

Delegated Report

Telecommunication Works Application

Application no:	20250561
Location	Telecommunication Masts Thamesgate Shopping Centre Gravesend Kent
Proposal:	The Electronic Communications Code (Conditions and restrictions) Regulations 2003 (as amended) - Regulation 5 Notice of the removal and replacement of 3no. existing antennas with 6no. new antennas, 2no. transmission dishes alongside ancillary works.
Applicant:	Gilliford Try Digital Infrastructure
Site Visit	N/A Desktop Assessment

Submitted Documents/Plans

- Drawing No. 100 Rev A - Site Location Maps;
- Drawing No. 200 Rev B – Existing Site Plan;
- Drawing No. 201 Rev A – Proposed Site Plan;
- Drawing No. 300 Rev B – Existing West Elevation;
- Drawing No. 301 Rev C – Proposed West Elevation;
- General Background Information for Telecommunications Development – Cornerstone;
- Cornerstone Covering Letter (ref: 13606026_016616 O2) including ICNIRP Declaration; and
- Cornerstone Regulation 5 Notification Letter – dated 5th June 2025.

Relevant Planning History

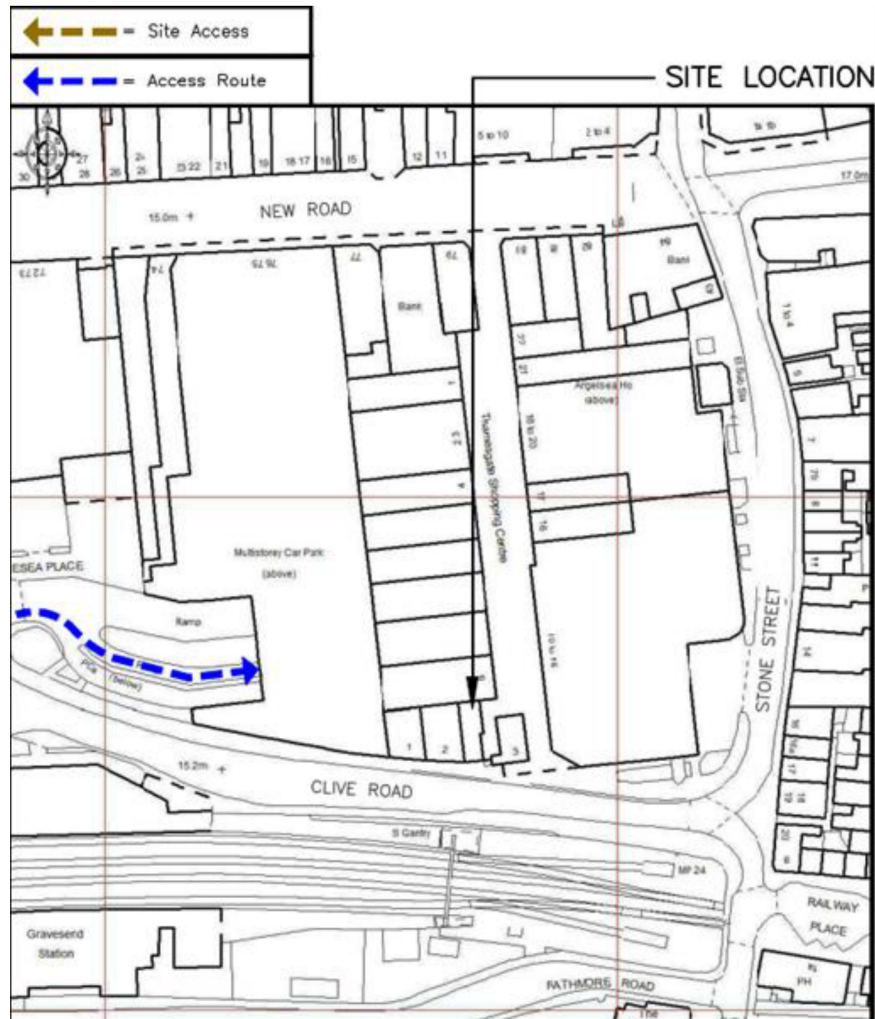
Reference	Description	Decision	Decision Date
20200734	Determination as to whether prior approval is required for the proposed replacement and upgrade of 3no. existing antennas with 6no. new antennas, the installation of 2no. microwave dishes, the replacement and installation of equipment within the existing cabin, along with ancillary works.	Returned (Invalid)	28.12.2023

Site Description

The application site is located on the roof of the Thamesgate Shopping Centre Gravesend Kent.

