

Supplementary Information Form

1. Site Details	
Site Name	Ratby Sports Club
Site Address	Ratby Sports Club, Desford Lane, Ratby, Leicester, Leicestershire, LE9 2BR
NGR	E450906, N305507
Site Number Ref	LEC0008
Site Type ¹	Macro

2. Pre Application Check List		
Site selection		
Was a local planning authority mast register available to check for suitable sites by the operator or the local planning authority?	Yes	No
If no, please explain why: There are no existing masts within the local area which could be utilised to provide the desirable level of network coverage to the target area. As such, the Ofcom database was not used.		
Was the industry site database checked for suitable sites by the operator?	Yes	No
If no, please explain why: As outlined above.		
Pre-application consultation with local planning authority		
Date of written offer of pre-application consultation	N/A	
Was there pre-application contact?	Yes	No
Date of pre-application contact	N/A	
Name of contact	N/A	

¹ Macro or Micro

Summary of outcome / main issues raised:

Due to the specific nature of the proposed development – i.e. a future-proofed, shareable tower, which can accommodate all Mobile Network Operators (MNO's), plus other wireless network service providers, the search area for this site is geographically limited as it must be situated in close proximity to the community it is designed to service.

As such, it was considered appropriate to proceed directly to application submission, with the support of a robust town planning and environmental justification for the chosen site.

Ten Commitments Consultation

Rating of Site under Traffic Light Model

Red

Amber

Green

Outline Consultation carried out:

In accordance with the Code of Practice (March 2022), the proposed development has been rated as GREEN. Whilst the installation measures 25m in height, it should be acknowledged that the application site is specifically positioned against mature trees which measure approximately 18m in height. As such, only the upper-part of the mast and its headframe will be visible above the treeline. For operational reasons, the headframe, and the antenna it hosts, cannot be screened under any circumstances. It is therefore submitted that the significant level of screening is achieved at this location, without impacting the operational effectiveness of the tower.

Furthermore, the application site has been purposefully positioned to the west of Ratby, in an area which is remote in relation to residential properties, and which benefits from a continuous run of mature, dense trees.

The rating of GREEN is therefore considered to reflect the proposed scheme and the surroundings in which it sits

Summary of outcome / main issues raised:

N/A

School / College

Location of site in relation to school / college (include name of school / college):

N/A

Outline of consultation carried out with school / college (include evidence of consultation):

N/A

Summary of outcome/main issues raised (include copies of main correspondence):

N/A

Civil Aviation Authority / Secretary of State for the Defence / Aerodrome Operator consultation (only required for an application for prior approval)

Will the structure be within 3km of an aerodrome or airfield?

~~Yes~~

No

Has the Civil Aviation Authority/Secretary of State for Defence/Aerodrome Operator been notified

~~Yes~~

No

Details of response:

N/A

Developers Notice (only required for an application for prior approval)

Copy of Developers Notice enclosed

Yes

~~No~~

Date served

18th September 2026 – Proof of Delivery of Developers Notice included within the application

3. Proposed Development

About Icon Tower Infrastructure Ltd (Icon Tower):

Icon Tower Infrastructure Ltd (Icon) is a comparatively new Wholesale Infrastructure Provider, or Infrastructure System Provider, specialising in providing sites and infrastructure for shared use by network operators, such as the four UK Mobile Network Operators. As such, Icon increases the competition in this growing sector, which the Government recognises to be in the public interest. This is through the provision of additional shared sites to aid the deployment of 5G and future technologies in a cost-effective manner that reduces the costs of the network operators. In turn this can translate into more competitive pricing for the general public consumers of their network services. More information about Icon is set out in the accompanying document Icon Tower Infrastructure Ltd - An Introduction for Local Planning Authorities.

Icon Tower is committed to the responsible development of wireless infrastructure and considers relevant planning and environmental matters when bringing proposals forward. Icon Tower operates in accordance with the Code of Practice for Wireless Network Development in England.

The MNOs in the UK (O2, Vodafone, EE, Three UK), together with over 100 other smaller networks, use Icon Tower's infrastructure to deliver a wide variety of services ranging 2G, 3G, 4G and 5G mobile coverage, through to fixed wireless broadband, emergency radio services, broadcast and local wireless services.

International consultancy Ernst & Young highlighted in a recent report ("*How the tower sector is contributing to the European economy*" – February 2022) that the independent sector "*will*

continue to play a significant role, underpinning modern digital economies in Europe for the long term". Ernst & Young further noted that the "outsourcing of wireless infrastructure to independent Tower Co's is a growing trend in Europe that is in line with the model prevailing globally. It delivers a number of benefits to mobile network operators (MNO's), the wider wireless sector, and ultimately, the consumer" and that the TowerCo sector has "a proven track-record in sharing towers with multiple network operators". The report also referenced evidence supporting that independent towers (like the one proposed) "reduces overall cost for mobile operators, helps improve coverage and reduces consumer prices".

From a planning perspective, the same Ernst & Young report states the following:

- "The average number of wireless network operators sharing an independent tower is 2.4, compared to 1.3 for MNO-controlled towers. Independent TowerCos make it easier and cheaper to roll out new networks.
- A typical location of a wireless network operator (also point of presence) managed by a TowerCo is circa 40% more efficient than one managed by an MNO, resulting in economic savings of €31b across Europe between 2019 and 2029.
- Greater outsourcing to independent TowerCos could release an estimated €28b of capital, which MNOs can reinvest in their networks, such as to improve coverage and accelerate 5G rollouts. Since 2018, independent TowerCos have helped release around €3.5b in capital via acquisition of various tower portfolios from MNOs.
- While the share of independent TowerCos in Europe has increased in recent years (from 13% in 2014 to 17% in 2018 and 35% in 2021), it remains low compared to other regions (e.g., 90% in the US, 55% in Central and Latin America, and 52% in India). A further increase in Europe would help deliver the benefits of cheaper and better mobile networks.

Supporting this application will therefore not only secure investment in a high-quality infrastructure asset for the community but also ensure that the mast is deployed by a 'Code Operator' focused on maximising the use of that infrastructure to enable continued and ongoing improvements in connectivity, capacity, and coverage, over the long term. This, coupled with the maximisation of the asset (i.e. opportunities offered to all major MNO's to share the mast), will result in less duplication of base stations within the Council-area, and across the UK on the whole.

UK Government Policy on Mobile Infrastructure Deployment:

Mobile telecommunications networks are now ubiquitous throughout the UK. It is an expectation that an individual can connect and use their mobile phone whenever and wherever they so require. With the advent of new technology, further advances are proposed, and Central Government has seen the telecommunications industry, and 5G, to be at the forefront of economic development.

The expectations are that future telecommunications technology will support government policy regarding digital inclusion; improvements in health and social care; assisting in local economic growth; advancing the development of Smart Cities and supporting innovative uses throughout the transport sector for both personal and public travel.

At the beginning of March 2017 the Department of Culture, Media and Sport (DCMS) issued an updated UK Digital Strategy (UK Digital Strategy) with the goal of ensuring that the UK delivers

a “*world-leading digital economy that works for everyone*”. The strategy focuses on seven key strands:

- Building world-class digital infrastructure for the UK
- Giving everyone access to the digital skills they need
- Making the UK the best place to start and grow a digital business
- Helping every British business become a digital business
- Making the UK the safest place in the world to live and work online
- Maintaining the UK government as a world leader in serving its citizens online
- Unlocking the power of data in the UK economy and improving public confidence in its use

The Government has noted within the Digital Strategy that the UK lags behind other similar nations in the delivery of fast, reliable, consistent connectivity for its population, wherever they are in the United Kingdom. In conjunction with the new Electronic Communications Code (2018), the DCMS wishes to make it easier for Operators to upgrade and share their equipment with other Operators to help increase network coverage, capacity and connectivity. The DCMS also sees new technology and improved connectivity and coverage as key to the future growth, both socially and economically, of the UK.

Icon Tower is committed to following through on the Government’s aims and to the responsible development of wireless infrastructure. This submission forms part of private new investment where there is a specific requirement for an upgrade to the existing radio base station at this location to enhance coverage in the area.

The Application Site:

The proposed development will be located at Ratby Sports Club, Desford Lane, Ratby, Leicester, Leicestershire, LE9 2BR (NGR: E450906, N305507) hereafter referred to as ‘the Site’. Figure 1, below, shows the approximate location of the Site. The Site is situated immediately adjacent to a copse of mature trees, which measure circa 18m in height. This mature tree cover will ensure that views of the proposed scheme are limited to the upper sections of the mast and headframe only, which, in any event, must remain visible for operational reasons.

As can be seen in Figure 1, below, a row of mature, dense trees runs parallel to Desford Lane, providing a natural border between the Site and the highway. These trees run in a north-south direction and will therefore assist in filtering short-, medium- and long-range views of the proposed mast. The Site sits to the south of Ratby Sports Club and a significant distance away (circa 350m) from the nearest residential properties of Ratby. As shown in Figure 1, there is significant, intermittent tree cover dispersed across the local landscape, which will assist in reducing any associated visual impact of the scheme. The location of the proposed development, in taking all of these factors into account, is considered to be an excellent operational and town planning solution.

