

## Response ID ANON-9UN3-2SJB-Z

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

Submitted on **2021-06-09 17:16:12**

### About You

#### Full Name:

**Please enter your full name:**

Ruth Bradshaw

**Please enter your email address:**

ruthb@cnp.org.uk

#### What type of organisation are you representing?

Non-Governmental Organisation

**If you answered "other" please provide further details:**

**Name of your Organisation:**

Campaign for National Parks

### 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:

We do not support the removal of the requirement for prior approval for equipment housing in National Parks and other Article 2(3) protected land as this could result in very visually intrusive infrastructure being installed in areas which are specifically designated for their natural beauty. If this proposal is to go ahead, then it should be restricted to single developments up to 2.5m3.

However, we are extremely concerned that removing the need for prior approval would take away any incentive for operators to develop innovative solutions and ensure that they minimise the impacts of their proposals. This is unacceptable in National Parks and AONBs which are our finest landscapes with the highest level of protection.

This proposal would threaten the other important benefits these areas deliver and set a dangerous precedent for removing other planning protections. It would also be inconsistent with other government policy, including the National Planning Policy Framework which highlights the special status that the Government affords these areas in planning policies and decisions; and the Government's renewed commitment to conserving and enhancing protected landscapes.

The Government clearly recognises that there are certain areas where a more careful assessment will always be required in order to determine the appropriateness of installing new infrastructure as the proposed changes do not apply to SSSIs. National Parks and AONBs were created under the same legislation as SSSIs as all three designations were introduced through the National Parks and Access to the Countryside Act 1949. Whilst the reasons for designating SSSIs are different from those for designating National Parks and AONBs, what led to the creation of all three was the recognition that the special qualities of some areas of land are so important that they need to be preserved and enhanced for future generations. This remains as true today as it was in the 1940s and National Parks and AONBs should continue to be treated in the same way as SSSIs.

#### Comments:

As set out in our response to Q1A, we do not support the removal of the need for prior approval. The best way of ensuring that equipment does not have an adverse visual impact is to require a proper assessment of the impacts, ideally as part of a planning application, but failing that as part of a prior approval process.

### 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:

We support the principle of encouraging greater use of existing sites but this must be done carefully in order to minimise the landscape and visual impacts and we cannot support any of the proposed options set out above. Increasing the width of existing ground-based masts by a third or more could make them significantly more visible. At a minimum the existing requirement for prior approval should remain so that there is an opportunity for the local planning authority to refuse permission where there are significant landscape and visual impacts. Consideration should also be given to strengthening protections in Article 3(2) land by requiring planning permission so that a proper assessment of the impacts is undertaken as part of the process of determining whether a particular development should be granted approval.

For the same reasons, we do not support either of the options set out in Question 2B.

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 the principle of encouraging greater use of existing sites but this must be done carefully in order to minimise the landscape and visual impacts. Increasing the height of existing masts could make them significantly more visible so it is essential that, at a minimum, the requirement for prior approval remains so that there is an opportunity for the local planning authority to refuse permission where there are significant landscape and visual impacts. Consideration should also be given to strengthening protections in Article 2(3) land by requiring planning permission so that a proper assessment of the impacts is undertaken as part of the process of determining whether a particular development should be granted approval.

### **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:**

We welcome the fact that this proposal would not apply on article 2(3) land. This is completely appropriate given the additional protection afforded these areas where it is particularly important that full consideration is given to the landscape and visual impacts including the cumulative impacts of multiple masts.

**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:**

We support the fact that this permitted development right would not apply in Article 2(3) land. This is completely appropriate given the additional protection afforded these areas where it is particularly important that full consideration is given to the landscape and visual impacts including the cumulative impacts of multiple masts.

### **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 believe that there should be any changes to existing permitted development rights for new free-standing masts in protected areas or in surrounding areas where the installation of new infrastructure would have an impact on the setting of a protected area and thus on its special qualities. The need for planning permission for new free-standing masts over 20 metres in height in such areas should be retained.

It is essential that the installation of new infrastructure in Article 2(3) land is properly managed and monitored through the planning system. Requiring planning permission is the best way of ensuring that the landscape and visual impacts of such proposals are minimised as the following example demonstrates. A proposal was put forward a few years ago for a mast high up on the north side of Wensleydale, to provide coverage for Hawes and surrounding hamlets. This mast would have been very prominent and intrusive, being visible for many miles around. The Yorkshire Dales NPA negotiated with Vodafone, urging them to find a less obtrusive alternative. They came up with a proposal to fix a small mast to the church tower in Hawes itself, a solution with minimal visual impact, and one which brought it closer to the main population. Through the planning process, it was possible to have a full and open debate about the advantages and disadvantages of both proposals. This transparent process resulted in a decision to use the church tower, which achieved a workable solution whilst very effectively protecting the rural landscape and open vistas of Wensleydale.

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

**Comments:**

### **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.**

Not Answered

**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:**

It is far harder to deploy 5G in the countryside than in urban areas and it is essential that further research is undertaken into the most appropriate technology to use and that a proper strategy for deployment is developed before any relaxation of permitted development rights is considered. The strategy must address a range of issues including use of the most appropriate technology, making best use of existing infrastructure, removing redundant infrastructure and ensuring that great weight is given to the protection of designated landscapes.

There is evidence (as set out elsewhere in this consultation response) that the requirement to apply for planning permission for new free-standing masts has resulted in operators developing less visually intrusive solutions in protected landscapes. The choice of location of masts should be informed by landscape evidence such as Landscape Character Assessments and Landscape and Visual Impact Assessments. Operators should also be encouraged to consider alternatives to new masts, such as mounting equipment on existing buildings or existing masts wherever viable and appropriate or burying cables underground wherever possible. We would also like to see a commitment from operators to rationalise mast provision (i.e. to always use the minimum number of masts needed) and to remove any masts that are no longer required.

National Park Authorities (NPAs) are already taking a proactive approach to extending mobile coverage so the changes outlined in this consultation document are not required to achieve the Government's ambitions for 5G. Given that there is absolutely no evidence that the requirement for prior approval is delaying the installation of mobile telecoms infrastructure, then the current arrangements should remain in place to allow NPAs to continue working with providers to ensure that National Park purposes are taken into account in the provision of telecoms infrastructure.

## **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:**

Campaign for National Parks supports the provision of improved mobile connectivity in rural areas but it is important to recognise that planning regulation can have benefits and that the removal of important planning protections risks delivering significant disbenefits, particularly in terms of the potential damage to protected landscapes and their settings. So the proposals could have a negative impact on economic growth in rural areas if they make National Parks less attractive places to visit. In 2016, there were 94 million visitors to National Parks and surrounding areas in England who spent more than £5 billion and supported 75,000 jobs (source: [https://www.nationalparksengland.org.uk/\\_\\_data/assets/pdf\\_file/0015/1070313/INFOGRAPHIC-2017-hi-res.pdf](https://www.nationalparksengland.org.uk/__data/assets/pdf_file/0015/1070313/INFOGRAPHIC-2017-hi-res.pdf)). This tourism provides a significant amount of employment in the National Parks, for example, research in 2013 found that around a third of total employment in National Parks is supported by tourism (source: [https://www.nationalparksengland.org.uk/\\_\\_data/assets/pdf\\_file/0004/717637/Valuing-Englands-National-Parks-Final-Report-10-5-13.pdf](https://www.nationalparksengland.org.uk/__data/assets/pdf_file/0004/717637/Valuing-Englands-National-Parks-Final-Report-10-5-13.pdf)).

## **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