



Historic England

Historic England Response to the Proposed Reforms to Permitted Development Rights to Support the Deployment of 5G and Extended Mobile Coverage

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.

Historic England welcomes the opportunity to comment on the current proposals.

Historic England recognises and supports the importance of mobile connectivity in promoting productivity and growth, as well as the importance of safeguarding protected areas and the wider historic environment.

In response to the questions asked in the consultation document:

Question 2.1: Do you agree with the principle of amending permitted development rights for equipment housing to remove the requirement for prior approval for development within Article 2(3) protected land and on unprotected land which exceeds 2.5 cubic metres, to support deployment of 5G?

Whilst recognising the benefits of enabling of speedy deployment of 5G infrastructure, this has to be balanced with safeguarding protected land, the wider historic environment and other areas. We would be concerned that removing the requirement for prior approval for such development within Article 2(3) protected land could potentially lead to adverse impacts in those areas, as well as on other designated heritage assets and their settings.

It is stated that in 2016 amendments were made to permitted development rights for fixed-line broadband infrastructure and that the equipment housing for 5G is 'similar in size and appearance to the cabinets required to support fixed-line broadband infrastructure'. However, no evidence has been provided as to the impacts of fixed-line broadband infrastructure installation, nor on the impacts of the 2016 amendments to permitted development rights. Furthermore, whilst 5G equipment housing might be 'similar in size', the current consultation offers no insight into the possible number or the necessary concentration/frequency of equipment housing in a particular area. It is therefore not possible to fully consider the potential impact of this proposal on the historic environment.

Question 2.2: What impact could this proposal have on the surrounding area and how could this be addressed?

Removal of the requirement for prior approval within Article 2(3) land could potentially lead to an adverse impact on such land, and could potentially harm the character and appearance of conservation areas or the outstanding universal value of World Heritage Sites, as well as on other designated heritage assets and their settings. Retaining the need for prior approval would allow local authorities, and consultees, the opportunity to control and/or comment on such development, where there might be an unacceptable harm to such designated heritage assets. Historic England has been concerned about the wider public realm for some time, and through publications such as *Streets for All* has encouraged councils to maintain and improve their public realm. We would be concerned that removing the requirement for prior approval might also undermine such efforts, and lead to further degradation of public spaces.

Strengthening the Code of Best Practice is another way in which any impacts might be reduced/better managed.

Question 3.1: Do you agree with the principle of amending permitted development rights to allow an increase in the width of existing ground-based masts by more than one third, to support 5G deployment and encourage greater utilisation of existing sites?

We support the principle of using existing sites for the deployment of new technologies, of providers sharing sites, and the timely removal of redundant equipment and sites. However, it is not made clear in the consultation what are, broadly speaking, the widths of existing ground-based masts, nor the likely desired increase in widths to accommodate 5G technology and/or mast sharing. Furthermore, no evidence has been provided to indicate the impact of possible additional ground-based masts which might be required if it was not deemed appropriate to allow existing masts to be widened. For example, a modest increase in width to an existing, relatively-slender mast might be preferable if the alternative was additional masts in an area.

Reference is made in the consultation document to 'strengthening' of existing masts. It is not clear whether strengthening and/or increasing the width of a mast are one-and-the-same or two distinct activities. Further information is needed to be able comment more precisely on this proposal, or to express support for it at present.

Question 3.2: If yes to question 3.1, what increase in width should be granted through permitted development rights, without prior approval, to ensure that the visual impact on the surrounding area is minimised?

Please refer to our answer to question 3.1.

Question 3.3: To further incentivise operators to maximise the use of existing sites, should permitted development rights be amended to increase the height of existing masts to the relevant permitted height without prior approval? If yes, what restrictions are appropriate to protect safety and security, and visual impact considerations?

As per the answer to question 3.1, no evidence has been provided as to the broad range of existing mast heights or the likely requirements for increases in mast heights to allow for the deployment of 5G technology and/or mast sharing, and we are, therefore, unable to comment.

Question 3.4: Are there any other amendments to permitted development rights that would further incentivise operators to maximise the use of existing sites? If yes, what are these and what restrictions would be appropriate to ensure that the visual impact on the surrounding area is minimised?

If a greater increase in width or height were to be allowed as permitted development, the need for prior approval (as required for new ground-based masts) would offer some degree of protection for the historic environment and those areas surrounding existing masts.

Question 4.1: Do you agree in principle with creating a permitted development right to grant permission for masts to be located within 20 metres of a highway on buildings less than 15 metres in height, in all areas?

We do not offer comment on the technical implications, such as on highway safety, but would reiterate concerns of the possible adverse impacts of new 5G installations on much-loved historic areas, including conservation areas and World Heritage Sites, as well as on the settings of other designated heritage assets.

The installation of equipment close to highways requires careful consideration, as it is often from highways that areas and neighbourhoods are experienced by the public, and inappropriately sited or designed infrastructure in such places is more likely to have a significant effect on the character of an area and people's perception of it.

However, we do recognise that in some cases (for example, churches) installation of equipment to enable mobile connectivity can bring benefits to those heritage assets as well as to the community.

Question 4.2: If yes to question 4.1, what restrictions (if any) could be put in place to control the deployment of infrastructure within 20 metres of a highway on a building less than 15 metres in height, taking into consideration potential impacts on safety to accommodate vehicle lines of sight, and visual impact on local amenity?

If such a permitted development was to be created, the need for prior approval would offer some degree of protection for the historic environment and those areas surrounding proposed sites.

Strengthening the Code of Best Practice is another way in which any impacts might be reduced/better managed.

Question 4.3: If yes to question 4.1, do you agree that this permitted development right should be subject to the prior approval process by the local planning authority?

Yes

Question 5.1: Do you agree in principle with amending permitted development rights to increase the height of new masts, subject to prior approval?

We would be concerned with any increase in the mast heights allowed under permitted development rights. The example given in the consultation document (of a 50m mast in Scotland) is twice that currently allowed in non-Article 2(3) land in England, and we think it appropriate that installation of such masts is given full consideration as a planning application.

Question 5.3: If yes to question 5.1, should a lower height limit be permitted for masts located in Article 2(3) land or on land on a highway and why?

We do not support amending permitted development rights to increase the height of new masts, however, we agree that a lower height limit is appropriate for Article 2(3) land, as this would reduce the impact of installations in such areas.

Historic England recognises the importance of mobile connectivity in promoting productivity and growth, as well as the benefits of enabling speedy deployment of 5G infrastructure. However, this must be balanced with safeguarding protected areas and preserving and enhancing the historic environment, as required by the planning legislation and the National Planning Policy Framework (2019).

Little evidence has been provided, with this consultation, to suggest that the current safeguards are having a detrimental impact on delivery of mobile infrastructure. Likewise little evidence has been provided to enable the impact of the proposed changes to permitted development rights to be clearly understood.

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