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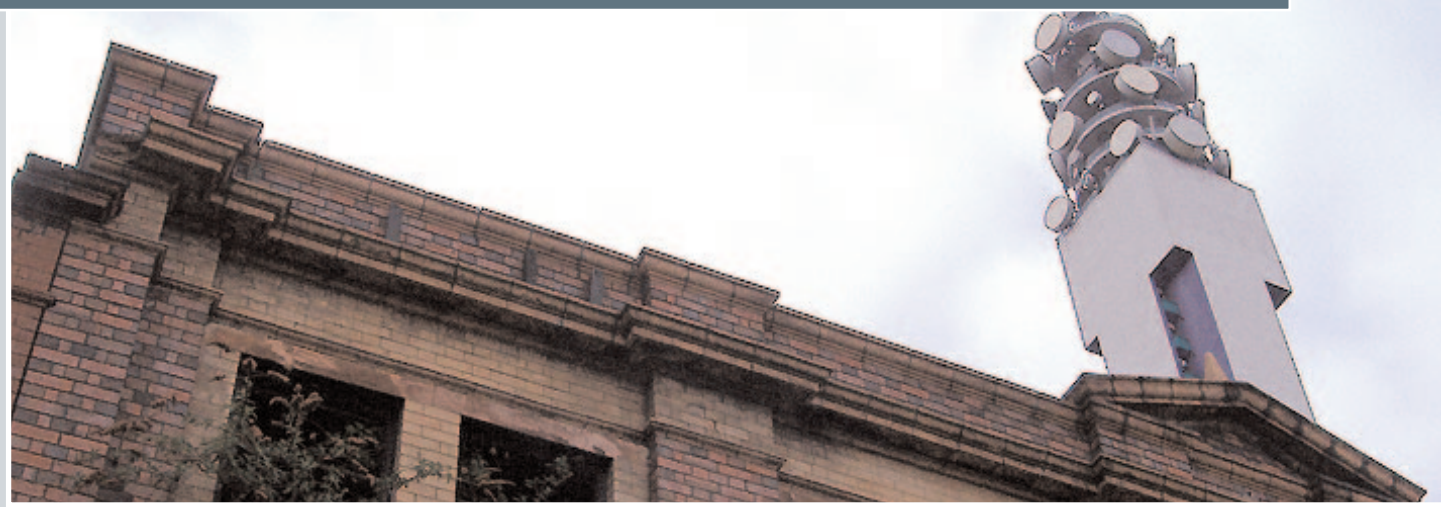
birmingham's local development framework



Telecommunications development: mobile phone infrastructure

Supplementary Planning Document

march2008

Birmingham City Council

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birmingham's local development framework

Telecommunications development: mobile phone infrastructure

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march2008

www.birmingham.gov.uk/mobilenetwork

Birmingham City Council

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1 Purpose of the supplementary planning guidance

Birmingham City Council recognises that modern and comprehensive telecommunications systems are an essential element in the life of the community and the national and local economy and national security. The technology is growing rapidly and consequently there is an increasing demand from operators for the provision of telecommunications infrastructure such as satellite dishes, radio antennae, masts, switching and base stations. It is recognised that major switching stations significantly contribute to the delivery of the telecoms networks and there is a need to consider their operation. This may be a material consideration when considering planning applications in adjacent properties.

Against the need for this infrastructure must be balanced the potential adverse effects it may have on the quality of the environment of Birmingham whether in the city centre, residential suburbs, open spaces or in sensitive areas such as conservation areas.

It is recognised that some telecommunication proposals can generate considerable local concern. Criticism of the planning system within which the City Council has to operate is not unknown. The 'prior approval' procedure provides for certain types of telecommunications infrastructure to be considered differently to other types of planning applications and the public find this approach confusing.

Against this, it is also acknowledged that the telecommunications industry is committed to working with government and local planning authorities by signing up to codes of practice that require agreed standards to be followed in respect of pre-application discussions and consultation on proposals. The industry is also responding through the provision of innovative design solutions for minimising or camouflaging the visual impact of the equipment.

This Supplementary Planning Document (SPD) is intended to provide guidance to the public, licensed telecommunications operators and planners on the process for the control of telecommunications development and for its siting and appearance within Birmingham. It is being prepared within the Council's formal Local Development Framework and is subject to the regulations relating to the preparation of SPDs. It will be a material consideration in the determination of planning applications for telecommunications proposals.

