

Town Planning Statement

5G Electronic Communications Base Station

At the Existing BT Telephone Exchange

**'OTLEY NEW ATE'
CHARLES STREET
OTLEY
WEST YORKSHIRE
LS21 1BJ
E 420420 N 445380**

COM-0027733 – OTLEY NEW ATE

CELLNEX UK AND CTIL

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1. INTRODUCTION

- 1.1 This statement is submitted in support of an application for planning permission for a 5G mobile base station for the mobile network operator (MNO) Telefónica UK Ltd, in conjunction with Cornerstone. The application site is operated by Cellnex UK, a radio site infrastructure provider.
- 1.2 The application includes:
- A description of the site and surrounding area
 - A description of the proposal
 - A statement of community engagement
 - A review of planning policy considerations
 - A review of design and access considerations
- 1.3 A number of other accompanying documents have been submitted in support of the application and these are referred to and must be read in conjunction with this statement.

2. SITE AND SURROUNDING AREA

- 2.1 The existing telecommunications installation, which has a need for upgraded technology, is in the town of Otley on the rooftop of the Charles Street Telephone Exchange. The proposed upgrade works on this rooftop are within the Otley Conservation area and there are a number of important built heritage assets around the site, namely various grade 2 listed buildings within the vicinity. The current installation is quite well camouflaged with its colouring and positioning, from the street scene. The proposal while, adding new 5G technology will aim to mitigate any perceived visual impacts as much as possible. We feel this can be done with a simple design that is in keeping with the existing installation, along with appropriate painting of equipment and proper maintenance.
- 2.2 The existing rooftop installation which dates back to 2002 and 2004 includes a flagpole antenna (from another operator) and 3no. antennas face mounted on the building which are to be upgraded. The current antennas provide 3G and 4G technology in the area and there is a need to provide 5G technology to the area. The original application had conditioned a particular colour scheme which has greatly reduced any visual impact from the antennas, particularly on the chimney on the north east corner of the building. This has helped to reduce visibility of the equipment from around the site with most of the equipment being away from frontal views and any other viewpoints have a reduced impact due to the painting of equipment.

3. THE 5G PROPOSAL

- 3.1 The development proposed is shown in detail in the drawings submitted and is for a new 5G electronic communications base station. The deployment of 5G will utilise the MNOs existing 3G and 4G networks such as the base station already existing at the application site. As such, the application site is likely to carry different mobile connectivity services in parallel, with high data uses operating through the new 5G higher capacity network apparatus subject of this application.
- 3.2 Unlike earlier generations of mobile connectivity, 5G has more significant technical and operational requirements and this has implications on the amount, height, position and design of the new base station apparatus on the rooftop of the building. To help explain this important detail, we have set this out in the accompanying “*5G Technical Support*” document, which must be read in conjunction with this planning statement.
- 3.3 The principal elements of the proposed development at the application site reflect these various siting and design factors within the technical support document:
- **The removal of 3 no. existing antennas and associated ancillary apparatus.**
 - **The proposed installation of 6no. additional antennas and associated ancillary apparatus on existing and new support structures.**
 - **The removal of 2no equipment cabinets and the proposed installation of 1no. equipment cabinet.**
 - **Other ancillary apparatus and development thereto.**
- 3.4 The radio equipment housing will need to be mechanically ventilated to avoid overheating of equipment. The ventilation equipment is only likely to operate during the day during hot weather. If it is considered specific noise attenuation measures to be necessary, we would be pleased to discuss practicable solutions.
- 3.5 Paragraphs 16 and 17 of the Code of Practice for Wireless Network Development in England, published in March 2022, explains how mobile networks operate. In the annual network rollout information supplied, the operators will have explained their

network requirements for 5G and the anticipated use of existing sites, including those owned by radio site infrastructure providers like Cellnex UK.

- 3.6 The application site has been selected by the operator as this will provide the required level of 5G network coverage while properly meeting national town planning policy objectives for the shared use of existing electronic communication sites, in this case owned / operated by Cellnex UK.

4. PRIOR ENGAGEMENT

- 4.1 The National Planning Policy Framework (NPPF) and the Code of Practice for Wireless Network Development in England require a consultative approach to network development with the planning authority and local community, reflecting the particular sensitivities of any given site. The proposal received a rating of red when assessed against the traffic light rating model as referenced in the Code of Practice. This was due to the heritage sensitivities of the surrounding area.
- 4.3 In our engagement letter we sought to agree with you the appropriate traffic light rating and associated engagement requirements with the local community and obtain your comments on the siting and design of the development.
- 4.4 The pre-application engagement advice received has been considered and the design has been checked to make sure we provide the least visually intrusive option available to us at this time. Pre application advice (PREAPP/23/00365) from Mr Laurence Hill has suggested that the proposal seems like a sensible option and that officers would be likely to support an application for planning permission subject to the equipment being sensitively located and all obsolete equipment being removed.
- 4.5 Our best practice engagement with the local community entailed correspondence with ward Councillors and local businesses and residents. Regrettably we did not receive any responses from the community engagement letters we sent out.

