



# Delegated Report

## Telecommunications Works Application

**Planning Application No:** 20231098

**Location:** Communication Station 76 Vale Road Northfleet Gravesend

**Description:** The Electronic Communications Code (Conditions and restrictions) Regulations 2003 (as amended) - Regulation 5 Notice of Existing monopole to be replaced with new (overall height to remain as existing). 6 No. new antenna to be located on the headframe along with 9 No. RRU's. The existing 2 No. 0.3m dish to be relocated on the new pole at 13.9m.

**Applicant:** Gill Marshall

### Submitted Documents/Plans

100B – Site Location Maps  
200B – Existing Site Plan  
201B – Proposed Site Plan  
300B – Existing Site Elevation  
301B – Proposed Site Elevation  
ICNIRP Declaration Letter  
Regulation 5 Letter  
General Background Information for Telecommunications Development

### Relevant Planning History

| Reference | Description                                                                                                                                                                                                                                                                                                                                                                   | Decision     | Decision Date |
|-----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|---------------|
| 20230581  | The Electronic Communications Code (Conditions and restrictions) Regulations 2003 (as amended) - Regulation 5 Notice of the replacement of the existing 17.5m monopole with a new 22.5m monopole, accommodating 9no. new antennas, 2no. microwave dishes and RRU's, the replacement/installation of equipment with existing equipment cabin along with minor ancillary works. | No Objection | 14.06.2023    |
| 20230388  | The Electronic Communications Code (Conditions and restrictions) Regulations 2003 (as amended) - Regulation 5 Notice of Intention to upgrade Base Station.                                                                                                                                                                                                                    | No Objection | 03.05.2023    |
| 20230406  | The Electronic Communications Code (Conditions and restrictions) Regulations 2003 (as amended) - Regulation 5 Notice of removal & replacement of the existing 3No. VF antenna with 6No. new VF antenna, relocation of the existing 2No. 0.3m dishes, installations of 1No. new 0.6m dish installed at 13.93m and internal alterations to the existing cabin.                  | No Objection | 03.05.2023    |

|          |                                                                                                                                                                                                                                                                                                    |                             |            |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|------------|
| 20020728 | 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 a replacement 15m high non-standard monopole mast with 6 no. antennae and 2 no. microwave dishes.               | Prior Approval Not Required | 11.10.2002 |
| 19980215 | Notice under Section 7 of the Telecommunications Act 1984 for erection of a replacement 15 metre high free standing tubular telecommunications pole supporting 3 no. back to back cross-polar antennas and 2 no. microwave dish antenna and construction of an equipment cabin and 5 no. bollards. | Prior Approval Required     | 27.04.1998 |
| 19950119 | Notice under section 7 of the Telecommunications Act 1984 for erection of free standing 15 metres high telecommunication pole, mounted with 2no. omni-directional antennae and 1 dish antennae; and siting of equipment cabinet.                                                                   | Prior Approval Not Required | 03.04.1995 |

### Proposed Development

This is a 28day notice application for:

- Replacement of existing monopole.
- Replacement of 6no. new antenna and 9no. RRU;s
- Relocation of existing 2no. 0.3m dishes at 13.9m
- Installation of 1no. 0.6m dish
- Internal refreshment of existing equipment cabin

### 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

### Officer's Analysis

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**

This application does not form part of an area covered by article 2(3) land or an area of special scientific interest. The section of legislation which would most appropriately cover this proposal would be A.1 (1) Ground Based apparatus, A.1 (3) Apparatus on Masts. No other sections would be relevant to the proposal.

**A.1 (1) Ground Based apparatus**

| Section of Legislation | Requirement                                                                                                                                                                                                                                                                                                                                                          | Has the requirement been met? (Y/N)                                  |
|------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------|
| <b>1</b>               | 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                                                 |
| <b>1(a)</b>            | (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;                                                                                                                                                                          | Y<br><br>Only the mast and antenna would exceed 15 metres in height. |
| <b>1(b)</b>            | (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;                                        | Y<br><br>Only the mast and antenna would exceed 15 metres in height. |
| <b>1(c)</b>            | (c)in the case of the installation of a mast, the mast, excluding any antenna, would exceed a height of—<br>(i) 30metres above ground level on unprotected land; or<br>(ii) 25 metres above ground level on article 2(3) land or land which is on a highway;                                                                                                         | Y<br>See 1(d) for replacement of mast                                |
| <b>1(d)</b>            | (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—<br>(i)30 metres above ground level on unprotected land; or<br>(ii)25 metres above ground level on article 2(3) land or land which is on a highway; or | Y<br>Replacement mast would be 17.5m high                            |
| <b>1(e)</b>            | (e)in the case of the alteration or                                                                                                                                                                                                                                                                                                                                  | Y                                                                    |

|  |                                                                                                                                                                                                                                        |  |
|--|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
|  | replacement of a mast—<br>(i)the mast is on any land which is, or is within, a site of special scientific interest; and<br>(ii)the mast would, when altered or replaced, exceed the original width of the mast by more than one third. |  |
|--|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|

### A.1 (3) Apparatus on Masts

| Section of Legislation | Requirement                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Has the requirement been met? (Y/N)                          |
|------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|
| <b>3</b>               | 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. | Y<br><br>Height limitations in relevant policy complied with |

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.

It is considered that that the works proposed which would replace the existing monopole with one of 17.5m height, replace 6 antennas and 9 no. RRU;s, relocation of 2no. dishes and installation of an addition 0.6m dish with internal changes to the equipment cabin, would whilst appearing slightly taller and with minor variances in position of apparatus on the antenna and providing 1 additional dish would have no significant effect on the external appearance of the surrounding area. It is therefore determined that the siting and appearance of the development would be acceptable and planning permission would not be required for the development.

(For detailed conditions / reasons for refusal and informatives, see draft Decision)

|                      |                                                                                     |                     |                                     |
|----------------------|-------------------------------------------------------------------------------------|---------------------|-------------------------------------|
| <b>Case Officer:</b> | Ms Lisa Williams                                                                    | <b>Team Leader:</b> | <b>Richard Hart</b>                 |
| <b>Signed:</b>       |  | <b>Signed:</b>      | <i>R Hart</i>                       |
| <b>Dated:</b>        | 9th November 2023                                                                   | <b>Dated:</b>       | <b>9<sup>th</sup> November 2023</b> |