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Dear Sir/Madam

POS response: Reducing the prevalence of private estate management arrangements

POS welcomes the Government's commitment to address the long-standing issues surrounding the non-adoption of roads, open spaces and other public realm infrastructure. These challenges have persisted for decades and are fundamentally rooted in local authority finances, particularly the perception that adoption creates an ongoing liability that is not met by commuted sums.

While we support the intention to resolve these systemic problems, POS does not propose to respond to the specific consultation questions. Instead, we wish to restate a core principle: this is not, and must not become, a planning issue.

It is essential that planning "sticks to the knitting". Matters that are more appropriately governed through Licensing, Building Regulations or other regulatory regimes should be clearly removed from the planning system. Doing so will reduce unnecessary burdens on decision-making and allow planning to focus on its primary purpose: shaping places and delivering sustainable development.

POS recognises and supports the Government's initial steps—reflected in the draft NPPF, to respond to the approach we have advocated. However, we believe these changes can and should go further, as set out in our full NPPF response. A planning system that is more tightly focused on place-making, and in which processes capable of digitisation or automation are simplified, is essential if LPAs are to operate effectively within the limited resources available. This principle is fundamental to meaningful planning reform and underpins POS's wider recommendations.

For further detail, please refer to [POS Manifest 12 Planning Resources: designing a more efficient system](#) (section 5) f.

Yours faithfully

Rachel Armstrong
Policy Manager for POS

POS is the single credible voice for public sector planners, pursuing good quality and effective planning practice. The Society's aim is to ensure that planning makes a major contribution to achieving sustainable development in ways that are fair and equitable and achieve the social, economic and environmental aspirations of the community.

We operate in three main ways:

- As a support network for planners in the public sector*
- As promoters of best practice in planning*
- As a think tank and lobbying organisation for excellence in planning practice*

Where we can, we will work across the sector to craft proposals that have widespread support from the people who operate the planning system at the coalface: landowners, developers, agents, legal, local authorities and politicians. We will be both radical and practical as we look for solutions to tangible problems that will make a real difference to crucial areas. Our objective is to improve the planning system to enable it to deliver its key aim of sustainable development. It is within this context that we have set out this advice to Government so we can plan together for a better future.

Q&A Response Document: Planning Reform to Accelerate Digital Infrastructure

Temporary Redeployment After a Notice-to-Quit (Questions 1–4)

1. How appropriate is the current limit of 18 months for the emergency period to temporarily deploy infrastructure without planning permission?

POS consider the current arrangements are appropriate.

1a. Reason for your answer

2. What would be the most appropriate limit for the emergency period?

Retain current 18-month limit

2a. Reason for your answer

3. How would extending the 18-month limit affect coverage, amenity, noise, and local authority workload?

No comment

4. What safeguards or conditions should apply to any extension?

No comment

Rooftop Apparatus (Questions 5–8)

5. How do current rules requiring prior approval or full planning applications for larger rooftop infrastructure affect you?

These types of applications are quite rare. They are not known to cause any unnecessary burden to council planning teams.

5a. Should specified rooftop apparatus on protected land move from prior approval to prior notification?

No.

5b. Reason for your answer

Deploying under prior notification rather than prior approval means councils would no longer consider “the siting and appearance of the development.” Less council oversight as telecommunications equipment gets larger comes at the expense of amenity, design and heritage. Residents should also have a say in where large equipment is built in their neighbourhoods.

6. What do you think is an appropriate limit on the number of antennas per rooftop mast on protected land?

POS does not support increasing the current limit of three antennas. The appropriate number will vary depending on the roof size, scale, height, and specific context of individual buildings, and increasing the limit risks unacceptable visual or cumulative impacts.

6a. Reason for your answer

A robust evidence base—such as a visual impact assessment—is essential to balance the benefits of enhanced telecommunications against wider planning considerations, including heritage, landscape, and townscape impacts.

6b. If the current limit of 3 antennas was increased in protected areas, what design or heritage safeguards should be in place?

See 6a.

77. What evidence is there on coverage benefits and visual impacts in protected areas?

See 6a.

7a. Should the maximum height limit for rooftop masts increase from 6m to 8m?

POS does not support increasing the maximum height of rooftop masts. The impact will vary depending on the roof size, scale, height, and specific context of individual buildings, and increasing the limit risks unacceptable visual or cumulative impacts.

7b. Reason for your answer

A robust evidence base—such as a visual impact assessment—is essential to balance the benefits of enhanced telecommunications against wider planning considerations, including heritage, landscape, and townscape impacts.

7c. Safeguards if the height limit were increased

See 7b.

8. Other barriers to rooftop deployment on unprotected land

No comment

Ground-Based Monopoles in Non-Designated Land (Questions 9–12)

9. How do current rules requiring prior approval for monopoles up to 20m affect you?

These types of applications are rare. They are not known to cause any unnecessary burden to council planning teams.

9a. Should monopoles up to 20 metres be allowed in unprotected areas under prior notification?

No.

9b. Reason for your answer, including any effect of this change.

