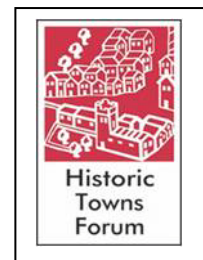


# DCMS: Changes to Siting Requirements for Broadband Cabinets and Overhead Lines



## Response from the Historic Towns Forum

1.1 The Historic Towns Forum (HTF) welcomes this consultation and the opportunity to contribute its views.

1.2 The Historic Towns Forum facilitates dialogue and co-operation between local authorities, developers, amenity societies and professional advisers to secure the long term prosperity and conservation of historic settlements. It supports and encourages measures aimed at promoting and supporting effective and efficient planning and conservation.

### Preamble

1.3 The HTF recognises the importance of increasing high speed broadband connectivity across the UK to the development of individuals and communities and to the success of the economy. The particular issues faced by rural communities are acknowledged. This point is made at length in the consultation document; indeed it is repeated so often that it almost raises doubts about whether DCMS is truly convinced about the substantive case for the relaxations it is promoting. The Government should recognise that the valid benefits it seeks do not depend on rolling out infrastructure the design of which is based around the lowest common denominator of convenience and cost.

1.4 While paragraph 2.2 is clear about saving 'providers time and money' this does not seem to be balanced against the cost to the environment. The proposal does not seem to be consistent with the Government's commitment to localism, in the sense of local control over important decisions. The implications of the proposed changes are that local authorities will be rendered powerless in matters affecting some of our most important and sensitive places.

### Consultation Questions

1.5 Responses to the consultation questions are set out below.

*1. Do respondents agree with the proposal to extend the relaxation of the restriction on the deployment of overhead infrastructure to protected areas, and to remove the prior approval requirements for protected areas?*

Prior approval requirements are in place to allow local authorities opportunities to defend protected areas from potentially harmful development by ensuring that sufficient attention is paid to siting and design. While the HTF appreciates the case for increased broadband access, a lack of sensitive and proportionate regulation is

likely to lead to significant visual damage to sensitive areas. Conservation Areas and Areas of Outstanding Natural Beauty are designated in recognition of their distinctive, often unspoilt, character which can be particularly vulnerable to intrusive development. Cabinets, masts and overhead lines are rarely things of either sensitivity or beauty. It is vital to recognise that the quality of the environment is an important driver in terms of making places attractive as somewhere to live, work, play, visit and invest. Insensitive changes in protected areas will be counterproductive in achieving the Government's overall aims.

The HTF welcomes the retention of the Electronic Communications Code (Conditions and Restrictions) Regulations 2003 and in particular the clause governing the impact of communications apparatus on the visual amenity. It should also be recognised that a 'code of practice' would be an excellent step to facilitating hardware installation on both sides: providers will find it easier to prepare good schemes and local government will be able to make speedier and more consistent decisions. However, a code without a legislative means of enforcing it will not be fully effective. Referring to paragraph 1.7 of the consultation document, the proposed providers' code should cover design of the equipment as well as the siting.

The HTF support the point made by the Heritage Alliance in response to the consultation on extending permitted development rights (December 2012), that a Memorandum of Understanding between local government and broadband suppliers should provide for an acceptable standard of installation. In areas of particular sensitivity, direct consultation between suppliers, local residents and planning and conservation officers is essential.

*2. Approximately how much new network will be built using the overhead line change, in terms of new poles and kilometres of lines. Do you agree with the assumptions and cost savings set out in the consultation stage impact assessment (annex A)? Are there any other costs or benefits that you think should be included in this assessment?*

The HTF has no view on this question.

*3. Do respondents agree with the proposed consultation arrangements for the deployment of apparatus in protected areas?*

Where development is essential in protected areas, the regulations requiring consultation with local authorities about the placement of apparatus should continue to apply. The HTF supports the need for consultation regulations to be extended to include those consultees that already exist for protected areas.

4. Do you agree that the duration of the proposed changes should be limited to 5 years?

The unregulated provision of broadband apparatus in protected areas is potentially a very serious threat to their significance. It is reasonable to assume that, subject to as yet unknown technological change, any infrastructure rolled out over five years will be permanent and could have an enduring adverse impact. If the Government's targets are met most of the infrastructure will be installed in that period and the

reintroduction of regulations in five years will have little effect. This notwithstanding, the HTF takes that view that the reintroduction of regulations will be difficult after such a long period – though the consequences of deregulation may be so disastrous that there is a big appetite for it!

In the event that the Government goes ahead with this deregulation, provision must be made for the removal of hardware if or when it is rendered obsolete by technological change.

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