

SCHEDULE 2

Permitted development rights

PART 16

Communications

Class A – electronic communications code operators

Development not permitted

Development not permitted: ground-based apparatus

Development not permitted: ground-based apparatus

A.1.—(1) Development is not permitted by Class A(a) if—

- (a) in the case of the installation of apparatus (other than on a building or other structure) 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 apparatus already installed (other than on a building or other structure), 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; or
- (c) in the case of the alteration or replacement of an existing mast (other than on a building or other structure, on article 2(3) land or on any land which is, or is within, a site of special scientific interest)—
 - (i) the mast, excluding any antenna, would when altered or replaced—
 - (aa) exceed a height of 20 metres above ground level;
 - (bb) at any given height exceed the width of the existing mast at the same height by more than one third; or
 - (ii) where antenna support structures are altered or replaced, the combined width of the mast and any antenna support structures would exceed the combined width of the existing mast and any antenna support structures by more than one third.

Development not permitted: building-based apparatus

(2) Development is not permitted by Class A(a) if—

- (a) in the case of the installation, alteration or replacement of apparatus on a building or other structure, the height of the apparatus (taken by itself) would exceed—
 - (i) 15 metres, where it is installed, or is to be installed, on a building or other structure which is 30 metres or more in height; or
 - (ii) 10 metres in any other case;
- (b) in the case of the installation, alteration or replacement of apparatus on a building or other structure, the highest part of the apparatus when installed, altered or replaced would exceed the height of the highest part of the building or structure by more than—
 - (i) 10 metres, in the case of a building or structure which is 30 metres or more in height;
 - (ii) 8 metres, in the case of a building or structure which is more than 15 metres but less than 30 metres in height; or

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- (iii) 6 metres in any other case;
- (c) in the case of the installation, alteration or replacement of an antenna on a building or structure (other than a mast) which is less than 15 metres in height; on a mast located on such a building or structure; or, where the antenna is to be located below a height of 15 metres above ground level, on a building or structure (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 or structure 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 of the dishes on the building, structure or mast would exceed 4.5 metres, when measured in any dimension;
 - (iii) in the case of antennas other than dish antennas, the development (other than the installation, alteration or replacement of 1 small antenna or a maximum of 2 small cell antennas) would result in the presence on the building or structure 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 or structure is a listed building or a scheduled monument; or
- (d) in the case of the installation, alteration or replacement of an antenna on a building or structure (other than a mast) which is 15 metres or more in height, or on a mast located on such a building or structure, 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 of the dishes on the building, structure or mast would exceed 10 metres, when measured in any dimension;
 - (ii) in the case of antennas other than dish antennas, the development (other than the installation, alteration or replacement of a maximum of 2 small antennas or 2 small cell antennas) would result in the presence on the building or structure 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 or structure is a listed building or a scheduled monument.

Development not permitted: apparatus on masts

(3) Development is not permitted by Class A(a) if, in the case of the installation, alteration or replacement of apparatus (other than an antenna) on a mast, the height of the mast would, when the apparatus was installed, altered or replaced, exceed any relevant height limit specified in respect of apparatus in paragraphs A.1(1)(a), (b) and (c), and A.1(2)(a) and (b), and 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: ground or base area

(4) Development is not permitted by Class A(a) if, in the case of the installation, alteration or replacement of any apparatus other than—

- (a) a mast;
- (b) an antenna;
- (c) a public call box;

- (d) any apparatus which does not project above the level of the surface of the ground; or
- (e) radio equipment housing,

the ground or base area of the structure would exceed 1.5 square metres.

Development not permitted: antennas installed, replaced or altered on article 2(3) land or SSSIs

- (5) Development is not permitted by Class A(a) if—
- (a) in the case of development on any article 2(3) land or any land which is, or is within, a site of special scientific interest, it would consist of—
 - (i) the installation or alteration of an antenna or of any apparatus which includes or is intended for the support of such an antenna; or
 - (ii) the replacement of such an antenna or such apparatus by an antenna or apparatus which differs from that which is being replaced,unless the development is carried out in an emergency or is allowed by paragraphs A.1(5)(b), (9)(a), (9)(b) or (10)(b); or
 - (b) in the case of the installation of an additional antenna on existing electronic communications apparatus on a building or structure (including a mast) on article 2(3) land—
 - (i) in the case of dish antennas, the size of any additional dishes would exceed 0.6 metres, and the number of additional dishes on the building or structure would exceed 3; or
 - (ii) in the case of antennas other than dish antennas, any additional antennas would exceed 3 metres in height, and the number of additional antennas on the building or structure would exceed 3.

Development not permitted: driver information systems

(6) Development is not permitted by Class A(a) if 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.)(1).

Development not permitted: apparatus near a highway

(7) Development is not permitted by Class A(a) if, in the case of the installation of a mast, on a building or structure which is less than 15 metres in height, such a mast would be within 20 metres of a highway.

Development not permitted: radio equipment housing

- (8) Development is not permitted by Class A(a) if, in the case of the installation, alteration or replacement of radio equipment housing—
- (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) on any article 2(3) land, or 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.

(1) 1989 c.22.

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Development not permitted: antennas installed, replaced or altered on a dwellinghouse

- (9) Development is not permitted by Class A(a) if—
- (a) in the case of the installation, alteration or replacement on a dwellinghouse or within the curtilage of a dwellinghouse of any electronic communications apparatus, that apparatus—
 - (i) is not a small antenna;
 - (ii) being a small antenna, would result in the presence on that dwellinghouse or within the curtilage of that dwellinghouse of more than 1 such antenna; or
 - (iii) being a small antenna, is to be located on a roof or on a chimney so that the highest part of the antenna would exceed in height the highest part of that roof or chimney respectively; or
 - (b) in the case of the installation, alteration or replacement on article 2(3) land of a small antenna on a dwellinghouse or within the curtilage of a dwellinghouse, the antenna is to 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: antennas installed, replaced or altered not on a dwellinghouse

- (10) Development is not permitted by Class A(a) if—
- (a) in the case 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—
 - (i) the building is on article 2(3) land;
 - (ii) the building is less than 15 metres in height, and the development would result in the presence on that building of more than 1 such antenna; or
 - (iii) the building is 15 metres or more in height, and the development would result in the presence on that building of more than 2 such antennas; or
 - (b) in the case of the installation, alteration or replacement of a small cell antenna on a building or structure which is not a dwellinghouse or within the curtilage of a dwellinghouse—
 - (i) the building or structure is on any land which is, or is within, a site of special scientific interest; or
 - (ii) the development would result in the presence on the building or structure of more than 2 such antennas.