider connectivity could have prevented the reduction in service here. For example, had the developers been required to mitigate loss of connectivity, they might have been more incentivised to offer their rooftop to us to ensure that at least the existing level of connectivity was maintained.

### Case Study: Redevelopment requiring us to remove our infrastructure (Paddington Station)



The former mobile site at 50 Eastbourne Terrace, Paddington (represented by the blue dot) was taken off air in May 2018 following an NTQ. Although a temporary installation on the Mercure

London Paddington Hotel provided short-term mitigation, it too was removed in March 2025, leaving a major transport and commercial hub without a stable replacement.

Since the original site's removal, our teams have worked continuously to identify a viable alternative within the Paddington area (represented by the red dots). Over seven years, numerous potential sites have been explored, but each has been obstructed or delayed by some combination of planning refusal, conservation and listed building constraints, protracted legal negotiations just to access roofs for surveys, and other barriers. Meanwhile, the original building has been demolished and rebuilt without any capacity to host telecoms equipment.

**Option 1: 15-25 Lillian Penson Hall Talbot Square London, W2 1TT**

This option required a year of protracted legal negotiations and a tribunal process simply to secure access for survey work. Although surveys were successfully completed, the subsequent full planning application was refused in November 2019 (19/07294/FULL), and the appeal was also dismissed (19/00829/TPREF).

**Option 2: Sussex Court, Spring Street, W2 1JF**

Located within a Conservation Area but not a Listed Building. A paid pre-application call with the LPA took place in September 2024, during which the LPA indicated it would not support the use of this building for telecoms infrastructure.

**Option 3: Tournament House, Paddington Station**

A Listed Building situated in a Conservation Area. Securing access for the initial site survey required two years of legal negotiations with the landowner. A paid pre-application discussion with the LPA in September 2024 resulted in the LPA being unsupportive and requesting design amendments. To pursue revised designs, new legal negotiations with the landowner began in November 2025 to obtain further roof-access rights.

**Option 4: 20 Eastbourne Terrace, London, W2 6LG**

Although legal agreement for survey access was secured, the site ultimately failed the survey due to rooftop sterilisation caused by window-cleaning equipment, leaving no viable installation space.

**Option 5: 30 Eastbourne Terrace, London, W2 6LG**

Site located in a thin sliver of land that is not designated a Conservation Area or Listed Building, making a Regulation 5 (prior notification) permitted development proposal possible. The survey was carried out after undertaking legal negotiations for site access for nearly a year. We are now waiting on detailed design drawings before beginning the legal process of agreeing terms. Once we have the designs, we will submit the Regulation 5 notification to the LPA. This will support the negotiations with the landowner.

**Option 6: 40 Eastbourne Terrace, London, W2 6LG**

Also situated on a narrow strip of land outside Conservation or Listing constraints, making a Regulation 5 proposal possible. The site was under construction until mid-2024; after which we started the legal process to gain access in order to carry out a survey. However, this

required issuing proceedings in the Upper Lands Tribunal. Access has now been granted and designs are being drafted. Once designs are completed, we will submit under Regulation 5 notification and this will support negotiations with the landowner.

**Option 7: Native Hyde Park, 206-214 Sussex Gardens, London, W2 3UL**

Rejected at the first design survey stage on design grounds and ICNIRP compliance issues.

**Option 8: Roseate House 3 Westbourne Terrace, London, W2 3UL**

Discounted due to fundamental power constraints and wider buildability issues that rendered the site infeasible.

**Option 9: Brunel Building 1 & 2 Canalside Walk, London, W2 1DG**

The site is a modern building outside a Conservation Area; however, a previous planning consent (03/05999/FUL) for the building removed permitted development rights for telecoms equipment. As a result, full planning permission is required. The necessary supporting reports are currently being prepared so we can submit the application.

**Option 10: 50 Eastbourne Terrace, London, W2 6LG**

This is the original NTQ site, which has been demolished and rebuilt. The initial survey failed on the rebuilt site because rooftop space is not available due to window-cleaning equipment and the building's design provides no suitable area for telecoms.

**Option 11: The Pride of Paddington**

A very small rooftop footprint, currently being assessed only for the feasibility of a narrow-beam, O2-only macro site.

