CAIRNGORMS NATIONAL PARK AUTHORITY

Title: **SUPPLEMENTARY GUIDANCE FOR THE CAIRNGORMS NATIONAL PARK:**

INTERIM PLANNING POLICY No.2: RADIO TELECOMMUNICATIONS (Preliminary Draft).

Prepared by: **NORMAN BROCKIE, PLANNING OFFICER (Local Plan/Policy)**

Purpose

This aim of this report is to introduce the preliminary draft of Planning Policy No.2: Radio Telecommunications. In its present form it is intended as a discussion document which will be modified, probably through several drafts, in response to the Committee's comments and responses from external consultees.

Recommendations

1. The Committee supports the intention to proceed to the 'Interim Planning Policy No.2: Radio Telecommunications' (Consultation Draft) which will be issued to the four constituent Local Authorities, Perth & Kinross Council, other statutory bodies/interest groups and the constituent Community Councils for consultation and comment.

2. A report will be submitted to a future meeting of the Committee on the responses to the draft document from consultees.

Executive Summary

This Policy Paper has been developed in direct response to issues that have arisen and proven contentious/problematic to the CNPA development control process. The issue of Radio Telecommunications, particularly mast installations on hilltops, will obviously have a significant impact on the landscape of the National Park.

INTERIM PLANNING POLICY No.2: RADIO TELECOMMUNICATIONS (Preliminary Draft).

Contents:

1. INTRODUCTION.

1.1 Since the Cairngorms National Park was set-up on the 1st September 2003, and started to implement the development control call-in procedure, a number of issues have emerged as problematic/contentious to the planning process. The issue of telecommunication developments is one such issue, particularly with regard to landscape impact. The growth in demand for telecoms, and advances in technology, are likely to have serious implications for the planning system, and for designated landscapes such as National Parks.

1.2 While we must carefully assess telecom proposals for their impact on the National Park, we must also accept that remote and 'peripheral' areas (in UK/EU terms) will require good telecommunication networks for economic and social development.

The AIMS of the CAIRNGORMS NATIONAL PARK:

1.3 While the CNP must have regard to national planning policy, existing development plan policies and specialist advice (e.g. from SNH) for guidance towards the formulation of its own policies, central to all Park policy must be its four aims; these are:

a) to conserve and enhance the natural and cultural heritage of the area;
b) to promote sustainable use of the natural resources of the area;
c) to promote understanding and enjoyment (including enjoyment in the form of recreation) of the special qualities of the area by the public; and
d) to promote sustainable economic and social development of the area's communities.

1.4 Where there is conflict between these four aims, greater weight must be given to the first. While the development of telecom networks can certainly be relevant to the fourth aim, the very nature and proliferation of such developments can also have a significantly adverse impact on the first.

2 NATIONAL POLICY GUIDANCE

2.1 There are three principal pieces of planning guidance issued by the Scottish Executive:

- Circular 5/2001 (changes to the General Permitted Development Order regarding telecommunications development).
- NPPG 19: Radio Telecommunications.
- PAN 62: Radio Telecommunications.

2.2 **Circular 5/2001** : The Town and Country Planning (General Permitted Development) (Scotland) Amendment (No.2) Order 2001: Development by Telecommunications Code System Operators. This Circular outlines the revisions made to the permitted development rights (PDR) previously applicable to certain classes and sizes of telecommunications development. Of particular interest is section 12, which removes the PDR from development within National Parks (with 3 exceptions: emergency development, up to 2 small antennas on a house [neither of which faces onto a road] and a new line between existing telegraph poles). All cases with permitted development rights must still, however:

- notify the Planning Authority (who may comment);
- remove un-required equipment and restore the site;
- declare compliance with radiation protection (where relevant).

2.3 **NPPG 19: Radio Telecommunications** (July 2001). The purpose of this policy is to ensure that Scotland has world class telecommunications services, while minimising the environmental impact of new or replacement equipment. The document deals with all the general issues which are related to telecom installations. Sections 19-22 and 53-55 cover health issues, although they give no practical advice, only saying that health issues are the concern of bodies other than the Planning system; regardless of this, any installation close to a settlement or houses must be fully licensed to cover health and safety issues. Sections 28&29 cover the economic benefits of having good telecom networks, particularly in remote and peripheral areas, and playing a key role in improving Scotland's efficiency and productivity.

