

## SCHEDULE 2

### Permitted development rights

## PART 16

### Communications

*[<sup>F1</sup>Class A – electronic communications code operators*

#### Textual Amendments

- F1** Sch. 2 Pt. 16 Class A substituted (24.11.2016) by [The Town and Country Planning \(General Permitted Development\) \(England\) \(Amendment\) \(No. 2\) Order 2016 \(S.I. 2016/1040\)](#), arts. 1, 2(2) (with art. 3)

#### Permitted development

**A.** *Development by or on behalf of an electronic communications code operator for the purpose of the operator's electronic communications network in, on, over or under land controlled by that operator or in accordance with the electronic communications code, consisting of—*

- (a) *the installation, alteration or replacement of any electronic communications apparatus,*
- (b) *the use of land in an emergency for a period not exceeding 18 months to station and operate moveable electronic communications apparatus required for the replacement of unserviceable electronic communications apparatus, including the provision of moveable structures on the land for the purposes of that use, or*
- (c) *development ancillary to radio equipment housing.*

#### Development not permitted

##### **A.1.** *Development not permitted: ground-based apparatus*

(1) Development consisting of the installation, alteration or replacement of electronic communications apparatus (other than on a building) is not permitted by Class A(a) if—

- (a) in the case of the installation of electronic communications apparatus (other than a mast), the apparatus, excluding any antenna, would exceed a height of 15 metres above ground level;
- (b) in the case of the alteration or replacement of electronic communications apparatus (other than a mast) that is already installed, the apparatus, excluding any antenna, would when altered or replaced exceed the height of the existing apparatus or a height of 15 metres above ground level, whichever is the greater;
- (c) in the case of the installation of a mast, the mast, excluding any antenna, would exceed a height of—
  - (i) [<sup>F2</sup>30] metres above ground level on unprotected land; or
  - (ii) [<sup>F3</sup>25] metres above ground level on article 2(3) land or land which is on a highway;
- <sup>F4</sup>...
- <sup>F5</sup>(d) in the case of the alteration or replacement of a mast, the height of the mast, excluding any antenna, would when altered or replaced exceed the greater of the height of the existing mast or a height of—

- (i) 30 metres above ground level on unprotected land; or
- (ii) 25 metres above ground level on article 2(3) land or land which is on a highway; or
- (e) in the case of the alteration or replacement of a mast—
  - (i) the mast is on any land which is, or is within, a site of special scientific interest; and
  - (ii) the mast would, when altered or replaced, exceed the original width of the mast by more than one third.]

**Development not permitted: building-based apparatus other than small antenna and small cell systems**

(2) Development consisting of the installation, alteration or replacement of electronic communications apparatus (other than small antenna and small cell systems) on a building is not permitted by Class A(a) if—

- (a) the height of the electronic communications apparatus (taken by itself) would exceed—
  - (i) 15 metres, where it is installed on a building which is 30 metres or more in height; or
  - (ii) 10 metres in any other case;
- (b) the highest part of the electronic communications apparatus when installed, altered or replaced would exceed the height of the highest part of the building by more than—
  - (i) 10 metres, in the case of a building which is 30 metres or more in height;
  - (ii) 8 metres, in the case of a building which is more than 15 metres but less than 30 metres in height; or
  - (iii) 6 metres in any other case;
- [<sup>F6</sup>(c) in the case of the installation, alteration or replacement of a mast on a building which is—
  - (i) on article 2(3) land or land which is, or is within, a site of special scientific interest; and
  - (ii) less than 15 metres in height,

the mast would be within 20 metres of the highway (unless the siting remains the same and the dimensions of the altered or replaced mast are no greater);]

- (d) in the case of the installation, alteration or replacement of an antenna on a building (other than a mast) which is less than 15 metres in height; on a mast located on such a building; or, where the antenna is to be located below a height of 15 metres above ground level, on a building (other than a mast) which is 15 metres or more in height—
  - (i) the antenna is to be located on a wall or roof slope facing a highway which is within 20 metres of the building on which the antenna is to be located;
  - (ii) in the case of dish antennas, the size of any dish would exceed 0.9 metres or the aggregate size of all the dishes on the building would exceed 4.5 metres, when measured in any dimension;
  - (iii) in the case of antennas other than dish antennas, the development would result in the presence on the building of—
    - (aa) more than 3 antenna systems; or
    - (bb) any antenna system operated by more than 3 electronic communications code operators; or
  - (iv) the building is a listed building or a scheduled monument;
- (e) in the case of the installation, alteration or replacement of an antenna on a building (other than a mast) which is 15 metres or more in height, or on a mast located on such a building,

where the antenna is located at a height of 15 metres or above, measured from ground level—

- (i) in the case of dish antennas, the size of any dish would exceed 1.3 metres or the aggregate size of all the dishes on the building would exceed 10 metres, when measured in any dimension;
  - (ii) in the case of antennas other than dish antennas, the development would be on a building which is less than 30 metres in height and would result in the presence on the building of—
    - (aa) more than 5 antenna systems; or
    - (bb) any antenna system operated by more than 3 electronic communications code operators; or
  - (iii) the building is a listed building or a scheduled monument; or
- (f) in the case of the installation of an antenna on electronic communications apparatus on a building on article 2(3) land—
- (i) the size of any dish antenna to be installed would exceed 0.6 metres or the number of dish antenna which have been installed on the building since 21st August 2013 would exceed 3; or
  - (ii) the height of any antenna other than dish antenna to be installed would exceed 3 metres, or the number of such antennas which have been installed on the building since 21st August 2013 would exceed 3.

***Development not permitted: apparatus on masts***

(3) Development consisting of the installation, alteration or replacement of electronic communications apparatus (other than an antenna) on a mast is not permitted by Class A(a) if the height of the mast (including the apparatus installed, altered or replaced) would exceed any relevant height limit specified in paragraph A.1(1)(c) or (d) or A.1(2)(a) or (b). For the purposes of applying the limit specified in paragraph A.1(2)(a), the words “taken by itself” in that paragraph are omitted.

