



Historic England

**Changes to Permitted Development Rights for Electronic Communications Infrastructure, Technical Consultation
Historic England Response**

Historic England is the Government's statutory adviser on all matters relating to the historic environment in England. We are a non-departmental public body established under the National Heritage Act 1983 and sponsored by the Department for Digital, Culture, Media and Sport (DCMS). We champion and protect England's historic places, providing expert advice to local planning authorities, developers, owners and communities to help ensure our historic environment is properly understood, enjoyed and cared for.

We welcome the opportunity to submit a response to the *Technical Consultation on Changes to Permitted Development Rights for Electronic Communications Infrastructure*.

General Comments

Historic England acknowledges the importance of fast, reliable digital connectivity and understands the need to extend mobile coverage using the 4G and 5G networks. The continued exclusion of listed buildings (and their curtilage) and scheduled monuments from PDR for electronic communications infrastructure is welcomed. The principle of siting electronic communications infrastructure within existing sites and directing the sharing of infrastructure is also supported.

Further extension of permitted development rights for electronic communications infrastructure risks unintended consequences for the historic environment. The principle of ensuring appropriate environmental (and heritage) protections, using exclusions in relation to Article 2 (3) land is welcomed, however these exclusions do not apply across all proposals. Therefore, it is important that the design and siting of ground-based masts, building based masts, monopoles and radio housing equipment is sensitive to the historic environment and avoids or mitigates the risk of harm. This can be achieved through the use of conditions, limitations and prior approvals for proposed schemes under PDR, supplemented by the voluntary Code of Practice for Mobile Operators.

Under prior approval arrangements for electronic communications infrastructure on Article 2 (3) land local planning authorities may give prior approval as to the siting

and appearance of development¹. This should factor in the assessment of harm from proposals on the significance of heritage assets, particularly those which are locally listed or non-designated assets.

Question 1

The government has committed to make it easier to deploy radio equipment housing without the need for prior approval. This is to support the deployment of 5G and incentivise the use of existing sites for site sharing.

1A) To implement this, we would welcome your views on the following proposals:

On Article 2(3) land to:

Permit single developments up to 2.5m³ without the need for prior approval;

To permit single developments exceeding 2.5m³ subject to prior approval.

The above proposals would not apply on land on or within sites of special scientific interest.

1B) To implement this, we would welcome your views on the following proposal:

To permit the installation, alteration or replacement of radio equipment housing within the boundaries of a permitted compound, without the need for prior approval, subject to measures to mitigate visual impact. This proposal would apply on all land except land on or within sites of special scientific interest.

We recognise that conditions would be needed to ensure that new equipment housing does not have an adverse visual impact on the local area. We therefore particularly welcome comments on what measures would be most appropriate to mitigate visual impact.

RESPONSE:

The need for prior approval relating to the siting and appearance of development and the associated impact on the historic environment should remain for radio housing equipment of any size which is proposed on Article 2 (3) land. This would allow local authorities to consider the impact of the proposals on the historic environment and the cumulative impact of proposals; it is important to take account of devices already in place. Prior approval should also consider potential for below ground archaeology.

Specification of an upper limit on radio housing equipment to be subject to prior approval on Article 2 (3) land is suggested to ensure larger scale equipment is

¹ A.3 (3) of Part 16 of Schedule 2 of the General Permitted Development Order (2015).

subject to full considerations through the planning application process, including addressing potential risks for below ground archaeology.

The principle of siting equipment within the boundaries of an existing, permitted compound is welcomed. It is understood mobile operators would comply, on a voluntary basis, with the Code of Practice to ensure the installation of well-designed equipment which minimises visual intrusion and is in line with national and local planning policy.

Question 2

2A) The government has committed to make it easier to strengthen existing masts without the need for prior approval to be given by the local planning authority. This is to encourage use and sharing of existing masts and so limit the need for new ones.

**To implement this, we would welcome your views on the following proposals:
To permit the alteration or replacement of existing masts with wider masts, subject to the following limits: on all land, for existing masts less than metre wide, permit increasing the width by up to two-thirds without the need for prior approval;**

Where an existing mast is greater than one metre wide, permit increases in width without the need for prior approval. Subject to consultation responses this would be by either:

- a) Up to one half or two metres (whichever is greater) on all land (including Article 2(3) land and land on a highway); or**
- b) Up to one third or one metre (whichever is greater) on Article 2(3) land and land on a highway, and one half or two metres on all other land.**

On all land permit greater increases in width than proposed above subject to prior approval.

