

---

REPORT TO:	ENVIRONMENT AND DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 9
DATE OF MEETING:	27 January 2005	CATEGORY: DELEGATED
REPORT FROM:	DEPUTY CHIEF EXECUTIVE	OPEN
MEMBERS' CONTACT POINT:	Tony Sylvester (Ext. 5743)	DOC:
SUBJECT:	Telecommunication Base Station Development (Supplementary Planning Document)	REF:
WARDS AFFECTED:	ALL	TERMS OF REFERENCE: EDS 03

---

### **1.0 Recommendations**

- 1.1 That the draft supplementary planning document, as set out in the attached appendix, be published for the purposes of consultation pursuant to the processing of applications for prior approval and planning permission as additional information to the policy set out in the emerging South Derbyshire Local Plan.

### **2.0 Purpose of Report**

- 2.1 The purpose of this report is to seek members' approval to consult appropriate parties concerning a draft supplementary planning document relating to the installation of telecommunication base station development within the District. A copy of the draft document is attached at Appendix A.

### **3.0 Detail**

- 3.1 Supplementary Planning Guidance (SPG) is employed by Local Planning Authorities to add detail to, and aid in the application of, policies contained in the Local Plan. The Council is required to consult widely as to the format and content of such guidance prior to adoption, in order to ensure that the guidance carries weight when applied either in the determination of planning applications or as a material consideration set before inspectors on appeal. SPG's are a material consideration when applications are

considered. However, under the terms of the Planning and Compulsory Purchase Act 2004, whilst existing Supplementary Planning Guidance can be saved for as long as the appropriate Local Plan policy to which it relates, since October 2004 new guidance documents must be prepared in accordance with new procedures and will be called Supplementary Planning Documents. The Council's intention to produce such documents must be set out in the Local Development Scheme, the first of which it is the subject of a report elsewhere in this agenda. The documents should be consulted upon in accordance with the Statement of Community Involvement and must be subjected to a Sustainability Appraisal and if necessary, depending on the topic and the scale of its impact, a Strategic Environmental Assessment to meet EC regulations.

Consultants have been appointed to produce a Statement of Community Involvement and as that will involve ascertaining from the community how they would like to be consulted, and on what issues, the document is unlikely to be available until mid 2005. Government guidance on how to prepare Sustainability Appraisals and Strategic Environmental Assessments is still in its infancy. In short the time taken to prepare and adopt supplementary guidance is in future likely to be much longer.

In the interim, officers are aware that issues will arise which require urgent attention, such as the preparation on guidance relating to the location of telecommunications masts. It is intended that the attached document be the first such Supplementary Planning Documents under the new system (it will also be the subject of a Sustainability Appraisal in due course).

Given the work already undertaken regarding guidance on telecommunications base stations it is considered that a document could be published for public consultation carried out in compliance with the new regulations thus formalising it as a Supplementary Planning Document at the earliest opportunity.

- 3.2 The purpose of this draft document is to provide advice for development of telecommunications base stations within South Derbyshire. The document aims to provide guidance to prospective applicants and their agents considering such development within the District. It also aims to be a source of information to all interested parties in explaining the approach taken by the Council on this issue.
- 3.3 A large number of base stations already exist to serve current operators' mobile phone networks. However as more users enter the market and new facilities are marketed some new base stations and infrastructure may be necessary to meet the demand. In addition the new third generation mobile phone system (also known as 3G) requires a new nation-wide network of antennae. It is envisaged that the new digital network will provide an

enhanced service for mobile phone users through higher data rates than the present GSM system. Under the terms of licences issued by the Government to the five 3G operators each operator is required to provide a network that will cover 80% of the population by 2007.

- 3.4 This document has been published to supplement Central Government set out in Planning Policy Guidance Note 8 (PPG 8) (revised August 2001) and policy set out in the emerging Local Plan and the increasing need for telecommunications masts within the District. Within PPG 8 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 itself also has responsibility for protecting public health). This document aims to set out South Derbyshire District Council's approach to telecommunication base station development and how it aims to tackle material issues.
- 3.5 In developing this guidance procedures have been reviewed. The Council considers it essential, within the legislative framework, to work with the mobile phone operators, local residents, and Parish Councils to attempt to overcome concerns in this area. To this end the document suggests a change to neighbour notification procedure and additional emphasis for prospective applicants to enter into pre-application consultation and discussion.
- 3.6 The document also recognises that Members of the Development Control Committee, in dealing with applications for telecommunication base stations, have consistently held the view that notwithstanding the findings of the Stewart Report on the health effects of mobile phones, compliance with the ICNIRP guidelines (the government test as to the safety of mast equipment) often does not address concerns people may have about health risks from telecommunications development. In preparing the draft document it has been assumed (given members views previously expressed) that such a fear is likely to be exacerbated where the development proposed is sited in close proximity to sensitive land uses, such as educational facilities and residential properties.
- 3.7 In drawing up this document, consideration has been given to other (numerous) texts on the subject. These include: CPRE Briefing document – Telecommunications Development (2004), Code of Practice for Telecommunication Operators (ODPM), Mobile Phone Operators' Ten Commitments to best siting practice.
- 3.8 Consultation on this document would take place over a 6-week period and it is proposed to report the results of the consultation exercise to the next available Environment and Development Services Committee after the completion of that period. At the request of its members, a copy of this report has already been circulated to the Development Control Committee.

#### **4.0 Financial Implications**

- 4.1 Financial Implications relate to staff costs associated with the consultation exercise and the changes to procedure were the document to be accepted for development control purposes. These costs will be absorbed into the existing work programme and budgets.

#### **5.0 Corporate Implications**

- 5.1 None

#### **6.0 Community Implications**

- 6.1 None

#### **7.0 Conclusions**

- 7.1 The Council is committed to the continuous updating and improvement of all its SPG in accord with the Best Value Improvement Plan for Development Control. The attached interim document seeks to provide guidance to prospective applicants and their agents considering contemplating base station development within the District. It also aims to be a source of information to all interested parties in explaining the approach taken by the Council on this issue. After the consultation period any comments will be brought back to the committee with a view to approval.

#### **10.0 Background Papers**

- 10.1 APPENDIX A: Supplementary Planning Document on Telecommunication Base Station Development (attached)

CPRE Briefing document – Telecommunications Development (2004)  
Code of Best Practice on Mobile Phone Network Development (ODPM, 2002)  
Mobile Operators' Association Ten Commitments to best siting practice.