

PLANNING FOR TELECOMMUNICATIONS

DECEMBER 2006

WHO IS ECS?

- ECS is a technical consulting firm
- ECS is independent of operators and anti-mast groups
- ECS has worked for about 170 Local Authorities
- We specialise in this area of planning
- We provide training courses for Officers and Members
- Our training courses for Officers and Members are highly regarded
- Our advice is "jargon free"
- We advise at Appeals and Inquiries
- We work quickly—we understand your deadlines
- We are familiar with the legislation in England, Wales and Scotland
- We provide **FREE** initial advice on the phone!

BETTER DESIGN NEEDED!

A London Borough recently refused a planning application for a new hospital. The applicant appealed and lost. The inspector wrote *"the proposal would look out of place...stuck almost at random on part only of the roof....It would seriously harm the character and appearance of both the building and the nearby area"*. So how come it got built anyway?

What happened was that the applicant modified the application in such a way that they considered it to be Permitted Development—removing the Council's ability to object and, some would say, flying completely in the face of the Inspectors' comments. The changes basically involved reducing the number of operators to be accommodated and in doing so,

they argued that clause A.1(g)(iii) of Part 24 was rendered ineffective.

With the benefit of hindsight, this might have been a rare instance where an Article 4 Direction would have been appropriate although to be fair to the Authority, few could have guessed how the applicant would seek to get their base stations installed.

The root problem here though is one of building design. The new hospital replaced an existing one on the same site. There were mobile phone base stations on the old hospital and yet somehow it appears that no thought was given to how these



No thought given...

base stations would be accommodated on the new hospital. Unfortunately this is an all-too-common situation. Architects need to open their eyes to the wider functions of existing buildings and Planning Officers need to remind them.

CLUSTERING—IS IT A GOOD SOLUTION?

Anyone driving along the Motorways in Britain cannot fail to notice the tendency for mobile phone base stations to spawn clusters of masts. PPG8 encourages mast and site sharing so perhaps it is just adherence to Government policy? However, such clusters are usually far from attractive. Each operator makes use of a

different design of mast and it appears that little thought is given to how each one is viewed in the context of the others. **There are better solutions!**

Mobile phone companies need to be encouraged to think more about the overall design of shared sites. There are two

things that together would make a big difference:

- adoption of a standard design of mast at a particular site; and
 - arranging the masts so that the layout conforms to a strong geometric design.
- It could be done—if there was a will.

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Happy Christmas!



I N D E P E N D E N T O B J E C T I V E A D V I C E

WRITTEN PROCEDURES AVOID ERRORS

The General Permitted Development Order for telecommunications has kept the Local Government Ombudsman busy over the last few years. There have been many claims of maladministration made against Councils, particularly in respect of not issuing decisions within the 56 day period mandated for certain types of application.

Adherence to clear written procedures would go a long way to solving such problems.

Councils such as Bourne-mouth Borough have adopted just such clear written procedures in an effort to ensure that mistakes cannot be made. However, they recognise that the key to avoiding running out of time is to issue decisions in good time.

Proper use of delegated powers helps a lot here as applications that must come before a Committee invariably take longer to process. The penalties for running over time can be

significant. Not only has the Local Government Ombudsman recommended payments to residents in some cases but we are also aware of cases where a Council has agreed to relocate a mast that had a deemed consent—at a cost of around £300,000.

Such cases are rare of course but they should serve as ample encouragement to make sure that your own procedures are effective.

ECS Limited has been providing Local Authorities with independent advice on planning applications for radio masts for over 10 years. We do not work for the mobile operators or for anti-mast groups. Our experience however comes from previous work within the mobile industry. We now use that experience to *your* benefit!

We have worked for about 170 Local Authorities, providing advice on many hundreds of planning applications for masts. We have frequently spoken at national conferences for bodies such as the Association of AONBs and ANPA.

In addition to advice on applications, we have assisted at Public Inquiries.

Our training courses for Officers and Members are highly acclaimed!



We like our phones but dislike masts...