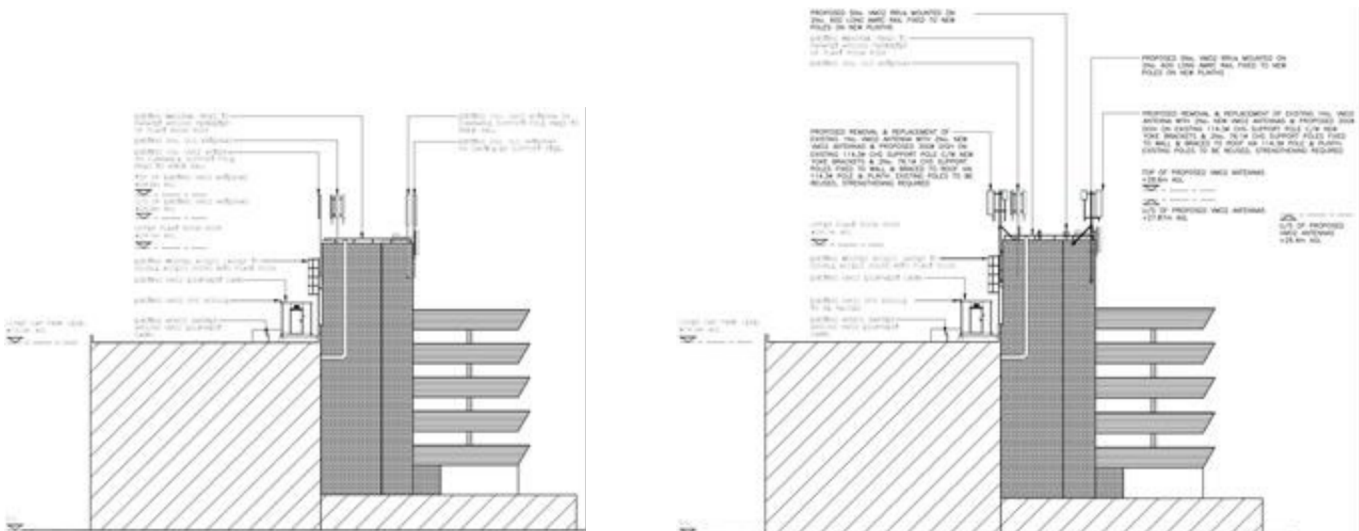
Proposed Development

This is a 28day notice application of the removal and replacement of 3no. existing antennas with 6no. new antennas, 2no. transmission dishes alongside ancillary works.



Existing

Proposed



Officer's Analysis

To determine whether planning permission is required for the works, the proposals should be assessed under the legislation within The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Part 16 within 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 below:

Class A – Electronic Communications Code Operators

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. (1) Development not permitted: ground-based apparatus

N/A – apparatus on a building.

A.1. (2) Development not permitted: building-based apparatus other than small antenna and small cell systems

Section of Legislation	Requirement	Has the requirement been met? (Y/N)
(2)	Development consisting of the installation, alteration or replacement of electronic communications apparatus (other than small antenna	(see assessment below)

	and small cell systems) on a building is not permitted by Class A(a) if—	
(a)	the height of the electronic communications apparatus (taken by itself) would exceed— (i) 15 metres, where it is installed on a building which is 30 metres or more in height; or (ii) 10 metres in any other case;	N/A (Building 24.47m) N (4m)
(b)	the highest part of the electronic communications apparatus when installed, altered or replaced would exceed the height of the highest part of the building by more than— (i) 10 metres, in the case of a building which is 30 metres or more in height; (ii) 8 metres, in the case of a building which is more than 15 metres but less than 30 metres in height; or (iii) 6 metres in any other case;	N/A N (4m) N/A
(c)	in the case of the installation, alteration or replacement of a mast on a building which is— (i) on article 2(3) land or land which is, or is within, a site of special scientific interest; and (ii) less than 15 metres in height, the mast would be within 20 metres of the highway (unless the siting remains the same and the dimensions of the altered or replaced mast are no greater);	N N (siting remains the same)
(d)	in the case of the installation, alteration or replacement of an antenna on a building (other than a mast) which is less than 15 metres in height; on a mast located on such a building; or, where the antenna is to be located below a height of 15 metres above ground level, on a building (other than a mast) which is 15 metres or more in height— (i) the antenna is to be located on a wall or roof slope facing a highway which is within 20 metres of the building on which the antenna is to be located; (ii) in the case of dish antennas, the size of any dish would exceed 0.9 metres or the aggregate size of all the dishes on the building would exceed 4.5 metres, when measured in any dimension; (iii) in the case of antennas other than dish antennas, the development would result in the presence on the building of— (aa) more than 3 antenna systems; or	N/A (building 24.47m)

