

Delegated Report

Telecommunications Works Application

Application no:	20240183
Location:	Copperfield Close Gravesend Kent
Description:	The Electronic Communications Code (Conditions and restrictions) Regulations 2017 Regulation 5 Notice of Intention to install 2x9m Light poles.
Applicant:	Parinika Lanka
Site Visit Date:	N/A

Submitted Documents/Plans

- Consultation Letter.

Relevant Planning History

No relevant planning history.

Site Description

The application site is located within the urban area of Gravesend and is on a residential street.

Proposed Development

This is a 28 day notice application install fixed line broadband electronic communications apparatus in respect of the provision of 2x9m Light poles. One pole would be located to the front of no. 6 Copperfield Close and the other would be located further along Copperfield Close (to the side of no. 145 Lower Higham Road).

Analysis

A fixed line broadband electronic communications apparatus 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:

(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—

(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 two fixed line broadband electronic communications apparatus light poles, as proposed, would both

have a height of 9m. Therefore, this falls below the maximum height requirement of A.1 (1) (a) of the GPDO.

(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 proposed development is for the installation of two fixed line broadband electronic communications apparatus light poles, not altering or replacing existing equipment therefore A.1 (1) (b) is not relevant.

*(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 submitted plan shows that both poles would be located on a highway, however the poles would not exceed a height of 25m.

*(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 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;*

The proposed development is for the installation of two fixed line broadband electronic communications apparatus light poles, not altering or replacing an existing mast therefore A.1 (1) (d) is not relevant.

*(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 this*

The proposed development is for the installation of two fixed line broadband electronic communications apparatus light poles, not altering or replacing an existing mast therefore A.1 (1) (e) is not relevant.

Moreover, the proposed development would not trigger the need for a prior approval assessment under paragraph A.2 (conditions). However, 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 the two fixed line broadband electronic communications apparatus light poles in the two locations shown is considered acceptable. The site is located in the urban area where Copperfield Close is commonplace in containing a number of streetlamps. Indeed there is a street lamp already located outside no. 6 Copperfield Close so the proposed light pole at this location would not look out of keeping in respect of height and appearance. At the location further along Copperfield Close which is to the side of no. 145 Lower Higham Road there is a street lamp in close proximity so again the proposed light pole would not look incongruous in the streetscene. However the cumulative addition of the proposed poles with the existing poles could result in deterioration of the character of the area, particularly due to the modest nature of Copperfield Close and we would like this observation to be taken into consideration.

It is prudent to note that there is another application currently being considered for the installation of 2 x 9m wooden fixed broadband electronic communications apparatus poles in Copperfield Close (ref. 20240163) where one pole is proposed outside no. 6 Copperfield Close and the other to the side of no. 145 Lower Higham Road. This current application ref. 20240183 has been assessed on its individual merits and the existing situation in Copperfield Close.

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). However the cumulative addition of the proposed poles with the existing poles could result in deterioration of the character of the area, particularly due to the modest nature of Copperfield Close and should be taken into consideration.

Recommendation

No objection.

See draft Decision

Case Officer:	Ms Rebecca Harrison	Team Leader:	Miss Faye Hobbs
Signed:	<i>Rebecca Harrison</i>	Signed:	
Dated:	12th March 2024	Dated:	12 March 2023