That any change in width is calculated by comparing the widest part of an existing mast with the widest part of the new altered or replacement mast.

The above proposals would not apply on land on or within sites of special scientific interest.

2B) For existing masts greater than one metre wide we have proposed two alternative options:

Permit the alteration or replacement of existing masts with wider masts, subject to the following limits:

Option A) up to one half or two metres (whichever is greater) on all land (including Article 2(3) land and land on a highway), or

Option B) up to one third or one metre (whichever is greater) on Article 2(3) land and land on a highway, and one half or two metres on all other land.

Greater increases in width than proposed above would be subject to prior approval. The above proposal would also not apply on land on or within sites of special scientific interest.

Which of these two options do you consider to be most appropriate? If you would make any further comments, please include these in your response to Question 2A (above).

Question 3

The government has committed to make it easier to strengthen existing masts without the need for prior approval to be given by the local planning authority. This is to encourage use and sharing of existing masts and so limit the need for new ones.

To implement this, we would welcome your views on the following proposals:

To permit the alteration or replacement of existing masts up to a new height of 25 metres, without the need for prior approval, outside of Article 2(3) land.

The government also proposes to align permitted development height limits for alterations to existing masts with those proposed for new masts. This would permit the alteration or replacement of existing masts subject to the following limits:

On Article 2(3) land and land on a highway, up to a new height of 25 metres subject to prior approval;

on all other land, up to a new height of 30 metres, subject to prior approval;

The above proposals would not apply on land on or within sites of special scientific interest.

Question 6

The government has committed to enable higher masts, subject to prior approval. This is to support deployment of 5G and extend mobile coverage encourage using, and to support the sharing of masts.

To implement this, we would welcome your views on the following proposals:

On Article 2(3) land, and land which is on a highway, to permit new ground-based mast up to 25 metres in height, subject to prior approval

On all other land, to permit new ground-based mast up to 30 metres in height, subject to prior approval

The above proposals would not apply on land on or within sites of special scientific interest.

RESPONSE to Questions 2, 3 and 6

The use of greater limitations for the width and height of ground-based masts on Article 2 (3) land is preferred, as specified in Question 2a (option b) and Question 2b (option b). Historic England would welcome the inclusion of upper limits for the width and height of masts and for these proposals to be subject to prior approval.

In line with the response to Question 1, the design and siting of ground-based masts and avoidance or mitigation of harm to the historic environment is a key consideration. Prior approval should therefore be in place for any alterations or additions to ground-based masts on Article 2(3) land. On all other land, the siting and design of equipment to conserve and enhance non-designated heritage assets should be a key consideration within the Code of Practice. Historic England would welcome the opportunity for further discussions on the updated Code of Practice.

Question 7

The government has considered whether further measures are needed to support deployment of 5G and extend mobile coverage.

We are considering whether permitting monopoles up to 15 metres in height outside of Article 2(3) land and land on or within sites of special scientific interest without the need for prior approval would support the government's ambitions for 5G deployment.

We would welcome your views on this proposal. We particularly welcome comments on the restrictions, limitations and conditions that would be required to ensure this permitted development right would only apply to monopoles, and to mitigate visual impacts.

RESPONSE

While Historic England welcome the exclusion of listed buildings (and their curtilage) and scheduled monuments, we are concerned that the erection of monopoles under permitted development without the need for prior approval presents the real risk of impacts upon their wider setting, and may in turn be detrimental to the character of

wider historic landscapes. We therefore think that prior approval would offer a more nuanced and balanced approach, helping to avoid, or – where necessary – mitigate the detrimental impacts of infrastructure being placed adjacent to designated heritage and causing harm to its setting.

Historic England recognises the benefits of rural connectivity, but the extension of the 4G and 5G network across rural areas needs to be handled with an appropriate degree of consideration for the historic environment, and consideration should be given in the siting and design of monopoles, the materials used, potential for screening and identification of less prominent locations within the landscape to minimise visual impact.

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