

openreach

ISIS practice
For Openreach & Partners

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Special Land Based Designations - Full Planning Permissions Requirements

About this document ...

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Table of Content

1	INTRODUCTION	6
2	PURPOSE AND SCOPE	6
2.1	PURPOSE	6
2.2	SCOPE	6
3	COMPLIANCE WITH THIS POLICY	7
4	PERMITTED DEVELOPMENT RIGHTS	7
5	IDENTIFYING SPECIAL DESIGNATIONS	8
5.1	DEFRA MAGIC MAPS	8
5.2	STATUTORY BODY WEBSITES AND INTERACTIVE SEARCH ENGINES	8
6	THE DETERMINATION PROCEDURE IN ENGLAND & WALES	9
6.1	DETERMINATION APPROVAL PROCEDURE	10
7	SCOTLAND	11
7.1	PLANNING CONTROL	11
8	NORTHERN IRELAND	11
9	SSSI , NATIONAL NATURE RESERVES & MARINE NATURE RESERVES	11
9.1	"SITE OF SPECIAL SCIENTIFIC INTEREST"	12
9.2	MARINE NATURE RESERVES	13
9.3	NATIONAL NATURE RESERVE/ NATURA 2000	13
9.4	SPECIAL AREAS OF CONSERVATION (SAC)	13
9.5	SPECIAL PROTECTION AREAS (SPA)	13
10	HABITAT REGULATIONS	14
10.1	ENGLAND & WALES - CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017 (AS AMENDED)	14
10.2	SCOTLAND – THE CONSERVATION (NATURAL HABITATS, &C.) REGULATIONS 1994	15
10.3	NORTHERN IRELAND - THE CONSERVATION (NATURAL HABITATS, ETC.) (AMENDMENT) REGULATIONS (NORTHERN IRELAND) 2015	16
11	ARTICLE 4 DIRECTIONS	16
12	NEW FOREST	16
12.1	FORESTRY ENGLAND LAND	17
12.2	THE VERDERERS	17
12.3	NEW FOREST PROCESS	17
13	ANCIENT MONUMENTS	18
14	UNESCO AND WORLD HERITAGE SITES	20
15	SPECIALIST CONSULTATION RESOURCE	21
16	PLANNING PORTAL	21
16.1	HOW CAN I FIND OUT WHO THE LOCAL PLANNING AUTHORITY IS?	22
16.2	HOW CAN I FIND THE LOCAL PLANNING PORTAL?	22
17	PAYING FOR FEES	22

18	REFERENCES	22
19	APPENDICES	23
20	ISIS & PLANNING POLICIES	23
21	ENQUIRIES	24

1 **Introduction**

This document describes BT's obligations as a responsible developer of a Telecommunications System to provide the correct engagement and notices to all appropriate authorities when working in designated areas.

In these areas BT needs to apply for either full Planning Permission or prior permission under a process called the "Determination Procedure" before our apparatus can be installed.

This ISIS details these exceptions and process to follow.

Details on what to do when we have permitted development rights can be found in ISIS EPT/OAM/F025 & EPT/OAM/F026.

2 **Purpose and Scope**

This Policy applies to all Openreach people involved in Surveying, Planning, Network Build & Controls (which for the purposes of this Policy includes all Openreach partners, employees, consultants working on or on behalf of Openreach whether permanent, fixed-term or temporary).

2.1 **Purpose**

This Policy is intended to:

- ensure Openreach complies with all applicable Legislation covering Statutory Undertakers as defined in the Communications Act 2003;
- set out the framework, policy and controls relating to Planning and Code requirements for building the electronic communications network in land with Special Designations.
- specify responsibilities for the prevention of breaches in both Legislation and Code of Practises requirements, and
- set out the consequences for the business if we fail to meet our obligations in relation to Code & Planning Legislation.

2.2 **Scope**

This ISIS applies to all applications for apparatus in these areas except for Masts, dishes RADIO AND ANCILLIARY apparatus that has its own ISIS document **TMN/RSM/B159** and **TMN/RSM/B160**.

This ISIS does not cover applications for apparatus in Marine Designations. This is performed by the Subsea, Network Design Team who are in BT Group Chief Technology Organisation.