5. PLANNING POLICY

5.1 The relevant planning policy and best practice framework is found principally within:

- National Policy, especially the National Planning Policy Framework (NPPF)
- The local policy framework set out in the Otley Neighbourhood Plan 2021 and the Leeds Core Strategy (Local Plan);
- Otley Conservation Area Appraisal;
- The Code of Practice for Wireless Network Development in England.

5.2 From these documents can be discerned the general policy background that exists for electronic communications development, site specific policies and the key considerations relevant to the siting and design of appropriate electronic communications development. As planning authority, you will be familiar with this framework and so in the interests of brevity, we do not rehearse it back to you in detail, but address instead the principal themes to demonstrate that the application accords with them.

National Support for Modern Communications

5.3 There is significant UK Government support for the delivery of 5G, particularly as this new connectivity will be a step change from earlier generations of mobile connectivity and will be critical to economic growth and sustainable communities. Our accompanying document of national policy 'National Policy - Delivering Ultra Fast Broadband Mobile Connectivity', sets out how 5G mobile connectivity will underpin the UK Digital Economy and the significant social, economic and sustainability benefits of advanced modern connectivity. It is essential that the planning system looks to support and facilitate new 5G base station installations such as that proposed to meet the Government's Digital Strategy. In addition, modern connectivity, such as 5G, will be essential to help the Government meet its wider sustainability and climate change targets and we explain this in more detail in our accompanying document '5G – Helping tackle climate change'.

The Need to Conserve the Historic Environment

5.8 In this case the site falls within the Otley Conservation Area and as such we provide a Heritage Statement in support.

Heritage Statement

5.9 The application site is located on the eastern boundary of the Otley Conservation area near to Gay Lane (8) Character Area and the current Telephone Exchange is marked as a building that detracts. The character area is part of traditional Otley and was part of the gateway to the town centre. The location looks over some grade 2 listed buildings on Charles street and Bondgate and the building has a cladding designed to match the traditional brickwork in the area along with black trim, both of which can act as a backdrop to disguise antennas and steelwork with the appropriate colours and continued upkeep. Opportunities for enhancement in the area include regeneration of derelict sites with well-designed modern proposals which the addition of high quality communication service can help to encourage.

Figure 1: View from the site rooftop looking south on Gay Lane towards the petrol station.



5.10 The general presumption in favour of allowing development for modern communications, and the special operational and technical factors that require siting of base stations within the Conservation Area is balanced by the need to conserve or enhance their heritage qualities.

5.11 However, there is now far greater emphasis that visual impact should not override significant radio planning requirements to achieve mobile coverage to a particular area, particularly with the need to support the massively growing and intensifying demand for mobile communications across the UK. Indeed, in terms of looking to meet operational needs, the NPPF now applies a reduced policy test compared to previous guidance. This helps clarify that an operator is only required to satisfy the normal test of acceptability having regard to all material planning circumstances, rather than looking for the 'optimum' solution as required under the former PPG8.

Figure 2: The existing antennas on the northeast corner of the rooftop – The proposed antennas could match the visual mitigation seen here.



- 5.12 In balancing these requirements, the starting point for planning new networks or the expansion of existing networks is to use existing electronic communications sites owned by other operators or radio site management companies, such as Cellnex UK. This policy objective is backed with the statutory obligation placed upon operators to share apparatus, where practicable out under General Condition 3(4) of the Electronic Communications Code (Conditions and Restrictions) Regulations 2003, as amended.
- 5.13 In this instance, the installation of apparatus at this existing site managed by Cellnex UK, where there are *existing operations* aligns with this longstanding policy.
- 5.14 Nonetheless, any potential harm the apparatus would cause to the designated heritage asset must be assessed, as set out in NPPF paragraph 201 and how to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal. In this case, all reasonable steps have been taken, through careful siting at an existing Cellnex UK site, to moderate the visual impact of the development, having regard to technical and operational factors. Accordingly, the proposal looks to conserve the heritage assets.
- 5.15 In so far as there may be any perceived harm, the development proposal will have less than substantial harm to the significance of a designated heritage asset and as such, this harm has to be weighed against the public benefits of the proposal (paragraph 208). In this respect the base station is required as part of a national 5G mobile communications network, necessary to extend and improve mobile connectivity to the local area and has wider public interests. As explained, the target coverage area falls within the designated area and the special operational and technical requirements necessitate siting of new apparatus within it.
- 5.21 As a matter of principle, the development proposed is in accordance with the relevant policy framework and should be therefore be acceptable. In the next section, the Design Considerations are reviewed to demonstrate that the detail of the development is also acceptable and that in accordance with the presumption in favour, planning permission should be granted.

