

**TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED
DEVELOPMENT PROCEDURE) ORDER 1995 - TO DATE
PLANNING AND COMPENSATION ACT 1991
TOWN AND COUNTRY PLANNING ADVERT REGULATIONS 1994
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS)
ACT 1990
APPLICATIONS FOR PERMISSION FOR DEVELOPMENT**

These are reports and recommendations by Officers for consideration and resolution by the County Planning Authority.

All the applications in respect of the proposals specified in this report will be available for inspection by the Members of the Committee prior to and during the meeting at which the said applications will be considered.

The Background Papers relating to each application, including forms, plans, relevant correspondence, Development Plan and guidance documents are available for public inspection during normal office hours

[COPIES AVAILABLE FROM THE HEAD OF
PLANNING SERVICES](#)

REPORT OF THE HEAD OF PLANNING SERVICES

TELECOMMUNICATIONS DEVELOPMENT

1. PURPOSE OF REPORT

- 1.1 To summarise current planning controls on telecommunications development and the main issues to be taken into account in view of the increasing number of proposals being considered by the Council as Local Planning Authority.

2. PLANNING CONTROLS

- 2.1 Currently the Town and Country Planning (General Permitted Development) Order 1995 permits certain types of telecommunication development without the need for planning permission. However, there are notification requirements on some types of telecommunications development set out in the order. This leads to a number of different tiers of control described below:

Minor telecommunications apparatus

Certain sizes of satellite dishes, antennae and radio equipment housing is permitted development without the need for any notification.

Telecommunications equipment other than ground based masts

For masts installed on buildings or structures, public call boxes, larger radio equipment housing, and ancillary development there is a requirement to notify the Local Planning Authority of the works proposed under a prior approval procedure. The Council can only consider issues of siting and appearance and must within 28 days either approve or refuse the determination. If no decision is made, the operator may proceed with the development.

Ground based masts

Ground based masts up to 15m in height are controlled by a further prior approval procedure in which the Local Planning Authority have 42 days to make a determination. Again the Council must limit itself to considering issues of siting and appearance and must make a determination within a 42 day period. Unlike the 28 day procedure there is a requirement on the applicant to place a notice near the site publicising the proposals. In addition to this publicity we consult with Town and Community Councils on these applications, making the limits of our powers clear.

Applications for planning permission

Ground based masts in excess of 15m in height and any masts within a Conservation Area or the Area of Outstanding Natural Beauty requires planning permission. Such planning applications will be subject to the normal publicity, consultation and determination process.

- 2.2 Due to time limits on dealing with prior approval applications there is a need to deal with such proposals under delegated powers even in cases where objections have been received.

3. **PLANNING ISSUES**

3.1 The following are the main issues that the Council must consider on prior approval and planning applications for telecommunications:

Siting

The impact on the appearance of the area and whether or not the installation can be better sited on an existing building or structure or be part of a mast or site sharing opportunity.

Appearance

The design of the mast itself (simple monopole masts can now often be used rather than lattice type masts), its colour and materials and the opportunities for landscaping to hide associated equipment, fencing and the lower parts of the mast.

Health

Existing advice is that radiowaves would generally be many times below required guideline levels issued by the National Radiological Protection Board and should present no significant health risks (TAN (Wales) 19 - Telecommunications). However the recent Stewart Report suggests a precautionary approach be adopted and this has been supported by the National Assembly for Wales. It is stated that:

“Health considerations and public concern, can in principle, be material considerations in determining applications for planning permission and prior approval.”

Planning Policy and Guidance

The Council needs to take into account existing policies and guidance in the form of Planning Guidance (Wales) - Planning Policy; TAN (Wales) 19 - Telecommunications; and Welsh Office Circular 22/99 - Planning for Telecommunications. In the emerging UDP there is a policy on telecommunications (Policy TRA15).

4. **FUTURE CONTROLS**

4.1 The National Assembly have recently issued a consultation paper on telecommunications mast development. Taking on board the recommendations of the Stewart Report it is proposed to replace the 28 day and 42 day prior approval procedures described above for masts on buildings and structures and ground based masts with a requirement for such development to seek planning permission. We will be supporting this recommendation in our response to the consultation paper.

5. **FURTHER INFORMATION**

5.1 The documents referred to above provide more information on the procedures and issues relating to telecommunications development. The consultation paper can be found on the National Assembly website (www.wales.gov.uk). Advice is also provided within our Supplementary Planning Guidance Note No. 24 - Telecommunications, although this was published before the 42 day procedure was introduced and will be updated following any legislation changes arising from the current round of consultations.

6. **This Report is for Members information.**

md/mr/6/12/2000

A REPORT BY THE HEAD OF PLANNING SERVICES

DATE OF SITE VISITS

1. PURPOSE OF REPORT

- 1.1 To advise Members of the likely date of any Site Visits requested by the Planning Committee.

2. DATE OF THE SITE VISITS

- 2.1 In consultation with Legal and Administration, it has been decided that the **Friday 5th January 2001** is most suitable. This date has been provisionally booked.
- 2.2 You are advised, therefore that any site visits arranged today will take place **On Friday 5th January 2001 (times to be advised).**

3. MEMBERSHIP OF THE SITE VISIT PANEL

- 3.1 This will depend on Political Balance and will include the Chair and Vice Chair of the Committee and the relevant Local Member(s)

4. RECOMMENDATION

- 4.1 **That Members agree to the Site Visits being held on Friday 5th January 2001**