

Telecommunications SPD - Draft

Foreword

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This draft Supplementary Planning Document is the subject of a six week consultation period alongside the Sustainability Appraisal produced in connection with the SPD:

The Council would welcome any opinions you may have on the draft document. Details of the consultation period can be found in the covering letter accompanying the document. If you would like to make representations for the Council to consider before producing the final document it is recommended that you read the guidance notes and complete the official response form, both of which can be found on the Council's website at www.rbwm.gov.uk, or are available at the Council's Customer Service Centres at Town Hall, St Ives Road, Maidenhead and York House, Sheet Street, Windsor. Alternatively please telephone 01628 796042 and a copy will be sent to you.

Completed response forms should be returned to:

Group Manager – Minor Applications
Royal Borough of Windsor and Maidenhead
Town Hall
St Ives Road
Maidenhead
SL6 1RF

You can also email your comments to graham.stallwood@rbwm.gov.uk

Please be aware that responses cannot be treated as confidential and will be made available for public inspection.

Please note that this consultation is separate to the current consultation on the Sustainability Appraisal which was produced alongside this Draft SPD. Any comments on the Sustainability Appraisal should be submitted as a separate response.

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Glossary

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2G	The second generation or GSM, is the technology used in the operation of many older mobile phones
3G	The third generation is the generic term used for the next generation of mobile communications systems, currently increasing in use. These systems enhance the services available by offering multimedia and internet access and the ability to view video footage. The third generation technology used in the UK is called UMTS. These services operate at 2100 MHz. (2.1GHz).
Aerial (or antenna)	A device which transmits or receives radio waves.
Appropriate Assessment	The name given to the evaluation of the potential effects of a proposed project or plan on a Natura 2000 site (a site designated for its international importance to nature conservation).
Antenna (or aerial)	A device designed to transmit or receive electromagnetic energy (radio waves).
Base station	A facility providing transmission and reception for radio systems, usually consisting of an antenna array, mast or other supporting structure and an equipment cabinet containing telecommunications equipment, electricity supply connections and air conditioning.
Cabin	A structure which protects transmitters and receivers from damage. They can be in the form of large cabins or smaller cabinets
Cell	A geographic area of coverage provided by a radio base station. Cells link together like a honeycomb to provide continuous coverage across a wide area providing mobile telephones with an uninterrupted service as they traverse through an area communicating with successive base stations. There are three types of cell: macrocell, microcell and picocell.
Co-location	When two or more mobile phone network operators put their base stations close together on the same site.
Community Strategy	A long-term visioning document required by the Local Government Act 2000. It is written by the Local Strategic Partnership and draws together economic, environmental and social aspirations and priorities for the area.
Core Strategy	The Development Plan Document within the Council's Local Development Framework which sets the long-term vision and objectives for the area. It contains a set of strategic policies that are required to deliver the vision including the broad approach to development.

Glossary

Development	The carrying out of building, engineering, mining or other operations, in, on, over or under land, or the making of any material change in the use of a building or other lan.
Development Plan	Consists of the Regional Spatial Strategy and Development Plan Documents contained within the Council's Local Development Framework. Until the LDF is fully in place it will also include 'saved' policies from the Council's Local Plan.
Development Plan Document (DPD)	A spatial planning document within the Council's Local Development Framework which set out policies for development and the use of land. Together with the Regional Spatial Strategy they form the development plan for the area. They are subject to independent examination.
Dish antenna	A device which transmits and receives highly focussed radio waves in one direction
Global System for Mobile Communication (GSM)	The international, pan-European operating standard for second generation digital cellular mobile communications. It enables mobile telephones to be used across national boundaries. In the UK GSM systems are operated by O2, Orange, T-Mobile and Vodafone.
International Commission on Non-Ionising Radiation Protection (ICNIRP)	An independent scientific organisation which has produced an international set of guidelines for public exposure to radio frequency waves.
Local Development Framework (LDF)	Consists of a number of documents which together form the spatial strategy for development and the use of land.
Local Plan	A Borough-wide planning document setting out policies for development and the use of land. It will be replaced by the Local Development Framework.
Local Strategic Partnership	A partnership of service deliverers, the community, the voluntary sector and businesses that helps to identify local priorities for action and devise strategies for delivery.
Macrocell	A cell providing the largest geographical area of coverage and typically mounted on ground based masts, rooftops or other existing structures, at a height not obstructed by land or buildings
Mast	A ground-based or roof-top structure that supports antennas at a height where they can satisfactorily send and receive radio waves. The actual masts play no role in the transmission of radio waves.
Mast sharing	When two or more mobile telephone network operators put their base station antennas on the same ground based mast or tower.

Glossary

Microcell	A cell providing additional coverage within built up areas where volume of call traffic is high. Microcell antennas are usually smaller than macrocell antennas and are typically mounted at street level on external walls of existing structures, lamp posts and other street furniture. Their range is limited and they transmit at a low power.
Mobile Operators' Association (MOA)	An association established in January 2003 to represent the five UK mobile telephone network operators on radio frequency, health and planning issues.
Picocell	A cell usually sited inside buildings where coverage is poor, or where there are a high number of users such as airport terminals, train stations and shopping centres
Planning Policy Guidance Note (PPG)	A series of notes issued by the Government, setting out policy guidance on different aspects of planning. They will be replaced by Planning Policy Statements
Planning Policy Statement (PPS)	A series of statements issues by the Government, setting out policy guidance on different aspects of planning. They will replace Planning Policy Guidance Notes.
Regional Spatial Strategy (RSS)	A long-term plan for the region which sets out strategic policies for development and the use of land. The development plan for the area comprises the RSS together with the Development Plan Documents within the Council's Local Development Framework.
Sectored antenna	Antenna which transmits or receives higher signal levels in a horizontal direction. The antenna is split into several sectors (typically 3 or 6) to provide 360 degree coverage.
Site sharing	When two or more mobile telephone network operators put their base station antennas on the same structure such as a water tower or roof-top.
Soundness (<i>of the plan</i>)	A judgement of quality and procedure based upon key elements of the plan-making process as set out in the Government publication 'Planning Policy Statement 12: Local Development Frameworks'.
South East Plan	A plan produced by the South East England Regional Assembly which, once approved, will form the Regional Spatial Strategy for the area
Supplementary Planning Document (SPD)	Provides supplementary guidance to policies and proposals contained within Development Plan Documents. They do not form part of the development plan, nor are they subject to independent examination.
Sustainability Appraisal	Appraisal of plans, strategies and proposals to test them against broad sustainability objectives.