***Development not permitted: antennas and supporting structures installed, replaced or altered on article 2(3) land or land which is a site of special scientific interest***

(4) Development consisting of the installation, alteration or replacement of an antenna, a mast or any other apparatus which includes or is intended for the support of an antenna, or the replacement of an antenna or such apparatus by an antenna or apparatus which differs from that which is being replaced, is not permitted by Class A(a)—

- (a) on any article 2(3) land unless—
  - (i) the development (excluding the installation, alteration or replacement of a mast) is carried out in an emergency and is within any limitations specified in paragraph A.1 for development of the same type on unprotected land;
  - (ii) the antenna or apparatus comprises or is part of a small cell system and is on a building which is not a dwellinghouse or within the curtilage of a dwellinghouse;
  - (iii) the antenna is a small antenna and the development is within the limitations specified in paragraph A.1(5) or (6); or
  - (iv) where the antenna or apparatus is not a small cell system or a small antenna, the development is within the limitations specified in paragraphs A.1(1)(c)(ii), [F7 A.1(1)(d)(ii)] or A.1(2)(f);
- (b) on any land which is, or is within, a site of special scientific interest unless—

**Changes to legislation:** There are currently no known outstanding effects for the The Town and Country Planning (General Permitted Development) (England) Order 2015, PART 16. (See end of Document for details)

- (i) the development (excluding the installation, alteration or replacement of a mast) is carried out in an emergency and is within any limitations specified in paragraph A.1 for development of the same type on unprotected land; or
- (ii) the development is within the limitations specified in paragraph A.1(5).

**Development not permitted: electronic communications apparatus installed, replaced or altered on a dwellinghouse**

(5) Development consisting of the installation, alteration or replacement of any electronic communications apparatus on a dwellinghouse or within the curtilage of a dwellinghouse is not permitted by Class A(a) if that apparatus—

- (a) is not a small antenna;
- (b) is to be located on a wall or roof slope facing a highway which is within 20 metres of the building on which the antenna is to be located;
- (c) would result in the presence on that dwellinghouse or within the curtilage of the dwellinghouse of more than 1 small antenna;
- (d) is to be located on a roof or chimney so that the highest part of the antenna would exceed in height the highest part of that roof or chimney respectively; or
- (e) is on article 2(3) land and would be located—
  - (i) on a chimney;
  - (ii) on a building which exceeds 15 metres in height;
  - (iii) on a wall or roof slope which fronts a highway; or
  - (iv) in the Broads, on a wall or roof slope which fronts a waterway.

**Development not permitted: small antennas installed, replaced or altered on a building which is not a dwellinghouse**

(6) Development consisting of the installation, alteration or replacement of a small antenna on a building which is not a dwellinghouse or within the curtilage of a dwellinghouse is not permitted by Class A(a) if—

- (a) that antenna is to be located on a wall or roof slope facing a highway which is within 20 metres of the building on which the antenna is to be located;
- (b) the building is less than 15 metres in height, and the installation, alteration or replacement would result in the presence on that building of more than 1 small antenna; or
- (c) the building is 15 metres or more in height, but less than 30 metres in height, and the installation, alteration or replacement would result in the presence on that building of more than 2 small antennas.

**Development not permitted: ground or base area**

(7) Development consisting of the installation, alteration or replacement of any electronic communications apparatus other than—

- (a) a mast;
- (b) an antenna;
- <sup>F8</sup>(c) . . . . .
- (d) any apparatus which does not project above the level of the surface of the ground; or
- (e) radio equipment housing,

is not permitted by Class A(a) if the ground or base area of the structure would exceed 1.5 square metres.

**Development not permitted: driver information systems**

(8) Development consisting of the installation, alteration or replacement of system apparatus within the meaning of section 8(6) of the Road Traffic (Driver Licensing and Information Systems) Act 1989 (definitions of driver information systems etc.) is not permitted by Class A(a).

**Development not permitted: radio equipment housing**

(9) Development consisting of the installation, alteration or replacement of radio equipment housing is not permitted by Class A(a) if—

- (a) the development is not ancillary to the use of any other electronic communications apparatus;
- (b) the cumulative volume of such development would exceed 90 cubic metres or, if located on the roof of a building, the cumulative volume of such development would exceed 30 cubic metres; or
- (c) <sup>F9</sup>... on any land which is, or is within, a site of special scientific interest, any single development would exceed 2.5 cubic metres, unless the development is carried out in an emergency.

[<sup>F10</sup>(9A) Sub-paragraph (9)(b) and (c) does not apply where the development is carried out within a permitted compound (and accordingly the development described in that sub-paragraph is permitted by Class A(a).]

**[<sup>F11</sup>Development not permitted: public call box**

(10) Development consisting of the installation, alteration or replacement of a public call box is not permitted by Class A.]

**Textual Amendments**

- F2** Word in Sch. 2 Pt. 16 para. A.1(1)(c)(i) substituted (4.4.2022) by The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2022 (S.I. 2022/278), arts. 1(1), **3(2)(a)(i)**
- F3** Word in Sch. 2 Pt. 16 para. A.1(1)(c)(ii) substituted (4.4.2022) by The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2022 (S.I. 2022/278), arts. 1(1), **3(2)(a)(ii)**
- F4** Word in Sch. 2 Pt. 16 para. A.1(1)(c) omitted (4.4.2022) by virtue of The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2022 (S.I. 2022/278), arts. 1(1), **3(2)(b)**
- F5** Sch. 2 Pt. 16 para. A.1(1)(d)(e) substituted for Sch. 2 Pt. 16 para. A.1(1)(d) (4.4.2022) by The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2022 (S.I. 2022/278), arts. 1(1), **3(2)(c)**
- F6** Sch. 2 Pt. 16 para. A.1(2)(c) substituted (4.4.2022) by The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2022 (S.I. 2022/278), arts. 1(1), **3(3)**
- F7** Word in Sch. 2 Pt. 16 para. A.1(4)(a)(iv) substituted (4.4.2022) by The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2022 (S.I. 2022/278), arts. 1(1), **3(4)**
- F8** Sch. 2 Pt. 16 Class A para. A.1(7)(c) omitted (25.5.2019) by virtue of The Town and Country Planning (Permitted Development, Advertisement and Compensation Amendments) (England) Regulations 2019 (S.I. 2019/907), regs. 1(2), **16(a)** (with reg. 19)
- F9** Words in Sch. 2 Pt. 16 para. A.1(9)(c) omitted (4.4.2022) by virtue of The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2022 (S.I. 2022/278), arts. 1(1), **3(5)**
- F10** Sch. 2 Pt. 16 para. A.1(9A) inserted (4.4.2022) by The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2022 (S.I. 2022/278), arts. 1(1), **3(6)**

**F11** Sch. 2 Pt. 16 Class A para. A.1(10) inserted (25.5.2019) by [The Town and Country Planning \(Permitted Development, Advertisement and Compensation Amendments\) \(England\) Regulations 2019 \(S.I. 2019/907\)](#), regs. 1(2), **16(b)** (with reg. 19)

