



**August 2015**

## **Review of How the Planning System in England Can Support the Delivery of Mobile Connectivity**

### **Response by National Parks England**

1. National Parks England supports the policy-making process by co-ordinating the views of the nine English National Park Authorities and the Broads Authority. It is governed by the Chairs of the ten authorities. Our response represents the collective view of officers who are working within the policies established by the National Park Authorities (NPAs) and Broads Authority and follows internal consultation amongst the All Parks Policy Officers Group. We are happy for our response to be made publicly available and would be happy to discuss any of the points we make further with officials if that would be helpful.
2. Good mobile communications are important to sustain the National Park communities, support the many businesses across the Parks and encourage the many millions of visitors to return to these iconic areas. The English National Park Authorities and the Broads Authority wish to ensure there are effective mobile networks across the National Parks.
3. The high quality environment and landscapes of the National Parks and the Broads help to support many tourism businesses and these areas are enjoyed by many millions of visitors each year, with these visitors contributing many millions to the local economies. The quality of the environment of National Parks and the Broads is directly related to ensuring the success of the future economies of these areas. As the Secretary of State, Elizabeth Truss MP has said "*A healthy natural environment and a healthy economy go hand in hand in today's world*" (Defra, 25 June 2015).
4. Mobile phone masts and the related infrastructure can with care and innovation be accommodated within National Park and the Broads landscapes. However without care and attention together with a willingness to adapt to local circumstances, a standard approach risks resulting in schemes that detract from the character and appearance of these nationally important landscapes. National Park Authorities and the Broads Authority, as the Local Planning Authorities, welcome early

discussions with operators. The National Park Authorities and the Broads Authority know their areas, the constraints and opportunities, the Parish Councils, the stakeholders, the landowners, and can ensure that networks are rolled out in the most effective way whilst respecting these nationally important landscapes. Legislation needs to ensure that this process can happen so that it delivers the best outcomes for the landscape at the same time as delivering the essential mobile network.

5. To demonstrate our shared objectives the National Park Authorities and the Broads Authority have collectively agreed a Joint Accord with the Mobile Operators. This can be viewed at [http://www.nationalparksengland.org.uk/\\_data/assets/pdf\\_file/0010/468811/National-Parks-England-Mobile-Operators-Association-Joint-Telecommunications-Accord-2014.pdf](http://www.nationalparksengland.org.uk/_data/assets/pdf_file/0010/468811/National-Parks-England-Mobile-Operators-Association-Joint-Telecommunications-Accord-2014.pdf)

6. It is important to acknowledge this commitment to work together to deliver the networks. The Accord explains that the National Park Authorities and the Broads Authority support the need for the networks and acknowledge the technical constraints with deploying the mobile networks across the National Parks. In turn the mobile operators understand that given these are iconic landscapes of national importance there is a requirement for special care and that often a more flexible approach is warranted.

### **Experience of how the Planning system currently works for mobile deployment**

7. The terrain of the National Parks and the Broads mean that regardless of the willingness to work together it is often difficult to address all the technical issues and deploy a standard roll-out approach. Particularly with new masts the most successful approaches have been where there is very early engagement with the planning authorities.

8. Approval rates for telecommunication equipment are high. Almost all proposals for new or replacement equipment are permitted. For instance, in the Peak District National Park no telecommunication proposal has been refused in the last 5 years. It is new masts where the operators have not engaged in comprehensive pre-application discussions and are often promoting a standard tower that can then run into delays and potentially refusals. Where operators are willing to examine alternative approaches, propose innovative solutions, and work with authorities, this results in the best outcomes. For instance, at Beacon Down Quarry within the Exmoor National Park a 30m standard mast was replaced with two 10m slim pole masts supported by guys and based on an anemometer design. The coverage was the same but the landscape impact was much reduced.

## **The Effectiveness of telecommunication permitted development rights and the changes made in 2013**

9. In National Parks and the Broads some of the changes to antenna and dishes which would have required planning permission are now subject to prior approval and a few do not need planning permission. This has helped but it would be possible to widen permitted development rights for some of these minor changes to antenna and dishes on existing masts so as to not require a prior approval. This would allow greater attention to be provided to those new masts that should still be the subject of a planning application. The new masts have the potential to cause the greatest impact on the National Park landscape.

## **The Operation of the Code of Best Practice**

10. There is mixed experience from the National Park Authorities and Broads Authority in relation to the operator's compliance with the Code of best Practice. With straightforward proposals – perhaps the replacement of an existing mast with new equipment – it seems that the Code is followed; however, with more complex or potentially difficult proposals there is less engagement from the consultants on behalf of the operators.

