



Proposed additional PDRs for Code Operators Consultation
Planning Division
Welsh Government
Cathays Park
Cardiff
CF10 3NQ

30 October 2013

Dear Sir / Madam,

Proposed additional permitted development rights for Electronic Communications Code Operators (facilitating Broadband roll-out)

Thank you for the opportunity to comment on these proposals.

The Institute for Archaeologists

The Institute for Archaeologists (IfA) is a professional body for the study and care of the historic environment. It promotes best practice in archaeology and provides a self-regulatory quality assurance framework for the sector and those it serves.

IfA has over 3,000 members and more than 70 registered practices across the United Kingdom. Its members work in all branches of the discipline: heritage management, planning advice, excavation, finds and environmental study, buildings recording, underwater and aerial archaeology, museums, conservation, survey, research and development, teaching and liaison with the community, industry and the commercial and financial sectors. IfA's Wales / Cymru Group has over 100 members practising in the public, private and voluntary sector in Wales.

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General

Although IfA supports Welsh Government in its ambition to have a first class digital infrastructure in Wales, it continues to have concerns with regard to potential harm to the historic environment if deregulation occurs without adequate safeguards for the historic environment. In seeking to streamline the planning system, Welsh Government should not implement proposals that will harm the long term protection and management of the historic environment (which includes a wide range of both designated and undesignated heritage assets, including World Heritage Sites, parks and gardens, battlefields and landscapes, many of which are vulnerable to small-scale development and the gradual erosion of the archaeological resource through the cumulative effects of new development). Although the development in question is generally small in scale, it has potential to harm the historic environment, particularly in relation to the character and appearance of historic assets.

Specific Questions

Q1: Do you agree that the consultation procedures described in a) to c) of paragraph 5.8 above should in Wales be the minimum statutory requirement?

1.1 No. The requirement for the developer to '*have regard to*' representations does not provide

sufficient safeguard for the historic environment in cases where development will have an unacceptable impact upon historic assets.

1.2 Furthermore, the provisions in question do not provide any protection for World Heritage Sites (which should, as in England, be included in the definition of article 1(5) land).

1.3 As a matter of detail, there appears to be a typographical error in requirement a)iii) as set out in paragraph 5.8. The first line should read '*within a Conservation Area, to the local planning authority...*' (my underlining).

Q2: Can you suggest any other general conditions which might also be imposed?

2.1 No.

Q3: Do you agree that the alternative “fast track” land use planning arrangement described above should apply for the temporary period described in paragraph 5.9?

3.1 IfA does not object to this limitation. However, it will do little to address the concerns outlined above. Archaeological remains are a finite and irreplaceable resource and operational development carried out under temporary arrangements carries the same risk of irretrievable loss of understanding of their significance as any other development.

Q4: Do you agree that the current prior approval threshold for antenna mounted on buildings and structures should be increased from 4 metres to 6 metres?

4.1 Only if there are adequate safeguards, not only for the fabric of historic assets, but also for their settings. In particular, any relaxation should not apply to World Heritage Sites, given their outstanding universal value and the importance of safeguarding their character and appearance.

Q5: Do you agree that a new permitted development right should be introduced specifically for the installation of a limited number of small cell antenna of up to 0.5 metres in size?

5.1 See the answer to question 4 above. It may well be true that the effect of siting such antenna will in many cases be de minimis, but in some instances, even small-scale change can have a significant impact upon the setting and character of a historic asset. Furthermore, the cumulative effect of such changes in a given location or area can be damaging.

Q6: Do you think any other dimensional limits or additional siting restrictions should apply to such small cell antenna and also include your reasons?

6.1 No comment.

Q7: Do you agree that the aggregated dish diameter threshold limits should be increased as proposed in paragraph 5.27 above?

7.1 See the answer to question 4 above.

Q8: Do you think any additional siting restrictions should apply to such additional antenna?

8.1 No comment, save that there may be cases in relation to the historic environment where details of siting and design cannot avoid unacceptable harm to the significance of historic assets.

Q9: Do you think any additional conditions should apply to such an extended permitted development right?

9.1 This right should not be extended in relation to development on or affecting a World Heritage Site and consideration should be given to providing safeguards for other historic assets not on article 1(5) land.

Q10: Do you support time- limiting Proposals A - F in this paper until 31/12/17? If not, what lesser or greater period do you favour?

10.1 See the answer under question 3 above.

Q11: Have you any evidence that any of the specific issues mentioned in Annex 1 are significant ones in Wales?

11.1 No comment.

Q12: Do you agree that any up-dated references for the Code should be made available through the Welsh Government website?

12.1 Yes.

Q13: Do you have any comments to make about the draft Regulatory Impact Assessment at Annex 2?

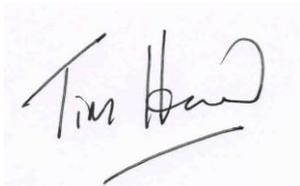
13.1 No.

Q14: We have asked a number of specific questions throughout this consultation. If you have any related queries or comments which we have not specifically addressed, please use this space to report them.

14.1 No comment

The Institute would be happy further to discuss the above concerns with Welsh Government with a view to ensuring that important telecommunications infrastructure can be provided in Wales expeditiously and without harm to the historic environment. In the meantime, if there is anything further that I can do to assist please do not hesitate to contact me.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Tim Howard', with a horizontal line underneath.

Tim Howard LLB, Dip Prof Arch
Policy Advisor