Masts have significant visual, townscape and landscape impacts. It is appropriate that they remain under prior approval so councils can consider siting, design and visual impact and residents can have a say.

9c. If 20-metre monopoles were allowed under prior notification, what would be the effect on areas with local wireless capacity issues?

Although more monopoles may improve capacity, this would come at the cost of amenity, design, landscape and heritage considerations, and could reduce footpath capacity.

10. Should the existing height limit for ground-based masts (excluding monopoles) in unprotected areas be increased from 25 metres to 30 metres?

No. POS does not support increasing the existing height limit.

10a. Reason for your answer

There is clear evidence of incremental “tolerance creep” in mast heights: limits have already risen from 15 m (or 20 m for replacements) to 25 m, and now a further increase to 30 m is proposed. POS does not support any additional uplift without robust, independently evidenced justification. At a minimum, this should include comprehensive visual impact assessments and clear demonstration that existing height allowances are insufficient to meet operational needs.

10b. If the height limit was increased, what would be the effect on local coverage and the timescale of 5GSA upgrades?

POS does not have this information

11. Should the existing height limit for ground-based masts (excluding monopoles) in protected areas and on highway land be increased from 20 metres to 25 metres under prior approval?

No. POS does not support increasing the existing height limit.

11a. Reason for your answer

There is clear evidence of incremental “tolerance creep” in mast heights. POS does not support any additional uplift without robust, independently evidenced justification. At a minimum, this should include comprehensive visual impact assessments and clear demonstration that existing height allowances are insufficient to meet operational needs.

11b. If the height limit was increased, what would be the effect on local coverage and 5GSA upgrade timelines?

Unknown.

12. If government proceeds with any proposed changes, what specific mitigations should be required to manage impacts on visual amenity, heritage and environmental sensitivities?

Robust, independently evidenced assessments, including full visual impact assessments for all proposals. Any larger or more visually intrusive infrastructure should be kept away from residential areas and sensitive locations, including designated heritage assets and valued landscapes.

Noise impacts from larger ground-based equipment are not currently being assessed; mandatory noise impact assessments should therefore be introduced, with enforceable limits and appropriate mitigation where necessary.

Additional safeguards should include clear siting and design guidance, requirements to minimise cumulative impacts, and early engagement with local planning authorities to ensure local sensitivities are properly understood and addressed.

Small Cell Systems (Questions 13–15)

13. To what extent, if at all, do restrictions on small cells affect you or your organisation?

This type of equipment is not known to cause any unnecessary burden to council planning teams.

14. What changes to small cell system definitions or size limits would support multi-operator equipment and 5G, while managing street clutter?

It is not possible to determine this without a clear evidence base. Government should not proceed with any changes until robust assessments—particularly visual impact assessments—demonstrate the likely effects on street clutter, townscape character and residential environments. It is also unclear whether revised definitions or size limits would result in multiple systems being deployed in the same location, or whether increased power output could introduce additional noise impacts. Further technical evidence is required before any changes can be supported.

15. What conditions or limitations would be proportionate in this context?

Proportionate conditions cannot be identified without evidence on both visual and potential noise impacts. Detailed investigation is needed to understand the operational requirements of multi-operator small cells, their cumulative effects in streetscapes, and any associated acoustic impacts. Only once this evidence is available can appropriate limitations be defined.

Review of Part 16 (Questions 16–19)

16. How clear are the current Part 16 rules?

Unclear.

16a. Evidence for your answer

POS members consistently report that Part 16 is difficult to navigate, unclear in its structure, and overly fragmented. Officers frequently have to move between multiple sections to establish which processes apply to different types of telecommunications equipment. This disjointed drafting leads to uncertainty, inconsistent interpretation, and unnecessary delays in decision-making.

17. How consistently are the Part 16 rules applied and interpreted across local authorities in England?

POS does not have this information

17a. Evidence for your answer

No data available. Operators may argue some councils are more supportive than others.

17b. If the rules are not applied consistently, how does this affect you or your organisation?

Differences in how Part 16 is applied may stem from legitimate variations in how siting and design considerations are weighed in different local contexts. Such variation can reflect reasonable, case-by-case professional judgement rather than true inconsistency. However it is suggested that Part 16 is reviewed to provide greater clarity and certainty to both decision makers, communities and applicants.

17c. How have previous legislative changes to Part 16 affected your ability to interpret or implement the rules?

It is considered that both the original and current versions are equally difficult to understand. This results in LPAs continuing to face difficulties in applying the rules with confidence and consistency.

18. Would a full review improve clarity?

Yes.

18a. Evidence for your answer

If done correctly, a review could be beneficial. Clearly written PD rights would lead to easier interpretation and application.

18b. Which targeted reforms would provide greater clarity to local planning officers?

No comment

19. Do you think a full review of Part 16 would support 5GSA rollout?

POS does not have a view on this

19a. Evidence for your answer

If done correctly, clearly written PD rights would support easier interpretation and application of Part 16 rules.

