

# Delegated Report

## Telecommunications Works Application

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**Application no:** 20250886

**Location:** School Lane Higham Rochester Kent

**Description:** The Electronic Communications Code (Conditions and restrictions) Regulations 2017 (as amended) - Regulation 5 Notice of intention to install new 10m light pole required.

**Applicant:** Sneha Kadam Openreach

**Site Visit Date:** N/A

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### Submitted Documents/Plans

- Covering letter;
- Site Location; and
- Site Picture.

### Relevant Planning History

None.

### Site Description

The application site is located just off of School Lane to the west of Home Farm Cottage. The site is in a rural settlement inset from the Green Belt.

### Proposed Development

This is a 28 day notice application for the provision of one 10m fixed broadband electronic communications apparatus light pole. It would be located to the west of Home Farm Cottage in front of fencing which is set back from School Lane.

### Analysis

A light fixed broadband electronic communications apparatus pole could be permitted development under Schedule 2, Part 16, Class A(a) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), specifically paragraph A.1 (1). This paragraph states that ground-based apparatus would not be permitted if:

*(1) Development consisting of the installation, alteration or replacement of electronic communications apparatus (other than on a building) is not permitted by Class A(a) if—*

*(a) in the case of the installation of electronic communications apparatus (other than a mast), the apparatus, excluding any antenna, would exceed a height of 15 metres above ground level;*

The fixed broadband electronic communications apparatus light pole, as proposed, would have a height of 10m. Therefore, this falls below the maximum height requirement of A.1 (1) (a) of the GPDO.

*(b) in the case of the alteration or replacement of electronic communications apparatus (other than a mast) that is already installed, the apparatus, excluding any 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;*

The proposed development is for the installation of a new fixed broadband electronic communications apparatus light pole, not altering or replacing existing equipment therefore A.1 (1) (b) is not relevant. -

*(c) in the case of the installation of a mast, the mast, excluding any antenna, would exceed a height of—*

*(i) 30 metres above ground level on unprotected land; or*

*(ii) 25 metres above ground level on article 2(3) land or land which is on a highway;*

The submitted plan shows that the pole would be located on unprotected land and the pole would not exceed a height of 25 or 30m.

*(d) in the case of the alteration or replacement of a mast, the height of the mast, excluding any antenna, would when altered or replaced exceed the greater height of the existing mast or a height of—*

*(i) 30 metres above ground level on unprotected land; or*

*(ii) 25 metres above ground level on article 2(3) land or land which is on a highway;*

The proposed development is for the installation of a new fixed broadband electronic communications apparatus light pole, not altering or replacing an existing mast therefore A.1 (1) (d) is not relevant.

*(e) In the case of the alteration or replacement of a mast—*

*(i) the mast is on any land which is, or is within, a site of special scientific interest, and*

*(ii) the mast would, when altered or replaced, exceed the original width of the mast by more than one this*

The proposed development is for the installation of a new fixed broadband electronic communications apparatus light pole, not altering or replacing an existing mast therefore A.1 (1) (e) is not relevant.

Moreover, the proposed development would not trigger the need for a prior approval assessment under paragraph A.2 (conditions). However, the Local Planning Authority must determine whether the siting and appearance of the development is acceptable under A.2 (1) (a) and whether they wish to determine whether the prior approval of these matters is required.

The installation of the new fixed broadband electronic communications apparatus light pole in the location shown is considered acceptable. The site is located in a rural settlement inset from the Green Belt where School Lane is commonplace in containing a number of streetlamps. Indeed, there are street lamps, telegraph poles and traffic restriction poles located opposite in this part of School Lane so the proposed light pole at this location would not look out of keeping in respect of height and appearance. This pole would also be set back from the road so would have more limited visibility. It is therefore considered that the pole would merge into the existing streetscene discreetly and would have no detrimental impact on the character or appearance of the street scene.

## **Conclusion**

The proposed development is considered to comply with the parameters set out in Schedule 2, Part 16, Class A (a) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

## **Recommendation**

No Objection.

**See draft Decision**

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|----------------------|-----------------------------------------------------------------------------------|---------------------|-------------------------------------------------------------------------------------|
| <b>Case Officer:</b> | Ms Rebecca Harrison                                                               | <b>Team Leader:</b> | Mrs Faye Walsh                                                                      |
| <b>Signed:</b>       |  | <b>Signed:</b>      |  |
| <b>Dated:</b>        | 16th September 2025                                                               | <b>Dated:</b>       | 17 September 2025                                                                   |