

Telecommunications Development



December 2005

1 Introduction

More than two thirds of the UK population own a mobile phone. Mobile phones are properly called 'cell phones' and they operate by sending signals from one cell to another. To enable them to work cell phones require a network of transmitters and receivers, which necessitates the installation of base stations around the country, particularly within built up areas where the use of the mobile phones and the volume of calls is highest.

The telecommunications sector is a vital part of the UK economy and is an industry that is innovating and developing rapidly. The Government's policy is to facilitate the growth of new and existing telecommunications systems whilst keeping the environmental impact to a minimum.

Some installations, due to their size, location, design or number of antennae they support, can have significant visual impacts on local environments or sensitive locations. There is also concern from the general public about possible adverse effects of telecommunications apparatus on health.

With the advent of new technology and the so-called third generation of mobile phones, more and more base stations will be required and it is the Council's role to ensure that these are installed in the best possible locations.

This information sheet sets out Leeds City Council's approach and procedures regarding proposals for new telecommunications development.

2 Who are the Operators?

The Operators or 'Code-Systems Operators' are those companies which have been granted a licence by the Government to operate a telecommunications network. Generally these are mobile phone companies of whom you will be familiar. The current Operators consist of:

- 3
- O2
- Orange
- T-Mobile
- Vodafone
- Airwave (tasked with establishing the mobile network for the Police Service)

The Operators have introduced their ten best practice commitments to help address concerns relating to the development of base stations. Launched in 2001, the aim of the Ten Commitments is to ensure transparency in building mobile phone networks, to provide more information to the public and local planning authorities and to boost the community's role in the siting of radio base stations. The commitments are:

1. to develop, with other stakeholders, clear standards and procedures to deliver significantly improved consultation with local communities
2. to participate in obligatory pre-rollout and pre-application consultation with local planning authorities
3. to publish clear, transparent and accountable criteria and cross-industry agreement on site sharing, against which progress will be published regularly
4. to establish professional development workshops on technological developments within telecommunications for local authority officers and elected members
5. to deliver, with the Government, a database of information available to the public on radio base stations

6. to assess all radio base stations for international compliance for public exposure (ICNIRP*), and produce a programme for ICNIRP compliance for all radio base stations as recommended by the Independent Expert Group on Mobile Phones
7. to provide, as part of planning applications for radio base stations, a certification of compliance with ICNIRP public exposure guidelines
8. to provide specific staff resources to respond to complaints and enquiries about base stations, within ten working days
9. to begin financially supporting the Government's independent scientific research programme on mobile communications health issues
10. to develop standard supporting documentation for all planning submissions whether for full planning permission or 'prior approval' notification.

*International Commission on Non-Ionizing Radiation Protection

In addition the Government has produced the Code of Best Practice on Mobile Phone Network Development in 2002 which sets out the standards operators should follow in respect of telecommunications development.

3 Policy Context

Government Guidance

Government policy is set out in Planning Policy Guidance Note 8: Telecommunications (2001) (PPG8). The aim of the Government's telecommunications policy is 'to ensure that people have a choice as to who provides their telecommunications service, a wider range of services from which to choose and equitable access to the latest technologies as they become available'.

The Government places great emphasis on its well-established national policies for the protection of the countryside and urban areas, in particular, those relating to Green Belt, Listed Buildings and Conservation Areas.

Local Authorities are encouraged to respond positively to telecommunications development proposals. In considering proposals for development they should have regard to the significance of proposed development as part of the national network, and any technical constraints on the location and the proposed development. They should also take into account other guidance on the protection of urban and rural areas. The sharing of sites and masts and the use of existing buildings and structures is strongly encouraged.

Government guidance makes it clear that the Council should not question the need for the system that the development is intended to support. The Licence granted to the cell phone operators requires a national network and one which is demand led, i.e. it responds to complaints of inadequate capacity or signal strength by amending the network appropriately.

Concerns from the general public relating to the use of mobile phones and installations have intensified in recent years as such developments have increased. Mobile phone installations transmit and receive signals using electromagnetic waves (also referred to as electromagnetic fields (EMFs) or radio waves and the impact of such waves on human health has been the subject of continuing research and discussion. The National Radiological Protection Board (NRPB) and the International Commission on Non-Ionizing Radiation Protection (ICNIRP), produce exposure guidelines in relation to radiation, which include EMFs as produced through the use of mobile phones and their antennae.

