Application to determine if prior approval is required for a proposed: Development by or on behalf of an electronic communications code operator for the purpose of the operator's Electronic Communications Network in, on, over or under land controlled by that operator or in accordance with the electronic communications code

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 16

Certain forms of development by or on behalf of an electronic communications code operator for the purpose of the operator's electronic communications network are 'permitted development' and only subject to prior approval from the local authority.

The prior approval procedure means that the principle of development is not an issue. The local authority can only consider the siting and appearance of the proposal.

The prior approval process applies, with the limitations detailed in the legislation, to:

a) the installation, alteration or replacement of any electronic communications apparatus,

b) the use of land in an emergency for a period not exceeding 18 months to station and operate moveable electronic communications apparatus required for the replacement of unserviceable electronic communications apparatus, including the provision of moveable structures on the land for the purposes of that use, or

c) development ancillary to radio equipment housing.

The local planning authority has 56 days in which to let the applicant know if its prior approval is required.

There is no power to extend the 56 day period.

Please note: It is not possible to undertake the prior approval process retrospectively.

Additional information

Please note that subsequent amendments to the main legislation have been made, including the removal of permitted development rights from proposals involving 'Public Call Boxes'.

For more information, refer to refer to the National Planning Policy Framework and the Code of Best Practice on Mobile Network Development in England.