
EXPLANATORY NOTE

(This note is not part of the Order.)

This Order amends the Planning (General Development) Order (Northern Ireland) 1993 (“the 1993 Order”).

It substitutes Parts 17 and 18 of Schedule 1 to the 1993 Order which with Article 3 of that Order grant planning permission for certain forms of development.

Part 17 grants planning permission for development by telecommunications code system operators.

Part 17 Class A details certain development which may be carried out on land controlled by the operator or in accordance with his licence. It allows for the emergency use of land for up to 6 months to provide replacement moveable apparatus in place of unserviceable apparatus and development ancillary to radio equipment housing.

Paragraph A.1 details the circumstances in which development is not permitted.

Paragraph A.2 imposes conditions on the permitted development.

Paragraph A.3 provides definitions of terms used in Part 17.

The main changes made to this Part are—

- (a) development is not permitted if the installation, alteration or replacement of apparatus (other than an antenna) on a mast would result in any increase in the specified height limits (Paragraph A.1(e));
- (b) the introduction of a prior notification procedure which makes the permitted development conditional upon the telecommunications code system operator applying to the Department for a determination as to whether the Department’s prior approval is required to the siting and appearance of the proposed development (Paragraph A.2(4)(i));
- (c) the application must be accompanied by a written description of the proposed development, a plan indicating its proposed location and the appropriate fee (Paragraph A.2(4)(ii) and (iii));
- (d) the Department has 28 days in which to make and notify its determination on whether prior approval is required to the siting and appearance and to give or refuse such approval (Paragraph A.2(4)(iv)); and
- (e) the extension of the sensitive areas in which permitted development rights are not exercisable to include areas of special scientific interest (Paragraph A.1 (i), (k), (m) and (n)).

Part 18 grants permission for the installation, alteration or replacement of microwave antenna on a building or structure. Development under this part is not restricted to telecommunications code system operators.

Class A permits the installation, alteration or replacement of a microwave antenna on a building or structure 15 metres or more in height.

Paragraph A.1 details circumstances in which the development is not permitted. The main change is that the maximum size limit for the antenna has been increased from 90 centimetres to 1.3 metres (Paragraph A.1(d)).

Paragraph A.2 imposes conditions on the permitted development.

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

This Order adds Class B to Part 18 which permits the installation, alteration or replacement of a satellite antenna on a building or structure less than 15 metres in height.

Paragraph B.1 details circumstances in which development is not permitted. B.1(c) restricts the size of the antenna, measured in any dimension, to 90 centimetres.

Paragraph B.2 imposes conditions on the permitted development.