3 ***Compliance with this Policy***

Compliance with this Policy is mandatory. Both Openreach Personnel and its Partners are responsible for preventing, detecting and reporting instances of any breaches or failures to adhere with the controls.

Non-compliance with the Policy will not only pose risks for Openreach but could also have an impact on our ability to build the network at pace if our permitted development rights are compromised.

This policy should be used in conjunction with your own processes dependant on your LoB or work stream. See [Planning Policy & briefings](#) for more details.

4 ***Permitted Development Rights***

Permitted development rights do not always cover our installation of BT's fixed line electronic communications network i.e., the installation, alteration, or replacement of any electronic communications apparatus where the land is afforded extra protections by law.

These are:

- a) a national nature reserve.
- b) site of special scientific interest (SSSi)
- c) area of special scientific interest or marine nature reserve
- d) Special Protection Area (SPA)
- e) Special Area of Conservation (SAC)
- f) Ramsar / Natura 2000 sites
- g) If an Article 4 direction is in place on the area or building
- h) Ancient Monuments
- i) UNESCO or World Heritage Sites

There are different requirements on what notices we must give and who and how we get permissions to complete works. In all cases we cannot proceed without the relevant permissions.

The law also requires that a "competent person" completes the necessary Habitat Regulations Assessments (HRA) which will be included in the applications for works permissions. We will cover the scenarios when HRA's are required and how to get them later in this document.

In the case of a) – f) above we must also give written notice to—

- (i) Natural England, in England.
- (ii) Scottish Natural Heritage, in Scotland.
- (iii) the Natural Resources Body for Wales, in Wales.
- (iv) the planning authority, in Northern Ireland (in the case of a national nature reserve, area of special scientific interest or marine nature reserve).

5 ***Identifying Special Designations***

To fulfil BT's environmental obligations, it is crucial that you correctly identify any special or protected designations. These vary from protected land and buildings to protected animals, birds, flora and fauna. Never assume that a place "doesn't look like it is protected", looks can be deceiving and sometimes the designation being protected is underground. i.e. Hadrian's wall in Cumbria.

There are tools that can help you identify designations and some of which are already pre-loaded onto Piper, you just need to switch on those layers to see the information.

Below are some other useful tools that have up to date information on UK areas and buildings etc. that are protected. It is your responsibility to identify them correctly and ensure the information is included in the survey or job pack.

5.1 **Defra Magic Maps**

The Department for Environment Food & Rural Affairs have a very useful interactive map system to identify designations across the UK. It's called [Magic Maps](#) and below is a great guide on how to use it to its full potential. Magic covers designations in England and Wales and a few in Scotland



Magic Map guide

5.2 **Statutory Body Websites and interactive Search Engines**

In Scotland, NatureScot have a similar map search that can help identify different protected lands. Switch on the layers you want to see, and the map will highlight any in your area of interest – [NatureScot Sitelink Map](#)

[Historic environment Scotland](#) also have a good [map search tool](#) to help identified historical designations e.g. Historic buildings, battlefields etc

Natural Resources Wales have a [search engine](#) to show protected areas.

[Northern Ireland Government services has lists of special designations including the details UNESCO designated sites.](#)

There are many other resources you can find on the internet but your priority should be to consult with the appropriate authorities for guidance and advice.

6 ***The Determination Procedure in England & Wales***

If we are planning to install apparatus under general permitted development on land that has the above special designations, we need to use the determination procedure.

The determination **procedure** is found in Part 16 (England) Part 24 (Wales) of the GPDO, but it means that we must go through the following process:

English and Welsh applications

If our works involves Private Property you must notify the Owner and/or agricultural Tenant of the land of our intention to install apparatus. Evidence that this notice of the proposed development has been given to the owner or tenant will be required by the Planning Authority. Please ensure that a copy of the notice sent to the landowner is kept in the job pack.

Note: If a Wayleave is also required, then one must also be obtained by the person requesting the work at the same time as applying under the Determination Procedure. An example of a suitable determination notice is:



T&C Determination
letter

You must also apply for prior approval under the Determination Procedure to the Local Planning Authority using the Government Planning Portal for the siting and appearance of the apparatus, to be installed. All applications will now be through the appropriate Planning Portal.

