
EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Town and Country Planning (General Permitted Development) Order 1995 (“the 1995 Order”), mainly in relation to permitted development rights for certain telecommunications development. Where such rights apply, no specific application for planning permission is needed.

Article 3 amends Part 24 of Schedule 2 to the 1995 Order, which confers permitted development rights in respect of development by telecommunications code system operators. The principal change is the introduction of new conditions, where the proposed development consists of or includes the construction, installation, alteration or replacement of a ground-based mast, requiring a developer to apply to the local planning authority for a determination as to whether the prior approval of the authority will be required to the siting and appearance of the development. Provision is made for a site notice to be displayed informing the public of the application and providing for representations to be made to the local planning authority.

An additional change is that sites of special scientific interest are treated, in the context of Part 24 permitted development rights, in the same way as article 1(5) land, (National Parks, areas of outstanding natural beauty and conservation areas etc.). Revised provision is made for notifying the local planning authority of works carried out in case of emergency.

Article 6 revokes article 1(4) of, and Part 1 of Schedule 1 to, the 1995 Order, which are redundant provisions in relation to certain areas in England and Wales. Articles 2 and 4 rectify minor anomalies in Parts 1 and 25 of Schedule 2 to the 1995 Order in relation to antennae on a wall or roof slope which fronts a highway in the Broads.

Other minor changes are made to Part 24, mainly of a clarificatory nature.

A Regulatory Impact Assessment has been prepared in relation to this Order. It has been placed in the Library of each House of Parliament and copies may be obtained for England from PD3 Division at Zone 4/J3, Department of Environment, Transport and Regions, Eland House, Bressenden Place, SW1E 5DU, tel: 0171 890 3942 and for Wales from Planning Division, Welsh Office, Cathays Park, Cardiff, CF1 3NQ, tel: 01222 823479.