

# Planning Policy

Our Ref: Telecom Pet 0922

Date: 12 September 2022

## RE: Tall Phone Masts and Planning Policy Petition

Thank you for raising your concerns on telecommunication masts and equipment. As you are aware the Government is strongly supportive of the introduction of 5G technology which will see a proliferation of telecommunications equipment and has been supported in the 2022 alterations to the Permitted Development Rights to which the Council objected. Telecommunication development can be progressed through three different approaches depending on the scale and location of the proposal.

### Permitted development

Most minor forms of installation are permitted development and do not need planning permission. This includes development such as; the installation of additional antenna on existing masts, equipment cabinets of less than 2.5 cubic metres and all broadband related development and cabinets. The 2022 changes to permitted development rights now allow for masts up to 6 metres in height above the tallest part of the building.

The developer will notify us in writing of their intention to install telecommunications apparatus. Development in this category is permitted by law, and does not require an application to, consultation with, or determination by us. It is the developer's responsibility, not ours, to notify property owners of any works.

### Prior approval

The installation, alteration or replacement of some types of telecoms apparatus is permitted by planning law, but is subject to a prior approval process for its siting and appearance. This procedure applies to the following:

- Development in a conservation area, national park or site of special scientific interest (except for broadband related development)
- a mast
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**Manager: Andrew Benson, Head of Planning**  
**Town Hall, Castlefield Road, Reigate, Surrey RH2 0SH**

- an antenna which exceeds the height of the building or structure (on which it is installed) by 6 metres or more
- a public call box
- radio equipment housing bigger than 2.5 cubic metres

The prior approval procedure allows us to approve or refuse details of the siting and appearance of the installation. The 'siting' and 'appearance' of the proposal are the only factors that can be considered under an application for prior approval. No other matters can be considered.

Factors concerning siting may involve:

- height of the site in relation to surrounding land
- topography of the site and vegetation
- openness and visibility of the site
- designated areas
- the site in relation to existing masts
- structures or buildings
- proximity to residential property

With regard to appearance this can include details such as:

- materials
- colour
- design
- dimensions
- overall shape
- solid or open framework

Planning authorities have a strict deadline of 56 days to determine these applications. If we have not notified the applicant of our decision by day 56, the applicant is entitled to carry out the works as submitted.

### **Full planning permission**

Development that does not comply with the GPDO such as; masts over 25 metres in height, antenna and dishes of over a certain size or number, requires full planning permission.

In response to your point 1 on reviewing the local plan policy, I should firstly emphasise the current DMP Policy INF3 which states “Proposals for new telecommunications apparatus (including masts) must be sited and designed sympathetically to minimise the impact on the visual amenity, character and appearance of the surrounding area, coloured and finished appropriately, with provision of screening where necessary. Applicants will be expected to demonstrate that options for sharing facilities and/or co-location with existing installations or structures have been explored and do not offer a practical alternative.”

Whilst we are seeking authorisation to start work on a new local plan, it is unlikely that the current policy will be significantly altered as it seeks to achieve what you are requesting as

well as can realistically be achieved whilst being positively worded as is required of all policies. It has been effective in the determination of planning applications and at telecommunication planning appeals. Moorland green is the preferred colour for telecommunications equipment as is specified by the Council in most instances where we have control which you will see widely implemented across the borough. There are instances where the apparatus installed has not been finished in the required colour and these may be subject to enforcement proceedings.

With regard to point 2 on the location and camouflaging of telecommunications equipment we strongly support such measures but due to the nature and range of cell networks and availability of suitable sites it is not always possible to locate masts and ancillary equipment in the most hidden locations. Indeed, it is important to remember that this equipment is used by many people, businesses and the emergency services (who have their own network). The location of masts on public buildings brings in important income and can mean that community facilities are retained on site. As with all planning proposals, a balance will need to be struck between the benefits and harm of development.

On point 3 – refusal of telecommunication planning applications and prior approval applications; Reigate and Banstead does refuse schemes on a regular basis where they do not meet our policy requirements. When the developer seeks to appeal, our decisions are generally upheld by the planning inspector taking account of the balance of considerations mentioned.

I trust you find these comments helpful. If you wish to discuss further, please contact [lan.dunsford@reigate-banstead.gov.uk](mailto:lan.dunsford@reigate-banstead.gov.uk).

Yours faithfully,

**Andrew Benson**

Head of Planning