1. BT's application must include a written description of the proposed development.
2. A plan no less than 1:25000 indicating the location of the proposed development. It is recommended that drawings and/or photographs indicating the appearance of the proposed, potentially controversial installations be supplied also.
3. A copy of the notice sent to any private landowner or tenant.
4. A cheque for the fee which is required to be paid to the Planning Authority.

5. If material that is additional to that listed in items 1 to 4 above is requested by the Planning Authority, then this should be supplied as appropriate. However, the Planning Authority does not have the right to either extend the determination period or reset the start date to consider this information without BT's agreement.

Following receipt of an application, the Planning Authority must issue a written receipt, stating the date on which the application was received.

All LPAs are required to publish specified information about all planning applications on their websites, for example, the address of the proposed development and when representations must be made.

They will also put up a notice on or near the site. In certain cases, applications are also advertised in a local newspaper. This gives the public the opportunity to express views. The parish, town or community council will usually be notified, other bodies such as the county council and the Environment Agency may also need to be consulted.

Anyone can comment on your proposals. The relevant LPA will assess the relevance of comments and, in the light of them, may suggest minor changes to the application to overcome any difficulties.

6.1 Determination Approval Procedure

You **CANNOT** install apparatus which falls under the Determination Procedure until **one** of the following conditions has been met:

- 1) Receipt of a written notice from the Planning Authority of their determination that prior approval is not required.
- 2) The Planning Authority have informed us of their requirements for installation and the apparatus now conforms to the details the Planning Authority requires for approval under this process*. Note: If prior approval is required, they must tell us in writing within 56 days of the initial application having been received by the Planning Authority.
- 3) The expiry of 56 days beginning with the date on which the local planning authority received the application without the local planning authority notifying the applicant, in writing, of their determination as to whether prior approval is required.

***A planning authority can refuse approval.** If the Planning Authority reply stating that the approval is refused, then this should only be on the grounds of siting and appearance. If the reason for refusal has not been given, clarification should be sought from the Planning Authority concerned.

It is possible that there is no agreement possible that is acceptable to BT on the siting and appearance of the planned installation, which can be achieved with the Planning Authority within the required timescale. In this case,

depending on time-scale pressures, further negotiations with the Planning Authority may be conducted or installation may take place in accordance with the submitted details. Any modifications agreed with the Local Planning Authority after the original application will not necessarily require a new application.

7 Scotland

7.1 Planning Control

The Town and Country Planning (General Permitted Development) (Scotland) Amendment Order 2014, Statutory Instruments no 142 for all telecommunications apparatus. As BT is an Electronic Communications Network Provider, part 20 of the Order provides BT with permitted development rights and details the restrictions applicable. Class 67 Part 20 details what is permitted.

We should consult with the local planning Authority and any interested bodies in any protected area at the earliest opportunity. In this way we will also be made aware of any additional legislation or requirements that apply.

Exceptions Note however we still have additional obligations in **SSSIs, National Nature Reserves or Marine Nature Reserves** under The Regulations to give 56 days' notice (see 9 below).

8 Northern Ireland

Similarly, to Scotland BT as a statutory undertaker is afforded permitted development rights under Schedule 3 substitution of Part 18 of the Schedule of Planning (General Permitted Development) Order (Northern Ireland) 2015 (Northern Ireland Statutory Rules 292)

We should consult with the local planning Authority and any interested bodies in any protected area at the earliest opportunity. In this way we will also be made aware of any additional legislation or requirements that apply.

Again we must follow the provisions in the Regulation 8 for any works in **SSSIs, National Nature Reserves or Marine Nature Reserves**

9 SSSI, National Nature Reserves & Marine Nature Reserves

Regulation 8 gives clear instructions that these are the exception areas where we must apply and get **written permission** from the Local Planning Authority **as well as** the appropriate governing body.

Full planning determination is a minimum of 56 days' notice and we must wait for written permissions from both parties before we can install apparatus.