This SPD replaces the Supplementary Planning Guidance (DC24) referred to in the Birmingham Unitary Development Plan policy on telecommunications. The earlier guidance was adopted by the City Council in 2002 following extensive public consultation. This SPD updates that guidance to reflect changes in the detailed wording of the telecommunications policy in the UDP as adopted in 2005. It also has regard to a detailed report by the City Council on the review of the siting of telecommunications equipment on Council owned land and premises[1] so far as it is material to planning considerations.

Between the start of 2002 and the end of 2006 in Birmingham, there have been some 349 applications requiring prior approval or full planning permission for telecommunications proposals. Of these 200 were refused planning permission. There were some 83 determinations that prior approval was not required and 674 telecommunication license notifications. The level of activity generally reflects the continuing development of the telecommunications network to meet the requirements of 3G (Third Generation Mobile). All 3G operators had license requirements to build out a network covering 80% of the population by 2007.

Over the same period (2002-2006), there were 84 appeals determined of which 54% were allowed by the Planning Inspectorate. Nationally, in 2005/06, 53% of telecommunication appeals were allowed (although only about one third of all types of appeals are generally successful)[2]. This indicates that the City Council's performance for telecommunications appeals does not differ from the national position to any significant extent. Notwithstanding this, the Council believes that it should have greater discretion to determine matters locally to reflect issues such as siting, appearance and design and therefore would wish to move to a position where a higher proportion of appeals against refusals for telecommunications proposals are dismissed. It is anticipated that this clearer supplementary guidance will contribute towards achieving this.

Example of a slimline mast in a mixed commercial/residential area

1 Review of the Siting of Telecommunications Equipment on Council owned land and premises, Report of the Co-ordinating Overview and Scrutiny Committee to Birmingham City Council 5 July 2005
2 Table 7.1 Planning Inspectorate Statistical Report 2005/06: England

2 Policy context

This guidance has been prepared within the context of published national and local planning policy and advice.

Planning Policy Guidance 8: Telecommunications[3] sets out the Government's national policies on telecommunications development which is stated as being to facilitate the growth of new and existing telecommunications systems whilst keeping the environmental impact to a minimum. Key aspects of the PPG are as follows:

- The significance of the proposal as part of the national network is material and operators may have to provide evidence regarding the need for the development.
- Annual discussions between operators and local planning authorities (LPA) on their rollout plans are encouraged.
- Pre-application discussions with the LPA are encouraged and, where a mast is to be installed close to a school, the operator should discuss the proposal with the school prior to submitting an application.
- LPAs should carry out extra publicity beyond the statutory requirements.
- Protection from visual intrusion and the implications for subsequent network connections are important in determining applications.
- LPAs and operators should liaise to find the optimum environmental and network solutions.
- Telecommunications development is likely to be inappropriate in the Green Belt unless it maintains openness.
- Mast sharing is encouraged and use should be made of existing buildings and structures.
- LPAs are encouraged to make local authority owned property available to operators.
- Sympathetic design, camouflage screening and planting are encouraged, together with innovative design solutions in terms of structures and apparatus, colour and materials.
- Whilst health considerations and public concern can be material considerations in determining applications for planning permission or for prior approval, the Government does not believe that the planning system should determine health safeguards. Having considered the recommended precautionary approach advocated in the Stewart Report of May 2000[4], the Government considers that if a mobile phone base station meets the International Commission on Non-Ionizing Radiation Protection (ICNIRP) guidelines for public exposure it should not be necessary for the LPA to consider further the health aspects and concerns about them. LPAs should not implement their own precautionary policies for example by insisting on minimum distances between new telecommunications development and existing development.
- LPAs should require developers of new housing, offices and industrial estates to consider how the telecommunications needs of occupiers will be met.

The West Midlands Regional Spatial Strategy[5] states at Policy PA12 on Birmingham's Role as a World City:

Birmingham should continue to be developed as a major regional capital of European and international standing by providing further development opportunities and supporting infrastructure, including telecommunication…

Policies QE3, QE4 and QE5 promote the protection or creation and enhancement of the historic and built environment and the urban green space networks.

The Birmingham Plan[6] (the City's Unitary Development Plan) contains the following policy in respect of telecommunications at paragraph 8.55:

It is recognised that modern and comprehensive telecommunications systems are an essential element in the life of the local community and the economy of the city. In assessing applications for telecommunications equipment, account will be taken of the impact of radio masts, antennae and ancillary structures on existing landscape features, buildings and the outlook from neighbouring properties.