## Conditions

**A.2.**—(1) Class A(a) and A(c) development is permitted subject to the condition that—

[<sup>F12</sup>(a) the siting and appearance of any—

- (i) mast;
- (ii) electronic communications apparatus installed, altered or replaced on a mast;
- (iii) antenna or supporting apparatus;
- (iv) radio equipment housing; or
- (v) development ancillary to radio equipment housing,

constructed, installed, altered or replaced on a building (other than a building which is a mast) are such that the effect of the development on the external appearance of that building is minimised, so far as practicable;]

[<sup>F13</sup>(b) the siting and appearance of any—

- (i) mast;
- (ii) electronic communications apparatus installed, altered or replaced on a mast;
- (iii) antenna or supporting apparatus;
- (iv) radio equipment housing; or
- (v) development ancillary to radio equipment housing,

which has been constructed, installed, altered or replaced in a manner which does not require prior approval under paragraph A.2(3) are such that the visual impact of the development on the surrounding area is minimised, so far as practicable;

(c) the siting and appearance of any development which is visible from a site which is—

- (i) article 2(3) land;
- (ii) a scheduled monument or a listed building;
- (iii) the curtilage of a schedule monument or a listed building;
- (iv) a World Heritage Site;
- (v) a site designated by the Secretary of State under section 1 of the Protection of Wrecks Act 1973; or
- (vi) land registered by Historic England in a register described in section 8C of the Historic Buildings and Ancient Monuments Act 1953,

are such that the visual impact of the development on the site is minimised so far as practicable, taking into account the nature and purposes of the site;

(d) the siting of any development is such that it—

- (i) does not prevent pedestrians from passing along a footway;
- (ii) does not prevent access to premises adjoining a footway; and
- (iii) is determined having regard to—
  - (aa) the needs of disabled people; and
  - (bb) the guidance document “Inclusive Mobility” issued by the Department for Transport in December 2021.]

- (2) Class A development is permitted subject to the condition that—
- (a) any electronic communications apparatus provided in accordance with that permission is removed from the land or building on which it is situated—
    - (i) if such development was carried out in an emergency, at the expiry of the relevant period; or
    - (ii) in any other case, as soon as reasonably practicable after it is no longer required for electronic communications purposes; and
  - (b) such land or building is restored to its condition before the development took place, or to any other condition as may be agreed in writing between the local planning authority and the developer.
- (3) Subject to sub-paragraph (5), Class A development—
- (a) on article 2(3) land, excluding development specified in sub-paragraph (4);
  - (b) on land which is, or is within, a site of special scientific interest; <sup>F14</sup>...
  - (c) on unprotected land where that development consists of—
    - (i) the installation of a mast <sup>F15</sup>, other than the installation of a mast on a building where the height of the mast (including any antenna and supporting apparatus) does not exceed the height of the highest part of the building by more than 6 metres];
    - (ii) the alteration or replacement of a mast <sup>F16</sup>, other than on a building,] which, when completed—
      - (aa) is taller than the mast which existed prior to such alteration or replacement; and
      - (bb) exceeds a height of <sup>F17</sup>25] metres above ground level <sup>F18</sup>excluding any antenna];
    - <sup>F19</sup>(ia) the alteration or replacement of a mast <sup>F20</sup>, other than on a building,] which—
      - (aa) is less than one metre wide where the mast would, when altered or replaced, exceed the original width of the mast by two thirds; or
      - (bb) is one metre wide or wider where the mast would, when altered or replaced, exceed the original width of the mast by more than one half or 2 metres, whichever is the greater; or]
      - (iii) <sup>F21</sup>the construction, installation, alteration or replacement of radio equipment housing, where the volume of any single development <sup>F22</sup>, other than a single development within a permitted compound,] exceeds 2.5 cubic metres]<sup>F23</sup>;
  - (d) on a highway where that development consists of—
    - (i) the alteration or replacement of a mast <sup>F24</sup>, other than on a building,] which, when completed—
      - (aa) is taller than the mast which existed prior to such alteration or replacement; and
      - (bb) exceeds a height of 20 metres above ground level <sup>F25</sup>excluding any antenna];
    - (ii) the alteration or replacement of a mast which—
      - (aa) is less than one metre wide where the mast would, when altered or replaced, exceed the original width of the mast by two thirds; or

(bb) is one metre wide or wider where the mast would, when altered or replaced, exceed the original width of the mast by more than one half or 2 metres, whichever is the greater; or

(e) which consists of the installation, alteration or replacement of a mast on a defence safeguarding area].

is permitted subject, except in case of emergency (in which case only paragraph A.3(12) applies), to the conditions set out in paragraph A.3 (prior approval).

(4) Development is specified for the purposes of sub-paragraph (3)(a), if it consists of—

(a) the installation, alteration or replacement of a small cell system on a building which is not a dwellinghouse or within the curtilage of a dwellinghouse; <sup>F26</sup>...

(b) development which is within the limitations specified in paragraph <sup>F27</sup>... A.1(2)(f), A.1(5) or A.1(6) [<sup>F28</sup>;

(c) the construction, installation, alteration or replacement of radio equipment housing—

(i) within a permitted compound; or

(ii) in any other location, where the volume of any single development does not exceed 2.5 cubic metres;

(d) the alteration or replacement of a mast [<sup>F29</sup>, other than on a building,] which, when completed, is no taller [<sup>F30</sup>(excluding any antenna)] than the taller of—

(i) the height of the mast prior to such alteration or replacement; or

(ii) 20 metres above ground level; or

(e) the alteration or replacement of a mast [<sup>F31</sup>, other than on a building,] which—

(i) is less than one metre wide where the mast would, when altered or replaced, not exceed the original width of the mast by two thirds; or

(ii) is one metre wide or wider where the mast would, when altered or replaced, not exceed the original width of the mast by more than one half or 2 metres, whichever is the greater].

(5) The conditions set out in paragraph A.3 (prior approval) do not apply in relation to Class A development on any article 2(3) land which consists of the construction, installation, alteration or replacement of a telegraph pole, cabinet or line, in connection with the provision of fixed-line broadband <sup>F32</sup>...

[<sup>F33</sup>(5A) Except in case of emergency, Class A development which consists of the installation, alteration or replacement of a mast on a civil safeguarding area or a defence safeguarding area is permitted subject (in addition to any other condition imposed by this paragraph) to the conditions that—

(a) the developer notifies in writing—

(i) the Civil Aviation Authority, in respect of development on a civil safeguarding area;

(ii) the Secretary of State for Defence, in respect of development on a defence safeguarding area;

(iii) the operator of the civil safeguarding area (if the operator is not the Civil Aviation Authority) or defence safeguarding area (if the operator is not the Secretary of State for Defence); and

(b) the development does not begin until the end of 28 days after the day the last notification required by paragraph (a) is given.



