

1990 No. 2032

TOWN AND COUNTRY PLANNING, ENGLAND AND WALES

The Town and Country Planning General Development (Amendment) (No. 2) Order 1990

Made - - - - 15th October 1990

Laid before Parliament 22nd October 1990

Coming into force 12th November 1990

The Secretary of State for the Environment, as respects England, and the Secretary of State for Wales, as respects Wales, in exercise of the powers conferred on them by sections 59, 60 and 333(7) of the Town and Country Planning Act 1990(a) and all other powers enabling them in that behalf, hereby make the following Order:

1. This order may be cited as the Town and Country Planning General Development (Amendment) (No. 2) Order 1990 and shall come into force on 12th November 1990.

2. For Class G of Part 17 of Schedule 2 to the Town and Country Planning General Development Order 1988(b) (permitted development rights of electricity undertakings) substitute—

“Class G: Electricity Undertakings

Permitted Development G. Development by statutory undertakers for the generation, transmission or supply of electricity for the purposes of their undertaking consisting of—

- (a) the installation or replacement in, on, over or under land of an electric line and the construction of shafts and tunnels and the installation or replacement of feeder or service pillars or transforming or switching stations or chambers reasonably necessary in connection with an electric line;
- (b) the installation or replacement of any telecommunications line which connects any part of an electric line to any electrical plant or building, and the installation or replacement of any support for any such line;
- (c) the sinking of boreholes to ascertain the nature of the subsoil and the installation of any plant or machinery reasonably necessary in connection with such boreholes;
- (d) the extension or alteration of buildings on operational land;
- (e) the erection on operational land of the undertaking of a building solely for the protection of plant or machinery;

(a) 1990 c.8.

(b) S.I. 1988/1813; a relevant amending instrument is S.I. 1990/457.

- (f) any other development carried out in, on, over or under the operational land of the undertaking.

Development not permitted

G.1 Development is not permitted by Class G if-

- (a) in the case of any Class G(a) development-
- (i) it would consist of or include the installation or replacement of an electric line to which section 37(1) of the Electricity Act 1989(a) applies; or
 - (ii) it would consist of or include the installation or replacement at or above ground level or under a highway used by vehicular traffic, of a chamber for housing apparatus and the chamber would exceed 29 cubic metres in capacity;
- (b) in the case of any Class G(b) development-
- (i) the development would take place in a National Park, an area of outstanding natural beauty, or a site of special scientific interest;
 - (ii) the height of any support would exceed 15 metres; or
 - (iii) the telecommunications line would exceed 1000 metres in length;
- (c) in the case of any Class G(d) development-
- (i) the height of the original building would be exceeded;
 - (ii) the cubic content of the original building would be exceeded by more than 25% (or 10% in the case of any building on article 1(5) land), or
 - (iii) the floorspace of the original building would be exceeded by more than 1000 square metres (or 500 square metres in the case of any building on article 1(5) land);
- (d) in the case of any Class G(e) development, the building would exceed 15 metres in height, or
- (e) in the case of any Class G(f) development, it would consist of or include-
- (i) the erection of a building, or the reconstruction or alteration of a building where its design or external appearance would be materially affected, or
 - (ii) the installation or erection by way of addition or replacement of any plant or machinery exceeding 15 metres in height or the height of any plant or machinery replaced, whichever is the greater.

Conditions

G.2 Development is permitted by Class G subject to the following conditions-

- (a) in the case of any Class G(a) development consisting of or including the replacement of an existing electric line, any conditions contained in a planning permission relating to the height, design or position of the existing electric line which are capable of being applied to the replacement line;
- (b) in the case of any Class G(a) development consisting of or including the installation of a temporary electric line providing a diversion for an existing electric line, on the ending of the diversion or at the end of a period of six months from the completion of the installation (whichever is the sooner) the temporary electric line shall be removed and the land on which any operations have been carried out to install that line shall be restored as soon as reasonably practicable to its condition before the installation took place;

(a) 1989 c.29.

- (c) in the case of any Class G(c) development, on the completion of that development, or at the end of a period of six months from the beginning of that development (whichever is the sooner) any such plant or machinery shall be removed and the land shall be restored as soon as reasonably practicable to its condition before the development took place;
- (d) in the case of any Class G(e) development, approval of details of the design and external appearance of the buildings shall be obtained, before development is begun, from—
 - (i) in Greater London or a metropolitan county, the local planning authority,
 - (ii) in a National Park, outside a metropolitan county, the county planning authority,
 - (iii) in any other case, the district planning authority.

Interpretation of Class G G.3 For the purpose of Class G(a), “electric line” has the meaning assigned to that term by section 64(1) of the Electricity Act 1989.

G.4 For the purpose of Class G(b), “electrical plant” has the meaning assigned to that term by the said section 64(1) and “telecommunications line” means a wire or cable (including its casing or coating) which forms part of a telecommunications apparatus within the meaning assigned to that term by paragraph 1 of Schedule 2 to the Telecommunications Act 1984 (a).

G.5 For the purposes of Classes G(d), (e) and (f) the land of the holder of a licence under section 6(2) of the Electricity Act 1989 shall be treated as operational land if it would be operational land within section 263 of the Town and Country Planning Act 1990 if such licence holders were statutory undertakers for the purpose of that section.”

3. Article 4 of the Town and Country Planning General Development (Amendment) Order 1990(b) is hereby revoked.

15th October 1990

Chris Patten
Secretary of State for the Environment

15th October 1990

David Hunt
Secretary of State for Wales

(a) 1984 c.12.
(b) S.I. 1990/457.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order substitutes a new Class G in Part 17 of Schedule 2 to the Town and Country Planning General Development Order 1988.

Class G describes development which may be carried out by electricity undertakers without specific planning permission and sets out the conditions which apply to such development.

There are two changes.

(1) An undertaker will in future be permitted to install or replace an electric line without applying for planning permission when consent is not required under section 37 of the Electricity Act 1989 to that installation. (The particular provisions which are relevant are paragraph G(a), G1(a) (exceptions) and G2(a) and (b) (conditions)).

(2) An undertaker will be permitted to install (or replace) a telecommunications line between an electric line and an electrical plant or building. (The particular provisions which are relevant are paragraphs G(b) and G1(b)).

Other provisions of Class G (which has previously been amended) are reproduced in a consolidated form.

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