Within the City, there are locations that are considered more sensitive than others for the siting of telecommunications equipment. Sensitive locations include listed buildings and conservation areas, historic parks and gardens, the Green Belt and locations within and adjacent to the grounds of education and health institutions. Telecommunications equipment will only be acceptable in sensitive areas if the applicants are able to demonstrate that there is no other suitable location. The City Council will also seek to encourage telecommunications operators to locate new equipment away from residential areas and, where they are of high quality, areas of open space, wherever possible. Where applications are submitted in such areas, the City Council will require them to be accompanied by evidence confirming that no reasonable alternatives exist. In all cases, equipment should be designed to minimise its impact on the visual amenity of the area.

Operators will be expected to share masts and sites wherever this is desirable. Telecommunications equipment sited on buildings should be sited to minimise obtrusiveness, for example by the use of permeable and opaque screens. Ground based equipment should be sited to take maximum advantage of backdrops to buildings and other screening opportunities. In assessing obtrusiveness, views from neighbouring properties and the street will be considered. Detailed guidance on the siting, location and design of telecommunications equipment is contained in Supplementary Planning Guidance (DC24).

Developers and operators will be expected to have regard to the Government's Telecommunications Planning Policy Guidance (PPG8) and any other advice published by the Government.

The Environment Chapter of the Birmingham Plan contains a policy at paragraph 3.8 stating the need to protect and enhance what is good in the City's environment. Paragraph 3.10 states that proposals that would have an adverse effect on the quality of the built environment will not normally be allowed. Other policies deal with the need to protect the natural environment and Green Belt and the appearance and setting of listed buildings and conservation areas.

Code of Best Practice on Mobile Phone Network Development[7] was published in 2002 as a result of co-operative working between the mobile phone industry, central and local government. The Code reflects and builds on the national guidance in PPG8 and provides practical advice on the siting and design of telecommunications development in order to reduce environmental impact and visual intrusion. It encourages a standardised approach for considering telecommunications development. The Code applies to all mast and antennae development (whether permitted development or otherwise) by mobile phone network operators.

3 Planning Policy Guidance 8: Telecommunications, ODPM, August 2001
4 Mobile Phones and Health, Independant Expert Group on Mobile Phones, (The Stewart Report) May 2000
5 West Midlands Regional Spatial Strategy, ODPM, June 2004
6 Birmingham Unitary Development Plan, Birmingham City Council, October 2005
7 Code of Best Practice on Mobile Phone Network Development, ODPM, 2002

3 Categories of telecommunications development

Not all categories of telecommunications equipment require an application for full planning permission, either because they do not constitute 'development' or they benefit from 'permitted development' rights, and are in some cases subject to prior approval and compliance with limitations or restrictions.

There are four categories of telecommunications development for planning purposes:

- Telecommunications equipment which is de minimis and does not constitute development.
- Telecommunications development which is permitted development but is not of a size or number requiring either a full planning application or prior approval application.
- Telecommunications development which is permitted development but subject to prior approval of the LPA in respect of siting and appearance[7].
- Telecommunications equipment and individual buildings containing telecommunications equipment requiring an application for full planning permission.

The appendix to this SPD provides a more detailed description of these categories.

7 Part 24, Schedule 2 Town and Country Planning (General Permitted Development) Order 2005

4 Detailed guidance: locational considerations

The UDP telecommunications policy recognises that within the city there are locations that are considered more sensitive than others for the siting of telecommunications equipment. Conversely, there will be areas that are less sensitive to such proposals. Another category includes residential areas and open spaces of high quality where the Council will encourage operators to avoid locating telecommunications infrastructure unless there are no reasonable alternatives.

A. The more sensitive locations

In the more sensitive areas within the city, telecommunications equipment will only be accepted if it is demonstrated that there are no other suitable locations and if the equipment has been designed to minimise its impact on the visual amenity of the area, including public access routes. Equipment including masts and ancillary equipment and fencing should respect the setting through the use of appropriate design and landscaping. These more sensitive locations are:

- Listed buildings, their curtilage and setting – the Council is required to have "special regard" to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Proposals will be resisted where the location and appearance of a mast or other equipment would adversely affect the setting or appearance of a listed building. This guidance relates both to buildings on the statutory list and to those that have been included in Birmingham's Local List of buildings of architectural interest. Innovative solutions from operators will be necessary to make proposals acceptable but in general terms it would be best to avoid proposals involving listed buildings wherever possible.