Government policy set out in PPG8 is a material planning consideration. Leeds City Council must have regard to it when making decisions on planning applications for telecommunications development.

Leeds City Council Unitary Development Plan (Adopted 2001)

The local policy framework for planning decisions is set out in the Leeds Unitary Development Plan. Policy BD13 of Volume 2 of the Unitary Development Plan sets out Leeds City Council's policy on telecommunications development, and states:

Telecommunications development will be permitted when all practical steps have been taken to locate and design such equipment so that:

- i. sensitive locations are avoided
- ii. visual intrusion is minimised
- iii. mast sharing or existing tall structures are utilised wherever possible.

Code of Best Practice on Mobile Phone Network Development

Best practice for procedures, siting and design is set out in the Government's publication 'Code of Best Practice on Mobile Phone Network Development'. Leeds City Council endorses the approach set out in this document and adopted the document as Supplementary Planning Guidance (SPG) in 2001.

4 Different Types of Installation

Below are pictures that depict the 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.



5 Statutory Planning Regime

Proposals for telecommunications development will usually fall within one of the following three categories:

Development requiring full planning permission

These developments include masts over 15 metres in height (including the antennae on the mast), certain developments in Conservation Areas and apparatus sited on a building which exceeds 15m in height where the building is 30m or more high, or exceeds 10m if the building is less than 30m in height. Applications submitted by non-code systems operators will also require full planning permission. In dealing with these kinds of applications the City Council is able to take into account a full range of material planning considerations. The Council can grant permission and impose conditions or refuse planning permission. The Council will usually make a decision within 8 weeks of the receipt of the application.



Macrocell base station comprising a 45m lattice tower capable of accommodating 65 antennas



22.5m high base station which has a lattice structure.



Example of a 15m high telegraph pole style streetworks installation within a Conservation Area

Development requiring notification to the City Council as to whether prior approval of siting and appearance is required

These developments include:

- masts of 15 metres in height or less (except in Conservation Areas where all masts require full planning permission)
- an antenna on a building or structure where the antenna would exceed the height of a building by 4m or more
- a public call box
- radio equipment housing with a volume in excess of 2.5 cubic metres
- development that is ancillary to radio equipment housing.

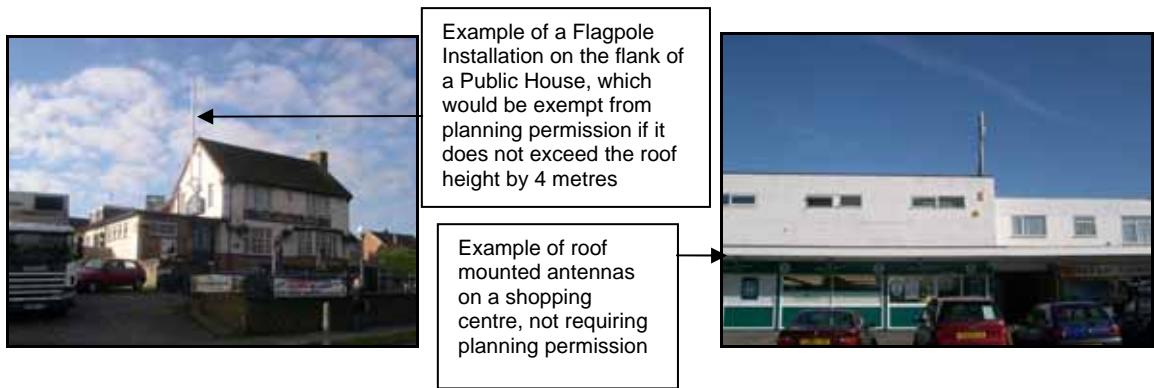
These types of development are granted planning permission under Part 24 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended 2001) subject to certain conditions being met. One of the conditions is that prior notification must be given to the City Council. The Council then has a period of 56 days to decide whether it wishes to approve the details and within which it must make its decision. In deciding these types of application, the City Council can only take into account considerations relating to 'siting and appearance'. The Council can give approval to the development's 'siting and appearance'. Permission can be refused if the 'siting' or 'appearance' of the development would cause harm, but before refusing an application the City Council will need to consider whether there are any other suitable and more appropriate locations which are available.