Glossary

Telecommunications	The sending and receiving of information as words, sounds, data files or images, usually over great distances, in the form of electromagnetic signals, as by telegraph, telephone, radio, or television.
Universal Mobile Telecommunication System (UMTS)	Part of the international vision of a global family of third generation (3G) mobile communication systems. In the UK, UMTS are operated by 3, O2, Orange, T-Mobile and Vodafone.

Table 1 Glossary Table

Glossary

Introduction

1 Introduction

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1.1 Supplementary Planning Documents (SPD) were introduced by the Planning and Compulsory Purchase Act 2004 and form part of the Borough's Local Development Framework – the set of policies against which the Council judges applications made under the Planning Acts.

1.2 Government guidance in Planning Policy Statement 12: *Local Development Frameworks* states that SPD should provide additional information to existing plan policies and proposals to assist applicants and decision makers in interpreting and applying policy. A SPD is a material consideration in planning decisions, particularly if it is consistent with planning guidance/policy and has been the subject of consultation, as is the case with this document.

1.3 This SPD supplements Local Plan Policy TEL1, the Policy against which the Council judges applications for telecommunications development and provides information concerning its implementation. "Telecommunications" means the sending and receiving of information as words, sounds, data files or images, usually over great distances, in the form of electromagnetic signals, as by telegraph, telephone, radio, or television. It includes all forms of communications by electrical or optical wire and cable and radio signals (whether terrestrial or satellite), both public and private. The most common forms of application for which the SPD will be used will be those relating to the transmission of mobile telephone signals.

1.4 The purpose of the SPD is to:

Explain how the Council will respond positively to telecommunications development proposals as required, whilst protecting both urban and rural areas from visually harmful development.

1.5 In achieving this aim, the SPD has the following objectives:

1. Raise awareness of what telecommunications development is, and the difference between the types of development which are permitted under national legislation, those over which the Council may influence the siting and design, and those for which full planning permission is required
2. To promote the early engagement of the community by operators when determining the siting and design of new equipment.
3. To provide clear guidance to assist in the determination of applications for telecommunications development under the Planning Acts.
4. To promote clear understanding, transparency, inclusiveness and consistency for all parties throughout the decision making process
5. To provide clear guidance as to how major new developments should take into account the need to offset their impact on the infrastructure of telecommunications operators

Introduction

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1.6 This SPD has been developed in line with Borough's Statement of Community Involvement (June 2006). The full consultation process ~~will be~~ is outlined in the accompanying Consultation Statement. ~~published with the final SPD.~~ A Sustainability Appraisal has also been undertaken during the development of the SPD, a copy of which is available to view separately. ~~and is the subject of consultation alongside the Draft SPD.~~

The Need for this SPD - Understanding the Issues

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2 The Need for this SPD - Understanding the Issues

2.1 There has been a substantial growth in mobile telephone use in the UK in recent years with over 40 million users of mobile telephones and likely continued growth. Networks now operate on a digital basis, which has ~~led~~ also contributed to an increase in the number of base stations because of the shorter transmission capability of digital systems compared to the previous analogue systems.

2.2 In April 2000 the Government awarded licences to five operators to provide a “third generation” service (3G), which provides for enhanced services for mobile telephone users including higher quality internet access. All operators of this service were required to provide a network of 80% of the population by 2007. Government recognises that a good telecommunications network is crucial to the economy and future well-being of the country and local area alike, whether that be in attracting or supporting local businesses, visiting tourists, those working from home or the many other purposes for which the population communicate on a daily basis.

2.3 Other systems such as the Terrestrial Trunk Radio System (TETRA) are also being developed and rolled out to provide secure and improved communications for the police and other emergency and public services. There has also been a growth in the use of large scale text messaging for services such as train times and transport information and this is likely to grow further in the future. These will also require the provision of new base stations.

2.4 As a result of this rapid growth in the industry and in common with all other areas of the country, the Borough has seen a significant number of applications under the Planning Acts relating to telecommunications development. Whilst much of the basic network has now been established, the continued growth in the demand for mobile devices and the high expectations of customers will mean that the capacity of the network will require continual improvement. Coupled with the shorter transmission capability of third generation services, increasingly the facilities will need to be within our towns and villages and close to where the community lives and works.

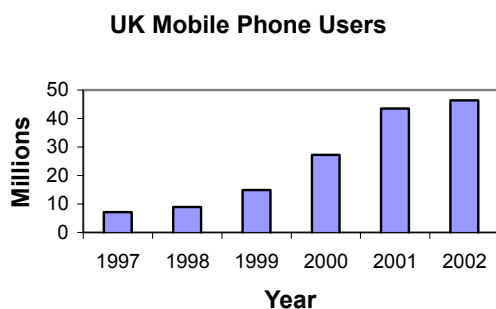


Figure 2.1 UK Mobile Telephone Users (Source: Code of Best Practice, ODPM)

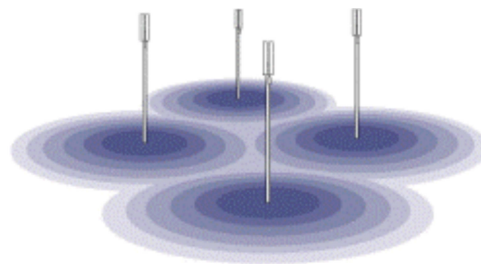


Figure 2.2 Idealised network coverage showing overlapping cells around individual base stations.

