

## **POLICY IN RELATION TO TELECOMS MAST APPLICATIONS**

- The potential for site sharing or for locating antennae on existing buildings or structures should be encouraged when applications are submitted. We should therefore make it a "material consideration" that applications for masts / structures will be looked upon beneficially if future provider sharing is agreed..
- The site aesthetics should be considered when viewed from any side, including from outside the town boundary.
- Consideration should be given to the sites relationship to both educational & residential properties
- Consideration should be given to the site in relation to areas designated for their green belt or conservation value
- Consideration should be given to the site in relation to existing masts, structures or buildings
- Consideration should be given to what type of mast could / should be utilized to best disguise it within its proposed surroundings i.e. landscape features and natural vegetation so that it is appropriate size, design, type and colour to minimise visual impact.
- Consideration should be given to the impact of noise from the equipment on the amenity of nearby residents.
- Details of alternative sites and structures considered and if appropriate reasons for discounting these.
- Any other relevant considerations?

### **Mast Register**

Crowborough Town Council should maintain an up-to-date register of all telecommunications installations of which they are aware within the of the town boundary.

### **Below are the other notes issued for consideration on this issue**

#### **Additional notes**

Should we create a District Plan Policy that says telecommunications masts are only acceptable if there are no less obtrusive sites available, there is no possibility of sharing sites, and no mature trees will be lost?

**We must stress** the fact that we would look beneficially on structure applications if they agree that they will share the structure with other telecoms providers!

### **Notes on Planning Policy Guidance (PPG) Note 8 - Telecommunications**

The government has issued a number of "PPGs" which local authorities have to take into account when deciding whether to grant planning permission. PPG-8 deals with telephone masts and items of note from PPG-8 are as follows:

- Phone companies are encouraged to discuss roll out plans annually with the local authority (paragraph 8), and to have pre-application discussions with bodies such as local authorities and local residents and amenity societies (paragraphs 9-11)

- The local planners must consult any school near by (paragraph 13), as must the developer (app - para 62)
- "In Green Belts, telecommunications development is likely to be inappropriate unless it maintains openness. Inappropriate development may proceed only if very special circumstances are demonstrated which outweigh the degree of harm to the Green Belt. The lack of a suitable alternative site that would meet the needs of network coverage or capacity might be considered as very special circumstances" (paragraph 17)
- "In order to limit visual intrusion, the Government attaches considerable importance to keeping the numbers of radio and telecommunications masts, and of the sites for such installations, to the minimum consistent with the efficient operation of the network" (paragraph 19). They strongly urge mast sharing where that represents the optimum environmental solution (paragraph 20). They expect applicants to show they have considered using other mast sites or structures first (paragraph 21)
- Sympathetic design and camouflage should be used to minimise the visual impact (paragraph 24)
- "Health considerations and public concern can in principle be material considerations in determining applications for planning permission and prior approval. Whether such matters are material in a particular case is ultimately a matter for the courts. It is for the decision-maker (usually the local planning authority) to determine what weight to attach to such considerations in any particular case." (paragraph 29). Although they appear to believe a certificate of compliance with ICNIRP guidelines to be enough.
- The appendix mentions capacity can be increased by adding antennae to existing masts - "cell splitting" (App - para 23).
- Applicants are expected to demonstrate the need for the mast (App - para 54)
- On property values, the government usually says (PPG1) that planning authorities cannot take regard of effects on this but on masts they say: "the material question is not whether a particular development would cause financial or other loss to owners and occupiers of the neighbouring property, but whether the proposal would have a detrimental effect on the locality generally, and on amenities that ought, in the public interest, to be protected." (App - Para 56)
- Planning authorities can restrict development to one site by use of binding "section 106" planning agreements to allow sharing (app - para 70)

## General

The government has set out different rules on telephone masts depending on their size.

The following masts fall under a planning regime called "permitted development":

- masts under 15m (about 50ft) in height.
- masts under 10m (about 33ft) in height on buildings (unless the building is over 30m high). There is also an additional requirement that the top of the mast should not be 6m (about 20ft) higher than the highest part of the building (8m (about 26ft) if the building is 15-30m (33-50ft) tall).
- masts on buildings less than 15m in height which are more than 20m from a highway

This is where the phone company claims that they are building a small mast in accordance with the terms of the licence given to them by the government, and have

informed the landowner concerned. However local councils can still lodge objections on the grounds of siting and appearance.

The law relating to this is set out in the Town and Country Planning (General Permitted Development) Order 1995, as amended by the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2001. The text of these can be read at HMSO's website.

### **Different types of installation**

There are different types of telecommunications installations:

- Macrocell - These cover larger areas and therefore generally require taller structures e.g. large telecommunications towers.
- Microcell - These cover limited areas of need or demand e.g. streetworks installations
- Picocell - These are generally located on buildings to provide limited coverage in a specific area.

PD/10.12.2007 Minute 5492

Council adoption of P and D minutes 15.01.2008 Minute 5272

F/CORPORATE GOVERNANCE/Policy/Telecoms Masts