STATUTORY RULES OF NORTHERN IRELAND

1998 No. 222

PLANNING

Planning (General Development) (Amendment) Order (Northern Ireland) 1998

Made - - - -	*18th June 1998*
Coming into operation	*1st August 1998*

The Department of the Environment, in exercise of the powers conferred by Article 13 of the Planning (Northern Ireland) Order 1991(**1**) and of all other powers enabling it in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Planning (General Development) (Amendment) Order (Northern Ireland) 1998 and shall come into operation on 1st August 1998.

Amendment of the Planning (General Development) Order (Northern Ireland) 1993

2. For Parts 17 and 18 of Schedule 1 to the Planning (General Development) Order (Northern Ireland) 1993(**2**) substitute Parts 17 and 18 as set out in the Schedule to this Order.

Sealed with the Official Seal of the Department of the Environment on

18th June 1998.

J. McConnell
Assistant Secretary

(**1**) S.I. 1991/1220 (N.I. 11); *see* Article 2(2) for the definition of "the Department"
(**2**) S.R. 1993 No. 278 as amended by S.R. 1995 No. 356

SCHEDULE Article 2

Substitution for Parts 17 and 18 of Schedule 1 to the Planning (General Development) Order (Northern Ireland) 1993

"Part 17

Development by Telecommunications Code System Operators

Class A	
Permitted development	A. **Development by or on behalf of a telecommunications code system operator for the purpose of the operator's telecommunications system in, on, over or under land controlled by that operator or in accordance with his licence, consisting of—** (a) **the installation, alteration or replacement of any telecommunications apparatus;** (b) **the use of land in an emergency for a period not exceeding 6 months to station and operate moveable telecommunications apparatus required for the replacement of unserviceable telecommunications apparatus, including the provision of moveable structures on the land for the purposes of that use; or** (c) **development ancillary to radio equipment housing.**
Development not permitted	A.1. Development is not permitted in 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

Class A

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;

(c) 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;

(d) 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;

(iii) 6 metres in any other case;

(e) 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 is installed, altered, or replaced, exceed any relevant height limit specified in respect of apparatus in paragraph A.1

Class A

(*a*), (*b*), (*c*) and (*d*), and for the purposes of applying the limit specified in sub-paragraph (*c*), the words "(taken by itself)" in that sub-paragraph shall be omitted;

(f) in the case of the installation, alteration or replacement of any apparatus other than —

(i) a mast;

(ii) an antenna;

(iii) a public call box;

(iv) any apparatus which does not project above the level of the surface of the ground; or

(v) radio equipment housing, the ground or base area of the structure would exceed 1.5 square metres;

(g) 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 road which is within 20 metres of the building or structure on which the antenna is to be located;

(ii) in the case of dish antennae, the size of any dish would exceed 0.9 metre or the aggregate size of all the dishes would exceed 1.5 metres, when measured in any dimension;

Class A

(iii) in the case of antennae other than dish antennae, the development (other than the installation, alteration or replacement of one small antenna) would result in the presence on the building or structure of more than 2 antenna systems; or

(iv) the building or structure is a listed building or scheduled monument;

(h) 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 antennae, the size of any dish would exceed 1.3 metres or the aggregate size of all the dishes would exceed 3.5 metres, when measured in any dimension;

(ii) in the case of antennae systems other than dish antennae, the development (other than the installation, alteration or replacement of a maximum of 2 small antennae) would result in the presence on the building or structure of more than 3 antennae systems; or

(iii) the building or structure is a listed building or a scheduled monument;

(i) in the case of development in a conservation area, an area of outstanding natural beauty,