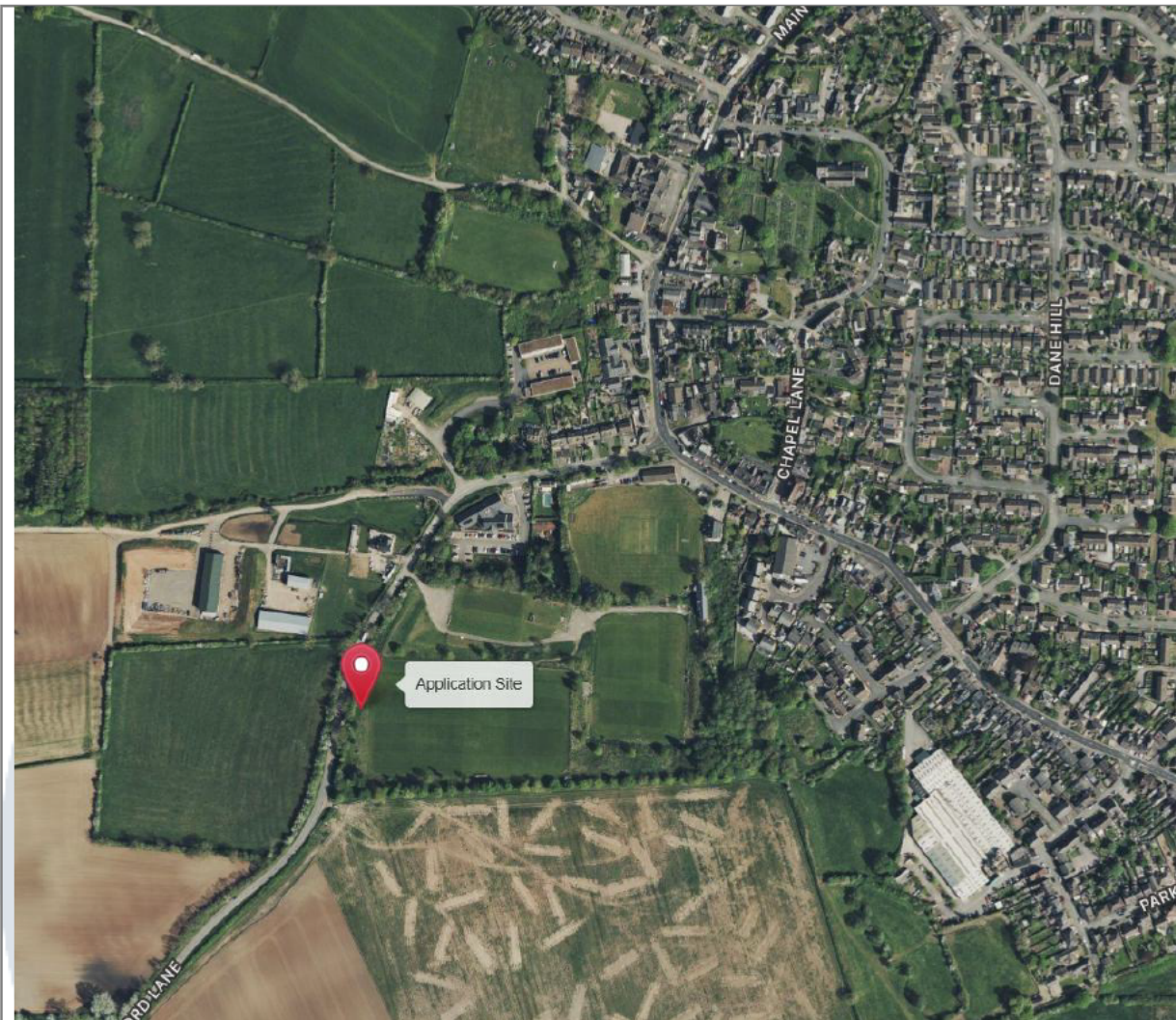


Figure 1 – Aerial imagery of proposed site (approximate site denoted by red marker) (Source: Google Maps 2026)

The installation of a new sharable 25m-high monopole will offer a viable solution for multiple Mobile Network Operators. The proposed monopole will accommodate antennas and dishes for **all** Operators, as well as offering easy upgrade opportunities in the future. This differs from the traditional Operator-led base station upgrades which often lead to the removal and replacement of the entire structure. The proposed tower is robust and over-engineered at the point of deployment, to ensure that it is future-proofed and will allow for significant equipment upgrades to be undertaken with ease, without the need to replace the tower itself. This multi-user structure with secure compound and upgraded power supply will enable the opportunity to consolidate existing base station equipment onto a single structure, and in time may lead to the removal of existing infrastructure from the wider landscape.

The Site has been chosen as the most viable town planning solution within the local area which will meet the necessary coverage requirements of the MNOs, whilst simultaneously offering opportunities for new sharers (i.e. other wireless service providers, such as Community Broadband firms etc). The long-term goal is to offer a viable, shareable, and future-proofed solution which allows all MNO's to deploy their apparatus onto a single tower, which is well screened from a town planning and environmental perspective, but also offers an excellent technical and operational solution, thereby improving connectivity, capacity and coverage within the surrounding area.

The Site is not located within any Conservation Area, or in close proximity to any Listed Buildings, Ancient Monuments or other Heritage Assets. In addition, the proposed works are not located in close proximity to any designated sites such as SSSIs, SPAs, SACs, or National Nature Reserves.

The proposed site has been specifically selected to ensure that it utilises the existing, mature, tree cover to the best effect. The 'sharing' of the proposed monopole must be acknowledged. Whilst the Applicant's accept that the height of the installation will result in some minor visual impact on the landscape, the slimline nature of the development will ensure that the visual impact is reduced as far as practicable. This, coupled with the presence of mature tree which border the Site, ensures that the mast will be absorbed into the immediate area with ease. When the perceived visual impact is assessed against the provision of economic, social and environmental benefits that will be brought forward by the proposal, there is considered to be significant favour towards approving the scheme. The justification for the height of the proposed installation is that it must sit above the treeline for operational reasons, and the 'sharing' nature of the mast aligns with the direction of travel outlined by the UK Government – i.e. to achieve world class telecommunications networks across the Country.

The proposed apparatus only serves **one** function – to provide mobile network coverage to the local area. The equipment has no other function. As such, the appearance of the equipment, and the height of the equipment, is dictated by functionality and technical constraints. Indeed, the further relaxation of Permitted Development rights by Central Government in early 2022, shows a clear indication that 30m is now the accepted height for new base stations which are situated outside of designated areas. It should also be noted that this juncture that the associated ground-based equipment cabinets and fencing etc, qualify as outright Permitted Development.

It is considered that the proposal in front of the Council is acceptable, allowing the opportunity to propel the local community to the forefront of the next generation of technologies and continuous network capacity, connectivity and coverage improvements.

Ensuring that continued network improvements are achieved is of vital importance, especially given the modern-day circumstances which have come as a consequence of the Covid-19 global pandemic – with workers now adopting a more hybrid working pattern and leading to an inevitable increase in data consumption in all settings – be it residential, urban, retail, commercial or industrial.

This proposal is future-proofed to allow the mast to be shared by multiple Operators. This is therefore a material planning consideration, and should be given planning weight when assessing the application. It is considered that the proposal in front of the Council is acceptable.

Type of Structure (e.g. tower, mast, etc):

Description:

The installation of a new 25m-high telecommunications monopole accommodating 12no. antenna and 2no. transmission dishes; plus accompanying ground-based equipment cabinets within a fenced, secure compound; and ancillary development thereto.

Overall Height: 25m

Materials (as applicable)

Tower / mast etc. – type of material and external colour	Galvanised Steel – (unless otherwise suggested by the Local Authority)
Equipment housing – type of material and external colour	Galvanised Steel – (unless otherwise suggested by the Local Authority)

Reasons for choice of Design

In designing this telecommunications installation, the applicants have sought to achieve a balance between the technical requirements of the Operators and minimising environmental impact as far as was practicable. It, however, must be acknowledged that technical constraints heavily influenced the design and limited the scope to alter the appearance of the site to a significant degree.

The choice of design at the application site is governed by two main factors; the context and visual amenity of the area; and, the technical requirements.

Technical Objective and Technical Requirements

The objective of this site is to ensure that a shareable ground-based mast is available for multiple Mobile Network Operators to utilise, as well as other wireless networks which may provide sought-after public benefits – i.e. community broadband.

