



Department
for Culture
Media & Sport



Department for
Communities and
Local Government

Mobile connectivity in England

Consultation questions response form

English Heritage response

We are seeking your views to the following questions on the proposals to boost the roll-out of mobile and mobile broadband, which is essential to business growth and jobs by speeding up the regulatory process for mobile and mobile broadband infrastructure, while ensuring strong safeguards are in place. The proposed changes maximises the use of existing sites and the sharing of infrastructure between operators.

How to respond:

The closing date for responses is 5pm, 14 June 2013.

This response form is saved separately on the Gov.uk website at <https://www.gov.uk/government/consultations/mobile-connectivity-in-england>.

Responses should be sent to: planningimprovements@communities.gsi.gov.uk and mobplanningconsult@culture.gsi.gov.uk

Written responses may be sent to:

Andy Swyer

Consultation Team (Mobile communications permitted development)

Planning Development Management Division

Department for Communities and Local Government

1/J3, Eland House

Bressenden Place

London SW1E 5DU

About you

i) Your details:

Name:	Charles Wagner
Position:	Head of Planning and Urban Advice
Name of organisation (if applicable):	English Heritage
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Email:	charles.wagner@english-heritage.org.uk
Telephone number:	020 7973 3826

ii) Are the views expressed on this consultation an official response from the organisation you represent or your own personal views?

Organisational response

Personal views

iii) Please tick the box which best describes you or your organisation:

District Council

Metropolitan district council

London borough council

Unitary authority/county council/county borough council

Parish council

Community council

Non-Departmental Public Body

- Planner
- Professional trade association
- Land owner
- Private developer/house builder
- Developer association
- Voluntary sector/charity
- Other

(please comment):	
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iv) What is your main area of expertise or interest in this work? (please tick one box)

- Chief Executive
- Planner
- Developer
- Surveyor
- Member of professional or trade association
- Councillor
- Planning policy/implementation
- Environmental protection
- Other

(please comment):	
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Would you be happy for us to contact you again in relation to this questionnaire?

Yes No

ii) Questions

Please refer to the relevant parts of the consultation document for narrative relating to each question.

Question 1:

Do you agree:

- (i) The current prior approval threshold for antenna height in Part 24 of Schedule 2 to the 1995 Order should change from up to 4 metres to up to 6 metres on land in non-protected areas to support the swifter roll-out of 4G and provide additional capacity for 2G and 3G?
- (ii) Do you agree that Part 24 of Schedule 2 to the 1995 Order should be amended to add a new permitted development right with prior approval for roof or wall mounted antenna increasing in height from up to 4 metres to up to 6 metres and placement on buildings falling within existing restrictions?

Yes No

Comments

Provided there are additional conditions. The reasons given for raising the thresholds for prior approval in non-protected areas is that the present 4m threshold means operators install antenna nearer the edge of buildings to avoid disruption. With the raised 6m threshold, there should be a requirement that the antenna are set back from the front edge of the building as this will reduce their visual impact on the environment. A 1.5m set back is suggested.

We believe that operators should give consideration to the impact on the historic environment of mast and antenna sites close to or visible from listed buildings, scheduled monuments, conservation areas and World Heritage Sites. This is probably something for Code of Best Practice for Mobile Network.

Question 2

Do you agree that the existing permitted development rights in Part 24 of Schedule 2 to the 1995 Order should be amended to allow development in non-protected areas for up to 3 antenna systems on buildings below 15 metres and up to 5 antenna systems on buildings above 15 metres?

Yes No

Comments

We are concerned that this will lead to crowds on antennae on certain roofs and this may cause visual harm to the setting of heritage assets in certain location, where the antennae sites are on buildings adjacent to them.

We do recognise that in most cases it is preferable to have groups of antennae at an existing site on one building rather than creating more sites.

Question 3

- (i) Do you agree that the definition in paragraph A4 of Part 24 to Schedule 2 to the 1995 Order is amended to read: “a set of antenna operated by up to three operators or in accordance with the Electronic Communications Code”?
- (ii) Do you agree that the Electronic Communications Code (Conditions & Restrictions) Regulations 2003 should be amended to include the definition of antenna systems?

Yes No

Comments

We are in favour of the sharing of infrastructure sites and equipment, and we agree that the definition of antenna systems should be included in the regulations.

Question 4

Do you agree that a definition for ‘antenna’ is added to paragraph A.4, that the definition of ‘small antenna’ Part 24 of Schedule 2 to the 1995 Order and antenna should include *structure, mountings, fixings and brackets necessary to support the antenna*?

Yes No

Comments

We support the definition of ‘antenna’ as including the structure and all its fixings. Given that to function effectively, these antenna need to be high up and in visually prominent places, it is important that all other equipment is carefully considered. Access ladders and walkways are nowadays substantial structures, therefore we would suggest the definition makes clear that they are

not part of the antenna but additional equipment that requires planning permission.

Question 5

Do you agree that Part 24 of Schedule 2 to the 1995 Order is amended to:

- (i) Enable permitted development with prior approval of microcell antenna (up to 0.5 metres²) for mobile services on buildings or structures (not listed or scheduled monuments) on land in protected areas? and
- (ii) That the maximum number of microcell antenna is set at 1 for buildings or structures below 15 metres and up to 2 for buildings or structures above 15 metres?