- Conservation areas and areas adjacent to a conservation area – the Council has a duty to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area. Proposed telecommunications equipment located within or adjacent to a conservation area that would adversely affect its character or appearance will be resisted.

- Historic parks and gardens – the guidance seeks to protect historic parks and gardens. These are either included in the Register of Historic Parks and Gardens for Birmingham or, if they have special local significance, have been included in the City's Local List.

- Education and health institutions – locations within or adjacent to the grounds of education or health institutions will only be acceptable where the applicant can demonstrate compliance with the precautionary approach adopted in PPG8 for the location of equipment and that more suitable alternative sites are not available. The applicant will be expected to demonstrate the agreement of the school, parents and relevant health institution for locations within the grounds and pass on any consultation comments relating to their proposals both for those within and those adjacent to the grounds.

- Other sensitive areas - these include sites in the Green Belt, Sites of Importance to Nature Conservation (SINCS), Sites of Local Importance for Nature Conservation (SLINCS), Sites of Special Scientific Interest (SSSI), Scheduled Ancient Monuments and other archaeological remains.

B. Residential areas and high quality open spaces

Residential areas – areas that are predominantly residential can be very sensitive from the point of view of residents who may perceive the installation of telecommunications equipment to be a significant visual intrusion if they are close to and visible from within their homes or from their gardens. They can cause residents undue concern

8 Mobile Phones and Health, Independent Expert Group on Mobile Phones, (The Stewart Report) May 2000

about perceived health effects. Accordingly, residential areas should be avoided, particularly locations immediately in front of habitable room windows wherever possible, in favour of less sensitive locations. Where applications are submitted in such areas, the City Council will require them to be accompanied by evidence confirming that no reasonable alternatives exist. In all cases, equipment should be designed to minimise its impact on the visual amenity of the area.

High Quality Open Spaces – telecommunications operators should avoid proposals in areas of open space of high quality. The UDP defines open space as all open land of recreational or public value, including playing fields, which primarily consists of natural elements such as trees, grass and water. It may or may not have free public access. For the purpose of this guidance, high quality open space is regarded as including those areas primarily having a high amenity value within a locality but they may also have attributes that distinguish them from other areas of open space such as the quality of the maintenance regime; their contribution to the quality of life of the local community through historical or other association or through the nature and functioning of their use; or, they may form part of a larger open space network where quality improvements are proposed. This includes canal and river corridors, and curtilages where they form high quality open space. Again, where applications are submitted in such areas, the City Council will require them to be accompanied by evidence confirming that no reasonable alternatives exist and equipment should be designed to minimise its impact on the visual amenity of the area. Notice should also be taken of the need to comply with the legislation protecting certain species. Where proposals involve development on playing fields, plans must define the extent of the playing fields and areas around the sports pitches to be affected by the development.

C. The less sensitive locations

Unless a site is in one of the defined 'more sensitive areas' or in a residential area or area of high quality open space, it will be in an area where the installation of telecommunications equipment is more likely to be acceptable. These areas are:

- Existing ground based masts and sites specifically developed for telecommunications.
- Within commercial and industrial areas (usually away from the boundary) subject to satisfactory screening and backdrop against buildings and skyline from neighbouring uses.
- Locations on commercial/mixed use buildings provided the equipment has been located, designed or screened to minimise obtrusiveness against the skyline.
- Locations in front of community premises except education and health uses.
- New tall buildings specifically designed to incorporate telecommunications equipment through the use, for example, of screens and disguise.
- Existing plant and other structures such as electricity pylons, floodlights, CCTV camera poles and multi-storey car parks subject to the equipment being of appropriate size and colour. These could include structures purpose built or designed to disguise the installation of telecommunications equipment such as storage silos in industrial areas and imitation chimneys.
- Sites substantially screened by trees or by the landscape.
- At large road intersections, particularly islands, where they can be located away from residential and education buildings.
- Adjacent to frontages with open space, so long as it is not high quality.

5 Detailed guidance: siting considerations

The most obvious way to address the visual impact of telecommunication development is to site it in such a way that it blends into or is hidden by existing landscape or cityscape. Operators will be expected to justify their site in terms of the factors, some of which are identified in PPG8, that may be relevant to siting:

- The effect on the skyline or horizon.
- The site when observed from any side.
- The height of the site in relation to surrounding land.
- The site in relation to existing masts, structures or buildings.
- The existence of topographical features and natural vegetation.
- The site in relation to residential property.
- The site in relation to areas designated locally for their scenic or conservation value and buildings of a historic or traditional character.