**Option 12: 2 Eastbourne Terrace, London, W2 6LG**

The site is limited by a restricted sector field, but design work is continuing to determine whether a viable solution can be achieved.

**Conclusion**

Three site options are now being prepared for planning submission. Two of these (Options 5 and 6) will proceed under Regulation 5 Notification, enabling the acquisition team to enter into Code negotiations with the respective landlords in a more streamlined and timely manner. Given the planning route, these negotiations are expected to be successful. Option 9, however, cannot enter Code negotiations until full planning permission has been secured.

Whilst the efforts to replace the site removed from 50 Paddington continue, we are mindful that mobile infrastructure currently covering the area from the roof of St Mary's hospital will be subject to an NTQ when the upcoming hospital redevelopment takes place. Public consultation on the new hospital design begins February 2026.

If the developers had been required to create space for mobile infrastructure on the rebuilt site, this situation could have been avoided. This illustrates the need for a stronger direction in the NPPF.

## **Questions**

***1. Do you have any views on how statutory National Development Management Policies could be introduced in the most effective manner, should a future decision be made to progress these***

We believe there is a strong case for introducing thematic statutory National Development Management Policies (NDMPs), namely to enable one for telecoms. Telecoms infrastructure sits in an unusual position within the planning system: it is not treated as a Nationally Significant Infrastructure Project, yet it is also not well-served by being assessed solely through a local, piecemeal lens. Mobile networks operate as a single integrated national system, and every individual application, however small, forms part of a nationally significant whole. At present, that national dimension is largely absent from planning decision-making.

We recognise that the Communications chapter of the draft NPPF is framed as a set of “national decision-making policies” intended to influence how proposals are shaped by developers and determined by local decision-makers. Whilst this is helpful, it does not fully address the challenge that telecoms infrastructure is consistently assessed against a patchwork of local policies, constraints and designations, each of which tends to prioritise local impacts over national connectivity needs.

Introducing a telecoms-specific NDMP would provide a more effective and proportionate mechanism to recognise the national importance of connectivity, without elevating telecoms into the NSIP regime, which is rightly reserved for major infrastructure such as airports, strategic road corridors or large energy assets. Telecoms does not belong in that category, but it does require more structured national planning direction than it currently receives.

For an NDMP to be effective, the language would need to be clear, direct and capable of carrying determining weight in instances where local and national policy objectives conflict. This is particularly important for telecoms because, unlike many other forms of development, there is no part of the country where mobile connectivity is optional.

We therefore consider that telecoms-specific NDMP could play a valuable role in shifting decision-making from an application-by-application negotiation to a clearer national framework, and one that has more weight than the NPPF. They would help ensure that connectivity needs are properly factored into the planning balance, that the national character of the network is respected, and that local designations do not cumulatively frustrate the delivery or upgrading of essential infrastructure.

***93. Do you agree that the updated policies provide clearer and stronger support for the rollout of 5G and gigabit broadband? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Partly disagree

***a. Please provide your reasons, particularly if you disagree.***

We welcome the Government's commitment to planning reform. A well-functioning planning system is a vital component of creating the right environment for digital infrastructure deployment, supporting growth, and ensuring the UK remains an attractive place to invest. The updated chapter contains helpful statements, most notably that LPAs should not question the need for network expansion or upgrade.

However, the draft falls short in both tone and ambition when measured against wider government strategies that recognise the centrality of digital connectivity to growth and innovation. In its current form, the draft represents a missed opportunity to champion that strategic importance and give planning authorities a stronger, clearer mandate to support rollout.

The revised NPPF removes the existing reference to the role of digital infrastructure in supporting "economic growth and social well-being" (previously paragraph 119). Without an explicit articulation of the benefits of digital connectivity, the framework risks weakening the ability of LPAs to balance connectivity against visual or heritage considerations. This is particularly concerning given the new emphasis on avoiding the "proliferation of equipment" and the stronger language around visual amenity. Without counterbalancing language on the benefits of communications infrastructure, these provisions may disincline authorities from engaging in an open-minded and pro-infrastructure manner.

