



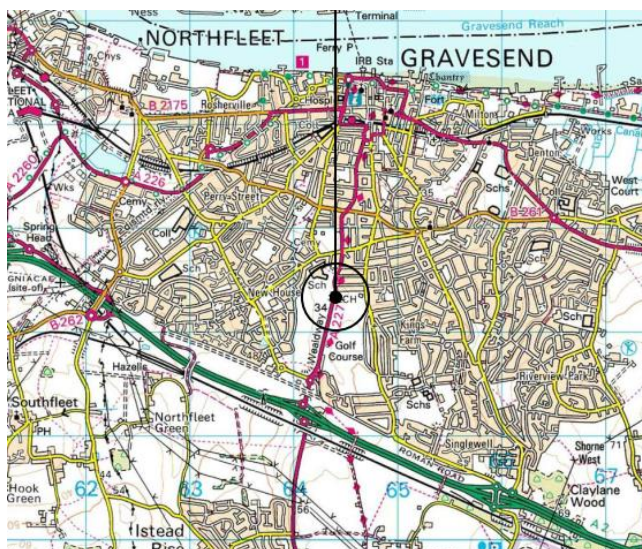
Delegated Report

Telecommunication Works Application

Application No:	20240107
Location:	Base Station Highway Land Wrotham Road, Gravesend, Kent, DA11 7LJ
Description:	The Electronic Communications Code (Conditions and restrictions) Regulations 2003 (as amended) - Regulation 5 Notice of Intention to Install replacement and relocation of 17.5m pole supporting 6no. antennas with 20m pole supporting 12no. antennas, removal of 1no. equipment cabinet, installation of 3no. equipment cabinets and development ancillary thereto.
Applicant:	Cornerstone

Site Description

The application site is located to the eastern side of Wrotham Road within the urban area.



The telecommunications station has been in situ since approx. 2005.



Relevant Planning History

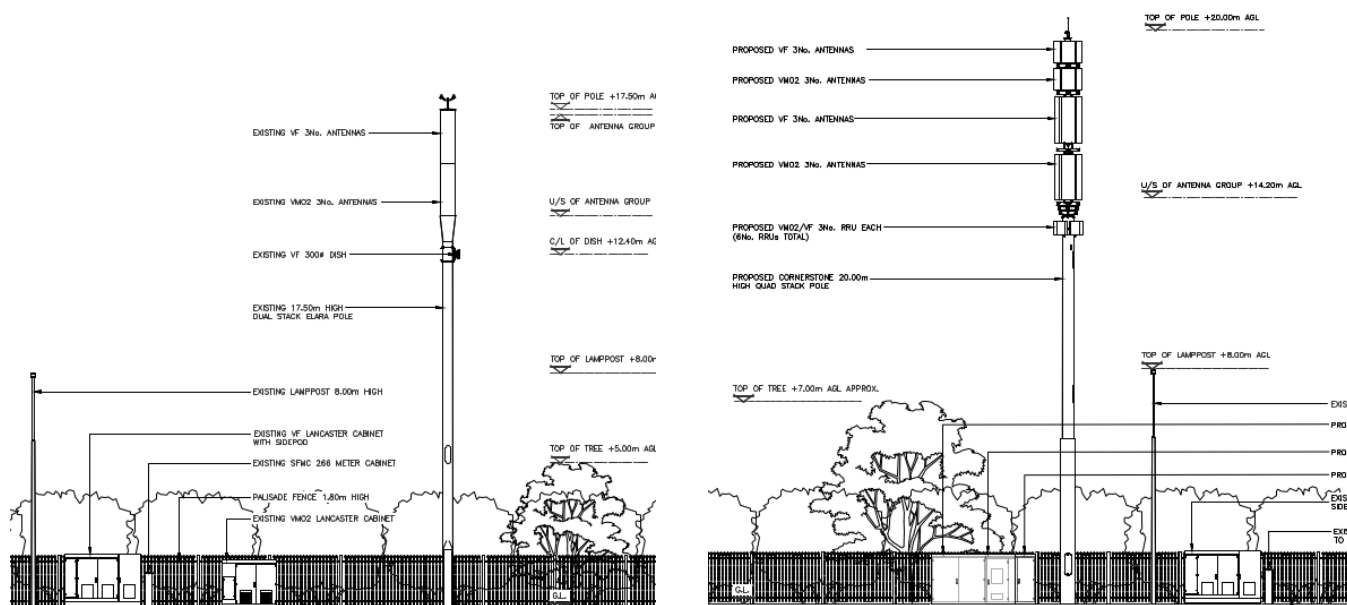
Reference	Description	Decision	Decision Date
20140923	Application for determination pursuant to Part 24 Class A of the Town and Country Planning (General Permitted Development) Order 1995 as to whether prior approval is required for the siting and design of a 15m high street pole antenna, cabinets and ancillary development.	TELECOMMS APPROAL	20.11.2014
20050088	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 10 metre high mobile phone monopole and ancillary works.	TELECOMMS APPROAL	22.03.2005

Submitted Documents/Plans

- Covering Letter from Cornerstone – dated 02 February 2024;
- ICNIRP Public Exposure Guidelines Letter from Cornerstone – dated 02 February 2024;
- Supplementary Information – General Background Information for Telecommunications Development by Cornerstone;
- Drawing no. 100 – Rev. A – Site Location Plans;
- Drawing no. 200 – Rev. A – Site Plan as Existing;
- Drawing no. 201 – Rev. A – Site Plan as Proposed;
- Drawing no. 300 – Rev. A – Elevation as Existing;
- Drawing no. 301 – Rev. A – Elevation as Proposed.

Proposed Development

This application proposes the replacement and relocation of the 17.5m monopole mast, with a new 20m monopole. As part of the works one of the existing ground-based cabinets will be replaced by three new radio equipment housing cabinets.



The new monopole mast and ground-based apparatus will be repositioned approx. 17m to the north of the existing mast.

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 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 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
(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/A

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/A

Development not permitted: ground or base area

Section of Legislation	Requirement
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.	
N	

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	N/A

	building, the cumulative volume of such development would exceed 30 cubic metres; or	
(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 is for the replacement and relocation of the existing monopole mast, with a new 20m monopole, located approx. 17m to the north of the existing structure. The development would trigger the prior approval assessment by virtue of the increased width of the replacement mast by two thirds above the existing mast (circa 0.3m – 0.5m) (A.2 (3)(d)(ii)(aa) of Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)), which triggers the consideration of conditions set out in A.3 (Prior Approval).

The 17m relocation of the mast is considered to be significantly beyond the telecommunications site, spreading the development further north along the footway and would therefore require separate consent. This would trigger A.3 (1) of Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), where the landowner must be served notice of the development.

Conclusion

An application for prior approval of the proposed development is required.

Case Officer:	Mr Ethan Bonthron	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	22 nd February 2024	Dated:	23 February 2024