

Broadband Stakeholder Group Response to the
National Planning Policy Framework
Consultation Proposals



May 2018

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The Broadband Stakeholder Group (BSG) is the UK government's leading advisory group on broadband. It provides a neutral forum for organisations across the converging broadband value-chain to discuss and resolve key policy, regulatory and commercial issues, with the ultimate aim of helping to create a strong and competitive UK knowledge economy.

The Broadband Stakeholder Group (BSG) welcomes the opportunity to respond to the Ministry of Housing, Community and Local Government's National Planning Policy Framework Consultation Proposals. We have restricted our input predominantly to Chapter 10 (Question 24) – Supporting high quality communications.

Executive summary

Laying at the heart of the National Planning Policy Framework, the concept of sustainable development and the intention that what is put in place in the present must remain fit for purpose in the future, is a notion equally transferable to the requirements of digital connectivity. Being connected to the internet underpins nearly all areas of the economy and modern living in the UK today. It is therefore essential that any government planning initiatives must reflect the importance of enabling a quality, resilient, high capacity digital infrastructure to support the needs of UK consumers and businesses.

The UK is in the foothills of a decade plus long investment cycle into full fibre and 5G. The ongoing success of the UK's digital and wider economy rests on the efficient deployment of these technologies. It is therefore imperative that friction points in the deployment of these networks are removed. Planning is of particular relevance, given that the network densification of 5G and the increase in civil engineering to deploy fibre will require more interactions with the planning system than was necessitated to deploy current technologies. The comparatively limited interaction for superfast and 4G technologies nonetheless led to legislative changes to facilitate fixed and wireless deployment.

In approaching the NPPF, Government should ensure that planning policies are designed with facilitation of infrastructure deployment in mind. As such, the BSG welcomes the revised national planning policy framework's recognition that "planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections".

Ofcom's 2017 Connected Nations report¹ revealed that full fibre reached just 3% of UK premises. To reach the 10 million homes and businesses to which the Government has committed that full fibre will

¹ <https://www.ofcom.org.uk/research-and-data/multi-sector-research/infrastructure-research/connected-nations-2017>

be made over the next decade will require substantial investment costs. Whilst the government has several schemes in place to support the commercial deployment of full fibre broadband, it is critical that barriers to deployment (such as a planning regime which may inadvertently obstruct and hamper) are minimised.

Given the high cost of investment in these next generation networks - encompassing both full fibre and 5G, as well as the unknown returns, a favourable planning regulatory and policy environment is essential to ensure the UK's digital infrastructure is fit for the future. The NPPF therefore should give a clear policy steer that will lend weight to positive planning determinations vis a vis communications network infrastructure deployment, notwithstanding where sensitive areas are concerned.

Chapter 9 Promoting Sustainable Transport

Q23 Do you have any other comments on the text of Chapter 9?

The importance of telecoms infrastructure when it comes to supporting sustainable modern transport networks cannot be underestimated. The rail sector itself also requires world-class connectivity in order to deliver on its Digital Railway vision². January 2018 saw the publication of The Rail Safety and Standards Board Connected Train and Customer Communications: Rail and Digital Industry Roadmap³ looking into what wireless broadband connectivity for the GB railways could look like in 3 – 5 years. It was concluded that continuing with the status quo would see little improvement in mobile train connectivity whilst the incentives for mobile network operators are low and the challenges steep.

The Government's ambition to be a global leader in 5G deployment will require addressing how to ensure that roll out does not cover the same footprint as 4G, resulting in the same not spots in coverage. The success of future 5G services and products may well be undermined by poor coverage along rail corridors.

There is still much to be done in extending mobile coverage onto the road and rail network so that the general public may benefit from more and better seamless connectivity as well as ensuring that the transport systems of today remain fit for purpose in a world where technology is increasingly pervasive.

Chapter 10 Supporting high quality communications

The revised text reflects these previous announcements or consultation proposals:

Paragraph 112 indicates that plan policies should set out expectations in relation to the delivery of high quality digital infrastructure, which provides access to services from a range of providers. This reflects Government's support for the further expansion of electronic communications networks, including next

² <http://digitalrailway.co.uk/benefits/>

³ <https://www.rssb.co.uk/Library/research-development-and-innovation/2018-01-T1138-ConnectedTrain-Customer-Communications.pdf>

generation mobile technology and full fibre broadband connections, and the role that planning can play in this alongside other regulatory frameworks.

Q24 Do you have any comments on the text of Chapter 10?