Fibre Exchanges (Questions 20–23)

20. How do the current rules regarding fibre exchange sites affect you or your organisation?

This type of equipment is not known to cause any unnecessary burden to council planning teams.

21. Should certain fibre exchange structures be permitted development?

This depends on the size, form and potential impacts of the structures. Smaller-scale installations with limited visual or amenity effects may be suitable for PD rights, but larger units would not.

21a. Reason for your answer

No information has been provided on the likely dimensions, appearance, or operational impacts of these structures. The consultation suggests they could be comparable in size to shipping containers. If this is the case, they would have material visual, amenity, and siting impacts and should not fall within a prior approval process. Full planning consideration would be necessary to ensure appropriate siting and mitigation..

22. If they should be allowed, what dimensional thresholds or conditions would be appropriate?

Any fibre exchange structures permitted under PD should be no larger than the existing ground-based cabinets already allowed. Anything exceeding those dimensions would introduce additional visual, amenity, noise, or siting impacts that require assessment through a full planning application.

23. What are the key planning considerations for local authorities when determining planning applications for fibre exchange sites, and how should these be addressed?

Key considerations will vary by location, but typically include:

- Visual impact – scale and integration with the surrounding townscape or landscape.
- Amenity impacts – including noise from equipment, proximity to sensitive uses, and potential operational disturbance.
- Highway and public realm considerations – ensuring safe access, avoiding obstruction, and maintaining pedestrian and vehicle visibility.
- Siting and cumulative impact – particularly where multiple cabinets or telecoms structures already exist.

These should be addressed through clear design information, noise assessments where relevant, and appropriate siting that minimises harm to local character and amenity.

Updating the Wireless Code of Practice (Questions 24–27)

24. How effective is the current Code of Practice in providing sufficient guidance for deploying network infrastructure?

No comment, this guidance is for operators.

24a. Evidence or examples

No comment

25. Impact where the Code is ineffective

No comment

26. In what areas could the Code of Practice be updated to reflect the latest developments in network rollout?

POS recommends that the Code of Practice is updated to include a clear and explicit expectation that operators must remove telecommunications equipment that is no longer in use and restore the land to its previous condition. This requirement already exists within the GPDO (Part 16, condition A2(2)), and most LPAs routinely impose a similar condition on planning permissions. Embedding this obligation within the operators' Code of Practice would strengthen compliance, provide greater clarity for all parties, and support LPAs in taking proportionate enforcement action where redundant equipment is left in situ. This would help maintain local amenity, reduce visual clutter, and ensure that network rollout does not result in long-term unmanaged impacts on the public realm.

27. Should government convene a working group?

No comment

New Build Connectivity – Mobile (Questions 28–30)

28. To what extent does current engagement between mobile operators and developers affect you or your organisation?

The current extent of engagement is not known to cause any unnecessary burden to council planning teams.

Early engagement is highly encouraged. We strongly support the early consideration and placement of telecommunications equipment in new development to reduce pressure for ad hoc equipment on streets or existing buildings.

29. What practical mechanisms would best encourage early engagement between developers and operators?

- Operators providing contact details of relevant teams.
- Ideally one organisation representing all operators (e.g., Ofcom).
- The contact(s) need to be resourced and capable of meaningful engagement with developers and local planning authorities.
- Updating Planning Practice Guidance on pre-application processes.
- Considering statutory or non-statutory consultee status for large major applications.

30. What non-statutory levers would be most effective in encouraging developers to plan for mobile coverage from the outset?

No comment

Rail Connectivity (Questions 31–33)

31. Do you consider existing planning legislation or guidance to be a barrier to deploying digital infrastructure along the rail network?

Existing permitted development rights give rail operators (Part 8, Class A and Part 16) and telecommunication operators (Part 16), significant opportunities to deploy digital infrastructure along the rail network. In our view, the blockage is not with the planning system preventing equipment being deployed along the rail network, but the commercial agreements between rail operators and telecommunication operators, and the responsibility of rail operators to future proof land for future rail development, which may be curtailed by telecommunication equipment being deployed on their land.

32. Where legislation or guidance is a barrier, what is the impact on you or your organisation?

This is not known to cause any unnecessary burden to council planning teams.

33. What legislative or non-legislative changes could support deployment of digital infrastructure for passenger connectivity on the rail network?

See response to Question 31.

Assessing the Impact of Previous Planning Reforms (Questions 34–37)

34. What impacts have the 2016 and 2022 planning reforms had on deployment timelines, costs and the planning system?

Unknown.

35. How have these planning reforms affected certainty and administrative processes for operators and local authorities?

The 56-days statutory time frame is often a burden for councils, which are understaffed and under resourced. Some prior approval monopole applications have only been “approved” because a busy council has not been able to issue a decision in time, resulting in deemed approval. This can lead to poor built form and planning outcomes. We ask that deemed approval be removed to ensure telecommunications equipment is only built in appropriate locations.

36. Please share any supporting information for your response, including quantitative data or case studies.

Ad hoc cases across the country.

37. Are there areas where the planning reforms have been particularly effective or ineffective?

Unknown.