



Historic England

Historic England Response to the Technical Consultation on Proposed Changes to the Electronic Communications Code (Conditions & Restrictions) Regulations 2003

Historic England is the Government's statutory adviser on all matters relating to the historic environment in England. We are a non-departmental public body established under the National Heritage Act 1983 and sponsored by the Department for Culture, Media and Sport (DCMS). We champion and protect England's historic places, providing expert advice to local planning authorities, developers, owners and communities to help ensure our historic environment is properly understood, enjoyed and cared for.

Historic England welcomes the opportunity to respond to this consultation on the following points:

i) Whether the notice period for apparatus previously subject to the prior approval process under Part 16 should be replaced by a 28-day notice period under regulation 5 to ensure consistency with how operators consult planning and other authorities where there is no prior approval?

Historic England supports the proposed consistency in consultation/notice periods. Historic England would be able to meet a 28-day limit for listed buildings, as long as we are consulted in the normal fashion by local planning authorities (i.e. with 21 days to respond). For scheduled monuments, we are used to responding to planning consultations within 21 days, but it should be noted that a separate consent regime also applies, and this has no statutory timescale (although we undertake to respond to all applications within 91 days).

iii) Whether any further changes are needed to the Code regulations, which are intended to cover the operational aspects of the way in which telecoms operators exercise their permitted development rights?

Regulation 7 refers to installing equipment in proximity to Grade I listed buildings. This should be amended to 'Grade I and Grade II*', in order to be consistent with the distinctions drawn elsewhere in the handling of listed building-related development proposals and other matters.

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