Source: OfCom

2.5 In this context it is therefore crucial that the industry promotes and maintains transparency and openness in the development of its network and actively engages the community in finding solutions to the needs of its network. Equally all parts of the community must also accept that increased usage of mobile devices brings the need for additional transmission equipment and open-minded engagement with the operators in identifying solutions provides an opportunity to influence the way in which the equipment is provided.

The Need for this SPD - Understanding the Issues

2.6 Mobile communications are only possible by the provision of a network of overlapping cells providing a seamless coverage of a geographical area. Each cell is served by a transmitting and receiving station known as a base station, which allows mobile devices to communicate with the wider telecommunications network.

2.7 An ideal cell network may be envisaged as consisting of a mesh of hexagonal cells, each with a base station at its centre with cells overlapping at the edges to ensure that mobile device users always remain within range of a base station. Without sufficient base station in the right locations, mobile telephones will not work. The size of each cell depends on three factors:

1. The local terrain: radio signals are blocked by trees, hills and buildings
2. The frequency band in which the network operates: in general, the higher the radio frequency
3. The capacity (number of calls or users) needed in an area

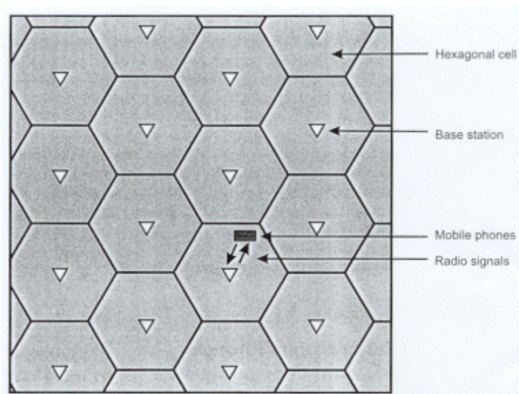


Figure 2.3 Ideal network pattern with overlapping cells providing continuous cell coverage. Source: OfCom

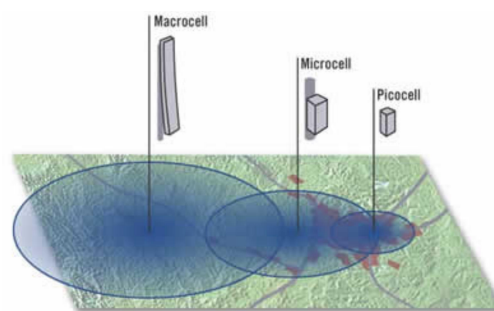


Figure 2.4 Diagrammatic representation of differing geographic coverage from different base station types. Source: MOA

2.8 In practice, networks are far more complicated than this. There will be smaller cells in urban areas where there is a higher usage demand and more structures and features to limit the coverage than in rural areas. In urban areas networks may need to boost coverage or cell capacity to a smaller area by adding microcells or picocells covering a very small area.

Policy Context

3

Policy Context

3 Policy Context

National Planning Policy

3.1 Government guidance on planning for telecommunications is set out in Planning Policy Guidance Note 8 *Telecommunications* (PPG8) published in August 2001. A Code of Best Practice on Mobile Phone Network Development was also published in November 2002 and this outlines best practice in development procedures and for the siting and design of equipment and base stations.

3.2 PPG8 reflects changes that were made to the statutory regulations relating to telecommunications in 2001 and gives guidance on radio masts and towers, antennas of all kinds, radio equipment housing, public call boxes, cabinets, poles and overhead wires. It sets out the position of Government, which makes clear that the telecommunications industry is seen as making a significant contribution to the national economy. The Government's policy is to:

3.3 "facilitate the growth of new and existing telecommunications systems whilst keeping the environmental impact to a minimum" and

3.4 "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."⁽ⁱ⁾

3.5 The guidance confirms that Government attaches considerable importance to minimising the number of masts and mast sites to that consistent with the efficient operation of the network and encourages the use of existing buildings and other structures to site new antennas.⁽ⁱⁱ⁾

3.6 It also provides advice in respect of the extent to which health considerations may be taken into account in making decisions on telecommunications developments. PPG8 recognises that health considerations and public concern can be material factors in determining planning applications but adds that the planning system is not the place for determining health risks. PPG8 stipulates that if a mobile telephone installation meets the International Commission for Non-Ionizing Radiation Protection (ICNIRP) guidelines for public exposure, it should not be necessary for a Local Planning Authority [the Council] to consider health matters further.

3.7 In terms of new development, the guidance identifies that Councils should encourage developers of new housing and employment to consider how the telecommunications needs of the future occupiers will be met.

