

Delegated Report

Telecommunications Works Application

Application no: 20250063

Location: Harvel House Farm Harvel Lane Meopham Gravesend

Description: The Electronic Communications Code (Conditions and restrictions) Regulations 2003 (as amended) - Regulation 5 Notice of removal _ replacement of 3 no. antenna and associated ancillary equipment works.

Applicant: Telent Technology Services Ltd

Site Visit Date: N/A

Submitted Documents/Plans

- Regulation 5 Licence Notification;
- Drawing no. 002 - Site Location Plan
- Drawing no. 100 – Existing Site Plan;
- Drawing no. 150 – Proposed Site Plan;
- Drawing no. 200 – Existing Site Elevation A;
- Drawing no. 250 Proposed Site Elevation A; and
- Declaration of Conformity with International Commission on Non-Ionizing Radiation Protection Public Exposure Guidelines.

Relevant Planning History

Reference	Description	Decision	Decision Date
20020730	Application for determination pursuant to Part 24 Class A of the Town and Country Planning (General Permitted Development) Order 1995 as to whether prior approval is required for a 15m high imitation grain silo tower with 6 no. dual band polar antenna and 4 no. 600mm transmission dishes internal to the silo with one equipment cabin measuring 2.8m(h) x 3.4m(w) x 4.5m(l) with 2 no. heat management units measuring 1.1m x 3.4m x 2.6m in an enclosed 8m x 12m compound.	Prior Approval Not Required	21.10.2002
19790112	Siting of pole mounted transformer	No objection	08.06.1979

Site Description

The application site is an imitation grain silo which houses telecommunications antennas which are attached to steelwork inside the silo. It is located to the rear of a barn in the farmyard of Harvel House Farm which is accessed off of Harvel Lane. To the north-east are real silos with a field beyond; to the east

are fields, to the south is the farmyard and to the west is the farmyard with a field beyond.

The existing imitation silo which houses the telecommunications equipment is 15m in height on a concrete base. There are 3 EE/H3G Huawei antennas on the silo mounted on support poles fixed to the steelwork inside the silo and also 3 dummy antennas mounted in the same way. There is also an EE/H3G 600mm dish mounted on a support pole fixed to the steelwork. There is an internal hooped access ladder to the antenna level within the silo and also an external hooped ladder access and entrance door to access the interior of the silo. Externally there is an EE/H3G Elliot Equipment cabinet and a EE/H3G Portastor Meter cabinet both on the concrete base.

The site is shown in the below map and arial image:





The imitation silo housing the telecommunications equipment is shown below:

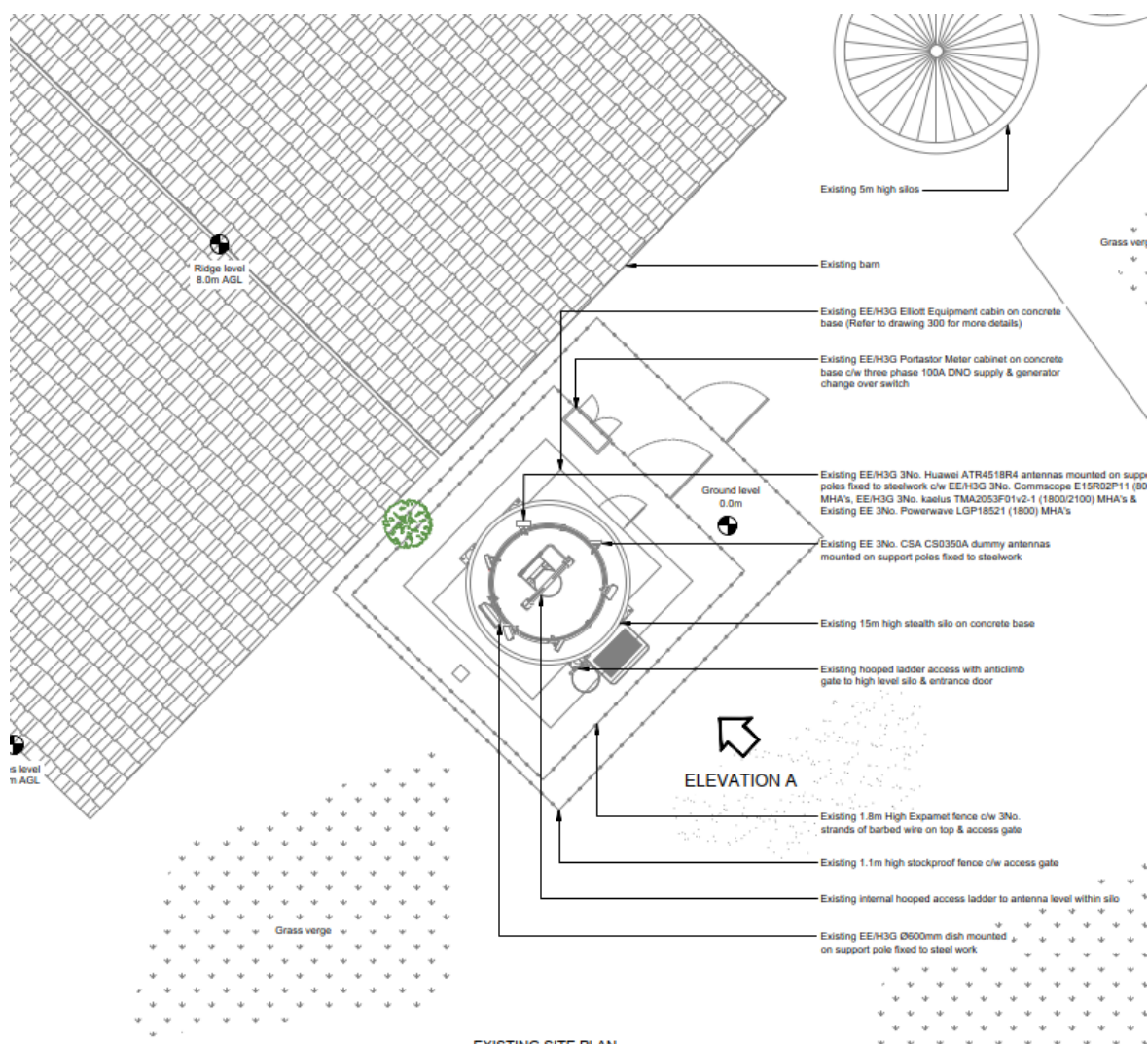


Proposed Development