2.4 **PAN 62: Radio Telecommunications** (Sept.2001). This paper provides the detailed background for NPPG 19, with advice on siting and design, and general information on the variety of telecom systems in operation. The systems are summarised below, siting & design issues are covered in section 5.

2.5 Some of the most common systems in operation are summarised as:

- Mobile radio telecom systems (mobile telephones): these work by using radio frequencies which are served by geographical cells; each operator divides the country into hundreds of cells, at the centre of each is a base station. The area covered by each cell is governed by its anticipated call-capacity, height of the antenna above ground, terrain and radio frequency. There are 3 sizes of base station: macrocell (providing the main radio coverage, generally mast-mounted or fixed to existing structures), microcell (filling the gaps between macrocell, antennas are usually small boxes, mounted on buildings/structures in urban areas) and picocells (small antenna inside large buildings).

- TETRA (Terrestrial & Trunked Radio) and pager systems: this system is used by the emergency & public safety services; they utilise a wide variety of mast types, but are generally thinner & taller than those used by mobile operators.
- Private Business Radio (PBR): these utilise small antennas for specific groups of users.
- Fixed Radio Access (FRA): these utilise groups of small antennas which require direct sightlines between base stations.
- Other radio telecom systems: such as for broadcasting operators; antenna are usually microwave dishes fixed to large lattice masts. New networks will be required to facilitate the change from analogue to digital systems. Dish antenna are also used to communicate with satellite systems.

3 EXISTING DEVELOPMENT PLAN POLICY BACKGROUND

3.1 The four constituent Local Authorities within the CNP all have existing Development Plan policies or guidance for telecommunication developments. Proposals will be granted and encouraged, subject to: locational, visual impact, mast-sharing, health, and operational need issues being satisfied. Highland has particular policies relative to the health issues concerned with microwave systems.

3.2 See Appendix 1 for a summary of relevant policies.

4 ENGLISH & WELSH NATIONAL PARK POLICIES.

4.1 The English and Welsh National Parks all have policies for telecom developments which impose strict criteria for assessing their environmental and visual impact; as a rule, the character and natural beauty of the Park must not be adversely affected. A selection of policies are summarised in Appendix 2.

5 SITING AND DESIGN ISSUES

5.1 The siting and design of telecommunications development are the key issues to be addressed by the planning system; the visual & landscape impacts are likely to be the most important aspects for the National Park, as well as other environmental considerations.

5.2 There are various options available in site selection and base station design, some of which are summarised below:

- Small scale equipment: the smallest suitable equipment and structures should always be installed.
- Concealing and disguising: there are various options available to camouflage and disguise installations. Painting equipment to match its background/setting is the most obvious method; if the antenna is fixed to a building, it can be enclosed in GRP (glass-reinforced plastic) moulded to match an architectural feature. Screening by trees can be an effective method of helping to conceal a telecom development, but a planning condition may be required to maintain the tree cover. There are some mast

designs that try to look like trees, but these should be used carefully.

- Mast sharing: mast sharing should be the first option considered where there are existing installations in the area, unless the sharing will cause the structure to be enlarged to an unacceptable level. The conditions in code system operator's licences require them to explore the possibility of sharing, and it will also lead to a quicker and cheaper installation. If sharing has not been considered, the planning authority may ask for more information. Any new mast must be structurally capable of being shared by additional telecom developments.
- Site sharing: where an existing mast cannot be shared, then a new one may be erected close-by to share infrastructure, this may of course lead to a negative impact via their cumulative effect; a careful balance must be struck therefore between a concentration of masts, or their dispersion across the landscape, and analysis of which solution has the least visual and environmental impact on the landscape.
- Installations on buildings or other structures: siting equipment on buildings, chimneys, spires, silos or electric pylons can utilise already dominant features in the landscape ~ and minimise new developments.
- Ground based masts: the final option is to erect a new mast

5.3 Landscape Impact. The most obvious issue relative to telecom developments is the visual impact on the landscape, closely followed by the physical impact. Within designated landscapes, extra care must be taken to reduce these impacts. A prominent hill-top location may be the best solution for radio coverage, but it will also create the greatest adverse impact. If a new mast must be provided, we will expect careful consideration of site options and a search for the least intrusive solution/location.

