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## **Towns and Communities Overview and Scrutiny Sub-Committee - 7 September 2017**

# Permitted development rights for telecommunications operators

## Legislative Basis

- Covered by Class A, Part 16 of what is called the 'Town and Country Planning (General Permitted Development) Order 2015
- Enables operators to undertake certain types of development without requiring permission
- So what does Class A, Part 16 actually say?

## Class A, Part 16

- Development can be carried out in, on, over or under land if it consists of:
  - The installation, alteration or replacement of any apparatus
  - The use of land in an emergency for not more than 18 months and the operation of moveable apparatus to replace that sited elsewhere
  - Development ancillary to radio equipment housing

## When is permission needed?

- Telecommunications development will fall into one of three categories:
  - Full planning permission is needed
  - Prior approval is needed (siting and appearance only, 56 day procedure otherwise default approval)
  - No prior consent is needed at all as the works are permitted development

## When is permission needed?

If an operator is proposing:

- A mast which over 15m in height, full planning permission is needed
  - A mast up to 15m in height or equipment cabinets with a volume more than 2.5 cubic metres, then prior approval is needed
  - An equipment cabinet with a volume less than 2.5 cubic metres, then no consent is needed, although the operator should notify the Council before undertaking the works
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- Tighter controls are in place with Conservation Areas

## Use of the Highway

- Under the New Roads and Streetworks Act, a telecommunications operator can install equipment on the highway
- Council receives no rental income from installations

Any Questions?