Typical streetworks installation, falling within this category

Development which is 'permitted development' and does not need planning permission from the City Council

These developments include small antennae systems, additional antennae on an existing mast and other installations on a building which do not materially affect the external appearance of the building. Under Part 24 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended 2001), these works are 'Permitted Development'. They may be carried out without planning permission from the City Council and no prior notification is required. As a matter of good practice, operators will usually inform the Council of their intention to undertake works 28 days in advance.



6 Material Considerations

There are a number of matters the City Council can take into account when dealing with applications for telecommunications development. These include:

- The potential for site sharing or for locating antennae on existing buildings or structures.
- Whether a new mast or antenna is of appropriate size, design and colour to minimise visual impact.
- The cumulative impact upon the environment of antennae sharing a mast, of masts sharing a site, or of masts within a locality.
- The degree to which the proposed mast or antennae would be screened.
- The impact the proposal may have on sensitive environments including Green Belt locations.
- Impact of noise from the equipment on the amenity of nearby residents.

Any of these issues will also be relevant to the consideration of 'siting' and 'appearance' in "prior approval" applications. Any adverse impacts of the proposed development must be weighed against the need for the development as part of the roll out of the national telecommunications network.

7 Health Considerations

Government guidance on the consideration of health issues is set out in PPG8 which states that it is the role of Government not Local Planning Authorities, to decide what measures are necessary to protect public health. If a proposal meets adopted ICNIRP guidelines then it should not be necessary for a local planning authority to consider health aspects further or concerns about them. The NRPB has a statutory duty to advise Government on the matter of health risks associated with telecommunications development.

In 1999 the Government asked the NRPB to set up the Independent Expert Group on Mobile Phones (IEGMP). This group under the chairmanship of Sir William Stewart published its report in 2000. The Report is commonly referred to as the 'Stewart Report'. The report concluded that 'the balance of evidence indicates that there is no general risk to health of people living near to base stations on the basis that exposures are expected to be small fractions of the guidelines. However, there can be indirect adverse effects on their well being in some cases'.

A further study by the Advisory Group on Non-Ionising Radiation (AGNIR), to re-assess the work of the 'Stewart Report', reported back in 2003 and stated in its findings that "in aggregate, the research published since the IEGMP report does not give cause for concern. The weight of evidence now available does not suggest that there are adverse health effects from exposures to RF (radio frequency) fields below guideline levels....".

However it was acknowledged that continued research was needed, as the rollout of telecommunications is a relatively new phenomenon.

Operators submitting planning applications for such development must submit with the application a certificate of conformity with ICNIRP public exposure guidelines. Policy and best practice guidance indicates that sensitive locations such as residential areas or sites close to schools, hospitals etc. should be avoided. The Government acknowledges that the public perception of health risk and public concern about it can in principle be material planning considerations. **However if an application is accompanied by an ICNIRP certificate then Government advises that it should not be necessary for a local planning authority to consider these matters further.**

8 Pre-Application Discussion

The Council welcomes pre-application discussions with operators on proposals for the installation of new masts and other telecommunications development. Such discussions should help to establish the context for the proposed installation, clarify the policy approach and identify any information that will be requested to supplement any subsequent application. The Council is able to offer advice on the appropriateness of sites, advise on who is to be consulted before the submission of an application and identify sensitive sites such as those close to educational establishments. The Council would usually advise against sites within or in close proximity to schools.

Mobile phone operators are also required to submit details to the City Council annually of their intended developments over the forthcoming year. This is known as the 'roll out' and will inform the Council of the general areas in which operators are looking to install new equipment.

When considering pre-application proposals from operators the Council, so as to be in a position to provide the most comprehensive response, will seek the following information:

- A site location plan showing the proposed location in relation to its surroundings.
- An elevational scaled drawing depicting the design and height of the proposed installation.
- Predictive coverage plots, with and without the installation.
- Details of alternative sites and structures considered and, if appropriate, reasons for discounting these.