3.8 The Code of Best Practice encourages greater consultation between mobile telephone operators, local authorities and communities, seeks to give a better understanding of the Mobile Telephone Industry and provides best practice guidance on the siting and design of telecommunications development. However, the Code is voluntary and not a statutory document.

i PPG8 page 7

ii PPG8 page 9

Policy Context

Regional Planning Policy

3.9 Regional Planning Guidance for the South East of England (RPG9) was published in its final form in March 2001 and provides the framework within which Councils produce their Local Plans. In time it will be replaced by the Regional Spatial Strategy (RSS) for the South East of England, the South East Plan, which is currently at draft stage. It includes aims and objectives relevant to this draft SPD including:

- Ensuring a higher quality environment
- Promoting sustainable use of the region's natural resources
- Promoting wider choice in travel options and reducing reliance on the car

Local Planning Policy

3.10 This SPD supplements saved Local Plan Policy TEL1 (Telecommunications Development). The policy states that:

The Borough Council will only grant planning permission for telecommunications development where:

1. *There is no reasonable possibility of sharing existing facilities;*
2. *In the case of radio masts, there is no reasonable possibility of erecting antennae on an existing building or other structure where there is little or no environmental damage;*
3. *The proposed development does not have significant adverse visual impact and is sited and designed so as to minimize obtrusiveness;*
4. *In the case of locations within the Green Belt, there is no conflict with Green Belt policies and particularly Policy GB2;*
5. *There is no conflict with other policies of the plan.*

3.11 Part 2 of saved Policy DP5 of the Berkshire Structure Plan 2001-2016 also states that:

"The development of urban and suburban areas should produce a relationship between buildings and open spaces which provides an attractive sense of place and ample safe public space for walking, recreation and other leisure or civic activity."

3.12 Other saved policies are also relevant to applications for telecommunications development under the Planning Acts such as those relating to the Green Belt, Listed Buildings, Conservation Areas, flood risk and protected nature conservation sites. It is also intended that the SPD will supplement the Core Strategy Policies relating to the environment and the Development Plan Document (DPD) which will eventually replace these saved policies.

3 Policy Context

The Community Strategy

3.13 The Local Government Act 2000 places a legal duty on all local authorities to produce a community strategy as a framework for the promotion of the future social, economic and environmental well-being in their area. *The Community Strategy for the Royal Borough Partnership* has been prepared by the Local Strategic Partnership, a body made up of public sector organizations, community and voluntary organisations, local people, business and Parish Council representatives. It is a practical tool for joining up services to address local issues and priorities.

3.14 The Community Strategy has four priorities shown below, with some of the strategic priorities within each section ~~five key themes and three guiding principles of which the most relevant to this draft SPD identified are:~~

A Thriving, Cleaner, Greener Borough - includes improving the appearance of the Borough, promoting sustainable travel patterns and supporting the achievement of economic potential.

Safer and Stronger Communities - includes reducing crime and anti-social behaviour, empowering local people to have greater influence over local decision -making and have a greater role in public service delivery.

Supporting Adults and Older People

Supporting Children and Young People

Key themes

Being safe and secure – includes a range of topics about community safety, making the Borough a safer place to live and work, developing communities and avoiding causes of crime. A good telecommunications network assists in helping the community to feel safe and is vital for the effective operation of the emergency services and volunteer groups.

A good place to live, work and visit – wanting to see attractive and sustainable communities, a vibrant economy, affordable housing, a balance between community and business interests.

Getting about – includes transport issues, traffic congestion and ease of moving about. A good telecommunications network can reduce the need to travel and promote working from home.

Guiding principles

Involving people – includes encouraging participation, acting on consultation and engaging communities.

3.15 The Community Strategy is currently under review by the Local Strategic Partnership.

Planning Controls over Telecommunications Development

Planning Controls over Telecommunications Development

4 Planning Controls over Telecommunications Development

4.1 The nature of the equipment proposed and its siting dictates whether any kind of permission is required from the Council under the Planning Acts. There are three different broad categories of telecommunications development:

Those Permitted by National Legislation

4.2 A general national permission (Parts 1(Class H), 24 and 25 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended)) is granted for many types of telecommunications development such as:

- Small satellite dishes on houses (other than within Conservation Areas) where they are sited so as to minimise their effect on the external appearance of the building and do not project above the ridge line of the building or above the chimney if attached to one.
- Small satellite dishes on blocks of flats below 15m in height (other than in Conservation Areas) where it would be the only dish on the building, sited on a wall not fronting a highway and so as to minimise its effect on the external appearance of the building.
- Small satellite dishes on blocks of flats over 15m in height (other than in Conservation Areas) where it would not result in their being more than two dishes on the building and the dishes are to be sited so as to minimise their effect on the external appearance of the building.
- Many antennas for mobile telephone systems on existing buildings or structures like electricity pylons outside of Conservation Areas.
- Moveable telecommunications apparatus required in an emergency for a period not exceeding six months.
- Many equipment cabins required by network operators in connection with providing their network.
- The provision of some additional equipment on existing masts.

Planning Controls over Telecommunications Development



Picture 4.1 Rooftop masts such as these do not generally need the Council's permission

4.3 It is not necessary to notify the Council that these works will be undertaken, but it represents good practice for system operators to provide details in advance. For householders and other businesses, the Council encourages consulting planning officers through the Customer Service Centres and providing written details of your proposed installation to ensure that planning rules are not breached. If the building to which the equipment is to be attached is a listed building, separate listed building consent may be required, even if planning permission is not required and so it is advisable to seek the advice of the Council's Conservation Officers through the Customer Service Centre in such circumstances.

Those Which Require the Prior Approval Procedure

4.4 A general national permission (Parts 24 and 25 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended)) is also granted for many other types of telecommunications development, but on the condition that the operator must submit an application for "prior approval" to the Council. This allows the Council to consider whether the siting and appearance of the proposed installation is acceptable but does not allow it to consider the principle of the need for the development. The Council must make its decision on these applications and communicate it to the applicant within 56 days of the application being received otherwise the approval of the equipment is deemed to have been given.

4.5 This provision applies to telecommunications development such as free standing masts below 15m in height outside of designated Conservation Areas, including those which form part of other structures such as columns. The most common examples of the type of development proposed under this procedure include slim line masts that look like a lamp post without the light, lamp posts with built in telecommunications equipment and masts disguised to look like replica telegraph poles.

Planning Controls over Telecommunications Development

Those Which Require Planning Permission

4.6 Where telecommunications development is not permitted by either of the two instances above, planning permission is required, applications for which the Council will also be expected to determine within 56 days, although unlike the prior approval process, permission is not granted by default if a decision is not made within this period.

