



ATTELZ

Application: 20220621

**TOWN AND COUNTRY PLANNING ACTS
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015**

DETERMINATION AS TO WHETHER PRIOR APPROVAL IS REQUIRED

To: **CK Hutchison Networks (UK) Ltd
C/O Sam Wismayer, WHP Telecoms Limited
1A Station Road
Guiseley
Leeds
LS20 8EY**

TAKE NOTICE that the **GRAVESHAM BOROUGH COUNCIL**, the **Local Planning Authority** under the Town and Country Planning Acts, has **DETERMINED THAT PRIOR APPROVAL** of the details of siting and appearance of telecommunications development **IS NOT REQUIRED**

at **Communication Station Jw Rosherville Way
Crete Hall Road
Northfleet
Gravesend
Kent
DA11 9BU**

and being **Application for determination pursuant to Part 16 Class A of the Town and Country Planning (General Permitted Development) Order 2015, as amended, as to whether prior approval is required for proposed telecommunications installation for a proposed 15.0m Phase 8 Monopole C/W wrapround Cabinet at base and associated ancillary works**

Referred to in your application dated 9th June 2022.

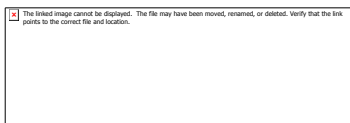
- 1 The proposed telecommunications installation for a proposed 15.0m Phase 8 Monopole C/W wrapround Cabinet at base and associated ancillary works has been considered against the criteria set out in the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and it is not considered that the Prior Approval of the Local Planning Authority in regard to siting and appearance of the development is required in this instance. Therefore, Prior Approval is not required.

INFORMATIVES:-

1 DRAWINGS AND DOCUMENTS

Dated: 29 July 2022

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU



NO RIGHT OF APPEAL

For the avoidance of doubt the developer provided the following information to the Local Planning Authority and the application for Prior Approval was assessed on this basis:

Application Form

Covering Letter from WHP Telecoms Limited dated 01 June 2022, as amended by emails from Susannah Help, WHP Telecoms Ltd dated 08.07.2022 and 19.07.2022

Site Specific Supplementary Information from WHP Telecoms Limited dated 01 June 2022

Drawing No GVM30742_M004 Issue D - 002: Site Location Plan

Drawing No GVM30742_M004 Issue D - 100: Existing Site Plan

Drawing No GVM30742_M004 Issue D - 150: Existing Elevation A

Drawing No GVM30742_M004 Issue D - 210: Proposed Site Plan

Drawing No GVM30742_M004 Issue D - 211: Vision Splay Plan

Drawing No GVM30742_M004 Issue D - 260: Proposed Elevation

Drawing No GVM30742_M004 Issue D - 303: Proposed Antenna Schedule & Line Configuration

Drawing No GVM30742_M004 Issue D - 305: Equipment Schedule & Support Structure Details

Declaration of Conformity with International Commission on Non-Ionizing Radiation Protection Public Exposure Guidelines (ICNIRP Certificate)

Site Provider Letter dated 30 May 2022

Developers Notice

The development must be carried out in accordance with the information that the developer provided to the Local Planning Authority, unless the Local Planning Authority and the developer agree otherwise in writing.

2 REVISED PLANS

For the avoidance of doubt the revised plans will take precedence over any original plans that have not been revised or superseded in any of the supporting documents.

The revised development is for a 15m high monopole and with associated equipment and the pole and equipment is to be painted a dark colour (Fir Green)

3 STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION-MAKING

In accordance with Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), and paragraph 38 of the National Planning Policy Framework (NPPF) 2021, the Local Planning Authority has approached the assessment and determination of this application in a positive and creative way and, where appropriate, has worked pro-actively with the applicant to secure a development that is sustainable and that improves the economic, social and environmental conditions of the area, and that is in accordance with the Development Plan for the area.

In this instance, necessary revisions were identified and made to the proposal, at which point it was able to be determined.

4 KENT COUNTY COUNCIL (KCC) HIGHWAYS AND TRANSPORTATION

It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway.

Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because planning permission has been granted. For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

Across the county, there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the public highway. Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have highway rights over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls, which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process.

Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway approvals and consents have been obtained and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website: <https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>.

Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181

5 CONSULTATION OUTCOMES

Paragraph 117(a) of the NPPF (2021) requires the applicant to provide the outcome of consultations with organisations with an interest in the proposed development, in particular with the relevant body where a mast is to be installed near a school or college. The application states that there are no schools/colleges in close proximity to the proposed location

6 INTERNATIONAL COMMISSION GUIDELINES

Paragraph 117(c) of the NPPF (2021) also requires that for a new mast or base station a statement that self-certifies that, when operational, International Commission guidelines will be met. The applicant is, therefore, reminded to comply with the relevant ICNIRP guidance.

7 WORKS OF CONSTRUCTION

Hours of work of construction site plant, equipment and machinery, should be restricted to not earlier than 7.00 a.m. and not later than 6.00 p.m. weekdays and Saturday working should be restricted to not earlier than 8.00a.m. and not later than 1.00 p.m. No work shall be carried out on Sundays, Bank or Public Holidays.

i. Suitable sound attenuation shall be used at all times in respect of all plant, machinery and equipment in operation on site in order to aid prevention of noise nuisance. Compliance with BS 5228: Part 1: 1984 and subsequent amendments regarding the use of equipment on site will be required in appropriate cases.

ii. A suitable method of control shall be used in order to aid prevention of dust nuisance arising from work activities on site.

iii. Burning of waste materials shall not be carried out on site. Such materials are to be stored in a suitable receptacle, as far from residential accommodation as reasonably practicable, pending disposal off site.

iv. Adequate arrangements shall be made to remove all waste material from the site on a regular basis and to dispose of it at a suitably licensed waste disposal site.

Gravesham Borough Council