9 Publicity and Community Involvement

The Council encourages operators to carry out local consultation before the submission of an application and requires a statement with the application setting out how the views of the local community have been taken into account.

When applications for planning permission or prior approval are received, the Council will notify any Parish or Town Council where applicable and put up a site notice. Any comments received will be taken into account in making a decision on the application.

10 Mast Register

The Council maintains an up to date register of all telecommunications installations that we are aware of. It is important to note that a number of installations do not require planning permission and accordingly will not feature on this list. Further details can be obtained from the Council.

11 Information Accompanying Planning Applications

Supporting information to accompany both full and 'prior approval' applications will be required as follows:

- Full details of the site including an Ordnance Survey based 1:1250 scale plan clearly identifying the site by outlining it in red, the means of access to it and the means of supplying power to it.
- The operator's strategy for telecommunications development in the area to be served by the proposed mast and its relationship to adjoining facilities, whether permitted or planned.
- A statement indicating the consideration given to alternative locations, including existing sites, buildings and structures, and including reasons why sites have been discounted.
- A statement explaining the reasons for the choice of design, supported by full details including metric scaled drawings, colour and height.
- Full details of antenna(e), including height, position on mast, frequency and modulation characteristics and power output.
- A signed declaration that the equipment meets the ICNIRP guidelines and an accurate estimation of the exposure in relation to the ICNIRP guidelines.
- Full details of ancillary equipment and landscaping where appropriate.
- Details of any pre-application discussions.
- Where relevant, photo montages of the proposed development, illustrating all equipment, fencing, landscaping and means of access.
- A statement setting out how the community have been involved in the proposal and how their views have been taken into account.

12 Planning Decisions

The Council delegates powers to decide certain planning applications to the Chief Planning and Development Services Officer, which include applications for telecommunications development. Sometimes an application is referred to the Plans Panel for determination if, for example, requested by a local Councillor or a significant degree of local concern and sensitivity is evident.

When granting planning permission (but not prior approval), the Council may impose conditions where appropriate. These often relate to painting the mast and/or cabinets a certain colour or to provide vegetation screening, to limit any visual intrusion. If permission is refused, the Council must give reasons to justify the refusal. An appeal may be lodged by the applicant against the refusal of permission and the matter would then be decided by an independent Planning Inspector.

13 Further Information

Relevant Legislation, Policy and other information

- Leeds Unitary Development Plan, Volume 2 (2001)
- Leeds City Council – Frequently Asked Questions About Telecommunications Development Advice Note (2005)
- Planning Policy Guidance Note 8 – Telecommunications (2001)
- DTLR Circular 4/99 Planning for Telecommunications
- Part 24 of The Town and Country Planning (General Permitted Development) Order (Amendment) (England) Order 2001
- Code of Best Practice on Mobile Phone Network Development (2002)

- Mobile Phones and Health (The Stewart Report). Independent Expert Group on Mobile Phones (2000)
- The Independent Advisory Group on Non-Ionising Radiation (AGNIR) report into the Stewart Report (December 2003)
- Mobile Phones and Health (Department of Health leaflet, 2000)
- Mobile phone base stations and health (Department of Health leaflet, 2000)

Useful Websites

www.leeds.gov.uk (Leeds City Council website)
www.planning.odpm.gov.uk (Office of the Deputy Prime Minister)
www.planningportal.com (Planning Portal)
www.mobilemanifesto.com (Mobile Operators Association)
www.iegmp.org.uk (Independent Expert Group on Mobile Phones)
www.nrpb.org.uk (National Radiological Protection Board)
www.doh.gov.uk (Department of Health)
www.hpa.org.uk (Health Protection Agency)
www.ofcom.org.uk (Office of Communications)
www.sitefinderradio.gov.uk (Look for masts in your area)

Contact Details

For further information relating to telecommunications development please contact Leeds City Council Development Department, The Leonardo Building, 2 Rossington Street, Leeds. LS2 8HD. You can contact the Development Enquiry Centre on tel. no. 0113 247 8000 or send your enquiry by e-mail to planning@leeds.gov.uk.



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