5.4 The Cumulative Impact of the development, in conjunction with existing telecom installations, must not detrimentally affect the character of the National Park.

5.5 Natural Heritage Issues. Important issues will be: loss of habitat (from the mast, ancillary development, access track, power supply etc.); disturbance to wildlife (this will be a particular concern during breeding periods, but also during shooting seasons); and changes to drainage & hydrological patterns. All of the above must be carefully considered and mitigation measures included in any planning application. Where a proposal is within the breeding territory of endangered bird species, e.g. raptors, consultation with the RSPB & SNH may rule against the proposal.

5.6 Health Issues. Health and safety issues, and exclusion zones, are covered by other legislation; we would expect, however, that any planning application lists the health issues involved and what precautionary procedures will be implemented. We would note that Highland council restricts the installation of microwave equipment from occupied Council property.

5.7 Ancillary Equipment. Equipment housing, and compound fencing, can often make as much landscape impact as the mast/antenna and must be carefully designed using the principles throughout this section; as well as painting or screening, undergrounding or landscaping should be considered.

5.8 Power Supply. Radio telecomm equipment requires a power supply, which can be problematic in remote and exposed areas. New power supplies to exposed sites should be by underground cable, not overhead lines. Where a generator is to be used, or a renewable energy source such as solar panels or a wind turbine installed [although a back-up supply is usually also required], the siting and design must ensure a minimal landscape impact.

5.9 Access Tracks. Vehicle hill-tracks as a general issue are covered in more detail by Interim Planning Policy No.3. Existing tracks should be utilised whenever possible, as new tracks can sometimes be more intrusive on the landscape than the telecom installation itself. Tracks should be carefully designed to make the minimum visual and environmental impact.

5.10 Replacement and Redundant Equipment. Replacement equipment should aim to be less visually intrusive than what is being replaced. Equipment which becomes redundant must be completely removed from site, and the site itself restored to natural condition. Code system operators are required to do this by the Telecom Act 1984, but planning conditions may still be applied. This also applies to access tracks, which should be returned to an appropriate natural state.

5.11 Historic Environment. Within Conservation Areas, or on Listed Buildings, all new equipment will be subject to full planning control and Listed Building Consent as appropriate. An installation on a Listed Building should be on the least visible aspect and have no detrimental impact on the building's character. Within Conservation Areas no installation should be on the main façade(s) of a building. For all situations, the roof-lines must also be kept clear.

SUGGESTED POLICIES

6 A wide range of policy options would be permissible as a basis for Interim Policy Guidance, depending on the 'degree of restriction' the CNPA wishes to exercise over telecommunication projects. This, in turn, will be influenced by its view (informed by consultation with the four constituent Local Authorities, Perth & Kinross Council, statutory bodies, interest groups and the local communities) about the balance between man-made and natural features which is appropriate to this National Park. The following policies are therefore offered as a starting point for discussion. They are based on the following prepositions:

a) In relation to considerations of landscape, environment and cultural heritage, the Cairngorms National Park is of the highest importance in national terms.
b) Outwith established settlements and other clearly defined development centres, there should be a strong presumption against further incursions of man-made developments within the Park, except for those necessary to serve the needs of local communities or to promote the understanding and enjoyment of the special qualities of the area by the public.
c) The support of constituent and adjacent Local Authorities should be sought to protect the Park from unsightly telecom developments outwith its boundary, which adversely affect its setting or detract from important views.

7 POLICY FOR TELECOMMUNICATIONS DEVELOPMENT.

7.1 Telecom proposals are likely to make a significant impact on the Park, partly due to the hilly landscape, but also from their proliferation and cumulative effects. To achieve adequate coverage in such a mountainous area will obviously not be easy, but we must still avoid a mast being erected on every hilltop. Where existing installations cannot be utilised, any new development must be sited and designed to make the minimal landscape and environmental impact.

Policy RT1: RADIO TELECOMMUNICATIONS DEVELOPMENT.

