Shropshire Council Response

Experience of how the planning system currently works for mobile deployment:

• What is the success rate of planning applications submitted?

A significantly high proportion of all applications for telecommunications applications are now approved. It has not been possible to collate statistics to support this but most applications are approved either as submitted or with amendment over siting or design.

• How often are applications subject to appeal and what percentage of appeals find in favour of the applicant?

Very rarely – I am not aware of any telecommunication planning applications that have been determined in Shropshire at appeal.

• Are there any particular forms of development for which it is routinely difficult to secure agreement?

Where there are <u>perceptions</u> about health risks or visual impact, i.e. masts near schools.

• Do these differ in urban and rural areas?

Health risks more likely to be cited in urban areas close to housing or schools, visual impact considerations come in to plat in rural locations, particularly those with sensitive designations such as the Area of Outstanding Natural Beauty.

• Are there processes adopted by some operators or local authorities that contribute to a smoother passage for planning applications or prior approval?

Yes – using the lead Broadband Infrastructure Programme as a lead into the authority provides an accountable process. The Broadband Team understand the constraints for building infrastructure and have experience in communicating issues to vested Stakeholders.

The effectiveness of telecommunications permitted development rights and the changes made in 2013

• Which of the new rights from 2013 have been used and how often?

Difficult to quantify this but there will be a number of new cabinets in conservation areas introduced under the amendment to part 24 of the GPDO as part of the superfast broadband deployment.

• How much additional or improved coverage has been provided as a result of these changes?

Unknown

• What steps have been taken to increase the sharing of infrastructure?

Shropshire is a keen advocate of seeking shared use of infrastructure. To date there is no evidence that Infrastructure providers are working collectively beyond their existing commercial relationships. Shropshire has responded to the current DCMS Inquiry into

establishing world-class connectivity and impressed the need for aligning Mobile and Broadband gaps and seeking consolidated use of infrastructure in rural areas.

• Are there circumstances where infrastructure could be provided under the new rights but it has not been, or only in low numbers, and if so why?

Not known

The operation of the Code of Best Practice:

• Is best practice being widely secured?

Yes

• Are parties adhering to the agreed code approaches?

Yes

• Does the Code effectively address the circumstances that generally arise?

Yes

• Are there other new issues that should be included?

Not for the code but a closer relationship with the development sector to encourage integrated solutions such as fibre to the premise for new schemes would be beneficial

The nature of the infrastructure required to deliver the 2017 target of 98% with access to 4G connectivity:

• Are there planning applications for infrastructure that are routinely approved and would potentially benefit from a permitted development right, and if so, what benefits would that bring?

It remains beneficial to retain prior approval to ensure siting and design are appropriate as the location for optimal performance is not always the most acceptable from a planning perspective having regard to visual impact and other receptors.

• Are there changes to the existing permitted development rights, which would better support delivery of mobile connectivity including those rights applying to masts?

Not really as there will need to be bespoke solutions for sensitive locations.

• Would extending permitted development rights for taller masts better support delivery of mobile connectivity?

Yes but may generate negative feedback if applied to all locations, maintaining care in designated locations AONB's , conservation areas etc. desirable.

• What is the evidence and what benefits would be delivered from any potential changes to mast heights?

Local Authority cannot answer this.

• What benefits would any new permitted right with a prior approval provide over a planning application, and what data supports this view?

Swifter decision as limited time frame for prior approval applications.

• What impact would any changes you suggest have on the levels of coverage in different areas? In particular, what additional coverage can be achieved by masts of different height? Could this reduce the number of masts needed overall?

Industry response?

• How would changes help deliver the Government's Manifesto commitments on digital connectivity?

Industry response?

The benefits and impacts for communities of coverage and the effect of infrastructure on the landscape:

• How do those who live in and visit more isolated locations benefit from the services that are considered essential, and can be extended in urban and suburban locations?

In Shropshire, what is of significance in service commissioning and delivery terms is that the population is distributed across the entire county, with no area uninhabited.

From an equitable service delivery point of view, and from a social inclusion point of view, rural and urban communities require effective digital infrastructure as an essential component of day to day living, such as access to health care and self help, and to shopping and leisure pursuits. For rural householders, practical challenges present themselves where mobile and broadband connectivity cannot readily be achieved, eg lack of access to online shopping eg challenge of meeting Government approach of Digital by Default to pay car taxes.

Added to such practical challenges, due to the location of settlements there are also natural geographical constraints and challenges. Key transport routes, when affected by adverse weather conditions and flooding, cause disproportionate affect on communities and commuters, as other physical routes to employment and education and to health, shopping and leisure facilities are simply not available, and as fuel costs are a real issue in areas with limited public transport.

These constraints and challenges may to some extent be mitigated against through effective and comprehensive mobile phone and broadband coverage, as well as other mechanisms to support rural communities and encourage rural economic growth, eg services that are developed and delivered within localities.

From an economic growth point of view, effective digital infrastructure including mobile connectivity enables access to education, training and employment opportunities and provides the platforms through which a range of businesses may be set up and operated and continue to remain viable through use of online presence eg in the hospitality sector.

Furthermore, effective digital infrastructure can minimise social isolation, for the groups and individuals that we describe as vulnerable or isolated. This may be due to a range of factors including age and health of our population, given our demographic profile, and age and condition of our housing stock. In rural areas, vulnerable groups and individuals are disproportionately disadvantaged not only by their vulnerability, but also by virtue of their

geographical isolation from facilities and services, not least health facilities and emergency services.

• How would any new rights balance the benefits of connectivity with the value placed on protecting streetscape and landscape?

This is evolving as more communities now rely on an effective telecommunications network for both work and leisure activities. Streetscape and landscape do however remain a high priority in a County like Shropshire which receives significant benefit from the visitor economy. The balance therefore needs to be weighed carefully against the impacts which is why there will need to be appropriate controls particularly in designated areas.

• How could any new rights be targeted to focus on extending coverage?

Focus on impact by population excluding designated areas.

• What different approaches have been taken to mitigate the visual impact of infrastructure on landscape, and what has worked well?

Colour design, bulk mass and location are all relevant. Integrating telecommunications infrastructure with established and accepted design solutions assists.

• Are there particular restrictions or conditions, which ought to apply if masts were to be given permitted development rights in protected areas e.g. restrict masts to near existing infrastructure (roads, railways, factories etc.) or should they be placed anywhere?

As stated previously conservation areas, AONB, National Parks and listed buildings should all be given careful consideration.

• We recognise it is important to strike the right balance between supporting growth and safeguarding protected areas: these are both Manifesto commitments. What is the case for introducing permitted development rights for masts in protected areas?

I would ask where is the evidence for problems in protected areas. Controls provide a mechanism to secure appropriate design solutions by negotiation. They are rarely (in Shropshire) used to refuse a scheme.

The projected impact of technology on future mobile infrastructure requirements:

• Are we planning sufficiently for the future as well as for current infrastructure needs?
There is an absolute needs to ensure that the main infrastructure is in place (backhaul/mast/power/line of sight) at strategic points to enable end user equipment to evolve over time. Provided the key dependencies are in place the future needs will naturally evolve from this coverage points.

• How could we future proof any new permitted development rights?

How can we without knowing what technological requirements will in years to come?

• Should planning approvals for infrastructure to support mobile connectivity be time-limited to encourage development of new technology?

Yes – this would encourage implementation and allow a review of the impact