	(bb) any antenna system operated by more than 3 electronic communications code operators; or (iv) the building is a listed building or a scheduled monument;	
(e)	in the case of the installation, alteration or replacement of an antenna on a building (other than a mast) which is 15 metres or more in height, or on a mast located on such a building, where the antenna is located at a height of 15 metres or above, measured from ground level— (i) in the case of dish antennas, the size of any dish would exceed 1.3 metres or the aggregate size of all the dishes on the building would exceed 10 metres, when measured in any dimension; (ii) in the case of antennas other than dish antennas, the development would be on a building which is less than 30 metres in height and would result in the presence on the building of— (aa) more than 5 antenna systems; or (bb) any antenna system operated by more than 3 electronic communications code operators; or (iii) the building is a listed building or a scheduled monument; or	N (not dish antenna) N (building less than 30m) Y 6no. antenna N N
(f)	in the case of the installation of an antenna on electronic communications apparatus on a building on article 2(3) land— (i) the size of any dish antenna to be installed would exceed 0.6 metres or the number of dish antenna which have been installed on the building since 21st August 2013 would exceed 3; or (ii) the height of any antenna other than dish antenna to be installed would exceed 3 metres, or the number of such antennas which have been installed on the building since 21st August 2013 would exceed 3.	N/A

A.1. (3) Development not permitted: apparatus on masts

N/A – development is not on a mast.

A.1. (4) Development not permitted: antennas and supporting structures installed, replaced or altered on article 2(3) land or land which is a site of special scientific interest

N/A – development is not on article 2(3) land.

A.1. (5) Development not permitted: electronic communications apparatus installed, replaced or altered on a dwellinghouse

N/A – development is not on a dwellinghouse.

A.1 (6) Development not permitted: small antennas installed, replaced or altered on a building which is not a dwellinghouse

N/A – as the antennas are not ‘small’. Small antennas are defined as:

- (a) is for use in connection with a telephone system operating on a point to fixed multi-point basis;
- (b) does not exceed 0.5 metres in any linear measurement; and
- (c) does not, in two-dimensional profile, have an area exceeding 1,591 square centimetres, and any calculation for the purposes of paragraph (b) or (c) excludes any feed element, reinforcing rim mountings and brackets;

A.1. (7) Development not permitted: ground or base area

N/A – development is on the roof.

A.1. (8) Development not permitted: driver information systems

N/A – development does not relate to driver information systems.

A.1. (9) Development not permitted: radio equipment housing

N/A – development is to install electronic communications apparatus/development ancillary to radio equipment housing, and does not consist of radio equipment housing itself.

A.1. (10) Development not permitted: public call box

N/A – not relevant to proposal.

Assessment

Conditions

Notwithstanding the above assessment of Class A.1, the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended permits Class A(a) development subject to conditions set out in A.2.

The proposed development would exceed the number of antenna systems permitted on a building that is less than 30 metres in height and therefore triggers the need for a prior approval assessment under paragraph Class A.2(3)(c)(i) (conditions), which states:

- (3) *Subject to sub-paragraph (5), Class A development –*
 - (c) *on unprotected land where the development consists of –*
 - (ii) *the alteration or replacement of a mast which, when completed—*
 - (aa) *is taller than the mast which existed prior to such alteration or replacement;*
- is permitted subject, except in case of emergency (in which case only paragraph A.3(12) applies), to the conditions set out in paragraph A.3 (prior approval).*

Due to the proposal seeking to install more than 3 antenna on a building less than 30m in height, the assessment of the proposal against A.3 (prior approval) is required.

For the avoidance of doubt, sub-paragraph (5) does not apply to this proposal.

(5) The conditions set out in paragraph A.3 (prior approval) do not apply in relation to Class A development on any article 2(3) land which consists of the construction, installation, alteration or replacement of a telegraph pole, cabinet or line in connection with the provision of fixed-line broadband.

Prior Approval

As part of the prior approval assessment, in addition to other requirements, the applicant is required to give notice of the development to the landowner in accordance with A.3(1)(a) and apply to the Local Planning Authority with regards to the siting and appearance of the development (A.3(4)).

In relation to the siting and appearance of A.3(4), the Local Planning Authority do not have concerns with the scale of apparatus on the building, in terms of height or location as they do not have increased visibility over and above existing, which would not have an adverse impact on the appearance of the building or the visual amenity of the area.

Conclusion

The proposed development requires prior approval under paragraph A.2(3)(c)(i) of Schedule 2, Part 16 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), however the Local Planning Authority consider that the siting and appearance of the development would not have an adverse impact on the host building in terms of virtue of scale, height and visibility.

Recommendation

Prior Approval Required and Granted

Case Officer:	Ms Amanda Cue	Team Leader:	Richard Hart
Signed:		Signed:	
Dated:	11th July 2025	Dated:	11th July 2025