4.7 This provision applies to telecommunications developments such as:

- Masts and equipment within Conservation Areas
- Masts above 15m in height
- Domestic satellite dishes in Conservation Areas which are to be sited on a wall fronting a highway or on a chimney
- Domestic satellite dishes on flats where they do not benefit under the national permission

4.8 Where a development requires either the prior approval process or planning permission and the Council refuses the application, the applicant has the right of appeal to the Secretary of State, who may overturn the Council's decision.

Consultation Expectations

Consultation Expectations

5 Consultation Expectations

5.1 As identified in chapter two of this document, the increase in the number of mast sites and their proximity to where people live and work is likely to continue into the future. In this context and other, often unfounded, concerns, it is imperative that local communities are actively engaged in helping to find solutions to the need to provide improved capacity. Engagement with all interested parties also promotes openness and transparency.

5.2 PPG8 strongly encourages operators to discuss their proposals with the Council and other organisations that may have an interest before submitting an application. Such discussions should help to establish the context for a proposed installation, clarify the policy approach, identify information to be sought and work to be undertaken prior to submission and agree documentation to be submitted in support of an application. It also expects that operators will discuss their annual plans for installations with the Council so that opportunities for co-operation between the operators can be encouraged.

5.3 Once an operator has identified that improved capacity is required in an area, wherever possible the Council expects to see that the community has been actively involved at a very early stage to help in identifying possible sites for the equipment. Whilst recognising that communities may have strong polarised opinions, the need for improved capacity cannot be avoided when the use of mobile devices is constantly rising and Government places such importance on facilitating the growth of the networks and providing choice for consumers. Open-minded engagement with the operators at this early stage provides a positive opportunity for communities to influence the way in which the equipment may be provided.

5.4 Where the community has actively engaged in the site selection process in this way and broadly supports an application proposal there is likely to be less objection from communities for the Council to take into account at the time of an application than in the absence of that engagement.~~, the Council will consider this to be a significant material consideration when determining applications.~~ Where this engagement occurs and the community broadly supports the use of a site but the landowner is unwilling for the equipment to be sited, the Council would expect to be consulted as part of pre-application consultation process.

5.5 The Council's consultation procedures for applications under the Planning Acts are set out in its Statement of Community Involvement.

Siting and Design Expectations

Siting and Design Expectations

6 Siting and Design Expectations

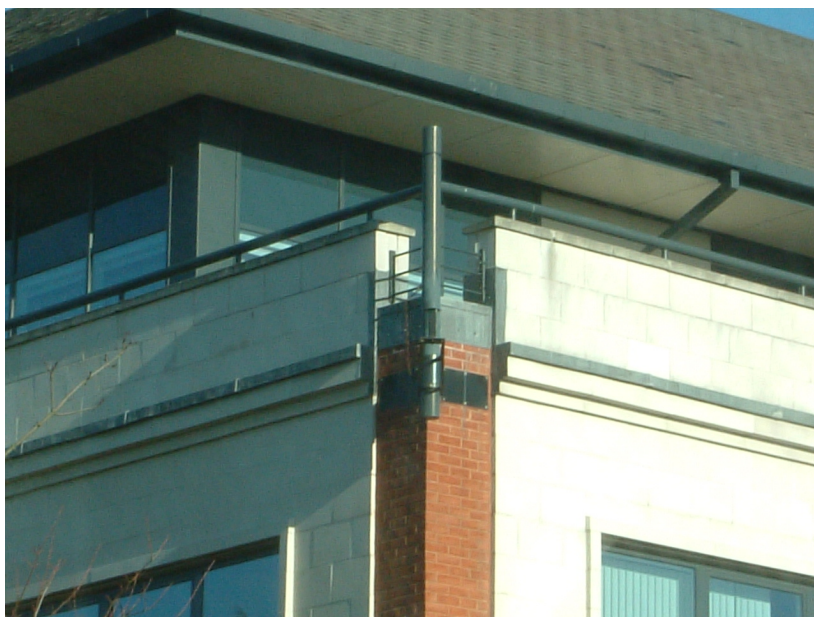
6.1 As a general principle, all telecommunications development should be sited so as to minimise its visual intrusion. In many circumstances the detailed design of equipment also has a significant effect on the overall visual impact of equipment.

Sharing Existing Masts and Sites

6.2 The Council will normally require a new antenna to be sited on an existing mast, building or other structure or be built into a replacement for an existing structure before considering a new mast. Operators will therefore be expected to provide evidence that they have explored all reasonable possibilities for siting proposed equipment on an existing mast, building or structure. Using existing buildings or structures like pylons or columns can provide coverage with minimal visual impact. Street lights can provide an opportunity for low power antennas with little visual impact, however the Council will expect operators to demonstrate broad local community support for such proposals in accordance with paragraph 5.4.

6.3 To assist operators in locating sites, the Council maintains a Telecommunications Masts Register recording existing antenna used by mobile telephone operators within the Borough. It is available in the Council's Customer Service Centres or on the Planning Policy pages of the Council's website www.rbwm.gov.uk. Details of existing masts can also be viewed on the Office of Communication (OfCom) website www.ofcom.gov.uk.

6.4 Mast sharing may require an existing mast to be increased in height to accommodate more equipment, thus increasing its visual impact. In exceptional cases, two masts within the same site (co-location) may be a more effective way of minimising visual impact.



Picture 6.1 This mast in Maidenhead is attached to an existing building and has very little visual impact

Siting and Design Expectations

Mast Siting

6.5 Where it is not possible to use an existing mast or structure, any proposed new site should be chosen, and the equipment designed, so as to minimise the visual impact on the environment. Wherever possible in the context of the constraints such as the Green Belt, new installations should be located away from residential areas as they are often the most sensitive to telecommunications developments.