Radio Telecommunication proposals will be permitted where all of the following criteria are met, in line with the siting and design criteria in section 5 of this paper:

a) The proposal has no adverse impact on the landscape or cultural heritage of the Park, from any of its works, or through cumulative impact; the siting and design must minimise the visual and environmental impacts.
b) There are no adverse environmental impacts on flora, fauna or habitats.
c) The applicant is licensed, and there is an established operational need for the location proposed.
d) Existing masts, sites and other structures cannot be shared; a justification is required. A new mast must be structurally capable of being shared by additional telecom systems.
e) Alternative sites have been investigated.
f) There is no discernible risk to public health; a certificate in accordance with the Public Exposure Guidelines is provided.
g) There will be no adverse impact on residential properties or communities.
h) Existing telecom services will not be interfered with.
i) All related power-lines will be routed underground.
j) Any associated buildings/infrastructure, including access tracks and fencing, should be designed and sited to minimise visual and environmental impacts.
k) No advertising signage or logos, or non-safety lighting, may be included with the development.
l) All redundant equipment and infrastructure is to be removed at the end of their lifespan, and the site reinstated to an approved natural condition.

The CNPA may seek independent technical advice in relation to the proposal, and in particular clauses c), d) & e) of the Policy.

16 LANDSCAPE AND ENVIRONMENTAL ISSUE CHECKLIST.

16.1 Further information may be required for the consideration of an application, along the following lines:

- Sustainable Development: materials, location, energy production/consumption, local jobs created/sustained
- Landscape: impact assessment, visual impact analysis, ZVI (zone of visual influence), viewpoint analysis, photo-montages.
- Natural Environment: designations, NVC survey of vegetation, habitat & species survey & impacts, landscape impact assessment.
- Built Environment: impact on local properties and heritage.
- Infrastructure: road access & tracks, construction traffic, driver distraction, power connections.
- Pollution: noise, shadow flicker, interference.
- Tourism/Recreation: effect on footpaths/cycleways, visual assessments from tourist routes/viewpoints.
- Proximity to settlements:
- Effects on Aircraft:
- Cumulative impact:
- Community Consultation:
- Decommissioning and Site Restoration:

Conclusions

While the CNPA would wish to support the development of telecommunication networks, to benefit the local economy and social infrastructure, these developments must be carefully sited and designed to minimise their visual and environmental impacts within the above policy framework. Within a landscape designated for its national importance, all 'man-made' development will have some effect on its character, and every effort must be made to mitigate these.

Norman Brockie
30th January 2004

APPENDIX 1: CONSTITUENT LOCAL AUTHORITY'S EXISTING DEVELOPMENT PLAN POLICIES AND GUIDANCE.

Local Authority/Plan	**Policy**	**Contents** (summarised)
Highland Council		
Structure Plan 2001	U4: Telecommunications.	Proposals for masts and other telecom. structures will be favourably considered providing they comply with Strategic policy G2 (sustainable design) and the following criteria: ▪ existing masts & other structures cannot be shared. ▪ existing services are not interfered with. ▪ There is no discernible risk to public health. ▪ the operator is licensed (excl. domestic). ▪ the proposal forms part of a network (excl. domestic). ▪ redundant masts & equipment are removed (without prejudice to their re-use elsewhere).
	U5: Telecoms. And Council Property.	New installations of microwave telecom. equipment will not be permitted on or near Council 'sensitive' (occupied) property.
	RECOMMENDATION U6: Telecoms. And magnetic Fields.	The Council recommends (to Government) that precautionary guidance be issued for microwave telecom. equipment near public occupancy.
	RECOMMENDATION U7: Telecoms. And Planning Requirements.	The Council recommends (to Government) that permitted development rights for free-standing telecom. masts & associated infrastructure be withdrawn.
Badenoch & Strathspey Local Plan 1997	2.4.18	The Council will favourably consider proposals provided that: ▪ visual amenity and nature conservation interests are not significantly affected. ▪ and criteria similar to those in the Structure Plan.
Moray Council		
Development Plan 2000	L/ED9: Telecommunications	Proposals will be permitted where they meet environmental criteria, health regulations and locational requirements; sites may need to be justified and mast sharing will be encouraged. Camouflaging and impact mitigation will be sought.

