

Response

Submitted to **Technical consultation: changes to permitted development rights for electronic communications infrastructure**

Submitted on **2021-06-14 13:31:28**

About You

Full Name:

Please enter your full name:

Emily Hamerton

Please enter your email address:

What type of organisation are you representing?

Local Authorities (including National Parks, Broads Authority, the Greater London Authority and London Boroughs)

If you answered "other" please provide further details:

Name of your Organisation:

South Oxfordshire District Council and Vale of White Horse District Council

Radio Equipment Housing

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.

Comments:

- Our preferred approach would be for network coverage to be strategically identified and map based. Existing locations outside Article 2(3) land should be identified first and areas where enhancements and site sharing can be made should be prioritised and as many 'not spot' areas addressed this way, before considering increasing permitted development rights on Article 2(3) land.
- It is important that robust evidence is provided as to the safety of the masts
- As Article 2(3) land does have an identified character and appearance that is given more protection, we do not agree with the changes set out above.

Comments:

Strengthening existing ground-based masts

Question 2 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.

Comments:

- Our concerns with this proposal are that this would apply to mast on Article 2(3) land and highway land. For Article 2(3) land there could be impacts on the character and appearance of the area by increasing the mass and bulk of this equipment, therefore allowing this without the need for prior approval would reduce the LPA's ability to control siting and appearance which is important.
- The increase in the width of the mast will be to support more equipment on it, therefore its overall impact on the character and appearance of the area will be greater.
- On highway land the main concern would be impact on visibility splays and the impact on pedestrians especially those who have mobility or sight impairments by increasing the amount of apparatus on or close to a pavement / cycleway.
- It may be possible to consider an increase in width of masts without the need for prior approval where it is more remotely located outside land designated as Article 2(3).

Not Answered

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.

Comments:

- We support an approach that limits the need for new masts. We remain concerned about allowing an increase on Article 2(3) land without the need for prior approval due to the potential impact on the character and appearance of the area. On highway land there may be impacts on visibility splays, pedestrian and cycle users and this should be assessed rather than automatically allowed without the need for prior approval.
- On other land up to 30m in height may be acceptable where the mast is located in a remote location.

Building-based masts

Question 4 The Government has committed make it easier to deploy building-based masts nearer to highways, subject to prior approval. This is to support deployment of 5G and extend mobile coverage encourage using existing structures.

Comments:

- Locating masts on existing buildings can help reduce the apparatus at ground level which can help highway users (footpath, road, cycleways).
- As this proposal would be subject to prior approval from the LPA, this would allow the siting and appearance to be considered.
- Agree that this should not apply on Article 2(3) land.

Question 5 The Government wishes to go further to enable the deployment of building-based masts nearer to highways. This is to support deployment of 5G and extend mobile coverage encourage using existing structures.

Not Answered

Comments:

- Alongside the mast is other kit and equipment. Whilst not putting this on the ground helps to reduce clutter at street level, careful consideration needs to be given to the impact the mast and equipment may have on the building itself and in areas where 'protected view cones' are considered important and protected.

New ground-based masts

Question 6 The Government has committed to enable higher masts, subject to prior approval. This is to support deployment of 5G, extend mobile coverage and to support the sharing of masts.

Comments:

- We do not agree to this approach on Article 2 (3) land for reasons already stated
- On other land in more remote locations up to 30m in height may be acceptable.

Question 7 The Government has considered whether further measures are needed to support deployment of 5G and extend mobile coverage.

Comments:

- We do not see the prior approval process as restricting the government's ambitions for 5G deployment. The prior approval process allows LPA's to assess the design and siting of this equipment within a specified timescale.
- The assessment the prior approval process enables is important in terms of balancing the roll out of 5G against other important considerations such as the design and siting of this equipment. Therefore, our view is this should not change.

Safeguarding

Question 8 The Government wishes to ensure that appropriate measures are in place to mitigate the impact of development from the proposals on safeguarded areas. To achieve this, we are proposing to amend the General Permitted Development Order for all developments relating to masts within official safeguarded areas related to Aerodromes, Technical Sites and Military Explosives Storage Areas.

Yes

Comments:

Small Cell Systems

Question 9 The Government wishes to update the definition of small cell systems in the General Permitted Development Order. This is to ensure that there is no uncertainty about the types of technology that fall within the definition.

Yes

Comments:

Implementation

Question 10 We welcome comments on what more, if anything, the Government should do to ensure successful implementation of the proposed planning reforms to support the deployment of 5G and extend mobile coverage .

Comments:

- Provide robust evidence as the safety of the masts
- Ensure that consultation within the local community is undertaken. Currently prior approvals require either a site notice or a letter to be sent to nearby properties, this should continue

- In addition where a notification (28 days notification) from a network provider is received that they are installing equipment or masts consultation should be introduced on these as well to ensure the local community are aware
- The design of masts is important. They often are a prominent addition to the street scene and local area. Designing them so they blend in more such as the style and colours used would help.

Public Sector Equality Duty

Question 11 The proposals outlined in this technical consultation build upon the principles that the Government has established to enable the deployment of 5G and extending mobile coverage, and have been considered under Section 149 of the Equality Act 2010.

Comments:

- The one aspect we would like to highlight as referred to in question 2a is the potential impact mast apparatus and equipment can have on pavements and cycleways. Any additional apparatus on pavement and cycleways should also be positioned to ensure people with mobility challenges or sight impairments do not have obstacles put in their way.

Assessment of Impact

Question 12 We welcome any further evidence specifically on the regulatory impacts of the proposed changes to planning regulations set out in this technical consultation

Comments:

Supporting Evidence & Confidentiality

Confidentiality

I would like my response to be treated as confidential:

No

Any additional evidence to support your consultation responses should be added here.

Supporting evidence:

No file uploaded