It is acknowledged that one of the factors that will affect the siting and design of telecommunications infrastructure will be the technological constraints faced by the operators. However, in order to justify a proposal in the sensitive parts of the city, the Council will need to be satisfied that all potential sites have been examined. The alternatives could include:

- Mast-sharing - two or more operators may be able to share the same mast. Where this leads to an increase in height of the mast or monopole or it becomes more visually intrusive as a result, the proposal will need to be assessed in the context of whether mast sharing provides the optimum environmental solution.
- Site sharing - this could lead to two or more masts on the same site. Depending on the design and height of the masts, they could appear obtrusive, particularly within urban areas. The site would need to be adequately screened or be obscured from the surrounding area.
- Use of existing buildings, structures or pylons - in a city such as Birmingham where there is a relatively high number of tall buildings and structures, making use of them for telecommunications infrastructure is often preferable in terms of reducing visual impact than the construction of freestanding ground based masts. Additionally, the use of camouflage can often render some installations to be virtually unnoticeable from street level.

The very nature of major telecommunications installations means that their appearance may not be able to be manipulated in response to their immediate environment, and it may not be practical to mitigate their visual impact by landscaping or screening within compounds. There is more scope with smaller structures but in either case it is imperative that alternatives are considered and the option with the least visual impact that is compatible with operational requirements be pursued in preference to alternatives that could be more damaging environmentally.

Antennae discretely designed as chimney pots

6 Detailed guidance: design and appearance considerations

All telecommunications proposals should be designed to minimise visual impact and intrusion. The decision to propose ground based or building based masts, antennae and cabins will depend on the respective impact that the proposal will have on visual amenity, local character, skyline and neighbouring uses.

Ground based masts

- Make the most of existing screening - opportunities should be taken to use existing screening or backdrop to buildings to reduce the impact of development. Masts, antennae and cabins are most prominent when sited in open locations when viewed against the skyline and open land. Such locations should be avoided, as they are unlikely to be acceptable. Locations in areas of high quality open space, or proposals resulting in the loss of public open space without adequate replacement, are unlikely to be acceptable.

- Landscaping and planting – it is recognised that because of the heights of masts, it will not be possible to screen them completely through tree planting. However, landscaping and planting can make a significant contribution to reducing the impact of masts and equipment principally in two ways:

  1 By identifying critical viewpoints and planting at a distance from the site so that the visual intrusion of the mast is reduced. This may require entering into agreements with other landowners to facilitate this.

  2 By landscaping and planting around the base station compound to minimise visual impact closer to the site. Sufficient land should be included within the proposal to enable this to be achieved.

Where landscaping and planting is carried out, adequate maintenance should be provided for and in the event of failure of shrubs or trees, these should be replaced during the next planting season.

- Street locations – masts and equipment located in the street will be discouraged. Locations on appropriate commercial buildings where they exist are generally preferred in order to reduce clutter in the street. Where street based masts are the only option, they should be similar in character and appearance with existing street furniture and of a slim-line design, such as the 'streetworks' monopoles. They should not be prominent in the street scene or add to clutter and should appear as an unobtrusive addition. Masts designed or disguised for dual use as a lamppost or other street furniture role such as a column to support CCTV cameras may be appropriate.

- Existing trees – where possible, sites should have a backdrop of trees to reduce visual contrast.

- Residential areas – where there is no alternative to a location in a residential area, equipment should be sited sensitively, avoid being intrusive and should not be sited immediately in front of habitable room windows.

- Cabins/cabinets in streets – the impact of cabins/cabinets or other equipment housing within the public realm should be minimised. They must comply with City Council guidelines on the installation of street furniture. They should be of no greater size than is necessary to reflect the operational needs of the site and should be designed and use colour to match other street equipment. They should be treated and designed to reduce opportunities for vandalism and graffiti. In certain locations cabinets in their own right can appear to be particularly intrusive and preclude the site being acceptable.

- Compounds - these should be no larger than required for the plant and equipment needed to serve the site. They are unlikely to be located outside industrial or rural areas. Wherever they are proposed they should be unobtrusive and not have an adverse impact on the character of the area. The style and design of perimeter fencing should be appropriate to the location. In certain locations a perimeter wall or solid screen in appropriate materials may be a better way to screen off views into the compound. If vehicular access onto the public highway is required this should be constructed such that normal highway safety standards are not compromised.