Aberdeenshire Council		
NEST Structure Plan 2001-2016	Policy 4: Telecommunications	..developments are encouraged but should be sited and designed to minimise adverse impact. Local Plans should prepare policy guidance.
Finalised Local Plan August 2002	Inf\9: Telecommunications Masts	Telecommunications masts and associated apparatus will be approved, in principle, where they comply with the Four Tier approach (for environmental designation) and a) they are sited and designed to minimise visual impact or they reduce the intrusiveness of existing masts or antennae; b) the developer provides a certificate in accordance with the Public Exposure Guidelines; c) any rejection of options for mast sharing and installation on existing structures has been fully justified; AND d) removal, land restoration and after use details are satisfactory. In National Scenic Areas and Areas of Landscape Significance additional care must be taken in the siting and design of masts and antennae.
Angus Council		
Dundee&Angus Structure Plan 2001-2016	No specific policy.	
Angus Local Plan 2000	Policy TRA19: Telecommunications.	Planning permission will be granted where the following criteria are met: ▪ There is an established operational need for the location proposed. ▪ There are no satisfactory alternative sites. ▪ Existing facilities cannot be shared. ▪ (for radio masts) antennae cannot be erected on existing buildings/structures. Any development should be sited and designed so as to minimise its visual impact, subject to technical and operational considerations.
Angus Council Advice Note 26: Telecom. Developments		General advice on the health issues, visual impact, design and planning requirements related to telecom. developments.

APPENDIX 2: SELECTION OF LOCAL PLAN TELECOM. POLICIES IN THE ENGLISH & WELSH NATIONAL PARKS.

National Park/ Plan	Policy	Contents
Dartmoor		
DNP Local Plan Revised Deposit April 2003	Policy UT6: Telecommunications.	Developments will be permitted where: ▪ They do not adversely affect the wildlife, natural beauty or cultural heritage of the Park; ▪ It can be demonstrated that there are no suitable alternative sites or structures that could be used to reduce visual impact.
Lake District		
LDNP Local Plan 1998	Policy UT7: Telecommunications Development.	Proposals will only be approved where their need outweighs the landscape and environmental impacts. Approval may be time limited, followed by a review and removal of the development at the end of its life.
North York Moors		
NYMNP Local Plan May 2003	Policy U1: Telecommunications	Masts will be permitted where the proposal does not have an unacceptable impact on the character of the locality and wider landscape. Where such impact cannot be mitigated by alternative sitings or design, consent will not be granted.
Snowdonia		
Eryri UDP 2001-16, Deposit Version October 2003	Policy A 37 Telecommunications Development .	Proposals for telecommunications development will be permitted so long as it can be demonstrated to the satisfaction of the Authority that the proposal does not detrimentally harm the visual character or special qualities of the locality or wider National Park area, or the amenity of those individuals living within close proximity of the site, having due regard to the social and economic benefits the proposed development will provide and its significance as part of a national network. In addition the Authority would expect all proposals to satisfy all the following criteria: i) It can be demonstrated that an acceptable level of service cannot be provided: a) by siting antennas on existing buildings or structures, b) by sharing an existing mast or tower c) sharing an existing site, d) through the use of a more

		environmentally acceptable site either within or outside the Park, ii) The cumulative effects of the development in conjunction with other existing similar installations, does not detrimentally affect the character or amenity of the National Park, iii) The development is designed and sited so as to minimise its impact on the Park and on the external appearance of any building on which antennas or other apparatus are sited, iv) All additional buildings, equipment housings and means of enclosure required for the essential operation of the service are sympathetic to their setting and the surrounding area in terms of their design, scale and the materials used for their construction, v) Radio-frequency radiation from the antenna is demonstrated to be below International Commission on Non-Ionising Radiation Protection guideline levels, vi) Where there is a risk of significant radio interference, it can be demonstrated that this can be overcome by appropriate measures. The Authority will attach a condition to any consent for telecommunications facilities requiring all equipment and buildings which have become redundant or obsolete to be removed within six months of the facility ceasing to operate.