As per the Code of Best Practice on Mobile Phone Network Development in England (2002), the proposed apparatus is placed “*within or adjacent to an existing group of trees*”. The design of the proposed scheme is considered to be simple and unfussy, which aligns with the following, taken from the Code of Best Practice:

- ***Placing the mast near similar structures.*** For example, industrial and commercial premises, road signs and lamp posts;
- ***Placing a mast within or adjacent to an existing group of trees***
- ***Using simple and unfussy designs.*** Masts which have complex designs are more likely to dominate and be in discord with the landscape and have adverse visual impacts; and
- ***Appropriate colouring.*** Masts seen against the sky, for example, are best left in their galvanised state or painted pale grey. Against a wooded backdrop a matt green or brown colour scheme would be more applicable (our emphasis)

A Full Planning application (26/00305/FUL) at Ratby Sports Club is currently being assessed by the Local Authority. As part of this application, new floodlights, measuring 15m in height, are proposed. These floodlights will add a vertical and utilitarian context to the surrounding area, which will assist in reducing any visual impact of the proposed mast.

By way of background information, in designing a radio base station it is necessary to incorporate certain vital elements and to work around a number of technical constraints. There are three main elements to a radio base station; the cabin or cabinets which contain the equipment used to generate the radio signal(s), the supporting structure that holds the antennas in the air (or fixes them to a building or structure) and the antennas themselves, which emit the radio signals (along with any necessary amplifier or receiver units).

Other elements necessary for the base station to function are the power source (a meter in a cabinet or a generator on sites where a REC supply cannot be utilised), feeder cables that link the equipment housing to the antennas, link dishes and the various support structures, grillages and fixings, often referred to in general terms as “development ancillary to” the base station.

The antenna height is determined by a specialist network radio engineer using specialist software which factors in the area that coverage is required; the relationship between the selected site location and existing cell sites in the linked network; and variances in land levels and elements such as nearby trees or buildings, which can block or weaken signals.

Visual Amenity

The applicants have given due regard in designing all new sites to limit the visual impact through good design. In this instance, the proposed installation is subject to technical and build constraints. That notwithstanding, it is submitted that the appropriate siting and design put forth will mitigate any potential impact on the site and its surroundings to an acceptable level.

To achieve the required Operator coverage and overall network improvements, a 25m-high monopole is required. The proposed installation will be able to accommodate the anticipated level of Operator apparatus at the point of deployment, but also reaching far into the future. This is an important planning consideration and should be acknowledged in any planning assessment.

Whilst the applicants accept that there will be some level of visual impact, when this is compared to the numerous social and economic benefits which will be brought forward via a long-term ‘sharing’ solution, it is considered that the application should be deemed acceptable, and therefore receive Officer support.

The applicants encourage the Council to make a clear distinction between ‘visibility’ and ‘harm’, when assessing this proposal. At 25 metres in height, the structure will be visible. However, being able to see something does not immediately infer that it is either inappropriate or harmful. The applicants submit that, despite the proposed development being visible, it is not harmful, and that the height of the apparatus is solely dictated by its function. The siting of the application site, set against 18m-high trees, will assist in reducing the visual impact of the scheme, to a significant extent. This must be acknowledged by the Council.

As outlined in the General Permitted Development Order, the deployment of mobile phone base stations, up to a height of 30 metres (in undesignated land), is accepted in principle by virtue of the legislation. This position has been confirmed by the Planning Inspectorate in a number of appeal decisions.

For example, in allowing appeal APP/E2205/W/20/3261389, which proposed the installation of a 20m-high telecommunications monopole and associated ground-based equipment cabinets, the Inspector included the following in their decision notice:

*“Part 16 of the Order establishes that **the proposal is permitted development** and therefore it is accepted in principle by virtue of the legislation. **Furthermore, there is no requirement to have regard to the development plan as there would be for any development requiring planning permission.** Nevertheless, Policies SP1, SP6 and ENV13 of the Ashford Borough Council Local Plan to 2030 are material considerations as they relate to issues of siting and appearance. In particular, they seek to secure high quality design and to avoid development that would cause loss or substantial harm to the significance of heritage assets. **Similarly, the National***

Planning Policy Framework is also a material consideration and this includes a section on supporting high quality communications“ (emphasis added).

In another example, in allowing appeal APP/G4240/W/18/3201704, which proposed the installation of a 20m-high telecommunications monopole and associated ground-based equipment cabinets, the Inspector included the following in their decision notice:

“The permission granted under the GPDO is equal to an outline planning permission and the consideration of the proposed development is limited to its siting and appearance, not the principle of the development” (emphasis added).

Due consideration has been given to the process and the proposal put forward is the best available option – it both achieves the technical requirements and does not bring unacceptable harm to the character of the area.

Whilst it is accepted that the structure will be visible, it is considered that the economic, social and environmental benefits which will be brought forward to the local area outweighs any harm that the proposal may cause.

It is considered, overall, that the design is appropriate to the site and surrounding area and avoids any unacceptable level of impact.

4. Technical Information

International Commission on Non-Ionizing Radiation Protection Declaration attached (see below)*

Yes

No

International Commission on Non-Ionizing Radiation Protection public compliance is determined by mathematical calculation and implemented by careful location of antennas, access restrictions and/or barriers and signage as necessary. Members of the public cannot unknowingly enter areas close to the antennas where exposure may exceed the relevant guidelines.

The telecommunications infrastructure the subject of this application accords with all relevant legislation and as such will not cause significant and irremediable interference with other electrical equipment, air traffic services or instrumentation operated in the national interest.

5. Technical Justification

The proposed site is required to provide a ‘shareable’, local solution which will assist with the delivery of network coverage, capacity and connectivity to the surrounding area. By providing a sharable tower, Mobile Network Operators will have the opportunity to install equipment on this new mast, thereby negating the need to upgrade their own infrastructure within the local area. The proposed mast is robust and is well positioned to assist Operators in delivering future innovations within the telecommunications industry (i.e. 6G etc).

Base stations use radio signals to connect mobile devices and phones to the network, enabling people to send and receive calls, texts, emails, pictures, TV and downloads. The base stations are connected to each other (by cables or wireless technology) to create a network. The area

each base station covers is called a cell. Each cell overlaps with its neighbouring cells to create a continuous network. There are several variables that determine the size and shape of each cell.

As base stations are low-powered radio transmitters they each have a limited range, meaning that they generally need to be located close to (or within) the target area which requires coverage. If a base station is moved too far away from the target area, then it is likely that some sections of the target area will remain without the network services which the Operator aims to provide.

High-quality communications infrastructure is essential for sustainable economic growth and that high-speed broadband technology and other communications networks can also play a vital role in enhancing the provision of local community facilities and services.

The UK Government recognises the benefits to commerce, industry and the public in general, and so places great emphasis on the benefits of mobile telecommunications to modern life and this is promoted throughout the planning system. The very high level of mobile phone use and ownership within the UK population is a very clear indication of the public's overwhelming acceptance of the benefits of mobile communications, which requires the installation and maintenance of base stations to provide the necessary connection between the mobile phones and the UK telecommunications network.

The Planning Inspectorate too has in recent years continually recognised the importance of this issue and cited it in appeal decisions that have overturned the decisions of local authorities across the UK where there has been a failure to apply due weight to the value of connectivity to social and economic prosperity in the assessment of applications made for telecommunications development, even in protected or sensitive areas.

In April 2021, the decision of the Council of the London Borough of Havering to refuse their Prior Approval for the installation of a 25-metre-high lattice mast, 12 antennas, two GPS antennas, four 0.6m dishes, and seven ground-based associated cabinets was overturned by the Planning Inspectorate (Cornerstone, Telefonica UK Ltd and Vodafone Ltd Vs the Council of the London Borough of Havering, appeal reference APP/B5480/W/20/3251086). Within the decision notice, the Inspector stated that:

"The proposed design is utilitarian, and typical of many other similar telecommunications masts. It is unlikely that the development would be perceived as attractive. But equipment of this kind is governed by specific technical requirements, and there is nothing before me to suggest that a more visually appealing design could be achieved. To my mind, although the design cannot be said to count in favour of the proposal, neither does it weigh against."

The proposed development would replace an existing mast, which is mounted on the roof of one of the College buildings, facing onto Tring Gardens. The siting now proposed would be more discreet and less visually jarring than this existing installation. From the evidence presented, it appears that the existing mast is due to be removed, irrespective of the replacement now proposed. But nevertheless, the comparison reinforces my view that the development now proposed is acceptable in its context."

I note reservations regarding the appellants' list of alternative sites, and to that extent I accept that the appeal site has not been shown conclusively to be the

least environmentally damaging option possible. But the National Planning Policy Framework (NPPF) does not support that approach. Given that I have found no significant harm, it is unnecessary to consider other alternatives in any more detail.