(5B) In case of emergency, Class A development which consists of the installation, alteration or replacement of a mast on a civil safeguarding area or a defence safeguarding area is permitted subject to the condition that the developer notifies the person mentioned in sub-paragraph (5A)(a) (i) to (iii) (as appropriate) as soon as practicable after the emergency begins.]

(6) In this paragraph—

“fixed-line broadband” means a service or connection (commonly referred to as being ‘always on’), via a fixed-line network, providing a bandwidth greater than narrowband (and for these purposes, “narrowband” means a service or connection providing data speeds up to 128 k bit/s); and

“relevant period” means a period which expires when the need for any electronic communications apparatus, structure or use permitted by Class A ceases or, if sooner, 18 months from the commencement of the construction, installation, alteration or replacement of apparatus or structures permitted by Class A(a) or Class A(c), or the commencement of the use permitted by Class A(b), as the case may be.

#### Textual Amendments

- F12** Sch. 2 Pt. 16 para. A.2(1)(a) substituted (4.4.2022) by The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2022 (S.I. 2022/278), arts. 1(1), **4(2)(a)**
- F13** Sch. 2 Pt. 16 para. A.2(1)(b)-(d) substituted for Sch. 2 Pts. 16para. A.2(1)(b) (4.4.2022) by The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2022 (S.I. 2022/278), arts. 1(1), **4(2)(b)**
- F14** Word in Sch. 2 Pt. 16 para. A.2(3) omitted (4.4.2022) by virtue of The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2022 (S.I. 2022/278), arts. 1(1), **4(3)(a)**
- F15** Words in Sch. 2 Pt. 16 para. A.2(3)(c)(i) inserted (4.4.2022) by The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2022 (S.I. 2022/278), arts. 1(1), **4(3)(b)(i)**
- F16** Words in Sch. 2 Pt. 16 para. A.2(3)(c)(ii) inserted (21.12.2023) by The Town and Country Planning (General Permitted Development etc.) (England) (Amendment) (No. 2) Order 2023 (S.I. 2023/1279), arts. 1(1), **10(2)(a)(i)(aa)**
- F17** Word in Sch. 2 Pt. 16 para. A.2(3)(c)(ii)(bb) substituted (4.4.2022) by The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2022 (S.I. 2022/278), arts. 1(1), **4(3)(b)(ii)**
- F18** Words in Sch. 2 Pt. 16 para. A.2(3)(c)(ii)(bb) inserted (21.12.2023) by The Town and Country Planning (General Permitted Development etc.) (England) (Amendment) (No. 2) Order 2023 (S.I. 2023/1279), arts. 1(1), **10(2)(a)(i)(bb)**
- F19** Sch. 2 Pt. 16 para. A.2(3)(c)(iia) inserted (4.4.2022) by The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2022 (S.I. 2022/278), arts. 1(1), **4(3)(b)(iii)**
- F20** Words in Sch. 2 Pt. 16 paras. A.2(3)(c)(iia) inserted (21.12.2023) by The Town and Country Planning (General Permitted Development etc.) (England) (Amendment) (No. 2) Order 2023 (S.I. 2023/1279), arts. 1(1), **10(2)(a)(ii)**
- F21** Sch. 2 Pt. 16 Class A para. A.2(3)(c)(iii) substituted (25.5.2019) by The Town and Country Planning (Permitted Development, Advertisement and Compensation Amendments) (England) Regulations 2019 (S.I. 2019/907), regs. 1(2), **16(c)** (with reg. 19)
- F22** Words in Sch. 2 Pt. 16 para. A.2(3)(c)(iii) inserted (4.4.2022) by The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2022 (S.I. 2022/278), arts. 1(1), **4(3)(b)(iv)**
- F23** Sch. 2 Pt. 16 para. A.2(3)(d)(e) and semicolon inserted (4.4.2022) by The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2022 (S.I. 2022/278), arts. 1(1), **4(3)(c)**
- F24** Words in Sch. 2 Pt. 16 para. A.2(3)(d)(i) inserted (21.12.2023) by The Town and Country Planning (General Permitted Development etc.) (England) (Amendment) (No. 2) Order 2023 (S.I. 2023/1279), arts. 1(1), **10(2)(b)(i)**

**Changes to legislation:** There are currently no known outstanding effects for the The Town and Country Planning (General Permitted Development) (England) Order 2015, PART 16. (See end of Document for details)

- F25** Words in Sch. 2 Pt. 16 para. A.2(3)(d)(i)(bb) inserted (21.12.2023) by The Town and Country Planning (General Permitted Development etc.) (England) (Amendment) (No. 2) Order 2023 (S.I. 2023/1279), arts. 1(1), **10(2)(b)(ii)**
- F26** Word in Sch. 2 Pt. 16 para. A.2(4)(a) omitted (4.4.2022) by virtue of The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2022 (S.I. 2022/278), arts. 1(1), **4(4)(a)**
- F27** Word in Sch. 2 Pt. 16 para. A.2(4)(b) omitted (4.4.2022) by virtue of The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2022 (S.I. 2022/278), arts. 1(1), **4(4)(b)**
- F28** Sch. 2 Pt. 16 para. A.2(4)(c)-(e) and semicolon inserted (4.4.2022) by The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2022 (S.I. 2022/278), arts. 1(1), **4(4)(c)**
- F29** Words in Sch. 2 Pt. 16 para. A.2(4)(d) inserted (21.12.2023) by The Town and Country Planning (General Permitted Development etc.) (England) (Amendment) (No. 2) Order 2023 (S.I. 2023/1279), arts. 1(1), **10(3)(a)(i)**
- F30** Words in Sch. 2 Pt. 16 para. A.2(4)(d) inserted (21.12.2023) by The Town and Country Planning (General Permitted Development etc.) (England) (Amendment) (No. 2) Order 2023 (S.I. 2023/1279), arts. 1(1), **10(3)(a)(ii)**
- F31** Words in Sch. 2 Pt. 16 para. A.2(4)(e) inserted (21.12.2023) by The Town and Country Planning (General Permitted Development etc.) (England) (Amendment) (No. 2) Order 2023 (S.I. 2023/1279), arts. 1(1), **10(3)(b)**
- F32** Words in Sch. 2 Pt. 16 Class A para. A.2(5) omitted (6.4.2018) by virtue of The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2018 (S.I. 2018/343), arts. 1, **15**
- F33** Sch. 2 Pt. 16 para. A.2(5A)(5B) inserted (4.4.2022) by The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2022 (S.I. 2022/278), arts. 1(1), **4(5)**