Installations on existing buildings and structures

- Antennae and related equipment on existing buildings and structures will often be more appropriate alternatives to establishing a new ground based mast, particularly where there would be little significant effect on the appearance of the building or structure and would not result in an unacceptable level of visual intrusion to adjoining properties.

- The height, scale and architectural style of a building or structure will significantly influence the design of equipment used on it. In using existing buildings or structures, operators should bear in mind structural limitations that may restrict their use as potential sites.

- Telecommunications equipment should be sited and positioned to minimise the obtrusiveness against the skyline including views from neighbouring properties and the street. Screening and backdrop opportunities should be maximised. Supporting frames should be below parapet level where possible.

- Equipment including cable trays and feeds, should wherever possible, be disguised, for example, through the use of permeable and opaque screens. Existing structures should be used rather than new stub masts.

- When placing equipment on buildings or structures, they should use clean lines and maintain symmetry and be painted to correspond with the background or to reduce contrast.

- Whilst the sharing of buildings and structures by different operators is encouraged, the accumulation of equipment on roofs of buildings leading to clutter that may be visible from the street or from nearby buildings must be avoided.

- In order to control telecommunications apparatus on new floodlighting and CCTV columns located on sites adjoining residential property, telecommunication permitted development rights may be withdrawn by condition on the planning permission for the floodlights or CCTV.

- Cabins/cabinets or other equipment housing should be as small as possible. Where they are likely to be obtrusive features on the rooftop, consideration should be given to brick or rendered finish to the cabin or external materials that match or blend with other roof top structures. Alternatively, siting within the building or at ground level in screened or unobtrusive locations, such as to the rear of a building or in a car park, may be preferable.

Camouflaging and disguising equipment

The Code of Best Practice highlights that the development of technology has led to techniques for disguising and camouflaging telecommunications equipment. This is seen in more recent masts and equipment, which are frequently able to blend into their surroundings far more effectively than some of the older equipment. Examples of the successful concealment of antennae include features such as flagpoles, street lampposts, signs and church towers. The use of GRP, which can be moulded into any shape and coloured appropriately, can be used to simulate masonry and stone features such as chimneys and plinths. Masts have also been designed as trees although they need very careful design and siting to be effective. Antennae have also been incorporated in commissioned works of art.

The Council will work with operators to explore the merits of camouflaging telecommunications equipment where the visual impact of a proposal can be mitigated to make it acceptable.

7 Health considerations and the perception of harm

Example of antennae disguised as flagpoles

The public frequently express concern about the use and development of telecommunications and the perceived effect on people's health. Indeed, it was in response to increasing community concerns around the safety of mobile phone masts that led to the Council in February 2004 imposing a moratorium on the erection of new masts or upgrades to existing ones on Council owned land and property. In many of the planning appeals in recent years in Birmingham against the refusal of planning permission for telecommunications infrastructure, the Planning Inspector has considered health based objections from local residents but in all cases has placed little weight on those representations in view of government policy.

PPG8 makes it clear that whilst health considerations and public concern can be material considerations in determining applications for planning permission or for prior approval, the Government does not believe that the planning system should determine health safeguards. Having considered the recommended precautionary approach advocated in the Stewart Report of May 2000, the Government considers that if a mobile phone base station meets the International Commission on Non-Ionising Radiation Protection (ICNIRP) guidelines for public exposure it should not be necessary for the LPA to consider further the health aspects and concerns about them. LPAs should not implement their own precautionary policies, for example, by insisting on minimum distances between new telecommunications development and existing development.

In view of national policy and subject to the submission of written confirmation from the operator at the time of any application that emissions from proposed base stations meet the ICNIRP guidelines for public exposure, it is unlikely that the Council will refuse any application on the ground of perceived harm to public health, although each application will be continue to be considered on its merits.

8 Information required to support an application

Pre-application

The Council encourages pre-application discussions and consultations in accordance with the Code of Practice and the 'Traffic Light Rating Model' contained within it. This allows a site to be rated by the operator according to its likely sensitivity in terms of environmental planning and community considerations. Depending on the rating a plan is devised that sets out the level of consultation. If issues surrounding a development can be identified early in the process, this provides the opportunity for them either to be avoided or mitigated. The operator should submit written information covering:

- An explanation of the needs in a particular area.
- Details of the location and type of apparatus proposed.
- Details of any other telecommunications systems on the building or site.
- Area of search and details of alternative options, including mast and site sharing or the use of buildings or other structures.
- Design options for the site.
- The proposed 'traffic light' rating.
- The proposed consultation strategy.