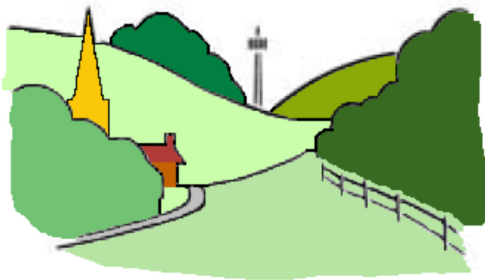


Figure 6.1 A poor mast location where the mast has been located on top of a ridgeline and significantly impacts on the skyline. Source: Halton BC

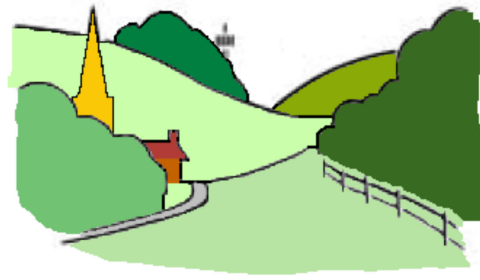


Figure 6.2 A more sympathetic mast location where existing trees help to limit the visual impact of the mast. Source: Halton BC

6.6 Within the Green Belt telecommunications development is normally "inappropriate" under national guidance and local policies and in these instances it is necessary for operators to demonstrate "very special circumstances" which outweigh the harm resulting from the development. If an operator identifies that a site within the Green Belt is the only way of providing coverage to an area, the Council will expect to see a full technical case to support this conclusion and to demonstrate that the selected site and installation design is the one that would result in the least environmental damage.

Siting and Design Expectations



Picture 6.2 The visual impact of these masts has been minimised by their siting with a backdrop of trees and their design to appear like telegraph poles

6.7 As important infrastructure, telecommunications equipment is classified as "more vulnerable" to flood risk by Government in Planning Policy Statement 25 (PPS25). Any installation proposed in Flood Zone 2 or 3 should therefore be the subject of a sequential test in accordance with PPS25 to ensure that it could not be sited in an alternative location in a lower risk zone. If the equipment cannot be provided in a lower risk zone a Flood Risk Assessment should be submitted to support any proposal which demonstrates the equipment can remain operational in the event of a major (1 in 100 year plus 20% climate change) flood event.

6.8 It should normally be possible for wildlife sites protected under UK and/or European law such as Sites of Special Scientific Interest, Special Protection Areas, Special Areas of Conservation and RAMSARs to be avoided. However where a development is proposed in such an area, the Council will expect the application to be supported by a project level screening exercise to demonstrate compliance with the Habitats Regulations. In the absence of such an exercise being undertaken by the applicant, or in the absence of an agreed conclusion, it is highly unlikely that the Council would be able to approve an application for prior approval or grant planning permission.

6.9 In Conservation Areas or near to listed buildings, both national guidance and local policies require the character, appearance or setting to be preserved or enhanced. Such areas cannot always be avoided as they are often village or town centres where there is a customer expectation to be able

Siting and Design Expectations

to use mobile technology. However the equipment should be provided in such a way which respects the traditional environment, respects archaeological potential and complies with local and national policies.



Picture 6.3 Where masts are located outside of settlement areas, sites close to existing woodland or trees and not within open countryside are likely to have less visual impact

6.10 In rural areas, sites within or close to existing mature woodland are likely to have less visual impact. Large masts should not generally be sited in open areas of the countryside and should avoid elevated sites where there would be a significant impact on the skyline such as on a ridge or elevated ground. Where operators consider the use of such a site is essential, as well as assessing the proposals in terms of other planning policies such as those relating to the Green Belt, a full landscape assessment should accompany the application with reference to the Borough's Landscape Character Assessment.

Mast Design

6.11 The design of masts should be sympathetic to the proposed site in order to minimise visual impact. Generally slim-line monopole masts are less intrusive than lattice towers but it is recognised that they may be less suitable for mast sharing.

6 Siting and Design Expectations

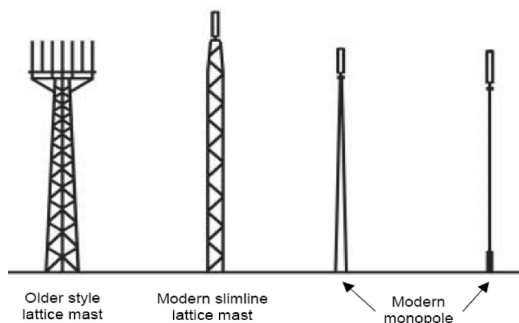


Figure 6.3 Differing basic forms of mast used to support antennas at free-standing base stations

6.12 Operators are encouraged to explore innovative design solutions, which minimise visual impact. Telecommunications equipment designed to look like telegraph poles or street lights or those concealed inside other common structures like petrol station forecourt signs or flagpoles often blend into the environment better than older style lattice masts. In Conservation Areas and near listed buildings in particular, installing equipment on the elevations of buildings in a way which blends into the wall can provide an excellent unobtrusive way of providing coverage. In some circumstances masts designed to appear like trees may be appropriate. Painting mast support structures in an appropriate colour for the location will often also help to blend a mast into its surroundings. Those seen against the sky are best painted pale grey whilst those viewed against a wooded backdrop are best timber clad or painted matt green or brown.