*I note that the development is needed to fill a gap in the Vodafone/O2 network that will arise due to the decommissioning of the existing mast, and also to support future expansion. This need is not disputed. **The need for the development carries significant weight in favour of the appeal**" (emphasis added).*

In November 2021, the decision of the London Borough of Hillingdon Council to refuse their Prior Approval for the installation of a 20-metre-high monopole and associated cabinets was overturned by the Planning Inspectorate (MBNL Limited Vs London Borough of Hillingdon Council, appeal reference APP/R5510/W/21/3269903). Within the decision notice, the Inspector stated that:

*"Based on the evidence before me, the height of the monopole would be substantially taller than the mature trees which bound the site. Accordingly, it would represent a significant departure from the established height of existing lampposts with the height of the proposed structure representing a visually dominant addition to the existing environment. **Due to the substantial height of the monopole, and plethora of associated cabinets, the proposal would detract from the pleasing greenery within which it would be located. This would harm the established landscape feature which positively contributes to the surrounding area as well as causing some harm to the visual amenities of surrounding properties, particularly those within converted office premises.***

The proposal would also be located relatively close to three Grade II Listed Buildings.** However, because the proposal does not seek planning permission or permission in principle, the duty established within Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, does not apply to this proposal. **Despite this, the Framework still requires the heritage implications to be fully considered.

*Accordingly, **although the siting and appearance of the proposed development would cause some limited harm to the setting of the nearby listed buildings, I am satisfied that the economic and social benefits of the proposal, would outweigh this harm**" (emphasis added).*

More recently, in March 2023, the decision of East Hertfordshire District Council to refuse their Prior Approval for the installation of a 20-metre-high monopole, dual-user monopole, and associated cabinets was overturned by the Planning Inspectorate (MBNL (EE (UK) Ltd and H3G (UK) Ltd) Vs East Hertfordshire District Council, appeal reference APP/J1915/W/22/3298342). Despite the Planning Inspector stating that the "proposed monopole would significantly exceed the modest height of the surrounding buildings", they included the following within their Decision Notice:

*"the proposal would be viewed against a backdrop of a brick rail bridge and **earth embankments which elevate the rail line, along with mature trees, lighting columns and overhead lines atop metal poles, thereby reducing the visual impacts of the height of proposed monopole**".*

Paragraph 115 also requires that masts be sympathetically designed and camouflaged where appropriate. I understand the appearance of the monopole would be of a modern design which has sought to minimise visual intrusion and as indicated in the appellant's statement, is of the minimum height necessary to provide network coverage to the local area. Since there are a range of existing modern vertical features within the street scene, as referred to above, the proposed monopole would not appear out of keeping and a camouflaged design would not therefore be necessary. As set out above, whilst the proposed development would be visible within the street scene, it would not appear unduly dominant or overly prominent in the surrounding area, would not harm the visual qualities of the approach to the town, and would not adversely impact on the character and appearance of the site and surrounding area. Having regard to the Framework insofar that it is a material consideration, the siting and appearance of the proposal would comply with section 10 which supports the expansion of electronic communications networks, including next generation mobile technology such as 5G, and section 12 which seeks to achieve well designed places".

In June 2023, the decision of Rochdale Borough Council to refuse their Prior Approval for the installation of a 20-metre-high monopole, dual-user monopole, and associated cabinets was overturned by the Planning Inspectorate (MBNL (EE (UK) Ltd and H3G (UK) Ltd) Vs Rochdale Borough Council, appeal reference APP/P4225/W/22/3310956). Within the decision notice, the Inspector stated that:

"The upper section of the proposed monopole would protrude above the trees and surrounding buildings and would be seen against the sky. However, from the majority of views the lower section would be obscured by, or seen against the backdrop of, the trees. Such trees would provide a transition between the height of the surrounding street features and the proposed monopole and screen.

Coupled with its relatively simple linear and compact design, the proposed monopole would not stand out as an isolated or unduly exposed structure. It would not, therefore, appear as an alien or unexpected feature in the street scene or dominate views from within the greenspace.

The proposed equipment cabinets would be of modest size and extent. As such, they would not result in an undue proliferation of street furniture or a visually cluttered street scene" (emphasis added).

The Applicant submits that the same conclusions can be drawn from the four appeal schemes outlined above, but also that significantly more environmental, economic and social benefits will be brought forward via the deployment of a multi-user mast at the appeal site. Where all of the above appeals relate to single- or dual-user sites, the appeal scheme will have the capacity to accommodate all MNOs.

The provision of high-quality network services is encouraged by national and local planning policy. However, unlike some of the appeals outlined above, the proposed development will result no impact on heritage assets or planning designations and should be considered a wholly appropriate solution for the wider area.

It is considered that when the balancing method advocated in the NPPF is applied to the proposal, where the need and significant public benefit of ensuring the best available network coverage is provided, especially given the current times in which we find ourselves ensconced a hybrid-level of remote working, is balanced against the appearance and level of associated visual impact of the proposed site, that the application proposal is positively in favour and is considered wholly appropriate.

The importance of providing continued, and improved, telecommunications network coverage cannot be underestimated, especially throughout the years 2020 and 2021, when the dependence on these networks was been higher than ever before. This dependence has continued into the modern day, as our online shopping, gaming, and social habits have changed, post-pandemic, as well as many people adopting a working-from-home or hybrid work pattern.

Whilst the Applicants submit that the best town planning solution has been brought forward as part of this application, **clear precedence has been set by the Planning Inspectorate which suggests that this should not be a determining factor, and that the best town planning option does not need to be brought forward.**

In October 2020, MBNL (EE Ltd and H3G UK Ltd) vs Elmbridge Borough Council, appeal reference APP/K3605/W/19/3243927, which has already been discussed within this statement, the Planning Inspector included the following in the Appeal Decision Notice:

*“Interested parties indicate that there are alternative sites available for the proposed mast. However, given my conclusion on the main issue it is unnecessary to address the merits of alternative sites. **There is no requirement in the Framework or the GPDO 2015 to select the best feasible siting**” (our emphasis).*

In April 2021, Cornerstone, Telefónica UK Ltd and Vodafone Ltd vs the Council of the London Borough of Havering, appeal reference APP/B5480/W/20/3251086, the Planning Inspector included the following in the Appeal Decision Notice:

*“I note the Council’s reservations regarding the appellants’ list of alternative sites, and to that extent I accept that the appeal site has not been shown conclusively to be the least environmentally damaging option possible. **But the National Planning Policy Framework (NPPF) does not support that approach. Given that I have found no significant harm, it is unnecessary to consider other alternatives in any more detail**” (emphasis added).*

In May 2018, CTIL vs Sheffield City Council, appeal reference APP/J4423/W/17/3188962, the Planning Inspector included the following in the Appeal Decision Notice:

*“With regards alternative sites, I have noted the appellant’s submissions within the supplementary information as well as the contention of interested parties regarding the need for fuller consideration of siting. Nevertheless, I am mindful that even if alternative sites were available, **there is no requirement within the Framework or the GPDO for developers to select the best feasible siting where a site as proposed is considered to be acceptable**” (emphasis added).*

For the avoidance of doubt, the applicants do submit that the best environmental and town planning solution has been brought forward as part of this application, with the natural screening provided by mature tree cover assisting in providing a ‘screening’ solution to the proposed infrastructure. Given the level of natural screening, and the remote setting of the application, in

relation to residential properties, it is submitted that no, better, alternative option could be identified within the local area that would satisfy the necessary technical criteria required for a new base station.

Public dependence on network services and connectivity is ever more apparent, with data consumption at an all-time high. Restrictions on travel resulting from the Coronavirus pandemic (2020-2022), plus three national lockdowns, led to a massive shift from office-based to home-working, from physical, professional and social gatherings to virtual ones, and to unprecedented reliance on online shopping and entertainment services. Since this time, network usage within suburbs has increased dramatically as less people are travelling to town and city centres than during pre-pandemic times. Maintaining and enhancing the mobile networks is of vital national importance, and it was significant that telecoms was designated as “critical work” during that time. It is anticipated that the shift towards homeworking and online services will persist, to a lesser degree, in the future. It is vital that the infrastructure is in place throughout the UK to meet this demand, and the needs of the public. The Applicants submit that this proposal, and the concept of ‘shared’ infrastructure, will assist in the UK future-proofing its mobile networks.

The benefit of having a strong and resilient network has been highlighted since 2020, following the sudden shift in the network requirements, as the demand on the network in residential areas increased with home-working and home-schooling. Research by Ofcom, Online Nation 2020 found that until early that year, online video calling was used much less than other online communication services, with 35% of online adults using online video calling at least weekly in the 12 months to February 2020. However, in May 2020, this had doubled to 71% of online adult consumers using online video calling services at least weekly, with 38% using them at least daily. Research suggests that 7% of adult internet-users used video calling for the first time as a result of the coronavirus pandemic.

The DCM and the RT Hon Oliver Dowden CBE MP highlighted the need for telecommunications companies to support the NHS by providing the connectivity it needed during the Covid-19 pandemic, stating the following in April 2020:

"Telecoms companies and their workers are making a major contribution to **keeping the nation connected during the COVID-19 emergency**, ensuring that people can stay and work from home" (our emphasis).

In post-Covid19 world, which oversaw a dramatic shift towards home-working, online shopping and virtual social gatherings, the importance of connectivity for economic, social and physical wellbeing is more apparent than ever before. Infrastructure needs to be in place in order for people to benefit from these services, and it needs to be located in or very close to the areas where the users are located. The proposed development aligns with this.

