



Delegated Report

Telecommunications Works Application

Planning Application No: 20250176

Location: Telecommunication Mast Mark Lane Norfolk Road Gravesend

Description: The Electronic Communications Code (Conditions and restrictions) Regulations 2003 (as amended) - Regulation 5 Notice of replacement and relocation of 17.5m pole supporting 6no. antennas with 20m pole supporting 12no. antennas, replacement and relocation of 2no. equipment cabinets, installation of 1 no. equipment cabinets and development ancillary thereto.

Applicant: WHP Telecoms Ltd

Site Visit Date: N/A

Submitted Documents/Plans

- Regulation 5 Licence Notification;
- Declaration of Conformity with International Commission on Non-Ionizing Radiation Protection Public Exposure Guidelines.
- Drawing no. 100 Rev. A – Site Location Maps;
- Drawing no. 200 Rev. A – Existing Site Plan;
- Drawing no. 201 Rev. A – Proposed Site Plan;
- Drawing no. 300 Rev. A – Existing Elevation;
- Drawing no. 301 Rev. A – Proposed Elevation.

Relevant Planning History

Reference	Description	Decision	Decision Date
20130787	Replacement of existing 15m monopole mast (total height 17.5m) with an alternative 17.5 metre high monopole mast, which will share several multiband antennas together with installation of 2 equipment cabinets and development works thereto.	Prior Approval Not Required	02.10.2013
20061047	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 the erection of a 15m high slim line mobile phone monopole with associated equipment cabinet and ancillary development.	Prior Approval Not Required	23.01.2007

Site Description

The application site is a telecommunication mast located on Mark Lane just south of the junction with Wharf Road. The Thames and Medway Canal is to the east, the railway to the south and industry to the north and west.

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



The mast and cabinets are shown below:

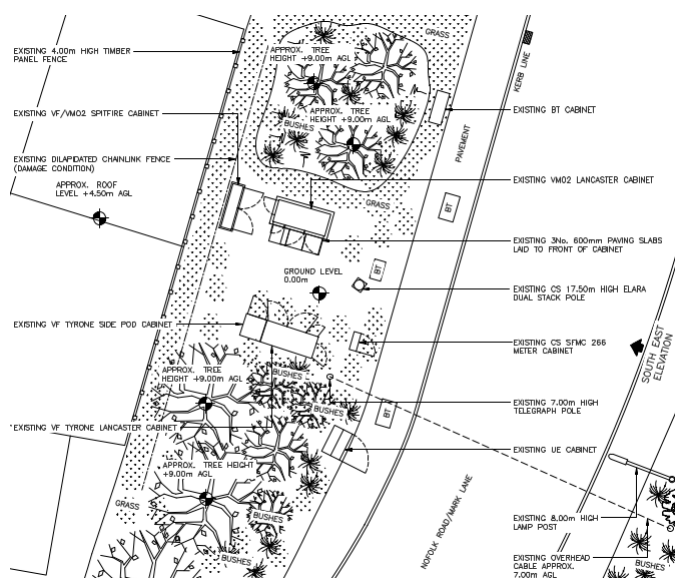


Proposed Development

This is a 28 day notice application for:

- Replacement and relocation of existing 17.5m pole supporting 6 no. antenna with a 20m pole supporting 12 no. antennas;
- Replacement and relocation of 2 no. cabinets and installation of 1 no. equipment cabinet and ancillary development.

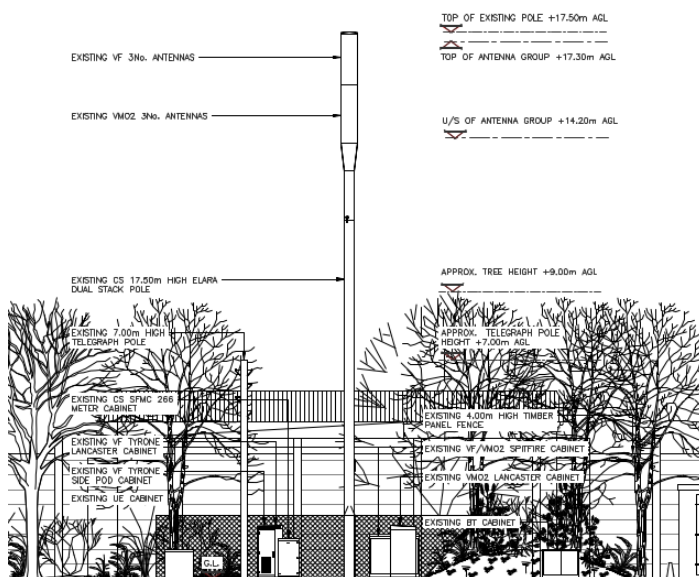
Existing Block Plan



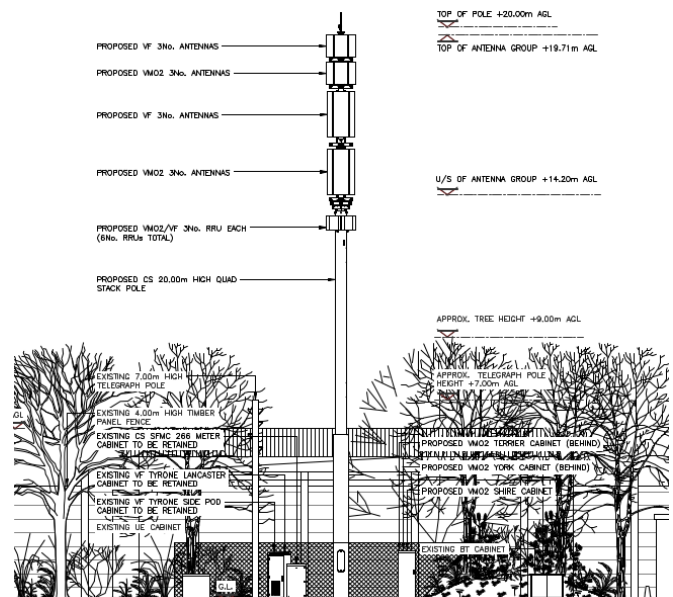
Proposed Block Plan



Existing Elevation



Proposed Elevation



Officer's Analysis

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	N

	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;	
(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;	N/A
(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
(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

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
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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 would not trigger the need for a prior approval assessment under paragraph A.2 (conditions), as although the mast exceeds the height of the existing mast the replacement does not exceed a height of 25m above ground level and therefore does not meet the requirement of A.2 (3) (c) (ii). Nevertheless, 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 alteration and subsequent increase in height to the existing monopole in this location is considered acceptable. Although the new mast will be approx. 3.7m to the west of the existing pole and would be located further back from the pavement edge. The application site is in an industrial area and telecommunications apparatus has been in situ for 19 years and so there would not be any significant detriment to the character of the area.

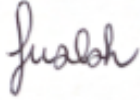
Conclusion

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:	20th March 2025	Dated:	21 March 2025