The Government has acknowledged elsewhere, such as in the recent consultation on broader planning reforms to accelerate digital infrastructure deployment, that more infrastructure will be required to deliver 5G, not less. Helpfully, much of this work will constitute upgrading existing 4G sites than deploying brand new sites and we welcome the proposals in that broader planning consultation to expand the permitted development rights to speed this process up. But the NPPF must reinforce that direction of travel and not create barriers where new infrastructure is required.

**94. Do you agree the requirements for minimising visual impact and reusing existing structures are practical for applicants and local planning authorities? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree**

Partly disagree.

**a. Please provide your reasons, particularly if you disagree.**

We fully understand the importance of mitigating visual impact and the need for high-quality design in the built environment. Communities care deeply about how infrastructure looks and feels, and operators work hard to minimise impacts wherever possible. In that context, the updated language on visual impact (moving from "sympathetically designed and camouflaged where appropriate" to "sited and designed to minimise the visual impact of the proposals") does not in itself present significant concern. However, as above, we believe it needs to be balanced with a clearer recognition of the importance of digital connectivity and the socioeconomic benefits it delivers. Without this, LPAs may over-prioritise minimisation at the expense of enabling essential infrastructure. It may also lead to worse outcomes, for example there may be instances where we could deploy two smaller sites that are environmentally and visually more

sympathetic, or deploy a larger site that would give us the same coverage, but may be more visual.

Our more significant concern relates to the shift from encouraging reuse of existing structures to requiring reuse “unless there is no reasonable opportunity to do so.” Although the text is tempered by references to consumer needs, network efficiency, and future capacity, the practical effect of this change is likely to be that LPAs challenge applications from the outset and place a substantial and often unworkable evidential burden on operators. Reuse is not always viable; there can be structural limitations, ICNIRP compliance issues, power constraints, rooftop sterilisation, buildability issues, or the inability of older structures to support modern 5G configurations. In many cases, mandating reuse risks delaying rollout or forcing technically inferior solutions that do not meet present or future demand.

This requirement also risks undermining the positive provision in CO1.2 that LPAs should not question the need for telecoms infrastructure. It is difficult to reconcile a direction not to question need with a parallel requirement effectively obliging operators to justify why a new structure is necessary every time. Moreover, the policy shift sits uneasily with the Government’s longstanding commitment to network competition. For over a decade, government policy has emphasised the consumer and resilience benefits of multiple competing networks. If that remains an ambition, then the NPPF should recognise the need for infrastructure from multiple operators, not create barriers that make it harder for networks to deploy equipment where it is required.

**95. Do you agree the supporting information requirements are proportionate and sufficient without creating unnecessary burdens? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.**

Partly disagree.

**a. Please provide your reasons, particularly if you disagree.**

We support the intent to bring greater clarity to supporting information requirements. Clear expectations help both applicants and planning authorities, and in principle can streamline decision-making. However, several aspects of the proposed Policy CO2 risk introducing obligations that are disproportionate to the scale of telecoms development and could, in practice, slow down deployment rather than simplify it.

The requirement for applicants to set out pre-application issues and “how these have been addressed” is a case in point. Telecoms applications frequently attract objections that cannot be resolved to the satisfaction of individual consultees, not because operators have been unresponsive, but because technical, operational or locational constraints simply do not permit alternative solutions. A formulation that implies each issue must be “addressed” risks creating unrealistic expectations and, in effect, granting consultees a form of veto - regardless of the wider public benefits of the proposal. This is particularly the case when schools and colleges are included in the list of consultees, as our experience suggests they raise a number of issues that are way beyond the remit of mobile operators.



We also remain concerned about the continued ambiguity surrounding alternative site assessments. For upgrades to existing sites to 5G it is rarely sensible or beneficial to consider alternatives. The established site will almost always be the most appropriate in terms of network design, continuity of service, environmental impact and delivery timeframes. We therefore believe the NPPF should set out clearly that alternative site assessments should be limited to when new masts are being installed.

Lastly, as we set out in the opening to our response, the NPPF does not contain obligations on developers to engage with operators. Too often, major schemes come forward without any consideration of the impact on mobile connectivity, leaving operators to respond reactively at a later stage. Early engagement would allow digital infrastructure needs to be incorporated into the design process, reducing retrofitting, minimising visual impact and delivering better outcomes for future residents. Introducing a corresponding expectation for developers would create a more balanced and effective system.