The Ofcom Connected Nations 2020 UK Report outlined a sharp increase in both mobile and voice data, particularly during the enforced national lockdowns of 2020. The report states that average call volumes and average call duration increased in the week that national lockdown was introduced in March 2020, with mobile hotspots shifting away from city centres to the suburbs and residential areas as restrictions continued.

Significantly, the same report states that the consumption of mobile data saw a staggering rise of 42%, when compared with the previous year. Additionally, the traffic carried in England in June 2020 (during lockdown) exceeded that carried across the whole of the UK (England, Scotland, Wales, and Northern Ireland) in February 2020 (prior to lockdown).

Research by Online Nation 2020 found in April 2020, internet users in the UK spent an average of 4 hours 2 minutes online each day, 37 minutes more each day per online adult compared with January 2020. This emphasises the importance of telecommunications infrastructure in being able to provide internet users with reliable network coverage and capacity to deal with an increasing amount of time online each day.

In his speech at Connected Britain 2020, in September 2020, Digital Infrastructure Minister, Matt Warman, stated the following:

“COVID has altered the way we live, work and, most importantly, stay connected with our family and friends. The digital infrastructure that keeps us all connected was essential to our daily way of life under lockdown - and is now more important than ever as we head into recovery. Many of these changes - such as increased working from home - will stay with us for the foreseeable future”.

The implementation of a third national lockdown throughout January, February, March and April 2021 saw a return of most aspects of life associated with the two previous lockdowns, and the same increases in voice calls and mobile data consumption is expected. Mr Warman also stated the following:

“The world is in the middle of a digital revolution. COVID has accelerated this process, digitising almost every part of our everyday lives and making the infrastructure that connects us more important than ever. That’s why it is at the top of the government’s agenda”.

Central Governments’ direction of travel is to support the roll-out of 5G technology and this was the case pre-pandemic. This has been emphasised by the Government’s relaxation of Permitted Development rights, allowing Operators to more effectively and efficiently meet the needs of the general public and ever-increasing demand for mobile data consumption. Since its initial roll-out in 2019, Operators have continued to deploy 5G across the UK, largely via the upgrading of existing base stations. Around 12,000 base stations now carry 5G technology. Mr Warman also confirmed that legislative reforms were being undertaken to make it easier for Operators to deploy and upgrade telecommunications base stations.

In May 2021, Mr Warman also wrote to Local Authority Chief Executives in England, making it clear to Local Authority’s that they have a role to play in supporting improved connectivity, and also stating the following:

“Digital connectivity is – now, more than ever – vital to enable people to stay connected and businesses to grow. The demand for mobile data is increasing rapidly, and the COVID-19 pandemic has highlighted how important it is that we all have access to reliable, high quality mobile connectivity.

The Government is committed to extending mobile network coverage across the UK and providing uninterrupted mobile signal on all major roads, and our ambition is for the majority of the population to have access to a 5G signal by 2027. Last year we agreed a £1 billion Shared Rural Network deal with the UK’s mobile network operators to extend 4G mobile geographical coverage to 95% of the UK by 2025” (emphasis added).

Notwithstanding the Covid-19 pandemic, and the increase in network reliance, a look at past data shows that our reliance on mobile networks was increasing year-on-year, prior to 2020.

Ofcom's Communications Market Report 2018 provides a figure of 92 million active mobile subscribers in the UK at the end of 2017. It detailed that 78% of adults used a smartphone and that 76% of mobile users were using their devices for web and data access. Figures within the report also confirm that users were spending an increasing amount of time per day using their mobile phone. 68% of participants in the Touchpoints research reported that they *"could not live without"* their mobile phone (rising to 78% among 25-34s). Whilst not included within the research figures, anecdotal evidence suggests that this number is greater still amongst those aged under 18. Given that two years have now passed since this report, it is anticipated that these figures have increased further. All of which points towards the nation's increasing dependency on mobile services and connectivity.

A YouGov survey, in January 2021, adds further support to this, with 67% of those who were at the time working from home during the pandemic confirming that they had been using mobile data, as opposed the fixed-line broadband, agreeing that access to it would be an important factor when choosing where to live in the future. This rises to 76% for 18 to 34-year olds. The survey also confirmed that 44% of one network Operator's data traffic in January 2021 went to streaming services, such as Disney+, and that 45% of 18 to 24 year olds confirming that they are more likely to use their mobile data for browsing social media.

All of the above occur in a domestic setting. There is a clear need and demand for connectivity and capacity, and it is anticipated that telecommunications infrastructure has become, and will continue to become, commonplace in residential and suburban settings, such as the application site.

As recognised by the London Assembly's Regeneration Committee within its *"Digital Connectivity in London"* report, published June 2017, digital connectivity is now widely regarded as the *"fourth utility", an everyday necessity alongside water, gas and electricity* and also noted that *"mobile broadband is, and will continue to be, an essential complement of fixed broadband"*. It is no longer a luxury, but a service essential to modern life.

The deployment of this mast will allow the opportunity for all major MNO's (O2, Vodafone, EE Three UK) to install existing, and wide-ranging, technologies on site (i.e. 2G, 3G, 4G, 5G), plus future network innovations (i.e. 6G etc), as well as apparatus for other specialist networks; such as the Emergency Services Network (ESN), or local Community Broadband services and other wireless infrastructure services.

The proposal therefore, on a wider scale, would continue to contribute towards the country's connectivity and digital economy future via the provision of continuous network improvement. Furthermore, mobile telecommunications are vital for the UK's economic competitiveness and in promoting social inclusion.



Alternative sites considered and not chosen

Site ²	Site Name and address	National Grid Reference	Reason for not choosing ³
D1 (GF)	Ratby Sports Club Desford Lane Ratby LE9 2BR	E451084, N305600	This location was discounted because it sits closer to the residential properties of Ratby than the application site and therefore offers a poorer town planning solution. Additionally, this location is circa 5 metres lower, from an elevation perspective, than the application site, and offers a poorer operational solution.
D2 (GF)	Ratby Sports Club Desford Lane Ratby LE9 2BR	E451192, N305481	Whilst this location would offer good screening via a copse of dense, mature trees, it sits over 12m lower, elevation-wise, than the application site. As such, this option would provide a poorer operational solution when compared directly to the proposed development. This option was therefore discounted.
D3 (GF)	Holywell Farm Cottage Desford Lane Ratby LE9 2BR	E450642, N305668	This option was considered to provide a good town planning solution as it sits amongst mature trees. However, as this location is situated circa 500m from the edge of Ratby, a taller installation than that proposed would be required to provide the desired level of operational coverage to Ratby. This option was discounted on these grounds.
D4 (GF)	The Alexandra Stone Company Limited Desford Lane Ratby LE9 2BR	E450653, N305105	This option was investigated and subsequently discounted due to the distance between the location and Ratby. This location is circa 775m away from Ratby itself and would require a taller installation than that which is proposed to meet the operational objectives of this base station.

² ETS – Existing Telecomm site, ES – Existing Structure, RT – Roof Top, GF – Greenfield, SW – Streetworks

³ SP - Site Provider, RD - Redevelopment Not Possible, T - Technical Difficulties, P – Planning
O – Other



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D5 (GF)	Benlowe West of Park Road Ratby LE6 0AQ	E451368, N305384	This location was investigated as it was believed that the utilitarian context of the warehouse would allow the proposed mast to be absorbed into the immediate area. However, due to the close proximity of the housing on Park Road and Station Road, this option was discounted in favour of the application site.
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Additional relevant information

The Applicant has taken a sequential approach to identifying the proposed site. It is considered that, given the level of available mature tree cover which sits adjacent to the site, no better, alternative site could be identified.

It is considered that the application site offers an appropriate environmental and town planning solution, whilst simultaneously ensuring the operational parameters of the installation are met. It is considered that the proposal is appropriate to the surroundings and that there is no better alternative location available for a 'shared' network solution which will service the local area. As can be seen from Figure 2, below, the application site has been specifically selected to ensure it is positioned to the west of Ratby. The sports pitches and agricultural fields act as a physical 'buffer zone' between Ratby itself, and the application site. Furthermore, there is intermittent tree cover across the surrounding area which will assist in filtering medium- and long-range views of the mast from Ratby, thereby reducing any associated visual impact of the scheme.

Given the fact that the headframe of the mast cannot be screened for operational reasons, achieving screening to 18m of the mast is considered to offer an excellent town planning and environmental solution for Ratby. The Discounted Options, as identified above, clearly offer poorer environmental solutions and were therefore discounted in favour of the application site.