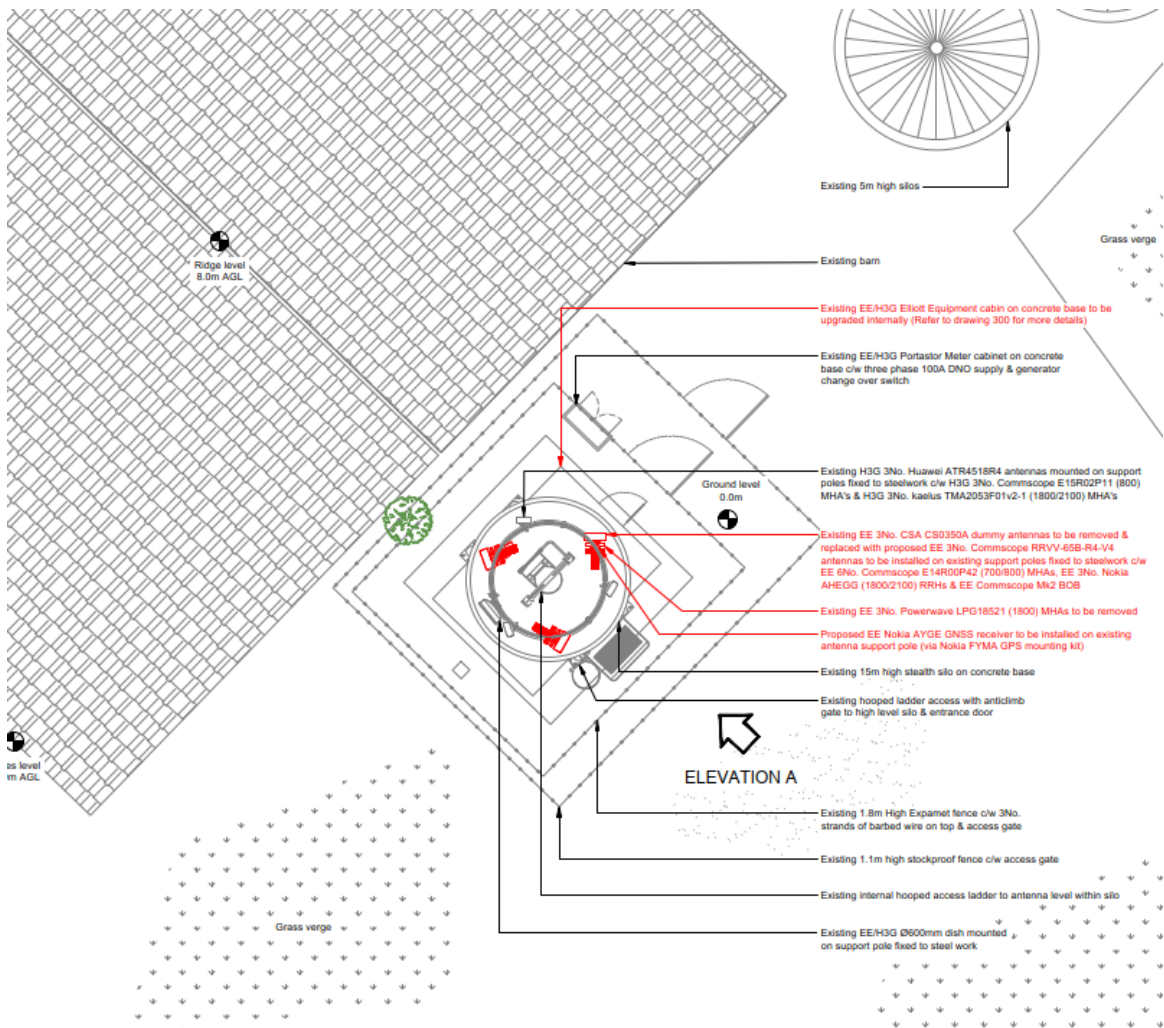
This is a 28 day notice application to:

- Remove and replace 3 existing EE dummy antenna with 3 Commscope RRVV-65B-R4-V4 antennas;
- Install an EE Nokia AYGE GNSS receiver on existing antenna support pole;
- Existing EE/H3G Elliot Equipment cabin on concrete base to be upgraded internally; and
- Removal of 3 EE Powerwave LPG18521 (1800) Mast Head Amplifiers (MHA's).

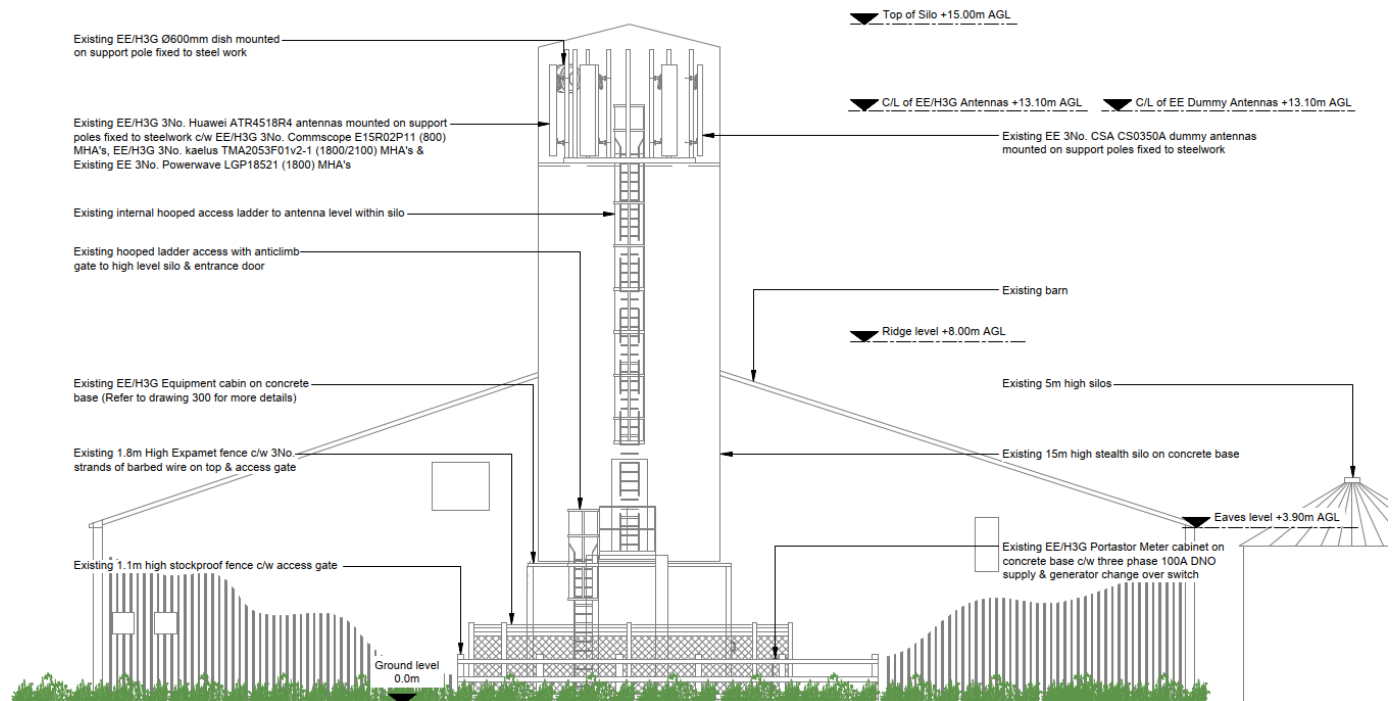
Existing block plan

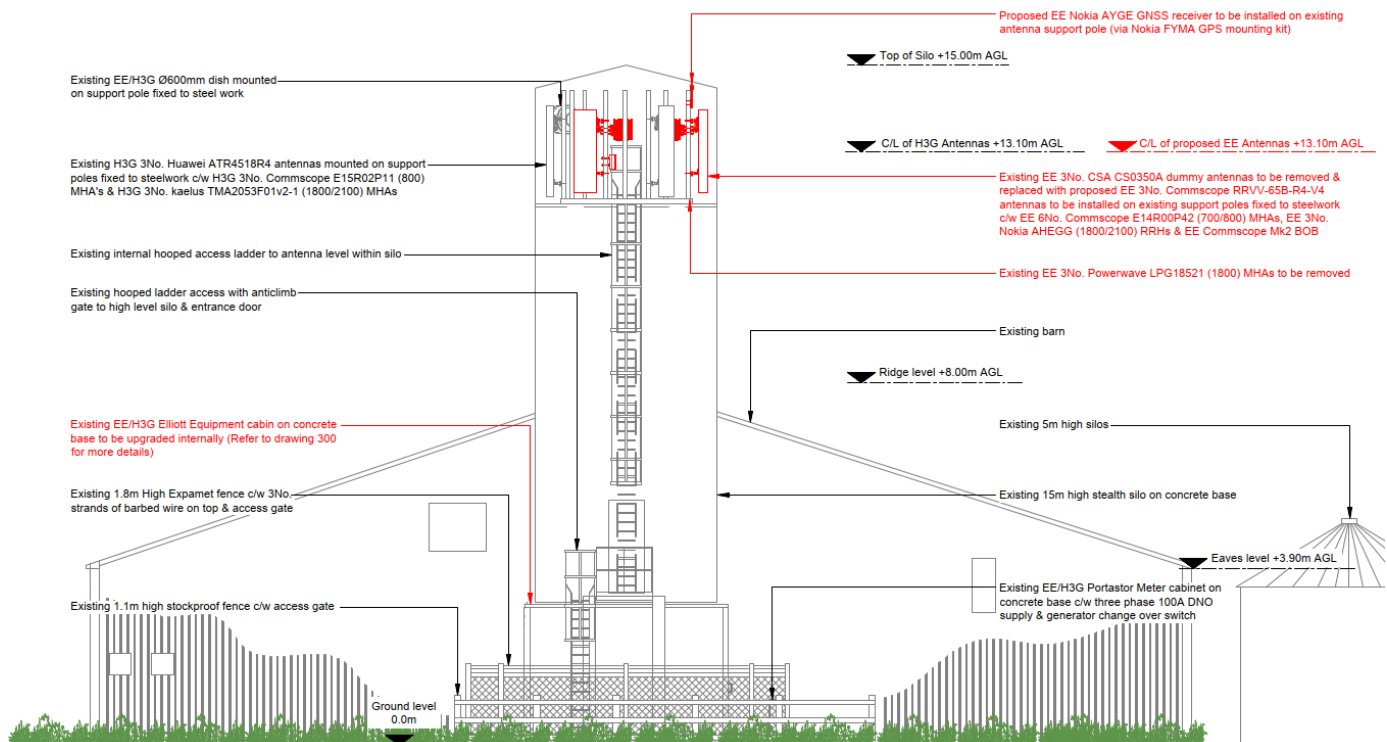


Proposed block plan



Existing imitation silo which houses the telecommunications equipment





Analysis

The communications Act 2003 interprets the following terms as laid out below:

Apparatus

Includes any equipment, machinery or device and any wire or cable and the casing or coating for any wire or cable.