### Prior approval

**A.3.**—(1) Before making the application required by sub-paragraph (4), the developer must give notice of the proposed development to—

- (a) any person (other than the developer) who is an owner of the land to which the development relates, or
  - (b) a tenant of an agricultural holding any part of which is comprised in the land to which the application relates.
- (2) Notice must be given by or on behalf of the developer as follows—
- (a) by serving a signed and dated notice on every person described in sub-paragraph (1) whose name and address is known to the developer, stating—
    - (i) the name of the developer;
    - (ii) the address or location of the proposed development;
    - (iii) a description of the proposed development (including its siting and appearance which includes the height of any mast);
    - (iv) a statement that the developer will apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the siting and appearance of the development;
    - (v) the name and address of the local planning authority to whom the application will be made;
    - (vi) a statement that the application is available for public inspection at the offices of the local planning authority during usual office hours;

- (vii) a statement that any person who wishes to make representations about the siting and appearance of the proposed development may do so in writing to the local planning authority;
  - (viii) the date by which any such representations should be received by the local planning authority, being a date not less than 14 days from the date of the notice; and
  - (ix) the address to which such representations should be made; or
- (b) if the developer has been unable to ascertain the names and addresses of every such person after taking reasonable steps, by local advertisement.
- <sup>F34</sup>(3) .....
- (4) Before beginning the development described in paragraph A.2(3), the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the siting and appearance of the development.
- (5) The application must be accompanied by—
- (a) a written description of the proposed development and a plan indicating its proposed location together with any fee required to be paid;
  - (b) the developer’s contact address, and the developer’s email address if the developer is content to receive communications electronically;
  - (c) evidence that the requirements of sub-paragraph (1) have been satisfied where applicable; and
  - (d) where [<sup>F35</sup>the condition in paragraph A.2(5A)] applies, evidence that the Civil Aviation Authority, the Secretary of State for Defence or the [<sup>F36</sup>operator of the civil safeguarding area or defence safeguarding area], as the case may be, has been notified of the proposal.
- (6) Subject to sub-paragraphs (8)(b)(ii) and (c), upon receipt of the application in accordance with sub-paragraph (5), the local planning authority must—
- (a) for development which, in their opinion, falls within a category set out in the Table in Schedule 4 to the Procedure Order (consultations before the grant of permission), consult the authority or person mentioned in relation to that category, except where—
    - (i) the local planning authority are the authority so mentioned; or
    - (ii) the authority or person so mentioned has advised the local planning authority that they do not wish to be consulted,and must give the consultees at least 14 days within which to comment;
  - <sup>F37</sup>(ab) for development which is subject to the condition in paragraph A.2(5A), consult—
    - (i) the Civil Aviation Authority, in respect of development on a civil safeguarding area;
    - (ii) the Secretary of State for Defence, in respect of development on a defence safeguarding area;
    - (iii) the operator of the civil safeguarding area (if the operator is not the Civil Aviation Authority) or defence safeguarding area (if the operator is not the Secretary of State for Defence);]
  - (b) in the case of development which does not accord with the provisions of the development plan in force in the area in which the land to which the application relates is situated, or which would affect a right of way to which Part 3 of the Wildlife and Countryside Act 1981 (public rights of way) applies, must give notice of the proposed development, in the appropriate form set out in Schedule 2 to the Procedure Order (notice of applications for planning permission)—

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- (i) by site display in at least one place on or near the land to which the application relates, for not less than 21 days, and
    - (ii) by local advertisement;
  - (c) in the case of development which does not fall within paragraph (b) but which involves development carried out on a site having an area of 1 hectare or more, must give notice of the proposed development, in the appropriate form set out in Schedule 2 to the Procedure Order by local advertisement and either—
    - (i) by site display in at least one place on or near the land to which the application relates, for not less than 21 days, or
    - (ii) by serving notice on any adjoining owner or occupier;
  - (d) in the case of development which does not fall within paragraph (b) or (c), must give notice of the proposed development, in the appropriate form set out in Schedule 2 to the Procedure Order—
    - (i) by site display in at least one place on or near the land to which the application relates for not less than 21 days, or
    - (ii) by serving notice on any adjoining owner or occupier.
- (7) When determining the application made under sub-paragraph (4), the local planning authority <sup>F38</sup> must—
- (a) take into account any representations made to them as a result of consultations or notices given under paragraph A.3; and
  - (b) not grant prior approval contrary to the advice of any person consulted in accordance with sub-paragraph (6)(ab)].
- (8) The development must not begin before the occurrence of one of the following—
- (a) the receipt by the applicant from the local planning authority of a written notice of their determination that prior approval is not required;
  - (b) where the local planning authority gives the applicant written notice that prior approval is required—
    - (i) the giving of that approval to the applicant, in writing, within a period of 56 days beginning with the date on which the local planning authority received the application in accordance with sub-paragraph (5);
    - (ii) the expiry of a period of 56 days beginning with the date on which the local planning authority received the application in accordance with sub-paragraph (5) without the local planning authority notifying the applicant, in writing, that such approval is given or refused; or
  - (c) the expiry of a period of 56 days beginning with the date on which the local planning authority received the application in accordance with sub-paragraph (5) without the local planning authority notifying the applicant, in writing, of their determination as to whether such prior approval is required.
- (9) The development must, except to the extent that the local planning authority otherwise agree in writing, be carried out—
- (a) where prior approval has been given as mentioned in sub-paragraph (8)(b)(i), in accordance with the details approved;
  - (b) in any other case, in accordance with the details submitted with the application.
- (10) The agreement in writing referred to in sub-paragraph (9) requires no special form of writing, and, where that agreement is in place, there is no requirement on the developer to submit a new

application for prior approval in the case of minor amendments to the details submitted with the application for prior approval.

(11) The development must begin—

- (a) where prior approval has been given as mentioned in sub-paragraph (8)(b)(i), not later than the expiration of 5 years beginning with the date on which the approval was given;
- (b) in any other case, not later than the expiration of 5 years beginning with the date on which the local planning authority received the application in accordance with sub-paragraph (5).

(12) In the case of emergency, development is permitted by Class A subject to the condition that the operator must give written notice of such development as soon as possible after the emergency begins, to—

- (a) the local planning authority; and
- (b) in the case of development carried out on land which is, or is within, a site of special scientific interest, to Natural England.

[<sup>F39</sup>(13) When computing the number of days in sub-paragraphs (6)(b)(i), (6)(c)(i) and (6)(d)(i), any day which is a public holiday must be disregarded.]

