

Delegated Report

Telecoms

Planning Application No: 20260237

Location: Land Adjacent To 11 Dombey Close And 7 Brice Road, Higham ME3 7AE

Description: The Electronic Communications Code (Conditions and restrictions) Regulations 2003 (as amended) - Regulation 5 Notice of the installation of 1no. 9M Light Wooden Pole outside 11 Dombey Close and 1no. 10M Light Wooden Pole outside 7 Brice Road.

Applicant: Openreach

Site Visit Date: Desktop

Submitted Documents/Plans

Covering letter
Site location plan

Relevant Planning History

None relevant

Site Description

The application site is an area of pavement outside a residential property within a cul-de-sac (11 Dombey Close) and a corner property located on a junction (7 Brice Road). The site is located within the urban area inset from the Green Belt and outside of any designations.

Proposed Development

This is a 28-day notice application for the installation of fixed line broadband electronic communications apparatus. The wooden pole at 11 Dombey Close will be 9m high and the wooden pole at 7 Brice Road will be 10m high outside 7 Brice Road.

Analysis

A telegraph 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:

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 proposal is a mast and therefore this is not applicable.

(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 proposal is a mast and therefore this is not applicable.

(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 proposed masts will be 9m and 10m high respectively and therefore does not exceed these limits.

(d) in the case of the alteration or replacement of a mast, 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

The masts do not replace existing masts.

(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.

The masts do not replace existing masts.

A.1 (2) is not applicable as the equipment is not located on a building.

A.1 (3) is not applicable as no apparatus is proposed on the mast.

A.1 (4) is not applicable as the site is not within article 2 (3) land.

A.1 (5) is not applicable as the site is not a dwellinghouse.

A.1 (6) is not applicable as the site is not a building.

A.1 (7) is not applicable as the base area of the structure will not exceed 1.5sqm

A.1 (8) is not applicable as it does not relate to driver information systems.

A.1 (9) is not applicable as it does not consist of the installation, alteration or replacement of radio equipment housing.

A.1 (10) is not applicable as it is not a public call box.

A.2 lists conditions that could trigger the need for a prior approval assessment. 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 wooden poles in these locations is considered acceptable and will not have a significant impact on the surrounding character and appearance of the area.

Conclusion

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

Recommendation

Approval

Case Officer:	Mrs Alison Webster	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	4 March 2026	Dated:	4th March 2026