Electronic Communication Apparatus

- (a) apparatus designed or adapted for use in connection with the provision of an electronic communications network,
- (b) apparatus designed or adapted for a use which consists of or includes the sending or receiving of communications or other signals that are transmitted by means of an electronic communications network,
- (c) lines, and
- (d) other structures or things designed or adapted for use in connection with the provision of an electronic communications network

The GPDO at Schedule 2, Part 16 provides the following definitions:

“permitted compound” means a compound which— (a) is no more than 100 square metres in area; and (b) has a closed perimeter;

Whether prior approval is required for the works would be assessed under the legislation within The Town and Country Planning (General Permitted Development) (England) Order 2015. Part 16, Schedule 2 of this details the requirements for Communications. Class A specifically addresses electronic communications code operators, which is applicable to this case. The requirements specific to this case are laid out in the table(s) below:

Class A – electronic communications code operators

Class A provides legislation which covers the following types of development within the electronic communication type:

A.1 (1) Ground Based apparatus

A.1 (2) Building-based apparatus other than small antenna and small cell systems

A.1 (3) Apparatus on Masts**A.1 (4) Antennas and supporting structures installed, replaced or altered on article 2(3) land or land which is a site of special scientific interest****A.1 (5) Electronic communications apparatus installed, replaced or altered on a dwellinghouse****A.1 (6) Small antennas installed, replaced or altered on a building which is not a dwellinghouse****A.1 (7) Ground or Base Area****A.1 (8) Driver Information Systems****A.1 (9) Radio Equipment Housing****A.1 (10) Public Call Box**

The sections of legislation which could most appropriately cover this proposal would be A.1 (1) Ground Based apparatus, A.1 (3) Apparatus on Masts, A.1(7) Ground or Base Area, and A.1 (9) Radio Equipment Housing. The other sections would not be relevant to the proposal.

Whether prior approval is required for the works would be assessed under the legislation within The Town and Country Planning (General Permitted Development) (England) Order 2015. Part 16, Schedule 2 of this details the requirements for Communications. Class A specifically addresses electronic communications code operators, which is applicable to this case. The requirements specific to this case are laid out in the table(s) below:

Class A - electronic communication code operates**Permitted development**

A. 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, consisting of—

(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.

A.1. Development not permitted: ground-based apparatus

Section of Legislation	Requirement	(Y/N)
A.1 (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—	(see assessment below)
(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;	N
(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;	N
(c)	in the case of the installation of a mast, the mast, excluding any antenna, would exceed a height of—	N/A

	(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;	
(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 of the 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; or	N/A
(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 third.	N/A

Development not permitted: apparatus on masts

Section of Legislation	Requirement	(Y/N)
A.1 (3)	Development consisting of the installation, alteration or replacement of electronic communications apparatus (other than an antenna) on a mast is not permitted by Class A(a) if the height of the mast (including the apparatus installed, altered or replaced) would exceed any relevant height limit specified in paragraph A.1(1)(c) or (d) or A.1(2)(a) or (b). For the purposes of applying the limit specified in paragraph A.1(2)(a), the words “taken by itself” in that paragraph are omitted.	N

Development not permitted: ground or base area

Section of Legislation	Requirement
A.1 (7)	Development consisting of the installation, alteration or replacement of any electronic communications apparatus other than—
(a)	a mast;
(b)	an antenna;
(d)	any apparatus which does not project above the level of the surface of the ground;
(e)	radio equipment housing;

is not permitted by Class A(a) if the ground or base area of the structure would exceed 1.5 square metres.

Comment – N/A

Development not permitted: radio equipment housing

Section of Legislation	Requirement	(Y/N)
A.1 (9)	Development consisting of the installation, alteration or replacement of radio equipment housing is not permitted by Class A(a) if—	(see assessment below)
(a)	the development is not ancillary to the use of any other electronic communications apparatus;	N
(b)	the cumulative volume of such development would exceed 90 cubic metres or, if located on the roof of a building, the cumulative volume of such development would exceed 30 cubic metres; or	N
(c)	on any land which is, or is within, a site of special scientific interest, any single development would exceed 2.5 cubic metres, unless the development is carried out in an emergency.	N/A not on SSI land

Assessment

The proposed development is for the removal of no. 3 dummy antennas and the installation of 3 no. replacement antennas on the steelwork inside the existing imitation grain silo, installation of a receiver on an existing antenna support pole and internal upgrading of one of the existing cabinets and removal of 3 mast head amplifiers.

The proposed development would not trigger the need for a prior approval assessment under paragraph A.2 (conditions) and the proposed works to the existing site are considered acceptable, as the development will not alter the amount of development on the site overall or its character.

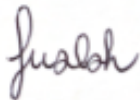
Conclusion

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

Case Officer:	Ms Rebecca Harrison	Team Leader:	Mrs Faye Walsh
Signed:	<i>Rebecca Harrison</i>	Signed:	
Dated:	17 February 2025	Dated:	18 February 2025