



Delegated Report

Telecommunication Works Application

Planning Application No: 20260465

Location: Telecommunication Mast Woodlands Park Wrotham Road Gravesend

Description: The Electronic Communications Code (Conditions and restrictions) Regulations 2003 (as amended) - Regulation 5 Notice of Removal of 11.7m PH4 monopole supporting 3no. antennas and replacement with 18m PH7 monopole supporting 9no. antennas, removal of 1no. cabinet and replacement with 2no. cabinets, ancillary works.

Applicant: WHP Telecoms Ltd

Submitted Documents/Plans

Regulation 5 Letter
002 Site Location Plan
100 Existing Site Plan
150 Proposed Site Plan
200 Existing Site Elevation
250 Proposed Site Elevation

Relevant Planning History

Reference	Description	Decision	Decision Date
20191289	The removal of the existing 11.7 metre high monopole (supporting 3 no. antennas) and its replacement with a new 20 metre high monopole supporting 12 no. antenna apertures and 2 no. 300mm dishes, 7 no. additional equipment cabinets at ground level and ancillary development thereto.	Application Refused	16.04.2020
20141225	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 siting and design of a replacement 12.0m streetworks tower swap out and associated works	Prior Approval Not Required	12.02.2015
AP2005/0035/REF	Application for the prior approval for the siting of one 11.7m high 'flag pole' mobile phone mast incorporating one antenna, radio equipment housing and ancillary development.	Appeal Allowed	25.04.2006
20050494	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 11.7m high 'flag pole' mobile phone mast incorporating one antenna, radio equipment housing and ancillary development.	Application Refused	29.07.2005

Proposed Development

This is a 28-day notice application to:

- Remove the existing 11.7m high monopole with 3 antennas
- Remove existing 1no. cabinet
- Install a replacement 18m high monopole with 9no. antennas
- Install 2no. cabinets
- Ancillary works

Relevant Definitions:

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:

“development ancillary to radio equipment housing” means the construction installation, alteration or replacement of structures, equipment or means of access which are ancillary to and reasonably required for the purposes of the radio equipment housing, and except on any land which is, or is within, a site of special scientific interest includes—

(a)security equipment;

(b)perimeter walls and fences; and

(c)handrails, steps and ramps;

“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 details the requirements for Communications. Class and Country Planning (General Permitted Development) (England) Order 2015. Part 16, Schedule 2 of this 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

This application is not covered by article 2(3) land. The sections of legislation which would most appropriately cover this proposal would be A.1 (1) Ground Based apparatus and A.1(9) Radio Equipment Housing. No other sections would be relevant to the proposal.

A.1(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 The antennas would be located at a maximum height of 17.3m
(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 The antennas would be located at a maximum height of a 17.3m
(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;	Y The mast/monopole proposed would be 18m in height.
(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	Y The mast/monopole proposed would be 18m in height.
(e)	in the case of the alteration or replacement of a mast—	Y

	(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.	Not on a SSSI
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A.1(9) 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;	Y
(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	Y Existing Link Cabinet: 0.667m3 Existing Weston Cabinet: 1.638m3 Existing Fredo Cabinet: 1.587m3 Proposed Bowler Cabinet: 3.0996m3 Proposed H3G Cabinet: 0.782m3 Total: 7.7736m3
(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.	Y Not in a SSSI
(9A)	(9A) Sub-paragraph (9)(b) and (c) does not apply where the development is carried out within a permitted compound (and accordingly the development described in that sub-paragraph is permitted by Class A(a)).	Y Not on a permitted compound

The proposed development would fail to comply with parts a and b of A.1(1) Development not permitted: ground-based apparatus, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), as the proposed antennas would be greater than 15m high and above the existing antenna height of 10.9m high.

In addition, the installation of an 18m high mast and the scale and appearance of the antennas proposed, fronting an area of trees and parkland, in a highly visible location on the corner of two roads. It is the Council's view that the siting and appearance of the development in this location would have a detrimental impact on the character and appearance of the area and so an objection is raised on that basis.

Conclusion

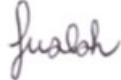
The proposed development would fail to comply with parts a and b of A.1(1) Development not permitted: ground-based apparatus, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) as the proposed antennas would be greater than 15m high and above the existing antenna height of 10.9m high.

The Local Planning Authority object to the siting and scale of the proposed development as it is not 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) and therefore requires an application for prior approval or a planning application.

Recommendation

Objection.

(see draft Decision)

Case Officer:	Mrs Lisa Fisher	Team Leader:	Mrs Faye Walsh
Signed:		Signed:	
Dated:	26th May 2026	Dated:	26 May 2026