Local Policy Considerations

- 5.22 At local level, the proposal has been considered against the Leeds Local Development Framework Core Strategy, Otley Neighbourhood Plan, the Leeds Unitary Development Plan, and the Otley Conservation area assessment. Policies that are of relevance to this application include Spatial Policy 8: Economic Development Priorities which states *'Support the advancement of high quality communications infrastructure to foster sustainable economic growth and to enhance business links subject to landscape, townscape and amenity considerations'*. Policy P10 Design is also relevant and it is considered that within the context of the conservation area this development is appropriate in it's design based on the building not being of any heritage importance. It is our opinion that the proposal will protect the special character of the area and make no significant visual impact on the existing telecoms installation, while bringing much needed improved communications technology. The Otley neighbourhood plan also includes policy BE9: Otley Conservation Area which gives more context to the design vision for the conservation area. In this case considering there is no specific Telecoms policy at local government level, it is important to fully consider the NPPF and additional information can be found in the accompanying document of national policy *'National Policy - Delivering Ultra Fast Broadband Mobile Connectivity'*.
- 5.23 The proposed development is therefore considered to strike the best balance between meeting the specific network requirements for the operator(s) and minimising environmental impact.

6. DESIGN CONSIDERATIONS

6.1 The development proposed is exempt from the requirement to provide a design and access statement under Article 9 of The Town and Country Planning (Development Management Procedure) (England) Order 2015, as amended. However, to assist your consideration of the detail, this section provides a description of the process adopted in the design of the proposals and explains the access considerations. Due regard has been given to the factors addressed from Paragraph 20 of the Code of Practice.

Physical Context

6.2 The context of the site within the conservation area is seen as a sensible and appropriate proposal based on the existing installation and that there are no other more appropriate sites within the area. The building which does not positively add to the heritage assets of the area will remain largely unchanged and any perceived visual impact is seen to be outweighed by the public benefits in the area.

Amount, Design, Layout and Scale of the Development

6.3 The scale, layout and design of the development has been guided by the special 5G technical and operational factors affecting the need to provide coverage to the local area, having regard to the need to minimise visual impact. With regard to the main component elements of the development proposed.

- Kept in proportion to the building and existing installation.

The scale of the apparatus is not large and when installed should look proportionate to the structure as a whole. The antennas are similar to the existing electronic communications apparatus installed on the building although additional equipment is proposed to meet the special technical and operational requirements of 5G. They will therefore be seen in the context of this apparatus and will not appear as incongruous or jarring additions to the building or look out of place within the heritage area.

- Respect for architectural style.

Within the severe technical constraints, the apparatus shall be installed in a manner that respects architectural style. Architecture and its style are about function as well as pure design. The telephone exchange, although within the conservation area, was designed to provide local connections to the electronic communications networks and has a utilitarian appearance, more in contrast with other heritage buildings within the area. Mobile phone base stations are a more modern wireless form of telephone exchange, but still require many of the operational attributes present. The development proposed therefore fully reflects the function of the exchange and the apparatus proposed can be viewed as an evolutionary requirement. In similar fashion, for example, a railway station, i.e. development required for another form of communications, which now may form part of our built heritage still has to evolve in accordance with new technology and safety requirements. In turn these translate into an array of structures that were often never envisaged when first built and now common within urban environments including those that may be designated for their heritage interest.

- Have minimal impact above the roofline.

The apparatus that projects above the roofline has been kept to the absolute minimum having regard to the technical parameters and design considerations explained above. The impact on the apparatus remains contained and new views towards this apparatus from elsewhere within the Conservation Area remain limited, in particular with the camouflaging of the antennae.

- Not be detrimental to views and general skyline.

A combination of design, topography and natural and manmade features should help keep any perceived changes to views and the skyline to within acceptable limits. Indeed, within the context of this urban location the attention of the casual observer is likely to remain be focussed more upon the streetscape. The proposal should make any views that break the skyline less impactful with the reduction in cabinets on the rooftop.

- Avoid creating clutter.

The apparatus should not look unduly cluttered and insofar as it might be visible it will be viewed as operational electronic communications equipment

compatible and now expected on a building designed and constructed exclusively for electronic communications purposes.

- Use clean lines and maintain symmetry.

The apparatus has clean lines and has been sited to maintain symmetry with both the building and its different elements.

- Painted to correspond with the background or to reduce contrast.