Good engagement is essential and the detail required for the notice (which must be applied for through the appropriate Planning Portal) will require Risk Assessments and Method Statements and other detailed information including any determination notices issued to private landowners affected by our works.

In addition to the Regulations notice to the Local Planning Authority there is also requirements to issue notices under the Habitat Regulations details below. If the works includes operations in the waterways, the BT Subsea team are responsible for ensuring the relevant Marine licences are applied for.

9.1 "Site of Special Scientific Interest"

This term is often abbreviated to 'SSSI'.

An area designated as such under section 28 of the Wildlife and Countryside Act 1981 or an area in respect of which the Secretary of State has made an order under section 29 of the Act or under section 10(2) of the Natural Heritage (Scotland) Act 1991. The relevant Authority in respect of any such area is:

England	English Nature - Natural England SSSI
Scotland	Scottish Natural Heritage - Natural Scotland SSSI
Wales	Natural Resource Wales - Natural Resource Wales SSSI
Northern Ireland*	The Local Planning Authority (LPA), in Northern Ireland (in the case of a national nature reserve, Area of Specific Scientific Interest & Marine Nature Reserve) the Department of the Environment for Northern Ireland - N Ireland SSSI

*In Northern Ireland they are referred to as - "Area of Special Scientific Interest"

Any land designated under article 24 of the Nature Conservation and Amenity Lands (Northern Ireland) Order 1985. The relevant Authority is the Department of the Environment for Northern Ireland.

Costs: include Planning Portal fee (circa £420)

Habitat Risk Assessment (£38)

The procedures detailed under planning determination above must be followed when planning to work in these areas, in addition it is essential you consult with all relevant parties as early as possible in the determination process.

9.2 Marine Nature Reserves

National nature reserve under section 36 of the Wildlife and Countryside Act 1981

Note: To Note: If the works involve Marine activities, the planning, engagement and noticing should be completed by the Subsea, Network Design Team who are in BT Group Chief Technology Organisation.

9.3 National Nature Reserve/ Natura 2000

National nature reserve under section 35 of the Wildlife and Countryside Act 1981

9.4 Special Areas of Conservation (SAC)

Special Areas of Conservation (SACs) are protected areas in the UK

9.5 Special Protection Areas (SPA)

Special Protection Areas (SPAs) are protected areas for birds in the UK

SPAs, together with Special Areas of Conservation (SACs), form the UK's national site network (formally Natura 2000 sites / European sites) but were redesignated when the United Kingdom exited the EU. These designations are now covered under the Habitat Regulations, and we must seek guidance from the appropriate nature conservation body and send the appropriate notices to the Local Planning Authority to seek permission to install our network in or in the vicinity of these designations.

Nature Conservation Bodies:

England	English Nature - Natural England SSSI
Scotland	Scottish Natural Heritage - Natural Scotland SSSI
Wales	Natural Resource Wales - Natural Resource Wales SSSI
Northern Ireland*	The Local Planning Authority (LPA), in Northern Ireland (in the case of a national nature reserve, Area of Specific Scientific Interest & Marine Nature Reserve) the Department of the Environment for Northern Ireland - NI Ireland SSSI

Note: To Note: If the works involve Marine activities, the planning, engagement and noticing should be completed by the Subsea, Network Design Team who are in BT Group Chief Technology Organisation

10 ***Habitat Regulations***

It is recommended that you engage the support of a suitably qualified ecologist to support your Habitat Regulations applications to both the nature conservation body and the Local Planning Authority.

10.1 **England & Wales - Conservation of Habitats and Species Regulations 2017 (as amended)**

Regulation 75-77 of the Habitat Regulations

Applications under Regulation 77

- 1) An application to the local planning authority for approval, must:
 - (a) give details of the development which is intended to be carried out; and
 - (b) be accompanied by—
 - (i) a copy of any relevant notification by the appropriate nature conservation body under
 - regulation 76; and
 - (ii) any fee required to be paid.
- 2) For the purposes of its consideration of the application the local planning authority must

Assume that the development is likely to have a relevant effect. The authority must send a copy of the application to the appropriate nature conservation body and must take account of any representations made by it.
- 3) If in its representations the appropriate nature conservation body states its opinion that the development is not likely to have a relevant effect, the local planning authority must send a copy of the representations to the applicant. In affect this is a permission.
- 4) In any other case in which the application has been sent to the appropriate nature conservation body, the local planning authority must, taking account of any representations made by the appropriate nature conservation body, make an appropriate assessment of the implications of the development for the European site or European offshore marine site in view of that site's conservation objectives.
- 5) In the light of the conclusions of the assessment the local planning authority may approve the development only after having ascertained that it will not adversely affect the integrity of the site.