#### Textual Amendments

- F34** Sch. 2 Pt. 16 para. A.3(3) omitted (4.4.2022) by virtue of [The Town and Country Planning \(General Permitted Development\) \(England\) \(Amendment\) Order 2022 \(S.I. 2022/278\)](#), arts. 1(1), **5(2)**
- F35** Words in Sch. 2 Pt. 16 para. A.3(5)(d) substituted (4.4.2022) by [The Town and Country Planning \(General Permitted Development\) \(England\) \(Amendment\) Order 2022 \(S.I. 2022/278\)](#), arts. 1(1), **5(3)(a)**
- F36** Words in Sch. 2 Pt. 16 para. A.3(5)(d) substituted (4.4.2022) by [The Town and Country Planning \(General Permitted Development\) \(England\) \(Amendment\) Order 2022 \(S.I. 2022/278\)](#), arts. 1(1), **5(3)(b)**
- F37** Sch. 2 Pt. 16 para. A.3(6)(ab) inserted (4.4.2022) by [The Town and Country Planning \(General Permitted Development\) \(England\) \(Amendment\) Order 2022 \(S.I. 2022/278\)](#), arts. 1(1), **5(4)**
- F38** Words in Sch. 2 Pt. 16 para. A.3(7) substituted (4.4.2022) by [The Town and Country Planning \(General Permitted Development\) \(England\) \(Amendment\) Order 2022 \(S.I. 2022/278\)](#), arts. 1(1), **5(5)**
- F39** Sch. 2 Pt. 16 Class A para. A.3(13) inserted (coming into force in accordance with art. 1(6) of the amending S.I.) by [The Town and Country Planning \(Local Authority Consultations etc.\) \(England\) Order 2018 \(S.I. 2018/119\)](#), **art. 26(6)**

#### Intepretation of Class A

**A.4** For the purposes of Class A—

[<sup>F40</sup>“aerodrome” has the meaning given by the Safeguarding Direction;]

“antenna system” means a set of antennas installed on a building and operated in accordance with the electronic communications code;

[<sup>F41</sup>“civil safeguarding area” means the area identified on a safeguarding map issued by the Civil Aviation Authority in relation to an aerodrome or technical site;

“defence safeguarding area” means the area identified on a safeguarding map issued by the Secretary of State for Defence in relation to an aerodrome, a military explosives storage area or a technical site;]

“development ancillary to radio equipment housing” means the construction installation, alteration or replacement of structures, equipment or means of access which are ancillary to and reasonably required for the purposes of the radio equipment housing, and except on any land which is, or is within, a site of special scientific interest includes—

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- (a) security equipment;
- (b) perimeter walls and fences; and
- (c) handrails, steps and ramps;

“electronic communications apparatus” and “electronic communications code” have the same meaning as in the Communications Act 2003;

“electronic communications code operator” means a person in whose case the electronic communications code is applied by a direction under section 106(3)(a) of the Communications Act 2003;

[<sup>F42</sup>“electronic communications service” means a service falling within the definition of that term in section 32(2) of the Communications Act 2003;]

[<sup>F43</sup>“footway” has the meaning given by section 329(1) (further provisions as to interpretation) of the Highways Act 1980;]

“mast” means a radio mast or radio tower;

[<sup>F44</sup>“military explosives storage area” has the meaning given by the Safeguarding Direction;

“original width”, in relation to a mast, means the width of the mast approved by the most recent—

- (a) prior approval given in respect of the mast under this Class; or
- (b) express grant of planning permission following an express application for planning permission in respect of the mast;]

“owner” means any person who is the estate owner in respect of the fee simple, or who is entitled to a tenancy granted or extended for a term of years certain of which not less than 7 years remain unexpired;

[<sup>F45</sup>“permitted compound” means a compound which—

- (a) is no more than 100 square metres in area; and
- (b) has a closed perimeter;]

[<sup>F46</sup>“public call box” means any kiosk, booth, acoustic hood, shelter or similar structure which is erected or installed for the purpose of housing or supporting electronic communications apparatus and at which an electronic communications service is provided (or is to be provided) by an electronic communications code operator;]

[<sup>F47</sup>“the Safeguarding Direction” means the Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) Direction 2002;

[<sup>F48</sup>“safeguarding map” means—

- (a) a map which meets the definition of “safeguarding map” in the Safeguarding Direction;
- (b) a map issued under article 31(1) of the Procedure Order or any previous powers to the like effect;]

“single development”, in relation to radio equipment housing, means development in relation to a single, discrete unit of radio equipment housing (irrespective of when the development takes place);]

“small antenna” means an antenna which—

- (a) is for use in connection with a telephone system operating on a point to fixed multi-point basis;
- (b) does not exceed 0.5 metres in any linear measurement; and
- (c) does not, in two-dimensional profile, have an area exceeding 1,591 square centimetres,

and any calculation for the purposes of paragraph (b) or (c) excludes any feed element, reinforcing rim mountings and brackets;

[<sup>F49</sup>“small cell system” means low-power wireless network access equipment operating within a small range (irrespective of whether the underlying network topology is mobile or fixed), together with any ancillary apparatus, which—

- (a) operates on a point to multi-point or area basis in connection with an electronic communications service (as defined in section 32 of the Communications Act 2003);
- (b) <sup>F50</sup> ...
- (c) does not, in any two-dimensional measurement, have a surface area exceeding 5,000 square centimetres; and
- (d) does not have a volume exceeding 50,000 cubic centimetres,

and any calculation for the purposes of paragraph (c) or (d) includes any power supply unit or casing, but excludes any mounting, fixing, bracket or other support structure;

“technical site” has the meaning given by the Safeguarding Direction;]

“unprotected land” means any land which is not—

- (a) article 2(3) land; or
- (b) land which is a site of special scientific interest<sup>F51</sup>; and

“width”, in relation to a mast, means the width of the mast at its widest point—

- (a) excluding any antenna; and
- (b) including any antenna support structures,

and “wide” is to be construed accordingly.]