The equipment cabinets will be painted based on the council's and heritage officer's recommendations.

Antenna Array

- The numbers of antennas and their size has been kept to the minimum necessary to provide 5G coverage and to link this site back into the operator's network. The design of these features is very much driven by operational and technical factors.

Equipment Cabinets

- The number of radio equipment cabinets and their size has been limited to what is required to meet the operator's current and foreseeable network requirements. The location and design of the equipment cabinets, and the electronic communications equipment housed within them, reflects their functionality and the technical and operational requirement to be in reasonable proximity to the antenna systems and dishes that they support. This avoids exceptionally large runs of feeder cables and associated supporting trays, and the subsequent loss of signals.

Access Considerations

6.4 Access to the site will be provided from the access stairwell to the BT rooftop through the main building access.

6.5 Once constructed, the development will be unmanned requiring only periodic visits, typically once every two to three months for routine maintenance and servicing.

6.6 In accordance with all relevant health and safety legislation and guidelines, access to the site will be restricted to authorised personnel and the routine maintenance and servicing of the apparatus will only be carried out by properly trained and qualified staff. Electronic communications base stations are specifically designed to prevent unauthorised access by members of the public and, therefore, there is no requirement to incorporate inclusive access arrangements into the proposed layout and design of the development.

Landscaping

6.7 The proposed siting of the development has been very carefully chosen to minimise environmental impact. Any potential impact of the development is principally associated with radio mast, which is the most visible component of the base station, and which cannot be fully screened for operational reasons. The height of the apparatus on an existing rooftop means that any attempt to screen it in its entirety would be unrealistic in any event.

Appearance

6.9 The sensitive approach to siting and design should minimise the appearance of the development proposed. Insofar as the apparatus may be visible, they should look straight forward in appearance and reflect its function. To that extent they should in time become accepted features of the local environment as with other forms of communications networks and essentially public utility infrastructure, such as roads and railways. In this particular case the carefully designed apparatus which is existing is accepted within the streetscape and the proposal will be very much in keeping with the existing.

7. HEALTH AND SAFETY

- 7.1 In support of the application, we include a separate document called '5G Health and Safety' which sets out in more detail the associated health and safety considerations. Every installation on a site owned or managed by Cellnex UK will be compliant with international standards adopted by the UK Government. A certificate confirming compliance with the relevant ICNIRP guidelines on public exposure has been supplied with this application.
- 7.2 The ICNIRP guidelines seek to protect against the well-known thermal effects of radio emissions and include a significant precautionary factor. These guidelines apply to all forms of electronic communications and mobile technology is one of the lowest powered of these.
- 7.3 National planning policy remains clear, provided an application is certified as ICNIRP compliant, local planning authorities should not seek to effectively set different guidelines through the refusal of planning permission.

8. SUMMARY AND CONCLUSIONS

- 8.1 In summary, the application is in respect of a 5G electronic communications base station necessary to improve a vital network that provides public services.
- 8.2 The service provided by the operator is in the public interest and is in very high demand, with 5G being the next and highly significant advancement in mobile connectivity. In the UK there are now more than 111 million subscriptions to mobile networks and mobile services now exceed fixed landlines in terms of customer numbers and usage.
- 8.3 The public interest of the system is clear from the considerable benefits that will flow and it makes a significant and major contribution towards sustainable objectives.
- 8.4 The operator's requirement is in the context of network needs associated with a 5G cellular system. These impose particular locational and siting requirements which are even greater with 5G. The technical justification clearly demonstrates the need for this apparatus proposed within the context of the operator's surrounding network.
- 8.5 The operator(s) has followed national and local planning policy and best practice guidance in the siting and design of its apparatus in recognition of the need to minimise visual impact. This has included:
- Network planning based upon existing sites, including those controlled by Radio Site Management companies like Cellnex UK.
 - Siting at an existing electronic communications site to minimise new sites and help avoid the unnecessary proliferation of new radio masts and sites for them.
 - Engagement in accordance with the Code of Practice procedures.
 - An examination of design options to try and minimise potential visual impact.
- 8.6 The proposed antennas will comply with all relevant health and safety requirements and will be compliant with the ICNIRP guidelines. There are no exceptional circumstances in this case and therefore no need to consider health effects and related concerns such as the perception of risk further.
- 8.7 This statement and the other accompanying material has demonstrated that the proposal is in accordance with local Development Plan policy and national policy set

out in particular within the NPPF. In particular it is a form of development that is specifically encouraged as a matter of principle and in its detail complies with the policy objective of minimising potential environmental impact.

- 8.8 In conclusion, the application is for sustainable development, acceptable as a matter of principle and appropriate in its detail and so one which the presumption in favour of granting approval applies.