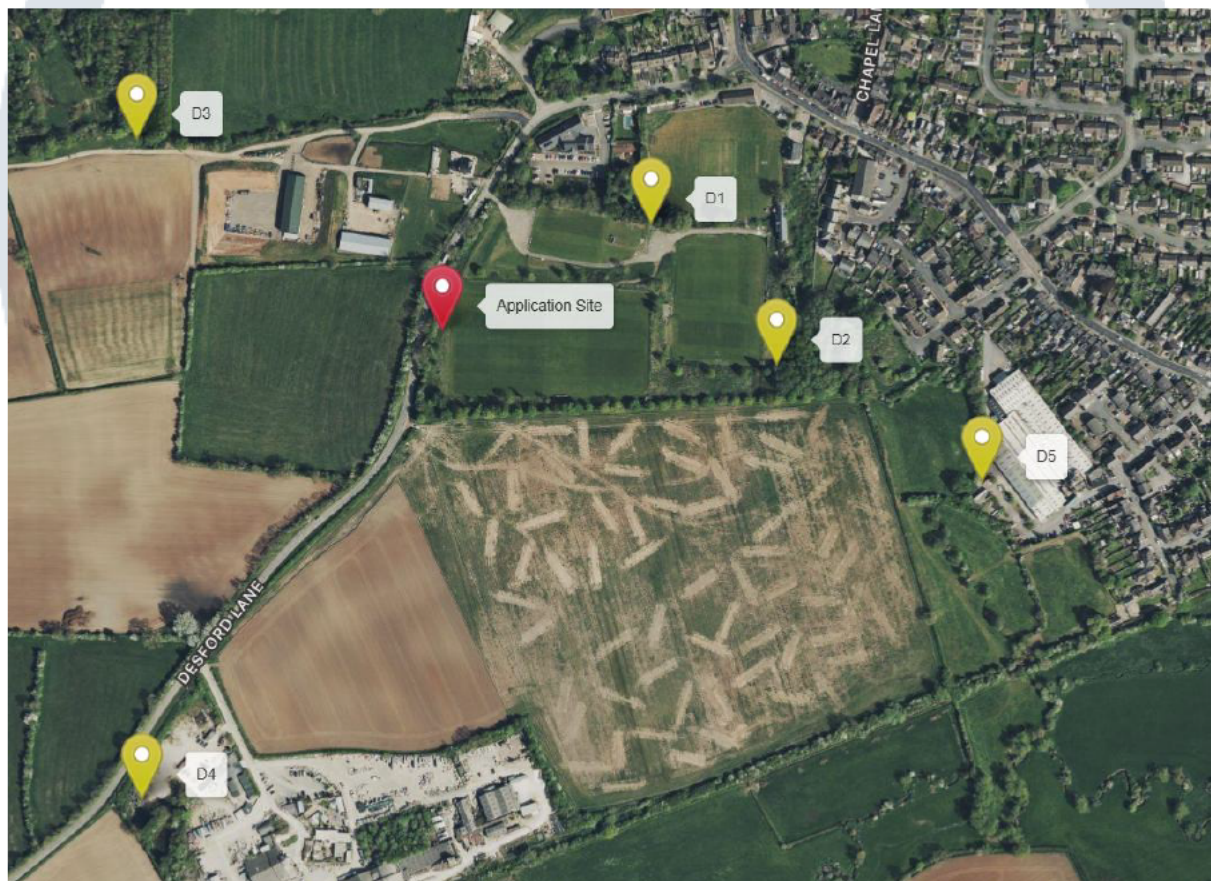


Figure 2 – Aerial imagery of proposed site (red) and discounted options (yellow) (Source: Google Maps 2026)

It should also be noted at this juncture that there is no requirement for the Applicants to submit an alternative site assessment, nor for the Applicants to select the best town planning option as the application site (see page 14, above).

The '*principle of the development*' is established within The Order and, as such, no regard needs to be paid to the Council's Development Plan, nor the Local policies included within it.

The Applicants' do, however, consider that the application site which has been brought forward offers the best town planning and operational solution for the local area. It should also be noted at this juncture that, the Applicants have submitted a GPDO Prior Approval application, seeking the Council's assessment of **this** development, at **this** location. As such, only the 'siting and appearance' of the scheme before the Council should be assessed.

As per NPPF guidance, existing structures and buildings were investigated, to ascertain their viability to accommodate the necessary base station apparatus. It should be noted, however, that the buildings within the surrounding area are a maximum height of two-storeys and would therefore not provide the required elevation to offer a viable solution to the Mobile Network Operators.

Additional relevant information (include planning policy and material considerations):

Environmental Information:

There is no evidence of protected species at this location. The proposal will subsequently not have any potential negative impacts on any sensitive habitats or species.

As far as practicable the proposed development has been designed to keep to a minimum the impact on amenity and the design of the development ensures there would be only a limited impact which would not be sufficient to harm visual or residential amenity. This impact is limited to the visibility of the upper section of the proposed monopole, which cannot be screened for operational reasons. All ground-based equipment cabinets and the lower section of the monopole will be screened from public views. Given that the trees within the immediate proximity to the application site measure circa 18m, then 18m of a maximum 21.5m mast will be screened. This equates to 84% of the 'screen-able' structure being screened, or backdropped, depending on the direction of viewing. This is considered wholly acceptable, and it should be noted that the type of apparatus proposed is often deployed in such settings **without the benefit of any screening**.

Given the nature of the development, and its specifically-selected location away from residential properties, it is not anticipated to result in a major impact on visual amenity. Such infrastructure is now commonplace in similar settings and the proposed development will be no different. It is anticipated that this infrastructure will become an accepted part of the built-environment, as is the case across the whole of the UK.

Siting and Appearance:

It is considered that the proposal utilises the most suitable design available to meet the technical requirement within the very specific technical constraints. As discussed in Section 3 of this document, this site is required to provide a shareable solution for Operators within a specific geographical area.

The application site is not located within a designated area, and it is considered that the proposal will not bring about substantial harm to the character of the area but will bring benefit to the public, establishing a shared-user solution facilitated by a neutral host. This, in turn, will result in improved connectivity, capacity and coverage for the wider area, as multiple Operators are able to use the mast. While the applicants do not suggest that the proposal will have no impact, it is

considered that when applying the balancing method advocated in the NPPF, the proposal finds itself in favour, due to its excellent siting and appearance choices.

It is important to keep the impact of telecommunications development within any particular area to a minimum, and it is considered that the proposed development achieves this, through good design and the deployment of a shareable, future-proofed structure. When considering the benefits of the proposal, the public benefits which will be brought forward are significant.

The Applicant's consider that any perceived visual impact on the area, or skyline, has been mitigated, as far as practicable, through the best design available within the technical constraints of the site, and that this development will provide excellent public benefits – both in the present, and in the future. It is considered that the impact of the development has therefore been reduced as far as practicable.

In this case, it is suggested that the application of the balancing method advocated in the NPPF, for the provision of communications and connectivity services, in the public interest, be utilised to balance the need for continued connectivity with the potential impact of the site. It is considered that when this balance test is applied to the proposal, where the need and significant public benefit is balanced against the appearance and level of associated visual impact of the proposed site, that the application proposal is positively in favour and is considered wholly appropriate.

This has been emphasised by the Planning Inspectorate on a number of appeal cases where, the Planning Inspectorate has ruled in favour of proposed developments of a similar nature, where this balance was applied. Some recent examples of where this balance was applied by the Planning Inspectorate include appeal cases referenced APP/Q3305/W/18/3206555 and APP/L1765/W/18/3197522. Extracts from these appeal decisions are included below for your convenience:

*"In considering the need for the proposal, Government policy, as set out in the Framework states that advanced, **high-quality and reliable communications infrastructure is essential for economic growth and social well-being. In this respect, I have found that there is a need for the proposal which therefore weighs strongly in its favour.** As I have found that the level of harm relating to this second main issue would be low, that identified need would outweigh the harm in this case"* (emphasis added).

*"I conclude on this issue that despite the less than substantial harm that would be caused, the **public benefits of the proposal would outweigh that harm**"* (emphasis added).

*"9. The Government places a high priority on the provision of high-quality communications. The National Planning Policy Framework (the Framework) at Paragraph 112 states, "Advanced, high-quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections... The Council has commented that service provision would be 'adequate' without the proposal, but **the appellant has an obligation to provide not only appropriate coverage but also capacity for the network. I attach significant weight to the public benefit arising from the continuation of local service provision**"* (emphasis added).

*“13. Having regard to all relevant considerations, including national planning policy and the potential availability of alternative sites, my findings are that **the proposal’s public benefit in maintaining and enhancing local telecommunication coverage and capacity would outweigh the limited harm** arising to the character and appearance of the area” (emphasis added).*

Whilst each application needs to be assessed on its own merits, the above appeals (along with a growing number of others, many of which are referenced in the preceding sections of this document) indicate a growing trend, based on national policy and guidance, to favour important utilities and infrastructure developments in the wider public interest when the potential harm is outweighed by the important and unavoidable public benefits they provide. Ensuring continued and, ultimately, improved network connectivity, coverage and capacity, for potentially all major Mobile Network Operators, within the Council’s jurisdiction, is considered a major public benefit and a material planning consideration.

The selected siting is considered wholly appropriate. The proposal has been designed specifically to achieve a balance between meeting the technical requirement and avoiding harm to the surrounding area.