Siting and Design Expectations



Picture 6.4 This mast near Cookham has been disguised to appear like a tree trunk



Picture 6.5 This mast in Ascot has been disguised to appear like a tree

6.13 Where existing buildings or structure are to be used, antennas should:

- Be in proportion to the building or structure
- Respect architectural style
- Be camouflaged, screened or disguised to minimise the visual impact
- Not be detrimental to views and general skyline
- Avoid creating clutter
- Use clean lines and maintain symmetry
- Be attached in way which can be reversed without harming the structure or interest of the host building if Listed, close to Listed Buildings or within a Conservation Area

6.14 It should not be forgotten that where equipment is to be mounted on top of or affixed to an existing building or structure it may affect the loading or structure of the host structure and separate approval may be required under the Building Regulations. The Council's Building Control Consultancy can provide advice on 01628 796870.

6.15 In locations such as public squares, parks, tourist attractions, transport nodes and at the entries to business parks or residential estates, some Councils have received proposals for masts concealed within "architectural" or "sculptural" pieces. This may be appropriate in limited circumstances as an

6 Siting and Design Expectations

innovative way of providing coverage. One of the most famous examples of this is in Bristol's Millennium Square. the masts can, by themselves or as part of a larger installation, be considered to comprise a landmark or public art.



Picture 6.6 This mast in Sunningdale is designed to look like a flagpole.



Picture 6.7 These cells on a building in Maidenhead have been designed to blend into the appearance of the building.

Fencing and Equipment Cabins

6.16 The equipment associated with telecommunications installations can result in more visual clutter than the mast itself. The design and colour of fencing of equipment compounds should be sympathetic to the surroundings and steel palisade fencing will normally only be appropriate in locations within industrial estates.

6.17 Equipment cabinets should be no larger than essential for the equipment within and the Council will expect applicants to explain in their submissions how the sizes, colours and siting of cabinets minimise visual intrusion. Wherever possible equipment cabins and other equipment should be placed inside buildings or be concealed by existing structures such as walls. In rural areas particularly, the planting of additional landscaping may help to minimise the visual impact of cabinets.

Highway Safety

6.18 As statutory undertakers licensed operators have a right to be able to utilise the public highway such as footpaths and verges. However, applications will not be acceptable where they propose equipment which will individually or cumulatively:

- Reduce the footpath width below acceptable limits to allow the free flow of pedestrians or wheelchair users or interfere with the safe approach to, or operation of, dropped crossings, bus stops and similar highway features
- Obstruct sightlines from junctions or unduly restrict forward visibility

Siting and Design Expectations

- Obstruct the visibility or reduce the legibility of road signs
- Otherwise compromise highway safety

Ecology

6.19 The Borough contains European and international sites protected in law for their nature conservation value such as Special Areas of Conservation (SAC) and Special Protection Areas (SPA) and it is both the Council's and the Government's policy that the integrity of these sites is protected from environmental harm. The Council will expect any application for telecommunications development within a protected site or in such other location that might effect the integrity of the protected site to be accompanied by a project level screening exercise. Guidance on the issues which might be considered in such an exercise is provided in appendix A.

6.20 The screening assessment should examine the impact of the proposal, both alone and in-combination with other plans or projects. Where a likely significant effect cannot be ruled out, information to allow Appropriate Assessment (under Part IV of the Habitats Regulations) of the proposal should be provided with the application. It is recognised that in-combination assessments are difficult to undertake, however effort must be made and the precautionary principle will be applied where there is uncertainty. Any development which may have a negative effect on a European site and/or its conservation objectives would not be consistent with the Council's planning policies.

6.21 Telecommunications development that cannot demonstrate that it will not have an adverse effect on the integrity of the European or international site, either alone or in-combination, will not be permitted (subject to the provisions of Regulation 49 of the Habitats Regulations).

~~**6.22** The screening assessment should include an examination of the proposal both alone and in combination with other plans and projects. Such an assessment may be difficult to undertake, and where an in-combination assessment is not practical, the precautionary principle applies. Any development that could have any negative effect on the conservation objectives of the European or international site would not be consistent with the Council's planning policies and any development that would be likely to have a significant effect on the European or international site, either alone or in combination with other plans and projects, will be subject to assessment under Part IV of the Habitats Regulations.~~

~~**6.23** Within European or international sites or in such other locations that might effect the integrity of protected sites, telecommunications development that cannot demonstrate that the development will not have an adverse effect on the integrity of any European or international wildlife site will not be permitted.~~

Removal of Redundant Telecommunications Equipment

6.24 The Telecommunications Act 1984 Communications Act 2003 indicates that an operator is not entitled to keep electronic communications apparatus installed when it is no longer used for the purposes of the operator's network and there is no reasonable likelihood that it will be brought back into use. The first two categories of telecommunications equipment described in section four of this document are permitted subject to a general condition that requires it to be removed and the land, building or structure restored to its former condition as soon as possible after it is no longer required for telecommunications purposes.

Siting and Design Expectations

6.25 The Council will impose a condition on developments needing planning permission to require the removal of redundant or obsolete telecommunications equipment and the restoration of land or building in circumstances when it is no longer needed and environmental improvements would result.

Health Considerations

7 Health Considerations

7 Health Considerations

7.1 The issue of health effects from the use of mobile telephones, base stations and transmitters was considered by the Independent Expert Group on Mobile Phones, the findings of which were published as the Stewart Report. The report concluded that “the balance of evidence indicates that there is no general risk to the 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.”

7.2 The latest information from the World Health Organisation concludes that "Considering the very low exposure levels and research results collected to date, there is no convincing scientific evidence that the weak RF signals from base stations and wireless networks cause adverse health effects."⁽ⁱⁱⁱ⁾

7.3 In PPG8, Government acknowledges that health considerations can, in principle, be material planning considerations when determining applications for planning permission or under the prior approval procedure. However it is 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 base station meets ICNIRP guidelines for public exposure it should not be necessary for a local planning authority to consider further the health aspects and concerns about them.”

7.4 In the light of the Government’s advice, the Council will require all applicants to provide self-certification within their applications that, when operational, proposed base stations will meet ICNIRP guidelines. Where a mobile telephone base station is added to an existing mast or site, the Council will require the operator to confirm that the cumulative exposure will not exceed the ICNIRP guidelines.

