

SCHEDULE 3

Regulation 2(3)

AMENDMENT OF PLANNING LEGISLATION

Town and Country Planning (General Permitted Development) (Scotland) Order 1992

1.—(1) The Town and Country Planning (General Permitted Development) (Scotland) Order 1992(1) is amended as follows.

(2) In Schedule 1 (classes of permitted development)—

- (a) in Part 13 (development by statutory undertakers), in relation to Class 40 (electricity undertakings), in paragraph (5), in the definition of “electronic communications line” for “paragraph 1 of Schedule 2 to the Telecommunications Act 1984” substitute “paragraph 5 of the electronic communications code set out in Schedule 3A to the Communications Act 2003”;
- (b) in the heading to Part 21, for “telecommunications” substitute “electronic communications”.

Town and Country Planning (Trees) Regulations 1999

2.—(1) The Town and Country Planning (Trees) Regulations 1999(2) are amended as follows.

(2) In the form set out in the Schedule (form of Tree Preservation Order), in paragraph 5(2) (exemptions)—

- (a) omit the words from “the holder of a licence under section 7” to “applied”;
- (b) at the end insert—

“a person in whose case the electronic communications code is applied by a direction under section 106 of the Communications Act 2003.”.

Town and Country Planning (General Permitted Development) (Wales) Order 1995

3.—(1) The Town and Country Planning (General Permitted Development) (Wales) Order 1995(3) is amended as follows.

(2) In Schedule 2, in Part 17 (development by statutory undertakers), in relation to Class G (electricity undertakings), in paragraph G.4 for “paragraph 1 of Schedule 2 to the Telecommunications Act 1984” substitute “paragraph 5 of the electronic communications code set out in Schedule 3A to the Communications Act 2003”.

Town and Country Planning (Local Development Plan) (Wales) Regulations 2005

4.—(1) The Town and Country Planning (Local Development Plan) (Wales) Regulations 2005(4) are amended as follows.

(2) In the English text of the Regulations, in regulation 2(1) (interpretation), in the definition of “electronic communications apparatus” (“*offer cyfathrebu electronig*”) for “paragraph 1(1)” substitute “paragraph 5”.

(3) In the Welsh text of the Regulations, in regulation 2(1) (dehongli), in the definition of “offer cyfathrebu electronig” (“*electronic communications apparatus*”) for “baragraff 1(1)” substitute “baragraff 5”.

(1) S.I. 1992/223 (S.17). Relevant amendments are made by S.I. 2003/2155 and S.S.I.2007/209 and 2011/357

(2) S.I. 1999/1892. These Regulations are in force in relation to Wales only.

(3) S.I. 1995/418. This Order is in force in relation to Wales only.

(4) S.I. 2005/2839.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Town and Country Planning (Control of Advertisements) (England) Regulations 2007

5.—(1) The Town and Country Planning (Control of Advertisements) (England) Regulations 2007⁽⁵⁾ are amended as follows.

(2) In Schedule 3 (classes of advertisement for which deemed consent is granted), in Part 2, in paragraph 1(1) (interpretation), in the definition of “electronic communications apparatus” for “paragraph 1(1) of Schedule 2 to the Telecommunications Act 1984” substitute “paragraph 5 of the electronic communications code set out in Schedule 3A to the Communications Act 2003”.

Town and Country Planning (Tree Preservation) (England) Regulations 2012

6.—(1) The Town and Country Planning (Tree Preservation) (England) Regulations 2012⁽⁶⁾ are amended as follows.

(2) In regulation 14 (exceptions), for paragraph (3)(e) substitute—

“(e) an operator of an electronic communications code network (within the meaning given in paragraph 1(1) of Schedule 17 to the Communications Act 2003);”.

Neighbourhood Planning (General) Regulations 2012

7.—(1) The Neighbourhood Planning (General) Regulations 2012⁽⁷⁾ are amended as follows.

(2) In regulation 3 (interpretation), in the definition of “electronic communications apparatus” for “paragraph 1(1)” substitute “paragraph 5”.

Town and Country Planning (Local Planning) (England) Regulations 2012

8.—(1) The Town and Country Planning (Local Planning) (England) Regulations 2012⁽⁸⁾ are amended as follows.

(2) In regulation 2(1) (interpretation), in the definition of “electronic communications apparatus” for “paragraph 1(1)” substitute “paragraph 5”.

Town and Country Planning (General Permitted Development) (England) Order 2015

9.—(1) The Town and Country Planning (General Permitted Development) (England) Order 2015⁽⁹⁾ is amended as follows.

(2) In Schedule 2 (permitted development rights)—

(a) in Part 15 (power related development), in relation to Class B (electricity undertakings), in paragraph B.4, in the definition of “electronic communications line” for “paragraph 1 of Schedule 2 to the Telecommunications Act 1984” substitute “paragraph 5 of the electronic communications code set out in Schedule 3A to the Communications Act 2003”;

(b) in Part 16 (communications)—

(i) in the heading to Class B, for “telecommunications” substitute “electronic communications”;

(ii) in the heading to Class C, for “telecommunications” substitute “electronic communications”.

(5) [S.I. 2007/783](#).
(6) [S.I. 2012/605](#).
(7) [S.I. 2012/637](#).
(8) [S.I. 2012/767](#).
(9) [S.I. 2015/596](#).

Planning (Trees) Regulations (Northern Ireland) 2015

10.—(1) The Planning (Trees) Regulations (Northern Ireland) 2015(**10**) are amended as follows.

(2) In the form set out in the Schedule (form of Tree Preservation Order), for paragraph 2(a) of Schedule 3 substitute—

“(a) in pursuance of the powers conferred on the operator by virtue of section 106 of, and Part 13 of Schedule 3A to, the Communications Act 2003;”.

East Midlands Gateway Rail Freight Interchange and Highway Order 2016

11.—(1) The East Midlands Gateway Rail Freight Interchange and Highway Order 2016(**11**) is amended as follows.

(2) In paragraph (4)(a)(iii) of article 19 (clearways and no waiting) and in paragraph (4)(b)(iii) of article 20 (motor vehicle restrictions), for “telecommunications apparatus as defined in Schedule 2 to the Telecommunications Act 1984” substitute “electronic communications apparatus within the meaning given in paragraph 5 of the electronic communications code set out in Schedule 3A to the Communications Act 2003”.

(10) S.R. 2015 No. 84.

(11) S.I. 2016/17.