Submission of application

The following information needs to be submitted with applications to enable a full assessment of the proposal to be made by the Council and to ensure that sufficient information is available to the public and other parties interested in particular proposals.

Consultation: PPG8 advises that mobile phone operators should, where they propose to install equipment on or near to a school or college, consult with them before proceeding with a proposal or submitting an application for prior approval or full planning application. The operator should provide evidence to the Council together with any response at the same time as submitting the application. Although PPG8 does not define what is near a school, for the purposes of this guidance, it should include any proposal within 200m of a school boundary and the beam of maximum intensity. A school includes day nurseries and nursery schools. Consultation should also be undertaken in accordance with advice in paragraphs 54-61 of the Code of Best Practice on Mobile Phone Network Development.

Plans:

- A location plan of minimum scale 1:1250.
- Full plans and elevations of the equipment and building to a minimum scale of 1:100.
- Details on the plans stating the size of the equipment and height above ground level of any mast, antennae other equipment to be attached.
- The plans should distinguish between new proposals and existing equipment including that of other telecommunications operators and other radio communications equipment.

Photo montage: to assist in understanding the visual impact of some proposals, especially installations in sensitive locations and buildings, photo montages of the proposal should be provided and may be required by the Council.

Technical justification: the technical justification for the location including a cell plan showing all the surrounding sites excluding the one being applied for (the doughnut plot). This provides an indication of the leeway available for the re-siting of the mast/base station and the technical constraints.

Emission levels: a graph indicating radio frequency emission levels against distance where the proposal would be in a residential area or within 200m of a residential property (all types of residential property are included including flats above commercial premises and tied accommodation such as a caretaker's residence).

ICNIRP guidelines: written confirmation that emissions from mobile phone base stations meet the ICNIRP guidelines for public exposure[9]. Where the base station is or will become a shared site, the ICNIRP certificate should indicate cumulative data from all mobile phone base stations on the site/ apparatus.

Alternatives: where ground based masts are proposed, evidence to demonstrate that applicants have explored alternatives such as locating equipment on existing masts or adapting existing installations before proposing new sites.

Listed Buildings: if the proposals materially affect a listed building then a separate application for listed building consent will be required.

Consultation with Birmingham International Airport (BIA): mobile phone companies are required to consult with BIA where proposals are within 3km of the perimeter of Birmingham Airport.

Aerodrome Safeguarding Map: where proposals for new telecommunications are proposed on top of existing buildings or structures and an increase in overall height is proposed, the Aerodrome Safeguarding Map should be consulted.

9 As expressed in the EU Council recommendations of 12 July 1999 on the limitation of exposure of the general public to electromagnetic fields (0Hz to 300GHz). Off J Eur Commun, L199,59 (1999/519/EC)

9 Publicity and information

Publicity

PPG8 encourages local planning authorities to consider whether statutory consultation arrangements for applications for planning permission and prior approval will adequately provide for interested parties to be notified of a particular development. The Council believes that as some telecommunications proposals can be controversial, it is important that people likely to be affected by a proposal have the opportunity to make their views known. In view of this, wide ranging notification of interested parties is made:

- All properties within 200m of the application site (including dwellings, industrial, community and commercial premises).
- Heads of schools, educational institutions and governors where any part of the schools grounds fall within 200m of a mast or apparatus.
- Councillors, MP's, Residents Associations and Neighbourhood Forums. Where the site is close to a ward boundary, those in the adjoining ward are also notified.
- Any site specific consultations.
- Internal consultees within the City Council.

Copies of applications are sent to the appropriate neighbourhood office or library. The application can also be inspected at the Planning Management offices of the Council in Alpha Tower.

Telecommunications register

The Council maintains a Telecommunications Register which lists all planning applications, prior notifications and small installations where the licensed operator is required to notify the Council. The register is available to view by following the links on www.birmingham.gov.uk/telecoms. The same site provides links to ward based maps and to existing and proposed telecommunications sites. The register can also be viewed at Alpha Tower.

Example of a typical telecoms equipment cabin

10 Council owned sites

PPG8 encourages authorities to help applicants to identify existing and potential sites by making suitable local authority owned property available to users (paragraph 22).