The selection of a monopole, rather than a lattice tower, has been brought forward to ensure that the size and scaling of the proposed installation is reduced as far as practicable. At 25m, this is considered to be the case. Again, it must be re-iterated, that the proposed tower is the smallest and slimmest available to the Applicants for deployment at this setting. Any further reduction in height will result in a poorer operational solution, as the antennas would sit below the height of the adjacent trees. Strategically positioning the proposed installation to the west of Ratby ensures that it is a suitable distance from residential properties, whilst also meeting the necessary technical parameters of a shared base station at this location.

On balance, this proposed location is considered to be the optimum location in terms of siting and design, with the limited harm it may impose on the surrounding area being outweighed by the provision of continued and enhanced services to the area in the public interest. Given the social, economic and environmental benefits that will be brought forward as part of this proposal, it is not considered that the perceived visual impact of this proposal would outweigh said benefits, and that Officer support should therefore be given. As such, equilibrium will be achieved between technical requirements and environmental impact.

Planning Policy Context:

National Planning Policy Framework (2026) (NPPF)

The National Planning Policy Framework came into force in July 2018 replacing the guidance published in March 2012, was updated again in February 2019, and then had a further update in July 2021. The latest version was released in August 2026. The NPPF sets out the Government’s planning policies for England and how these should be applied.

Paragraph 15 of the NPPF states “*The purpose of the planning system is to contribute to the achievement of sustainable development, by managing the use and development of land in the long-term public interest*”. and in paragraph 17 that “*Achieving sustainable development means that the planning system has three overarching objectives in providing for the homes, commercial development, facilities and infrastructure which society needs*”. In order to achieve

the sustainable development objective, the NPPF has identified 3 overarching objectives (paragraph 17):

*“a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

*b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed, beautiful and safe places, with accessible community facilities, public service infrastructure and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and*

*c) **an environmental objective** – to support efforts to mitigate and adapt to climate change, including moving to a low carbon economy; and to protect and enhance our natural, built and historic environment, including making effective use of land, improving biodiversity, using natural resources prudently, and minimising waste and pollution”*

At the heart of the latest version of the NPPF is the retained presumption in favour of sustainable development (Chapter 4: Achieving sustainable development (S1 – 6), Policy S4(1)):

‘Development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework’

The NPPF continues to provide guidance on decision-making within ‘Chapter 3: Decision-making policies’ (DM1 – 10):

‘The objective of the policies in this chapter is to ensure that development proposals are informed by appropriate information and decided in a way which is proportionate, timely and effective.’

‘Policy DM3 - Determining development proposals (1)(f) When considering development proposals, local planning authorities should: Not refuse applications for development which should clearly be approved, having regard to their accordance with the development plan, the policies in this Framework and any other material considerations.’

The NPPF builds on the aspiration to build a strong, effective economy within Chapter 7 (Building a strong, effective economy) where policies should:

‘enable businesses to invest, expand and adapt in a way that reflects the opportunities, challenges and characteristics of different areas, and supports long-term economic growth both locally and nationally.’

Policy E1(1)(a) goes onto state that development plans should:

“Set out a clear economic vision and strategy, which takes a positive, proactive and realistic approach to encouraging sustainable economic growth in both urban and rural areas, having regard to the Industrial Strategy and any relevant strategic and local strategies for economic development and regeneration. In doing so plans

should take into account both local business needs and wider needs and opportunities for economic growth and investment.'

Leading on from this, Chapter 9 (Supporting high quality communications) states that **"Advanced, high quality and reliable communications are essential to meet changing technological, social, business and security requirements** (including through delivering coverage of higher quality standalone 5G in all populated areas by 2030, and nationwide gigabit-capable broadband by 2032)". Again, the proposal is entirely consistent with the aims expressed within the NPPF.

Other relevant sections of Chapter 9 are highlighted below:

*Introduction – **'The objective of the policies in this chapter is to support the expansion and upgrading of telecommunications infrastructure, in ways which limit an unnecessary proliferation of equipment and respect important environmental safeguards.***

*'Policy CO1(1) – In considering proposals for the expansion or upgrading of electronic telecommunications networks, **substantial weight should be given to the benefits of maintaining or improving network coverage, capacity, reliability and resilience**, including where significant improvements are required such as along rail corridors. This includes, but is not limited to, providing for next generation wireless technologies (such as standalone 5G), gigabit capable broadband connections and supporting infrastructure such as fibre exchanges.'*

'Policy CO1(1a) – Use existing masts, buildings and other structures already employed for this purpose, upgrade, or replace existing infrastructure, unless there is no reasonable opportunity to do so (taking into consideration meeting consumer needs, the efficient operation of the network and providing reasonable capacity for future expansion).'

'Policy CO1(2) – In assessing proposals for telecommunications infrastructure, local planning authorities should not require minimum distances to be maintained between telecommunications infrastructure and other development, seek to prevent competition between different operators, question the need for the expansion or upgrading of telecommunications networks, or use health safeguarding standards different from the International Commission guidelines on non-ionising radiation protection'.

A certificate of compliance with ICNIRP guidelines is included within this application.

Local Guidance:

Section 70 of the Town and Country Planning Act 1990 as amended requires planning applications and appeals to be determined having regard to the provisions of the Development Plan and other material considerations, and section 38 of the Planning and Compulsory Purchase Act 2004 requires applications and appeals to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

For the purposes of Section 70, the current adopted development plan for Hinkley & Bosworth Borough Council, relevant to the proposal, comprises:

- Hinkley & Bosworth Borough Council Local Development Framework: Core Strategy (Adopted December 2009).
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Hinkley & Bosworth Borough Council Local Development Framework: Core Strategy (Adopted December 2009):

As the Local Authority's Core Strategy includes no specific telecommunications policy, greater weight should be given to the NPPF. As outlined above, the NPPF is wholly supportive of 'sharing' infrastructure, as well as improving digital networks, which aligns with the UK Government's direction of travel. The proposed development will assist in both of these aims and bring about improved connectivity, coverage and capacity to Ratby and the surrounding area.

The Council's Core Strategy does, however, state that *"In 2026 Hinckley a Bosworth will be a thriving, successful borough exemplifying green sustainable development across the East Midlands. More residents will be choosing to work locally as higher paid jobs are provided through the successful diversification of the economy. There will be a lively and diverse rural economy. underpinning thriving village communities and village based services. In particular, the key rural centres Of Barlestone,, Desford. Groby, Market Bosworth, Markfield Newbold Verdon, **Ratby**, Stoke Golding, Bagworth and Thornton will provide the necessary day-to-day services to ensure rural communities have the choice to shop. work and play close to where they live"* (emphasis added).

The provision of enhanced network coverage across Ratby can only be seen as a positive step toward creating a *"thriving, successful borough"*. This is particularly relevant when assessing the proposal before the Council. The proposed development offers a shareable and future-proofed solution which can accommodate multiple MNOs, plus other Wireless Infrastructure users.

Site Allocations and Development Management policies DPD (Adopted July 2016):

This document contains 25 Development Management Policies which will be used to assess planning applications over the plan period.

Policy DM1 *'Presumption in Favour of Sustainable Development'* states:

Planning applications that accord with the policies in the Local Plan (and where relevant. with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

"Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Borough Council will grant permission unless material considerations indicate otherwise, taking into account whether:

- a) Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits. when assessed against the policies in the National Planning Policy Framework taken as a whole; or*
- b) Specific policies in that Framework indicate that development should be restricted".*

Policy DW6 'Telecommunications' states:

"The provision of essential infrastructure for telecommunications will be supported where it has been demonstrated that:

- a) There are no opportunities for sharing a site, mast or facility with existing telecommunications infrastructure already in the area; and*
- b) They are appropriately situated in the least visually obtrusive location available and appropriately designed to take account of their surroundings; and*
- c) Technologies to miniaturise and camouflage have been sufficiently explored; and*
- d) The proposal is in conformity with the latest national guidelines on radiation protection.*

The operator will also be required to remove any telecommunications equipment when it is redundant".

The following documents are material planning considerations when assessing applications such as the one before the Council:

A Digital Strategy for the Leicestershire Districts ICT Partnership

The strategy recognises that we live in rapidly changing times with our view of the world increasingly being seen through a digital lens and that social media, smartphones and the internet are creating a new future that is not just about technology, but also about social, cultural and business change.

The ICT Partnership plays a major role in introducing and managing new technologies that not only support the Councils, but also address the demands of customers who are already used to communicating, shopping, banking and organising their lives using digital channels and platforms, as well as making sure they have the confidence to do this in a safe and secure way.

To keep pace with customers' expectations, the Partnership need to have a clear strategy to introduce, manage and use digital technologies that make it easier than ever before for their residents to access Council services digitally. They will deliver the objectives of the strategy through the implementation of a supporting action plan.

The Partnership's objectives are to:

- 1: Create communities who are digital by choice to enable their customers to have easier access to services that meet their expectations.
- 2: Support a well-equipped, agile workforce with the right skills, tools and abilities to provide efficient and effective services to meet their customer requirements.
- 3: Empower their residents, businesses and workforce to make the most Of digital opportunities.