10.2 Scotland – the Conservation (Natural Habitats, &c.)

Regulations 1994

Regulation 61 - 63 Application as laid out in Regulation 61

If the land is designated as a SPA or SAC or within the vicinity of these designated sites you must apply to the conservation body to confirm any “likely impact” as follows:

1. Send a notification under Regulation 61 of The Conservation (Natural Habitats, &c.) Regulations 1994, as amended (the Habitats Regulations) to NatureScot with a summary of the works being proposed and request their environmental assessment.
2. If NatureScot confirm the project is likely to have a significant impact on the site, you will need to take further action before proceeding
 - a) Engage to have a Habitat risk assessment completed by a competent authority.^{note 1}
 - b) Any advice given by NatureScot should be referred to and plans altered as necessary
 - c) Consider an alternative route if viable to prevent the impact on the European site.
3. On completion of above, make an application under Regulation 62 to the Local Planning Authority, including all relevant information from the HRA report, the advice from NatureScot and the mitigation measures you intent to implement to reduce the impact on the site. You will need to include the fee on your application
4. If the land is not also designated as a SSSI, you should also put in a notice under Regulation 5 The Electronic Communications Code (Conditions and Restrictions) (Amendment) Regulations 2017 to notify the Local Planning Authority of the proposed works but link this to your Habitat Regulations notice above. The Local Planning Authority will consider your applications and will reply once they have discussed the assessment with NatureScot. Works cannot start until you have written permission from the authorities under the Habitat Regulations.
5. If the land is designated as a SSSI, you should also put in a notice under Regulation 8 The Electronic Communications Code (Conditions and Restrictions) (Amendment) Regulations 2017 to notify the Local Planning Authority and a separate notice to NatureScot of the proposed works but link this to your Habitat Regulations 62 notice above. You will need to use the Planning portal and the associated fee to your application. The Local Planning Authority will consider your applications and will reply once they have discussed the assessment with NatureScot. They have a period of

56days to consider the proposals and reply. Works cannot start until you have written permission from the authorities.

6. If NatureScot reply to your Regulation 61 notice that your works will NOT likely impact the European site, then you can follow either the Regulation 5 or 8 The Electronic Communications Code (Conditions and Restrictions) (Amendment) Regulations 2017 process (whichever is the correct route for the designated land. e.g. SSSI you need to follow Regulation 8 process.

Note: note 1 – HRA must be completed by a Specialist Consultant with the relevant qualifications. Rambolls Ltd are one of the BT preferred suppliers and details are available from the BT Procurement site.

10.3 Northern Ireland - The Conservation (Natural Habitats, etc.) (Amendment) Regulations (Northern Ireland) 2015

Regulations 55 – 57 An application under Regulation 56 to the Local Council and work shall not be continued until the developer has received written determination from the council under regulation 56 that it will not adversely affect the integrity of the site

11 Article 4 Directions

Local Planning Authorities have powers to restrict permitted development rights by making an Article 4 Direction. These are more likely to be used in conservation areas.

These directions are designed to protect buildings and areas from unsuitable alterations which could otherwise be done without planning permission.

Where permitted development rights have been restricted, planning permission will be required for works falling within the classes of permitted development which have been restricted.

Consult with the [Network Regulations Team](#) if you come across these for support and guidance.

12 New Forest

The New Forest is one of the largest remaining tracts of unenclosed pastureland, heathland and forest in Southern England, covering southwest Hampshire and southeast Wiltshire. The area defined in the New Forest Act 1964 and as such has not only protections under UK legislation but also

additional byelaws that must be followed to obtain permissions from not only the New Forest National Park Planning Authority but also the Verderers court.