7.5 Following a 2004 High Court decision (T-Mobile (UK) Ltd and Hutchison 3G UK Ltd and Orange Personal Communications Services Ltd v The First Secretary of State and Harrogate Borough Council) it is also now established firmly that perceived risk to health is also not an appropriate reason for Councils to refuse applications for telecommunications equipment under the Planning Acts. In this case the grounds relied upon by the Inspector for dismissing the appeal related to the perception of health risks. He concluded that the proposal provided insufficient reassurance that there could be no material harm to the living conditions (in terms of health concerns) of children at nearby schools. The Claimants contended that on a proper interpretation of the relevant Government policy, sufficient reassurance was provided by confirmation that the guidelines set by ICNIRP had been complied with. The Claimants contended that if the International Guidelines were met, that was the end of the matter and that Government planning policy was emphatic and crystal clear. The Court held that the guidance contained in PPG8 is perfectly clear, and there was nothing open-ended about Government policy. The proposals met the ICNIRP guidelines for public exposure, and it was made clear to all concerned that there would be no material harm to the living conditions (in terms of health concerns) to young children.

iii World Health Organisation factsheet: *Electromagnetic Fields and public health - Base stations and wireless technology*, May 2006.

Telecommunications and New Developments

Telecommunications and New Developments

8 Telecommunications and New Developments

8.1 PPG8 identifies that Councils should encourage developers of new housing and employment to consider how the telecommunications needs of the future occupiers will be met. Where developments result in a more intensive use of land there will be a subsequent increased demand for the use of mobile devices and increased pressure on the capacity of transmission systems. They may also disrupt the existing pattern of cells forming the local network.

8.2 New developments represent an ideal opportunity to build in network capacity improvements for the future occupiers or users of the development and to ensure that the equipment to provide that capacity is provided as an integral part of the development and therefore with limited visual impact in the locality. When proposing new developments with potential to create significant capacity demands or the potential to disrupt existing networks, the Council will therefore expect developers to liaise with the mobile telephone operators to ensure that the needs of the future occupiers and users are met.

8.3 The result of this may be that telecommunications equipment is provided as part of developments on or within buildings or structures. In some circumstances operators may not be able to identify likely capacity needs, and in such circumstances developers may undertake through a legal agreement to allow the buildings or the site to be used at a subsequent stage.

8.4 For the purposes of this SPD, the Council will apply this expectation to all proposals for structures in excess of 15m ~~14m~~ height above ground and on development sites in excess of 0.5ha area.

Further Information

9 Further Information

9 Further Information

9.1 Further general information on planning policy in the Borough is available from the Customer Service Centres at the Town Hall, St Ives Road, Maidenhead and York House, Sheet Street, Windsor or at the Council's website www.rbwm.gov.uk. Free internet access is available at both of these centres as well as in the Borough's libraries. The customer service centres can be contacted on 01628 683810.

9.2 Government guidance such as PPG8 *Telecommunications* and the *Code of Best Practice on Mobile Phone Network Development* can be viewed at www.planningportal.gov.uk or by telephoning 0870 1226 236.

9.3 For more information on health and technical issues associated with mobile telephones and base stations try:

- Mobile Operators Association, Russell House Square, 10-12 Russell Street, LONDON, WC1B 5EE or at www.mobilemastinfo.com, telephone 020 7331 2015, email info@ukmoa.org
- The National Radiological Protection Board at www.nrpb.org.uk
- The Office of Communication at www.ofcom.org.uk/telecoms/
- The World Health Organisation at www.who.int
- International Commission on Non-Ionising Radiation Protection at www.icnirp.de
- To obtain a copy of the Department of Health leaflet on mobile telephones and base stations: www.dh.gov.uk
- To obtain copy of the Stewart Report contact the IEGMP Secretariat at information@nrpb.org.uk

Further Information

Advice on Project Level Screening Exercises

Advice on Project Level Screening Exercises

Appendix 1 Advice on Project Level Screening Exercises

Guidance for Project-Level Appropriate Assessment

for Telecommunications Development in the Royal Borough of Windsor & Maidenhead.

This checklist has been developed to provide guidance to prospective developers and planning officers about the scope of information that will be expected for project-level screening for Appropriate Assessment.

International Site	On or off site development	Potential Effects
Burnham Beeches SAC	Off site	None
Chilterns Beechwoods SAC	On site	Recreational disturbance Veteran trees and deadwood Water quality Fragmentation Vandalism Prevention of Management
–	Off site	Water quality
South West London Waterbodies SPA and Ramsar	On site	Recreational disturbance Water quality Presence of plants and invertebrates
–	Off site	Water quality Presence of supporting habitat
Thames Basin Heaths SPA	On site	Recreational disturbance Air quality Water quality Predation Fragmentation Vandalism

Advice on Project Level Screening Exercises

International Site	On or off site development	Potential Effects
		<ul style="list-style-type: none"> Presence of invertebrates Presence of open areas and shrub layers Presence of supporting habitat Prevention of Management
-	Off site	<ul style="list-style-type: none"> Air quality Predation Water quality
Thursley, Ash, Pirbright and Chobham SAC	On site	<ul style="list-style-type: none"> Recreational disturbance Air quality Water quality Fragmentation Vandalism Presence of invertebrates Presence of open areas and shrub layers Prevention of Management
-	Off site	<ul style="list-style-type: none"> Air quality Water quality
Windsor Forest and Windsor Great Park SAC	On site	<ul style="list-style-type: none"> Veteran trees and deadwood Water quality Fragmentation Prevention of Management
-	Off site	<ul style="list-style-type: none"> Water quality

Table 1.1 Guidance for Project-Level Appropriate Assessment