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STATUTORY INSTRUMENTS

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**2022 No. 278**

**The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2022**

**Amendments to paragraph A.4 (interpretation of Class A)**

6. In paragraph A.4—
- (a) for the definition “aerodrome operator” substitute—

““aerodrome” has the meaning given by the Safeguarding Direction;”;
  - (b) after the definition of “antenna system” insert—

““civil safeguarding area” means the area identified on a safeguarding map issued by the Civil Aviation Authority in relation to an aerodrome or technical site;

“defence safeguarding area” means the area identified on a safeguarding map issued by the Secretary of State for Defence in relation to an aerodrome, a military explosives storage area or a technical site;”;
  - (c) after the definition of “electronic communications service” insert—

““footway” has the meaning given by section 329(1) (further provisions as to interpretation) of the Highways Act 1980(1);”;
  - (d) after the definition of “mast” insert—

““military explosives storage area” has the meaning given by the Safeguarding Direction;

“original width”, in relation to a mast, means the width of the mast approved by the most recent—

    - (a) prior approval given in respect of the mast under this Class; or
    - (b) express grant of planning permission following an express application for planning permission in respect of the mast;”;
    - (e) after the definition of “owner” insert—

““permitted compound” means a compound which—

      - (a) is no more than 100 square metres in area; and
      - (b) has a closed perimeter;”;
      - (f) after the definition of “public call box” insert—

““the Safeguarding Direction” means the Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) Direction 2002(2);

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(1) 1980 c. 66. There are amendments to section 329(1), but none are relevant to this instrument.

(2) Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) Direction 2002, which is annexed to Joint Circular 01/2003 issued on 27th January 2003 by the Office of the Deputy Prime Minister and updated on 22nd December 2016. An electronic copy is available at <https://www.gov.uk/government/publications/safeguarding-aerodromes-technical-sites-and-military-explosives-storage-areas/the-town-and-country-planning-safeguarded-aerodromes-technical-sites-and-military-explosives-storage-areas>

“safeguarding map” has the meaning given by the Safeguarding Direction;

“single development”, in relation to radio equipment housing, means development in relation to a single, discrete unit of radio equipment housing (irrespective of when the development takes place);”;

(g) for the definition of “small cell system” (including the “and” immediately after it) substitute—

““small cell system” means low-power wireless network access equipment operating within a small range (irrespective of whether the underlying network topology is mobile or fixed), together with any ancillary apparatus, which—

- (a) operates on a point to multi-point or area basis in connection with an electronic communications service (as defined in section 32 of the Communications Act 2003(3));
  - (b) transmits at a power level of 10 watts equivalent isotopically radiated power or below;
  - (c) does not, in any two-dimensional measurement, have a surface area exceeding 5,000 square centimetres; and
  - (d) does not have a volume exceeding 50,000 cubic centimetres,
- and any calculation for the purposes of paragraph (c) or (d) includes any power supply unit or casing, but excludes any mounting, fixing, bracket or other support structure;

“technical site” has the meaning given by the Safeguarding Direction;”;

(h) at the end of the definition of “unprotected land” insert—

“; and

“width”, in relation to a mast, means the width of the mast at its widest point—

- (a) excluding any antenna; and
  - (b) including any antenna support structures,
- and “wide” is to be construed accordingly.”.