The BSG welcomes the Government's stated intention to support next generation digital connectivity through the design of planning policies and decisions. However, we fear that the minor changes to the wording of Chapter 10 do not go far enough in terms of keeping pace with the increasing customer demand and political pressure. The BSG would like to see the revised NPPF be more forthright in its approach to supporting positively the proposals put forward for mobile communications network infrastructure in all areas and situations be they protected landscapes or near heritage assets in order to truly enable seamless mobile connectivity.

A report published by the BSG last year, Lowering Barriers to Telecoms Infrastructure Deployment⁴, highlighted several issues that were hindering the roll out of telecoms infrastructure across the UK. In particular, a fragmented approach to interpreting planning regulations by local authorities poses a significant challenge, especially as regards national or multi-regional scale roll out.

For instance, the report found that variations in how local authorities deliver permit and notice schemes has resulted in 25 different permit schemes across more than 90 local authorities. Permit schemes for street works can be implemented regionally or locally and can even differ according to the varying local needs. Differences also exist in how local authorities assess the suitability of deployment techniques (such as micro-trenching).

The situation has proven frustrating for Communications Providers and Local Authorities alike with the report revealing a desire from both telecoms operators and local authorities for a more uniform approach. Streamlining the stated aims of the national planning policy framework so that telecoms infrastructure can be deployed as efficiently as possible as key to achieving the digital connectivity that Government is seeking to achieve in the UK. Whilst the BSG welcomes the legislative and regulatory reforms undertaken by Government to help lower the costs of deploying and upgrading telecoms networks, a seamless nationwide delivery will be hard to achieve where these barriers to deployment remain.

The complexity of the legislation governing the rolling out of telecoms infrastructure means that there will be no single solution to remedy the fractures in the system. However, guidance at national level may achieve a more harmonised approach for national authorities in implementing planning legislation and the BSG would welcome the opportunity to continue working with Government, and in particular the newly created Barrier Busting Team, to produce such national guidance. We are therefore pleased to see the revised wording of paragraph 112.

However, also worth bearing in mind is that the NPPF will be operational during both the newly created Universal Service Obligation on broadband as well as the approaching PSTN switch-off. As the UK

⁴ <http://www.broadbanduk.org/wp-content/uploads/2017/05/Lowering-barriers-to-telecoms-infrastructure-deployment-Final-report.pdf>

moves towards an all-IP future, good broadband connectivity would be considered essential by most house buyers, and it would be opportune that the NPPF requires developers to consult communications providers early in the planning process to determine how full fibre delivery to all new builds can best be achieved. We would suggest a further improvement to paragraph 112 with reference to enabling full fibre connections by obliging a developer of sites over a specified number of dwellings to consider how full fibre could genuinely be delivered without placing undue costs that may impinge on the viability of the actual build (as evidenced by the current appeal against Ashford County Council). It would ultimately be sensible to apply a holistic approach, whereby the NPPF be aligned with the requirements of the voice service USO and broadband USO so as to avoid potential situations of unnecessary dual roll-out.

Where paragraph 113 in the revised text now refers to “radio and telecommunications masts”, we would find it more appropriate to replace the word masts with “installations” (thereby also making redundant the following sentence: “and the sites for such installations”. Referencing installations as a whole rather than a specific sub group of them would provide for greater consistency for industry and planners alike and remove the potential for confusion (where industry usage of terms such as installations, masts, monopoles, poles etc can be inconsistent).

Paragraph 114 specifically requires that local planning authorities provide evidence “*to demonstrate that telecommunications infrastructure is not expected to cause significant and irremediable interference with other electrical equipment, air traffic services or instrumentation operated in the national interest*”. Whilst a rare scenario, it is important that in the event of its occurrence, it should be dealt with by the appropriate organisation, Ofcom, who not only have a direct parliamentary remit to keep radio spectrum clear of unwanted interference and therefore have the relevant expertise in an extremely complex arena. Interference can be caused by either a physical blockage by an installation blocking another operator’s signal or by radio interference. Since it is only the physical element that is in the remit of planning, this should be made clear in the revised National Planning Policy Framework.

The revised National Planning Policy Framework provides a useful starting point, stating as it does the Government’s commitment to supporting the expansion of electronic communications network, and in particular the next generation of technologies. The BSG would like to see Government and industry to continue the conversation and design a fully-fledged digital communications infrastructure strategy so as to prevent further delays in network delivery across the UK. And, as stated above, a valuable first step in this delivery would be a concise and coherent set of guidelines interpreting this legislation so that local authorities would have a consistent approach to working with telecoms operators and grant greater certainty for industry stakeholders rolling out infrastructure nationally.