WELSH STATUTORY INSTRUMENTS

2006 No. 124 (W.17)

TOWN AND COUNTRY PLANNING, WALES

The Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2006

Made - - - -	*24 January 2006*
Coming into force - -	*31 January 2006*

The National Assembly for Wales ("the National Assembly"), in exercise of the powers conferred by sections 59, 60 and 333(7) of the Town and Country Planning Act 1990(**1**) , makes the following Order—

Title, commencement, interpretation and extent

1.—(1) The title of this Order is the The Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2006 and comes into force on 31 January 2006.

(2) In this Order, "the principal Order" means The Town and Country Planning (General Permitted Development) Order 1995(**2**).

(3) In this Order, any reference to Part 1 or Part 25 is a reference to that numbered Part of Schedule 2 to the principal Order.

(4) This Order applies in relation to Wales.

Amendment of principal Order

2. —In article 4 of the principal Order (directions restricting permitted development), in paragraph (5)(f) omit "satellite".

Amendments to Part 1

3.—(1) In Class A of Part 1 (development within the curtilage of a dwellinghouse), in paragraph A.1(f), for "a satellite antenna" substitute "a microwave antenna".

(**1**) 1990 c. 8; to which there are amendments not relevant to this Order. The functions of the Secretary of State under sections 59, 60 and 333(7) were, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales by article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999, (S.I. 1999/672): *see* the entry in Schedule 1 for the Town and Country Planning Act 1990 (c. 8) as varied by article 4 of, and Schedule 3 to, the National Assembly for Wales (Transfer of Functions) Order 2000 (S.I. 2000/253).

(**2**) S.I. 1995/418; relevant amending instruments are S.I. 1999/293 and S.I. 2004/3156.

(2) In Class E of Part 1, in paragraph E.1(a), for "a satellite antenna" substitute "a microwave antenna".

(3) In Class H of Part 1—

(a) in paragraph H, for "a satellite antenna" substitute "a microwave antenna";

(b) for paragraph H.1, substitute—

"H.1 Development is not permitted by Class H if—

(a) it would result in the presence on the dwellinghouse or within its curtilage of—

(i) more than two antennas,

(ii) a single antenna exceeding 100 centimetres in length,

(iii) two antennas which do not meet the relevant size criteria,

(iv) an antenna installed on a chimney, where the length of the antenna would exceed 60 centimetres,

(v) an antenna installed on a chimney, where the antenna would protrude above the chimney,

(vi) an antenna with a cubic capacity in excess of 35 litres;

(b) in the case of an antenna to be installed on a roof without a chimney, the highest part of the antenna would be higher than the highest part of the roof;

(c) in the case of an antenna to be installed on a roof with a chimney, the highest part of the antenna would be higher than the highest part of the chimney, or 60 centimetres measured from the highest part of the ridge tiles of the roof, whichever is the lower;

(d) in the case of article 1(5) land, it would consist of the installation of an antenna—

(i) on a chimney, wall or roof slope which faces onto, and is visible from, a highway,

(ii) on a building which exceeds 15 metres in height.";

(c) for paragraph H.2(b), substitute—

"(b) an antenna no longer needed for reception or transmission purposes shall be removed as soon as reasonably practicable"; and

(d) after H.2 add—

"H.3 The relevant size criteria for the purpose of paragraph H.1(a)(iii) are that—

(a) only one of the antennas may exceed 60 centimetres in length; and

(b) any antenna which exceeds 60 centimetres in length must not exceed 100 centimetres in length.

H.4 The length of an antenna is to be measured in any linear direction, and shall exclude any projecting feed element, reinforcing rim, mountings or brackets.

H.5 The maximum number of antenna for the purpose of paragraph H1.(a) includes any small antenna permitted under Class A of Part 24.".

Amendments to Part 25

4.—(1) In Class A of Part 25 (Other telecommunications development)—

(a) for paragraph A.1 substitute—