Yes No

Comments

We agree that the size of microcell antenna on non-designated buildings in protected areas could be increased and that two rather one microcell antenna could be allowed on buildings in protected areas over 15m.

The benefits to the historic environment of making these changes should be that to maintain coverage, the antenna do not need to be positioned on the edge of the buildings, therefore a 1.5m setback is suggested.

Question 6

Do you agree:

- (i) Part 24 of Schedule 2 to the 1995 Order is amended to permitted development without prior approval in non-protected land to an aggregated size limit for dish antennas is increased to 4.5 metres aggregated limit for buildings or structures below 15 metres in height and 10 metres aggregated limit for buildings or structures above 15 metres with no single dish antenna is larger than 0.9 metres (industry standard)? and
- (ii) What other options, if any, or aggregated size thresholds should be considered?

Yes No

Comments

We have already commented in our answer to Qu 4 that ancillary equipment should remain covered by planning permission and prior approval. Given the sites of antenna are in most cases on roofs they are very visible, we would suggest that it would be preferable for ancillary equipment to require prior approval. Problems often arise because what ancillary equipment is required and where it will go is often not given the consideration early in the scheme design needed to reduce visual impact.

Question 7:

Do you agree that Part 24 of Schedule 2 to the 1995 Order is amended to clarify that permitted development rights for radio housing cabinets for mobile communications equipment of up to 2.5 cubic metres is not cumulative?

Yes No

Comments

We agree with the clarification, but would like to see added some reference to the need to review existing cabinets and the equipment they contain and the removal of redundant cabinets as part of the planning approval or 'prior approval' process

Question 8

- (i) Do you agree that A.2(1) Class A(a) and Class A(c) of Part 24 of Schedule 2 to the 1995 Order relating to ancillary equipment is amended?
- (ii) Do you agree that the Electronic Communications Code Regulations should be amended to make provision for ancillary equipment to be included in works permitted under the Code?

Yes No

Comments

Referring back to our answers to qus 4 & 6, we are concerned that if ancillary equipment becomes included in permitted works under the Electronic Communications Code Regulations, it will be difficult for local planning authorities to negotiate with operators to ensure that this ancillary equipment is kept to a minimum and sited as carefully as possible so to reduce visual impact

Question 9

Do you agree:

- (i) Part 24 of Schedule 2 to the 1995 Order is amended to enable mobile operators to install minor upgrades under permitted development rights with prior approval (siting and design) to existing sites of up to 2 additional point-to-point microwave transmission dishes of up to 0.6 metres in diameter and up to 2 additional antenna of up to 3 metres in total height?
- (ii) That the permitted development should only apply to existing operational (transmitting and receiving) sites at the time of publication? or
- (iii) Should the proposed permitted development right be extended to include both existing and new sites which receive planning permission after publication of this consultation – subject to prior approval?

Yes No

Comments

We agree to part (i) of this question although we accept there will be some increase in the visual impact of the existing mast sites on the setting of protected areas. This will encourage the use of existing infrastructure and reduce the number of new sites needs in these sensitive environments.

We support part (ii) of this question, because we feel that were the third option accepted, it might encourage some operators to apply for smaller than actually needed equipment for a new site, get permission because the environmental impacts are considered acceptable, and then come back for permitted development to install the extra dishes and antenna.

Question 10

Do you agree that Part 24 of Schedule 2 to the 1995 Order is clarified so that changes agreed between a mobile operator and the local planning authority to an existing approved application is not treated as needing to go through a prior approval process or a new application?

Yes No

Comments

We are concerned that this proposal would seem to sidestep the formal planning process for the local planning authority to decide if the changes constitute a minor amendment or a significant material change to the existing approved scheme. It does not allow the differentiation between the two levels of amendment or different site sensitivities.

Question 11:

Do you agree that Part 24 of Schedule 2 to the 1995 Order is changed to enable existing operational masts at the time of the publication of this consultation (transmitting and receiving) on land in non-protected areas which are up to 15 metres high should be able to be increased in height by up to 5 metres to 20 metres and in width by up to a third under a permitted development with prior approval?

Yes No

Comments

We agree that the height of transmitting and receiving masts in non-protected areas of up to 15m in height should be able to be increased in height to 20m under permitted development with prior approval.

We do not agree that the same permitted development with prior approval should be allowed for increasing the width of such masts by up to one third, because increasing the width will make the masts much bulkier and visually intrusive.

We believe that operators should give consideration to the impact on the historic environment of mast sites close to or visible from listed buildings, scheduled monuments, conservation areas and World Heritage Sites. This is probably something for Code of Best Practice for Mobile Network.

Question 12:

Do you agree:

- (i) With the assumptions and cost savings set out in the consultation? and
- (ii) If you disagree, please provide alternative assumptions; cost savings and data for the number of sites to be upgraded to facilitate 4G in the first 12-24 months of roll-out.

Yes No

Comments

We are not able to properly assess the assumptions and cost savings set out in the consultation.

Where we can agree is in the aims of the measures to encourage the upgrading of existing sites so as to reduce the number of new sites needed to provide nationwide coverage for 3G and 4G.

Thank you for your comments.

If you require an alternative accessible version of this document (for instance in audio, Braille or large print) please contact our Customer

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