In February 2004, in response to increasing community concerns around the safety of mobile phone masts, the Council imposed a moratorium on the erection of new masts or upgrades to existing ones on Council owned land and property. This led to a detailed report being prepared by the Council's Co-ordinating Overview and Scrutiny Committee which reviewed the siting of telecommunications equipment on Council owned land and premises. The Committee made a series of 19 recommendations to the Council in July 2005. In the light of this, the Council lifted the moratorium in January 2006 subject to a tighter regulatory regime, which included:

- Establishing a member forum to consider the operators' annual rollout plans.
- All approved telecommunications sites are classed as 'targeted sites' to ensure that the installation conforms to what was approved at the planning stage. All sites are inspected by Compliance Officers in the Council's Planning Management service.
- That operators demonstrate that they have fully considered using existing masts, buildings and other structures when submitting planning proposals.
- That a comprehensive register of mobile phone masts and base stations is made publicly available.
- That ward members are notified of applications for mobile phone masts.

11 Contacts for further information

Planning Management
Birmingham City Council,
Alpha Tower,
Suffolk Street Queensway,
Birmingham,
B1 1TU.

Tel: (0121) 303 1115

Sustainability Appraisal

A Sustainability Appraisal has been prepared to accompany this SPD. It can be found on the Council's website at:
www.birmingham.gov.uk/mobilenetwork

Most Birmingham City Council publications can be made available in alternative formats or languages.

If you have difficulty reading this document please call us on (0121) 303 1115 to ask if a full or summary version can be made available in large print, another format or another language.

If you have hearing difficulties please call us via Typetalk 18001 0121 303 3030 or e-mail us at:
info.devdir@birmingham.gov.uk

A Appendix: Categories of telecommunications development and the need for planning permission

1. Telecommunications equipment, which is de minimis and does not constitute development.

- This can include very small antennae or boxes similar in size to alarm boxes on the front of buildings and less than 50cm in length. The operator is required to notify the LPA one month prior to the installation.
- There is no statutory planning requirement for public consultation.

2. Telecommunications development which is permitted development but not of a size or number requiring either a full planning application or prior approval application to the LPA.

- This category is subject to one calendar month notification by the operator to inform the LPA of the intention to install the equipment as required by the Communications Regulations 2003.
- Includes smaller equipment such as antennae systems up to 4m in height on top of buildings, dishes and antennae systems subject to maximum criteria dependent upon the size or height of the building or cabins under 2.5cu.m. For a building up to 15m (5 storeys) high, only two separate licensed operators are allowed without full planning permission. For higher buildings, three operators are permitted subject to maximum height and size criteria.
- Development has to be sited to minimise its effect on the external appearance of the building and removed when no longer required for operational purposes.
- There is no statutory planning requirement for public consultation.

3. Telecommunications development which is permitted development but subject to prior approval of the LPA in respect of siting and appearance.

- The LPA has 56 days (including statutory public consultation) to make a decision otherwise the development can proceed.
- This category includes masts up to 15m high (except those on a building less than 15m in height within 20m of a highway).
- Radio cabins in excess of 2.5cu.m (except those which exceed 30cu.m on buildings or 90cu.m on the ground or are located in Conservation Areas or SSSI).
- Antennae exceeding the height of a building by more than 4m (subject to height limits referred to in 4 below).
- Development ancillary to radio equipment housing, eg access roads, fencing and ladders.
- Telephone call boxes.
- For development near to or on schools and educational establishments there is a requirement to consult those bodies (as for full applications).
- There is a statutory planning requirement for public consultation.

4. Telecommunications equipment subject to full planning permission.

- There is a statutory requirement for public consultation and PPG8 requires applicants to consult schools and colleges for development located close to or on these premises.
- Masts over 15m in height and masts (for driver information systems) on a building under 15m high and within 20m of a highway.

- Radio cabins exceeding 2.5cu.m in a Conservation Area or SSSI, exceeding 30cu.m on a building or exceeding 90cu.m on the ground.

- Situations where permitted development rights are exceeded, for example, on top of a building where an antenna is more than 10m above the roof of a 30m high building, or, where there are more than three antennae systems or operators on top of a 30m high building.

- Development on listed buildings where the proposal materially affects the appearance or setting or on scheduled ancient monuments.

- Telecommunications antennae (which are small antennae not exceeding 50cm in length or those on a dwelling house) located within a conservation area or an SSSI.

- Antennae located on a building less than 15m in height when located on a wall or roof slope facing a highway which is within 20m of the building.

- Buildings which are not radio cabins but Major Switching Stations and are not permitted development by virtue of Part 8 of the Town and Country Planning (General Permitted Development) Order 1995.

the Birmingham plan

birmingham's local development framework

Telecommunication development: mobile phone infrastructure

Supplementary Planning Document

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Birmingham City Council