APPENDIX

Department for Transport, Local Government and the Regions

Planning Policy Guidance Note 8: Telecommunications

Planning Policy

General Policy

1. The Government's policy is to facilitate the growth of new and existing telecommunications systems whilst keeping the environmental impact to a minimum. The Government also has responsibility for protecting public health.

2. The aim of 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.

3. The Government places great emphasis on its well established national policies for the protection of the countryside and urban areas - in particular the National Parks (including the Broads and the New Forest), Areas of Outstanding Natural Beauty, Sites of Special Scientific Interest, the Green Belts, the Heritage Coast and areas and buildings of architectural or historic importance.

4. Whilst local planning authorities are encouraged to respond positively to telecommunications development proposals, they should take account of the advice on the protection of urban and rural areas in other planning policy guidance notes.

5. Material considerations include the significance of the proposed development as part of a national network. In making an application for planning permission or prior approval, operators may be expected to provide evidence regarding the need for the proposed development.

6. Authorities should not seek to prevent competition between different operators and should not question the need for the telecommunications system which the proposed development is to support.

Technical Limitations

7. Each telecommunications system has different antenna types, siting needs and other characteristics. Planning authorities should have regard to any technical constraints on the location and proposed development.

Discussions And Consultation

Pre-rollout discussions

8. Government strongly encourages telecommunications operators and local planning authorities to carry out annual discussions about rollout plans for each authority's area.

Pre-application discussions

9. Pre-application discussions should be carried out between operators and local planning authorities on a specific development proposal and should be set in the context of the operator's strategy for telecommunications development in the area.

10. Pre-application discussions should also be carried out between operators and other organisations with an interest in the proposed development, such as English Nature, the Countryside Agency, English Heritage, the Highways Agency, local highway authorities, residential groups, parish councils or amenity bodies.

11. Where a mast is to be installed on or near a school or college it is important that operators discuss the proposed development with the relevant body of the school or college concerned *before* submitting an application for planning permission or prior approval to the local planning authority.

Application consultation and publicity

12. In addition to any statutory consultation, authorities are strongly encouraged to undertake any additional publicity that they consider necessary to give people likely to be affected by the proposed development an opportunity to make their views known to the authority.

13. Where a mast is to be installed on or near a school or college the local planning authority should consult the relevant body of the school or college concerned and should take into account any relevant views expressed.

Environmental Considerations

14. Protection from visual intrusion and the implications for subsequent network development will be important considerations in determining applications.

15. Local planning authorities and operators should work together to find the optimum environmental and network solution on a case-by-case basis.

16. In accordance with <u>PPG7</u> high priority should be given to the need to safeguard areas of particular environmental importance. In National Parks and Areas of Outstanding Natural Beauty proposals should be sensitively designed and sited and the developer must demonstrate that there are no suitable alternative locations.

17. 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.

18. Permitted development rights should not be withdrawn (by a direction under Article 4 of the General Permitted Development Order) unless there is a real and specific threat to the locality in which development is to take place. Blanket directions aimed at imposing full planning controls over a wide range of telecommunications development will not normally be approved.

Mast and site sharing

19. 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.

20. The sharing of masts and sites is strongly encouraged where that represents the optimum environmental solution in a particular case. Authorities will need to consider the cumulative impact upon the environment of additional antennas sharing a mast or masts sharing a site.

21. Use should also be made of existing buildings and other structures, such as electricity pylons, to site new antennas. Local planning authorities may reasonably expect applicants for new masts to show evidence that they have explored the possibility of erecting antennas on an existing building, mast or other structure.

22. Authorities are encouraged to help applicants identify existing and potential sites by making suitable local authority owned property available to users and by encouraging others to do the same with their property.

23. With the closure of the analogue mobile phone network, the re-use of the existing sites is encouraged to minimise the need for new second and third generation base station sites.

Design

24. In seeking to arrive at the best solution for an individual site, authorities and operators should use sympathetic design and camouflage to minimise the impact of development on the environment. Particularly in designated areas, the aim should be for apparatus to blend into the landscape.

25. The telecommunications industry is encouraged to continue to develop innovative design solutions, in terms not only of the structure of masts and antennas but also the materials and colouring.

26. Operators are encouraged to provide to the local planning authority examples of different design solutions.

27. Local planning authorities and operators are encouraged to explore possible alternative approaches, particularly the opportunities for mast and site sharing and also in terms of the location and alternative design of the apparatus.

28. In considering the design of an individual development, and particularly any mast development, careful consideration should be given to screening and planting.

Health Considerations

29. 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.

30. However, it is the Government's firm view that the planning system is not the place for determining health safeguards. It remains central Government's responsibility to decide what measures are necessary to protect public health. In the Government's view, if a proposed mobile phone base station meets the ICNIRP guidelines for public exposure it should not be necessary for a local planning authority, in processing an application for planning permission or prior approval, to consider further the health aspects and concerns about them.

31. The Government's acceptance of the precautionary approach recommended by the Stewart Group's report "*mobile phones and health*" (<u>see endnote 1</u>) is limited to the specific recommendations in the Group's report and the Government's response to them. The report does not provide any basis for precautionary actions beyond those already proposed. In the Government's view, local planning authorities should not implement their own precautionary policies e.g. by way of imposing a ban

or moratorium on new telecommunications development or insisting on minimum distances between new telecommunications development and existing development.

Other Development

32. In considering planning applications for other forms of development, planning authorities will wish to consider telecommunications issues. They should encourage prospective developers of new housing, office and industrial estates to consider with all relevant telecommunications operators how the telecommunications needs of the occupiers will be met.

33. The construction of new buildings or other structures, such as wind turbines, can interfere with broadcast and other telecommunications services, and the possibility of such interference can be a material planning consideration.

Endnotes

1. A copy of the report can be found at <u>http://www.iegmp.org.uk/</u>