## **The nature of the infrastructure required to deliver the 2017 target of 98% with access to 4G connectivity**

11. The geography and sensitivity of National Parks means that from a practical point of view taller masts are not usually a solution to provide wide coverage. A mast may be able to provide coverage for that valley but because of deep adjoining valleys the signal will not usually cover these further valley areas. As a consequence there is often a need for a greater number of smaller masts to provide more effective coverage across an area where a taller mast would result in more not-spots because of the intervening terrain. Smaller masts can more easily be accommodated within the landscape; however, with such an approach there is a need for local discussions to find solutions.

12. Standard approaches, which may work in less undulating terrain, are unlikely to provide an effective network in the National Parks. For instance, despite engagement from the consultants leading on the Mobile Infrastructure Project, the Project has promoted a standard mast approach for roll-out. This has not been as effective as it could have been as even with very tall masts coverage has not been comprehensive. In some cases a tall mast has been argued, not to provide the coverage, but to have line of sight to another mast for backhaul. Different solutions are needed where the nature of the landscape is challenging. The best way is through an early engagement process that can look for and deliver bespoke and innovative solutions.

13. A Prior Approval process can often circumvent those discussions and encourages operators towards a more standard approach that may not respect the landscape character and may miss opportunities for more comprehensive coverage. Furthermore there is often a need to consult with the MOD and local airports on certain structures over a specified height. If most applications became permitted development there would be no consultation process at all and important constraints such as this would be missed.

14. While there may be a case for wider permitted development rights in relation to the equipment on existing masts it is very strongly argued that new masts should be subject to a full planning application. This will ensure that the early engagement takes place and the best solution, including for the best network coverage is found.

### **The benefits and impacts for communities of coverage and the effect of the infrastructure on the landscape**

15. There are very clear advantages for rural communities in having good connectivity. The National Park Authorities and the Broads Authority wish this to happen as often a 4G network may have to substitute for the lack of high speed broadband. This is for the 330,000 people who live in England's National Parks and also because of the considerable significance of the National Parks in terms of the visitor economy. There are around 90 million visitors to England's National Parks and their surrounding areas who spend, each year more than £4 billion. Good connectivity is increasingly an important dimension for supporting a high quality tourism product.

16. The existing networks have been rolled out whilst respecting the National Park landscapes. With care future improvements to the networks can also be completed successfully. It is not a case of either delivering the network or protecting the landscape. Both can be achieved with cooperation and where there is a willingness to work together to deliver the required coverage. The best way is through an open and transparent process of engagement and then a planning application.

17. The case for extending permitted development rights for masts in protected areas is not convincing and may actually hinder roll-out. National Park Authorities would be required to make a decision on prior approvals, and this may be a refusal, to ensure that discussions can take place and alternatives considered. With a planning application there is a process that allows a greater level of information to be submitted, time for negotiation where necessary and an outcome that correctly achieves the NPPF requirement to have great weight to the conservation of the landscape and the need to improve mobile connectivity.

## **The projected impact of technology on future mobile infrastructure requirements**

18. As the country moves to 4G networks it is also important that we future proof all areas so that 5G can also be rolled out. While masts have an important role to play in filling some gaps in coverage, there will need to be a move towards smaller cells. There is also a concern with the emphasis on backhaul via microwave dish as this system has a limit on capacity. It would be better to have backhaul via fibre. This would encourage smaller masts and structures that could be located within settlements rather than in higher locations that need line of sight to other masts.

19. Where National Park Authorities have suggested backhaul via fibre as part of the MIP this has not been enthusiastically embraced even though this would provide a future proofed solution and allow a lower mast that could more easily be accommodated within the landscape. Government is investing heavily in broadband networks and it is important that the ability to use backhaul via the fibre network is the preferred method as this will reduce the need for taller masts, allow smaller cells to be provided and future proof the system.

### **Conclusions**

20. National Park Authorities and the Broads Authority are committed to working with the Mobile Operators to ensure that the networks are rolled out for the benefit of local communities as well as the many millions of visitors. Maintenance of the high quality landscape is central to the future economies of the National Parks (including the Broads) and great care is required to ensure that the landscape is not harmed with the next phases of telecommunications development. A policy approach that encourages taller masts will not usually prove practical in the National Parks and the Broads because of the nature of the terrain and the likely not-spots that will result. Maintaining the requirement for planning permission for new masts in protected landscapes is the key to working together to find solutions. Guidance and licence requirements should be revised to help ensure that backhaul via the fibre network is the default position and in turn legislation needs to be drafted to encourage smaller cell networks to meet local needs.