### Textual Amendments

- F40** Words in Sch. 2 Pt. 16 para. A.4 substituted (4.4.2022) by The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2022 (S.I. 2022/278), arts. 1(1), **6(a)**
- F41** Words in Sch. 2 Pt. 16 para. A.4 inserted (4.4.2022) by The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2022 (S.I. 2022/278), arts. 1(1), **6(b)**
- F42** Words in Sch. 2 Pt. 16 Class A para. A.4 inserted (25.5.2019) by The Town and Country Planning (Permitted Development, Advertisement and Compensation Amendments) (England) Regulations 2019 (S.I. 2019/907), regs. 1(2), **16(d)(i)** (with reg. 19)
- F43** Words in Sch. 2 Pt. 16 para. A.4 inserted (4.4.2022) by The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2022 (S.I. 2022/278), arts. 1(1), **6(c)**
- F44** Words in Sch. 2 Pt. 16 para. A.4 inserted (4.4.2022) by The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2022 (S.I. 2022/278), arts. 1(1), **6(d)**
- F45** Words in Sch. 2 Pt. 16 para. A.4 inserted (4.4.2022) by The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2022 (S.I. 2022/278), arts. 1(1), **6(e)**
- F46** Words in Sch. 2 Pt. 16 Class A para. A.4 inserted (25.5.2019) by The Town and Country Planning (Permitted Development, Advertisement and Compensation Amendments) (England) Regulations 2019 (S.I. 2019/907), regs. 1(2), **16(d)(ii)** (with reg. 19)
- F47** Words in Sch. 2 Pt. 16 para. A.4 inserted (4.4.2022) by The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2022 (S.I. 2022/278), arts. 1(1), **6(f)**
- F48** Words in Sch. 2 Pt. 16 para. A.4 substituted (21.12.2023) by The Town and Country Planning (General Permitted Development etc.) (England) (Amendment) (No. 2) Order 2023 (S.I. 2023/1279), arts. 1(1), **10(4)(a)**
- F49** Words in Sch. 2 Pt. 16 para. A.4 substituted (4.4.2022) by The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2022 (S.I. 2022/278), arts. 1(1), **6(g)**



**Changes to legislation:** There are currently no known outstanding effects for the The Town and Country Planning (General Permitted Development) (England) Order 2015, PART 16. (See end of Document for details)

- F50** Words in Sch. 2 Pt. 16 para. A.4 omitted (21.12.2023) by virtue of The Town and Country Planning (General Permitted Development etc.) (England) (Amendment) (No. 2) Order 2023 (S.I. 2023/1279), arts. 1(1), **10(4)(b)**
- F51** Words in Sch. 2 Pt. 16 para. A.4 inserted (4.4.2022) by The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2022 (S.I. 2022/278), arts. 1(1), **6(h)**

**A.5** Where Class A permits the installation, alteration or replacement of any electronic communications apparatus, the permission extends to any—

- (a) casing or covering;
- (b) mounting, fixing, bracket or other support structure;
- (c) perimeter walls or fences;
- (d) handrails, steps or ramps; or
- (e) security equipment,

reasonably required for the purposes of the electronic communications apparatus.

**A.6** Nothing in paragraph A.5 extends the permission in Class A to include the installation, alteration or replacement of anything mentioned in paragraph A.5(a) to (e) on any land which is, or is within, a site of special scientific interest if the inclusion of such an item would not have been permitted by Class A, as read without reference to paragraph A.5.]

#### Textual Amendments

- F40** Words in Sch. 2 Pt. 16 para. A.4 substituted (4.4.2022) by The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2022 (S.I. 2022/278), arts. 1(1), **6(a)**
- F41** Words in Sch. 2 Pt. 16 para. A.4 inserted (4.4.2022) by The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2022 (S.I. 2022/278), arts. 1(1), **6(b)**
- F42** Words in Sch. 2 Pt. 16 Class A para. A.4 inserted (25.5.2019) by The Town and Country Planning (Permitted Development, Advertisement and Compensation Amendments) (England) Regulations 2019 (S.I. 2019/907), regs. 1(2), **16(d)(i)** (with reg. 19)
- F43** Words in Sch. 2 Pt. 16 para. A.4 inserted (4.4.2022) by The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2022 (S.I. 2022/278), arts. 1(1), **6(c)**
- F44** Words in Sch. 2 Pt. 16 para. A.4 inserted (4.4.2022) by The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2022 (S.I. 2022/278), arts. 1(1), **6(d)**
- F45** Words in Sch. 2 Pt. 16 para. A.4 inserted (4.4.2022) by The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2022 (S.I. 2022/278), arts. 1(1), **6(e)**
- F46** Words in Sch. 2 Pt. 16 Class A para. A.4 inserted (25.5.2019) by The Town and Country Planning (Permitted Development, Advertisement and Compensation Amendments) (England) Regulations 2019 (S.I. 2019/907), regs. 1(2), **16(d)(ii)** (with reg. 19)
- F47** Words in Sch. 2 Pt. 16 para. A.4 inserted (4.4.2022) by The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2022 (S.I. 2022/278), arts. 1(1), **6(f)**
- F48** Words in Sch. 2 Pt. 16 para. A.4 substituted (21.12.2023) by The Town and Country Planning (General Permitted Development etc.) (England) (Amendment) (No. 2) Order 2023 (S.I. 2023/1279), arts. 1(1), **10(4)(a)**
- F49** Words in Sch. 2 Pt. 16 para. A.4 substituted (4.4.2022) by The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2022 (S.I. 2022/278), arts. 1(1), **6(g)**
- F50** Words in Sch. 2 Pt. 16 para. A.4 omitted (21.12.2023) by virtue of The Town and Country Planning (General Permitted Development etc.) (England) (Amendment) (No. 2) Order 2023 (S.I. 2023/1279), arts. 1(1), **10(4)(b)**
- F51** Words in Sch. 2 Pt. 16 para. A.4 inserted (4.4.2022) by The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2022 (S.I. 2022/278), arts. 1(1), **6(h)**



*Class B – other [<sup>F52</sup>electronic communications] development*

**Textual Amendments**

**F52** Words in Sch. 2 Pt. 16 Class B heading substituted (28.12.2017) by [The Communications Act 2003](#) and the [Digital Economy Act 2017 \(Consequential Amendments to Secondary Legislation\) Regulations 2017](#) (S.I. 2017/1011), reg. 1(1), **Sch. 3 para. 9(2)(b)(i)**; S.I. 2017/1286, **reg. 2**

**Permitted development**

**B.** *The installation, alteration or replacement on any building or other structure of a height of 15 metres or more of a microwave antenna and any structure intended for the support of a microwave antenna.*

**Development not permitted**

**B.1** Development is not permitted by Class B if—

- (a) the building is a dwellinghouse or the building or structure is within the curtilage of a dwellinghouse;
- (b) it would consist of development of a kind described in Class A of this Part;
- (c) it would consist of the installation, alteration or replacement of system apparatus within the meaning of section 8(6) of the Road Traffic (Driver Licensing and Information Systems) Act 1989 (definitions of driver information systems etc) <sup>M1</sup>;
- (d) it would result in the presence on the building or structure of more than 4 antennas;
- (e) in the case of an antenna installed on a chimney, the length of the antenna would exceed 0.6 metres;
- (f) in all other cases, the length of the antenna would exceed 1.3 metres;
- (g) it would consist of the installation of an antenna with a cubic capacity in excess of 35 litres;
- (h) the highest part of the antenna or its supporting structure would be more than 3 metres higher than the highest part of the building or structure on which it is installed or is to be installed; or
- (i) in the case of article 2(3) land, it would consist of the installation of an antenna—
  - (i) on a chimney, wall or roof slope which faces onto, and is visible from, a highway;
  - (ii) in the Broads, on a chimney, wall or roof slope which faces onto, and is visible from, a waterway.