The New Forest is made up of land that is both publicly maintained and privately owned with the biggest landowner being the Forestry Commission. There is specific procedures to follow when you need to request a wayleave to put anything on their land. See Planning Policy and wayleave process below.

The land is also classified into SSSI, SAC & SPA where we must seek permissions from all the authorities BEFORE we carry out any work in this area.

Before doing any work in the New Forest, you must speak to John Binding, Nigel Marris BOS45 or Josh Barnes B0S51 to get authorisation to continue. They can advice on the process and will record your works against the Habitat Regulations Agreement. This includes any lead to cash orders, copper or ethernet provisions / repairs. It is your responsibility to ensure all due diligence has been completed, the process followed and the necessary permissions have been agreed.



Planning Policy 499 Practical guidelines
for working in the N



12.1 Forestry England Land



Forestry England
Wayleave Process



FC Flowchart

There is a requirement to send digital plans with any wayleave application

12.2 The Verderers

The [Verderers](#) of the New Forest



verderers_policies_j
ul_05.pdf

12.3 New Forest Process

Before working in the New Forest we must ensure we follow all the rules. Below is a high-level overview of the process which is still fluid while

discussions are ongoing with Natural England and the New Forest Planning Authority (NFPA). In the interim:

1. Check the land protection status
2. Check if it is public or private
3. Contact John Binding, Nigel Marris BOS45 or Josh Barnes BOS51 for advice and to record the works under the National Park Umbrella Agreement
4. Arrange a site meeting with the relevant stakeholders if required (this is a judgement call and should be based on the complexity of the build, sensitivity of the land and any requests from landowners)
5. Arrange notices for the Verderers court
6. Apply appropriate notices to the New Forest National Park Planning Authority and Natural England
7. Arrange relevant wayleaves as required – To Note: wayleaves for Forestry England & the NFPA need to have digital plans
8. Ensure a copy of the practical guide to working in the New Forest is included in the Job Pack
9. Ensure all quality checks are complete on the job pack and any specific terms or conditions from the statutory bodies or landowner are included in it with appropriate notes to the build team
10. Ensure the details on the “as built” network is shared with the John Binding, Nigel Marris BOS45 or Josh Barnes BOS51

[499](#) – Full details on the process for Planning and wayleaves in the New Forest and on Forestry commission land

This is an extremely sensitive area and you must follow all guidance before working in this area to ensure Openreach doesn't get issued with an Enforcement Order which would jeopardise relationships with the key stakeholders and seriously delay FTTP rollout.

13 ***Ancient Monuments***

An ancient monument in England and Wales or Scotland scheduled under Sections 1 and 2 of the Ancient Monuments and Archaeological Areas Act 1979; in Northern Ireland and ancient monument scheduled under Article 3 of the Historic Monuments and Archaeological Objects (Northern Ireland) Order 1995

We also must apply for a Scheduled Monument Consent via the appropriate bodies.

For England follow the Historic England Links for [Scheduled Monument Consents](#)

In Scotland, SMC should be obtained from [Historic Scotland](#), on behalf of the Scottish Ministers.

In Wales, SMC should be obtained from [Cadw](#), the Welsh Government's historic environment service.

In Northern Ireland - <https://www.communities-ni.gov.uk/publications/application-scheduled-monument-consent> there is also a phone number 028 9054 3030 where you can call in advance for any works that may have an impact on a Scheduled Monument or its designated area.

However, wherever possible, it is best to avoid installation within the defined area of an ancient monument.

Please note it is ESSENTIAL not to carry out work of any kind including "Emergency Works" within the defined area of an Ancient Monument without the prior consent of the relevant body, as described above.

