
STATUTORY INSTRUMENTS

1982 No. 817

**TOWN AND COUNTRY PLANNING,
ENGLAND AND WALES**

**The Town and Country Planning (Telecommunication
Networks) (Railway Operational Land)
Special Development Order 1982**

<i>Made</i>	- - - -	<i>14th June 1982</i>
<i>Laid before Parliament</i>		<i>23rd June 1982</i>
<i>Coming into Operation</i>		<i>1st August 1982</i>

The Secretary of State for the Environment in relation to England and the Secretary of State for Wales in relation to Wales, in exercise of the powers conferred by sections 24 and 287 of the Town and Country Planning Act 1971(1) and of all other powers enabling them in that behalf, hereby make the following order:—

1.—(1) This order may be cited as the Town and Country Planning (Telecommunication Networks) (Railway Operational Land) Special Development Order 1982 and shall come into operation on 1st August 1982.

(2) This order shall apply to all land which is for the time being operational land, for the purposes of the Town and Country Planning Act 1971, of the British Railways Board.

(3) Subject to the provisions of this order, the Town and Country Planning General Development Order 1977(2) shall apply to the descriptions of land to which this order applies.

2. The carrying out, on, in or under any land to which this order applies, of operations for the purposes of:—

- (a) the laying of telecommunication cables;
- (b) the installation of troughs to house such cables;
- (c) the erection or construction of structures to house signal regeneration equipment and the installation of such equipment;
- (d) the repair, maintenance, alteration or removal of cables, structures or equipment of the kinds described in paragraphs (a) to (c) above,

(1) section 24 was amended by the Local Government, Planning and Land Act 1980 (c. 65), Schedule 15, paragraph 1.
(2) relevant amending instrument is S.I. 1980/1946.

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is hereby permitted, subject to the following conditions:—

- (i) no structure shall be erected, constructed or extended in pursuance of this permission so as to have a height exceeding 3 metres from ground level or (except in the case of a trough to house a telecommunication cable) to cover a ground area exceeding 5 square metres;
- (ii) no development shall be carried out in pursuance of this permission after the expiration of the period of 25 years beginning with the date when this order comes into operation.

14th June 1982

Michael R.D. Heseltine
Secretary of State for the Environment

14th June 1982

Nicholas Edwards
Secretary of State for Wales

EXPLANATORY NOTE

This Order, which is a special development order made under section 24 of the Town and Country Planning Act 1971, grants planning permission for the carrying out of development for the purpose of installing and maintaining telecommunication networks (i.e. the laying of telecommunication cables, the installation of troughs to house such cables, the installation of signal regeneration equipment (including the erection or construction of structures to house such equipment) and works of repair and maintenance, alteration or removal of such cables, structures or equipment) on land which is operational land of the British Railways Board. The permission applies only to development carried out within the period of 25 years from the date when the order comes into operation, and it is granted subject to a condition which limits the height of any structure to 3 metres and the ground area of any structure (other than troughs to house cables) to 5 square metres.

The permission granted by this order for development of operational land of the British Railways Board is additional to the permission granted by article 3 of the Town and Country Planning General Development Order 1977 and Class XVIII.A of Schedule 1 to that Order. The permission granted by the General Development Order is for the carrying out by railway undertakers of certain development required in connection with the movement of traffic by rail, whereas the development described in this order may be carried out by persons other than the British Railways Board and for purposes unconnected with the movement of traffic by rail.