4: Facilitate and promote the delivery of improved digital infrastructure for residents and businesses.

5: Build safe, secure and strong connected communities by improving access to digital services and infrastructure.

6: Drive efficiency in the development and delivery of effective digital services.

7: Working with partners to maximise the potential benefits of digital opportunities.

The long-term provision of the most modern network services (i.e. 5G) is exactly the type of development which will assist in delivering the aims of the Local Authority and the wider ICT partnership.

It should be acknowledged that there are considerable design constraints that dictate the size, scale and form of telecommunications base stations, especially base station towers which are designed to accommodate up to **all** Mobile Network Operators, plus any other wireless infrastructure provider (such as Community Broadband apparatus, or local radio equipment). These design constraints must be acknowledged. However, as the height and scale of the proposed monopole has been reduced as far as practicable, it is considered that the perceived impact of the development has been kept as small as it can be.

It should also be acknowledged by the Local Authority that the proposed apparatus only serves **one** function – to provide communication services and mobile network coverage to the local area. The tower has **no** other function. As such, the design and appearance of the equipment, as well as the height of the equipment, is dictated purely by functionality and technical constraints. As outlined within this document, the proposed apparatus has been specifically designed to accommodate all the equipment of **all** Mobile Network Operators, all of which will be offered the opportunity to utilise the Icon Tower mast.

Only essential apparatus is proposed for deployment. It is therefore submitted that the proposed scheme does indeed meet the threshold for 'high quality design'. The innovative design is also considered to satisfy this policy, with far taller apparatus already deployed within residential areas across the UK (see Figure 3, below).

Whilst the apparatus cannot be considered 'attractive', it can also not be considered as 'poorly designed'. It performs a particular function, the effectiveness and success of which is dictated by both height and scale, and, again, this must be acknowledged. Any development, at any location, will have some level of visual impact on the local area. The proposed development is solely designed to provide network coverage and services to the surrounding area – as such it follows that the visual impact of the scheme will be on the immediate area in which it sits. As outlined within this statement, the application site has been selected specifically to reduce any associated impact of the proposed infrastructure – due to its positioning to the west of Ratby, set away from residential properties and against mature trees measuring 18m in height. As demonstrated in Figure 1, there are no residential properties to the west or south of the application site, with the nearest population cluster circa 350m away on the edge of Ratby. This site has therefore been specifically selected to ensure that visual impact is reduced as far as practicable, from a residential amenity perspective. Given that far larger and more robust infrastructure has been deployed in close proximity to residential housing, it is considered that the Site offers a suitable town planning and environmental solution, which also meets the technical objectives of a base station at this location.



Figure 3 – Aerial imagery of a 30m-high tower deployed at Century Mill, George Street, Farnworth, BL4 9QW and approved by Bolton Council in 2022 (Source: Applicants drone imagery)

As outlined above, the latest relaxations of The Order allows 30m-high masts to be deployed in undesignated areas, with the Local Authority's Prior Approval. There is therefore a clear acceptance of structures of this height, with a 'light touch' assessment, as required in Prior Approval applications. Given that a 25m-high mast is proposed in this instance, it is clear that every step possible has been taken to reduce the height of the proposed mast, and therefore reduce the impact of the mast – as far as practicable. This must be acknowledged by the Local Authority and planning weight should be attributed to this in any planning assessment.

The deployment of the telecommunications infrastructure to provide a very specific service is unavoidable, as without it, there can be no network. Therefore, the assessment that must be undertaken is clear – do the public benefits of deploying a shareable, future-proofed and over-engineered installation, which can accommodate all Mobile Network Operators, and therefore provide the latest technological services (2G, 3G, 4G, and 5G) to the local area, outweigh any visual impact that the proposed development may cause.

The Applicants submit that, in this instance, it is clear that the positive impacts of the scheme outweigh any associated visual impact. Within the Council's Local Development Plan and the new NPPF, there is a clear direction of travel to improve connectivity within the District, and make Ratby a "*thriving village community*", as per the Council's Core Strategy document. The clever siting of the mast, will not only bring about the economic and social benefits, but also reduce the impact on visual amenity within the immediate area. Simply put, the residents of Ratby will benefit from improved network service offering, without being overly impacted by the presence of a new mast circa 350m away from the nearest residential properties.

The Applicant's submit that their long-term strategy for this area is clear – they are providing a single, shareable installation which can accommodate all MNO's, plus other wireless service

provider infrastructure. This will therefore negate the need to have other ground-based installations within the surrounding area.

Consequently, the deployment of a single, shareable installation will enable the provision of the most modern network connectivity, capacity and coverage for all Operators. Additionally, the future-proofed nature of the scheme will ensure that Operators can keep pace with technological advances and complete upgrades quickly and effectively, without the traditional strengthening issues associated with supporting infrastructure which may have been in situ for the last 20 years. It is submitted that offering a single, shareable solution for all Operators, effectively provides a '*one-stop shop*' for all Operators, and will propel the surrounding area into the most modern network service provision.

It is submitted that '*service provision*' is the one and only function of the proposed development – offering MNO's the opportunity to share a single, future-proofed tower. It is wholly possible that, should the proposed infrastructure be approved, and the tower deployed, that the services provided from it could include Virgin Media O2, Vodafone, Three UK, EE, the Emergency Services Network, fixed wireless community broadband apparatus, as well as broadcast and local wireless services. As such, it is considered that the level of service provision, provided by the proposed development, is exceptional. This should be acknowledged by the Local Authority, and should be given significant planning weight in determining the application and making the balanced assessment of benefits vs harm.

The long-term vision of the mast is to accommodate all interested users and enable technological upgrades to be undertaken without the need to amend the host structure, as is often the case with traditional base station upgrades. The proposed tower, once deployed, will a) offer a viable operational and technical solution for Operators; b) will also offer an excellent town planning and environmental solution, as a consequence of good siting and appearance; and c) will reduce the need for any MNO to deploy their own, stand-alone mast within the surrounding area. These three points, combined, all weigh in favour of the proposed scheme, and the Applicants submit that these benefits, plus all the others which will be brought forward as a consequence of the proposal, will outweigh any perceived visual impact within the immediate, and surrounding, area.

The Applicants are satisfied that the Site is considered the most appropriate town planning and environmental solution available, within the geographically-restricted area. The infrastructure itself is considered to be wholly appropriate for the area, offering an excellent town planning and operational solution, whilst simultaneously meeting the technical and operational needs of the MNOs. Taller Icon Tower infrastructure has been recently deployed within very close proximity to residential properties, as per Figure 3 of this statement, and is now an accepted vertically engineered feature on the local landscape, in a similar fashion to electricity pylons that have been commonplace across the UK, in all settings, for decades. The proposed development is no different, and it is anticipated that it will also become an accepted part of the built environment.

It is submitted that the Site is wholly appropriate for the proposed development.

No conflict has been identified with any other Development Plan policies.

Overall, it is considered the proposal complies with both national and local policy. In terms of national policy, not only will new coverage, capacity and connectivity be provided to Ratby, and the surrounding area, but the proposal will also provide the opportunity for multiple MNO's to 'share' the site – something which is directly encouraged within planning legislation. This, in itself, is significant, as it offers a long-term mobile network strategy for the local area.

Such long-term strategies are often requested by Local Authorities to enable them to understand how the network will be created within a particular Council jurisdiction. In bringing this proposal forward, Icon Tower are demonstrating a very clear, long-term strategy for Ratby and the wider area.

As outlined above, the ‘principle of the development’ is accepted by virtue of the legislation, within The Order, and, as such, there is:

- a) *“no requirement in the Framework or the GPDO 2015 to select the best feasible siting specific nature of this Prior Approval legislation”* (Appeal Ref: APP/K3605/W/19/3243927); and
- b) *“there is no requirement to have regard to the development plan as there would be for any development requiring planning permission”* (Appeal Ref: APP/E2205/W/20/3261389) as the *“proposal is permitted development”*.

It is considered that the application site offers the best town planning and operational solution for Ratby.

Conclusion

In summary, the application is in respect of electronic communications apparatus necessary to accommodate multiple Mobile Operator Networks (MNOs) which will service Ratby and the surrounding areas. The proposed scheme is future-proofed and over-engineered, at the point of deployment, to allow technological upgrades to the apparatus to be undertaken with ease, as and when they occur.

The benefits to the Operators are clear – they will be offered an opportunity to share a robust structure capable of accommodating all necessary apparatus.

The benefits to the Local Council are also clear – one mast accommodating multiple MNO’s will have a direct impact on the surrounding area, as individual-MNO masts will not be required, either now or any time in the future. This will ensure that there is no proliferation of ground-based masts, which wholly accords with both National and Local Planning Policy.

This statement has demonstrated that the proposal is in accordance with local Development Plan policy and national policy set out in 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, being appropriately designed and located, as far as practicable.

In conclusion, the application merits support and there are no material considerations that indicate otherwise.

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For and on behalf of Icon Tower Infrastructure Ltd			