When choosing to use a site of an Ancient Monument it is important that the following aspects need to be considered:

- Only work that actually occurs within the boundary of a scheduled monument, or other work that will affect the land inside the boundary of a scheduled monument (for example, work that results in the flooding of the monument) needs scheduled monument consent.
- It is strongly recommended that you consult the relevant Regional Environmental Authority if you are undertaking work within 100m or so of a scheduled monument, or if you need access over a scheduled monument, or if there is any possibility that there may be a knock-on effect on the monument (such as de-watering or erosion). They are always happy to advise if you're in doubt, and it is better to check at an early stage to avoid last minute problems and delays.
- The application to the relevant Regional Environmental Authority may take several weeks to process without any guarantee of permission being granted at the end of that time.
- Archaeologists may sift the spoil at the site and delay the work while they excavate the site, this is likely to be at BT's expense and the work may last many months.
- Any maintenance work that requires digging or heavy equipment on the site will need permission by the relevant Regional Environmental Authority which may take several weeks to obtain.
- It is impractical to place equipment on an Ancient Monument and as such this should be avoided unless there is no alternative route even if it is more expensive to provide.
- It is therefore imperative that you allow as much time as possible to gain the necessary permission to do work of any kind on an Ancient Monument Site

13.1.1 Conditions

Works carried out must comply with any conditions attached to the Scheduled Monument Consent - e.g. in relation to the building material that must be used or the way in which the work must be done.

13.1.2 Fines and penalties

If you carry out any works on a scheduled monument without consent, you are committing a criminal offence and may be fined.

It is also a criminal offence to cause reckless or deliberate damage to a scheduled monument without consent, or to use a metal detector or remove an object found with a metal detector from a protected site without a license from the relevant authority.

14 *UNESCO and World Heritage Sites*

World Heritage Sites are sites, places, monuments or buildings of "outstanding universal value" to all humanity – today and in future generations. The World Heritage List includes a wide variety of exceptional cultural and natural sites, such as landscapes, cities, monuments, technological sites and modern buildings.

There are 27 cultural World Heritage Sites in the UK in 2021 including Stonehenge, Canterbury Cathedral, Saltaire, Hadrian's Wall and the whole of the City of Bath.

The protection of a World Heritage Site is the responsibility of national governments.

Designation of a World Heritage Site by UNESCO brings no additional statutory controls, but protection is afforded through the planning system as well as through the other designations (listed buildings, scheduled monuments and so on) that cover elements, if not the whole, of the site.

Many minor works are permitted development and are therefore deemed to have permission provided the conditions for such permitted development are followed.

You are required to engage with the relevant statutory bodies e.g. Historic England, Historic Scotland and any other relevant parties as well as issuing the Regulation 5 notice to the Local Planning Authority. Good engagement is key to working in these areas.

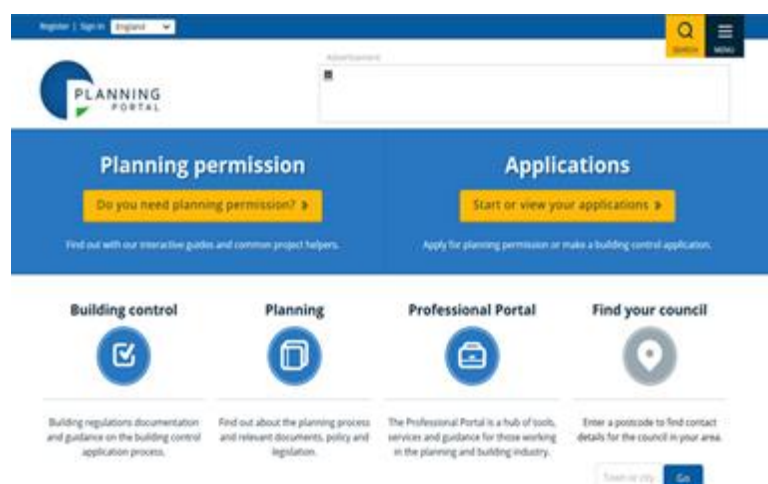
15 *Specialist Consultation Resource*

To complete the necessary documentation including habitat risk assessments, Habitat Regulation Applications & notices, Regulation 8 Notices, Environmental Protections Orders etc. (This is not an exhaustive list) where a Local Planning Authority or an Environmental Statutory body requests specific reports or analysis to facilitate your application in a Special Designated area; you should make use of Openreach's identified specialist resource within iBuy or an authorised local supplier agreed by the appropriate Statutory Body. Ecology or habitat assessments must be completed by a competent authority.