**Marginal Citations**

**M1** 1989 c. 22.

**Conditions**

**B.2** Development is permitted by Class B subject to the following conditions—

- (a) the antenna is, so far as is practicable, sited so as to minimise its effect on the external appearance of the building or structure on which it is installed; and
- (b) an antenna no longer needed for reception or transmission purposes is removed from the building or structure as soon as reasonably practicable.

*Class C – other [F<sup>53</sup> electronic communications] development: microwave antenna*

**Textual Amendments**

**F53** Words in Sch. 2 Pt. 16 Class C heading substituted (28.12.2017) by [The Communications Act 2003](#) and the [Digital Economy Act 2017 \(Consequential Amendments to Secondary Legislation\) Regulations 2017 \(S.I. 2017/1011\)](#), reg. 1(1), **Sch. 3 para. 9(2)(b)(ii)**; S.I. 2017/1286, **reg. 2**

**Permitted development**

**C.** *The installation, alteration or replacement on any building or other structure of a height of less than 15 metres of a microwave antenna.*

**Development not permitted**

**C.1** Development is not permitted by Class C if—

- (a) the building is a dwellinghouse or other structure within the curtilage of a dwellinghouse;
- (b) it would consist of development of a kind described in Class A of this Part;
- (c) it would consist of the installation, alteration or replacement of system apparatus within the meaning of section 8(6) of the Road Traffic (Driver Licensing and Information Systems) Act 1989 (definitions of driver information systems etc);
- (d) it would result in the presence on the building or structure of—
  - (i) more than 2 antennas;
  - (ii) a single antenna exceeding 1 metre in length;
  - (iii) 2 antennas which do not meet the relevant size criteria;
  - (iv) an antenna installed on a chimney, where the length of the antenna would exceed 0.6 metres;
  - (v) an antenna installed on a chimney, where the antenna would protrude over the chimney;
  - (vi) an antenna with a cubic capacity in excess of 35 litres;
- (e) in the case of an antenna to be installed on a roof without a chimney, the highest part of the antenna would be higher than the highest part of the roof;
- (f) in the case of an antenna to be installed on a roof with a chimney, the highest part of the antenna would be higher than the highest part of the chimney stack, or 0.6 metres measured from the highest part of the ridge tiles of the roof, whichever is the lowest; or
- (g) in the case of article 2(3) land, it would consist of the installation of an antenna—
  - (i) on a chimney, wall or roof slope which faces onto, and is visible from, a highway;
  - (ii) in the Broads, on a chimney, wall or roof slope which faces onto, and is visible from, a waterway.

**Condition**

**C.2** Development is permitted by Class C subject to the following conditions—

- (a) the antenna is, so far as practicable, sited so as to minimise its effect on the external appearance of the building or structure on which it is installed; and
- (b) an antenna no longer needed for reception or transmission purposes is removed from the building or structure as soon as reasonably practicable.

## Interpretation of Class C

**C.3** The relevant size criteria for the purposes of paragraph C.1(d)(iii) are that:

- (a) only 1 of the antennas may exceed 0.6 metres in length; and
- (b) any antenna which exceeds 0.6 metres in length must not exceed 1 metre in length.

## *Class D – driver information systems*

### Permitted development

**D.** *The installation, alteration or replacement of system apparatus by or on behalf of a driver information system operator.*

### Development not permitted

**D.1** Development is not permitted by Class D if—

- (a) in the case of the installation, alteration or replacement of system apparatus other than on a building or other structure—
  - (i) the ground or base area of the system apparatus would exceed 1.5 square metres; or
  - (ii) the system apparatus would exceed a height of 15 metres above ground level; or
- (b) in the case of the installation, alteration or replacement of system apparatus on a building or other structure—
  - (i) the highest part of the apparatus when installed, altered, or replaced would exceed in height the highest part of the building or structure by more than 3 metres; or
  - (ii) the development would result in the presence on the building or structure of more than 2 microwave antennas.

### Conditions

**D.2** Development is permitted by Class D subject to the following conditions—

- (a) any system apparatus is, so far as practicable, sited so as to minimise its effect on the external appearance of any building or other structure on which it is installed; and
- (b) any system apparatus which is no longer needed for a driver information system is removed as soon as reasonably practicable.

### Interpretation of Class D

**D.3** For the purposes of Class D—

“driver information system operator” means a person granted an operator's licence under section 10 of the Road Traffic (Driver Licensing and Information Systems) Act 1989 (operators' licences)<sup>M2</sup>; and

“system apparatus” has the meaning assigned to that term by section 8(6) of that Act (definitions of driver information systems etc.).

#### Marginal Citations

**M2** 1989 c. 22.

*Class E – universal postal service providers*

**Permitted development**

**E.** *Development required for the purposes of a universal service provider (within the meaning of Part 3 of the Postal Services Act 2011<sup>M3</sup>) in connection with the provision of a universal postal service (within the meaning of that Part) consisting of—*

- (a) *the installation of posting boxes or self-service machines,*
- (b) *any other development carried out in, on, over or under the operational land of the undertaking.*

**Marginal Citations**

**M3** 2011 c. 5. By section 65(1) (as applied by section 65(3)), a universal service provider means any postal operator for the time being designated under section 35, and postal operator has the meaning given by section 27.

**Development not permitted**

**E.1** Development is not permitted by Class E if—

- (a) it would consist of or include the erection of a building, or the reconstruction or alteration of a building where its design or external appearance would be materially affected, or
- (b) it would consist of or include the installation or erection by way of addition or replacement of any plant or machinery which would exceed 15 metres in height or the height of any existing plant or machinery, whichever is the greater.

**Interpretation of Part 16**

**F.1** For the purposes of Part 16, the length of an antenna is to be measured in any linear direction and excludes any projecting feed element, reinforcing rim, mounting or brackets.

**Changes to legislation:**

There are currently no known outstanding effects for the The Town and Country Planning (General Permitted Development) (England) Order 2015, PART 16.