Similarly, if archaeological support is required for working in the vicinity of Ancient Monuments, UNESCO sites etc.; refer to the statutory body e.g. historic England for their approved supplier list that Openreach can use to meet the terms and conditions in the Scheduled Monument Consent Order.

Payment for these services should be purchased through your local purchase order procurement system. Refer to your local procedures on how to use iBuy. You can get help on using iBuy and how to use the system from the [Finance and Accounting Pages](#) on the Intranet.

16 *Planning Portal*



To complete a Regulation 8 Notice, you must complete the application via the Local Planning Authority Portal (see below for links). The Local Planning Authority have 56 days to respond to our request for permissions and the works cannot proceed until written permission is received from all parties.

If installation is refused under this Condition, then the apparatus can only be installed if the Planning Authority subsequently agrees in writing or alternatively if the Planning Authority is directed by the Secretary of State for

Culture Media & Sport. For guidance on what to do in these circumstances contact regs.advice@openreach.co.uk

16.1 How can I find out who the local Planning Authority is?

Scotland - <https://www.mygov.scot/planning-permission/> or <https://www.gov.uk/find-local-council>

Wales - <https://businesswales.gov.wales/running-business/premises-property-planning-building/planning>

England - <https://1app.planningportal.co.uk/YourLpa/FindYourLpa>

Northern Ireland - <https://www.nidirect.gov.uk/information-and-services/repairs-planning-and-building-regulations/planning-system>
<https://www.nidirect.gov.uk/contacts/planning-offices-ni>

16.2 How can I find the Local Planning Portal?

<https://1app.planningportal.co.uk/YourLpa/FindYourLpa>

[England and Wales Planning Portal](#)

[Scotland Planning Portal](#)

[Planning Portal Northern Ireland](#)

17 *Paying for Fees*

To make a payment for planning fees you should raise a purchase order via iBuy for the Local Planning Authority (LPA). Check to see if the LPA is already a supplier on the system and if not you will need to request they are added as a new supplier.

[New Suppliers on iBuy / GFP \(bt.com\)](#)

To pay for environmental or archaeological consultants, please ensure you use either Openreach's preferred supplier or a company approved by the Statutory Conservation Body. Similarly, to above you will need to use iBuy to procure their services.

You can get help on using iBuy and how to use the system from the [Finance and Accounting Pages](#) on the Intranet.

18 *References*

- The Electronic Communications Code (as amended by Schedule 3A to the Communications Act 2003)

- The Electronic Communications Code (Conditions and Restrictions) Regulations 2003 (as amended)
- The Town and Country Planning (General Permitted Development) Order 1995.
- The Town and Country Planning (General Permitted Development) (Amendment) Order 2001, Statutory Instruments nos 2718 and 2719.
- The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013, Statutory Instruments no 1101.
- The Town & Country Planning (General Permitted Development) (Scotland) Order 1992.
- The Town & Country Planning (General Permitted Development) (Scotland) Amendment (No.2) Order 2001.
- The Town and Country Planning (General Permitted Development) (Amendment) (Wales) (no2) Order 2014, Statutory Instruments no 2692
- Planning For Telecommunications, DETR Circular 04/99, ISBN 0-11-753502-8.
- Statutory Rule 2003 No 98 Planning (General Development) (Amendment) Order (Northern Ireland) 2003.
- Town and Country Planning (General Permitted Development) order 2015 England Statutory Instrument no 596
- The Conservation (Natural Habitats, etc.) (Amendment) Regulations (Northern Ireland) 2015
- The Conservation of Habitats and Species Regulations 2017
- WILDLIFE COUNTRYSIDE The Conservation (Natural Habitats, &c.) Regulations 1994

19 ***Appendices***

[English Code of Practice for Pole & Cabinet Siting](#)

[Pre-notice for Poles under English Code of Practice](#)

20 ***ISIS & Planning Policies***

Please consult the [Network Regulations SharePoint Site](#) for other relevant ISIS and Planning Policy Briefings

21 ***Enquiries***

Enquiries about this document should be sent to the current author or contact regs.advice@openreach.co.uk

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