



Delegated Report

Planning Application

Planning Application No: 20240148

Location: Communication Station, Cascades Leisure Centre, Thong Lane, Gravesend

Description: The Electronic Communications Code (Conditions and restrictions) Regulations 2003 (as amended) - Regulation 5 Notice of the proposed upgrade to the existing 15.00m High Pole at Cascades Golf Driving Range, Cascades Leisure Centre, Thong Lane, Gravesend, Kent, DA12 4LG, NGR: E: 567234 N: 171985.

Applicant: Shell Kelly

Site Visit Date: Desktop

Submitted Documents/Plans

Covering letter
ICNIRP Declaration
General Background Information for Telecommunications Development
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 site elevation)
Drawing no. 301 rev A (proposed site elevation)

Relevant Planning History

20130687	Application for the prior approval of the 15 metre high Elara column with antennas with shroud along with additional cabinets and ancillary development.	Prior approval not required	09.09.2013
20050237	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 erection of a 15 metre high mobile phone 'flagpole' incorporating three antenna and ancillary development.	Prior approval not required	22.04.2005
20050236	Application for determination pursuant to Part 24 Class A of the Town and Country Planning	Refused	22.04.2005

	(General Permitted Development) Order 1995 as to whether prior approval is required for erection of a 15 metre high mobile phone 'flagpole' incorporating one antenna and ancillary development (OPTION 1).		
20050235	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 erection of a 15 metre high mobile phone 'flagpole' incorporating one antenna and ancillary development. (OPTION 1)	Refused	22.04.2005
20050234	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 15 metre high mobile phone 'flagpole' incorporating one antenna radio equipment housing and ancillary development.	Prior approval not required	22.04.2005
20050233	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 15 metre high mobile phone 'flagpole', incorporating one antenna, radio equipment housing and ancillary development.	Prior approval not required	22.04.2005
20050232	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 15 metre high mobile phone 'flagpole', incorporating one antenna, radio equipment housing and ancillary development. (OPTION 1)	Refused	22.04.2005
19990757	Installation of a 15m high monopole supporting 3 no. sector antennae and 4 no. transmission	Prior approval not required	06.12.1999

dishes, erection of an equipment cabin, an electrical meter cabinet and relocation of palisade fence with access gates.

Site Description

The application site is an existing telecoms compound located outside of the rear fence of the golf driving range. The site is located within the Green Belt.

Proposed Development

This is a 28-day notice application for the upgrade of the 15m high pole. The existing 15m high pole and three antennas will be removed and replaced with a 17.5m high pole with six antennas on a new root foundation. Two 300mm dishes are to be installed and ancillary works. The existing three cabinets will be upgraded internally. It will provide a better mobile service.

Analysis

A telegraph 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:

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 proposal is a mast and therefore this is not applicable.

(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 proposal is a mast and therefore this is not applicable.

(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 proposed mast will be 17.5m and therefore does not exceed these limits.

(d) in the case of the alteration or replacement of a mast, 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

The mast will not exceed 30m.

(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.

The mast is not on land within a site of special scientific interest.

A.1 (2) is not applicable as the equipment is not located on a building.

A.1 (3) is not applicable as the only apparatus proposed on the mast is antenna.

A.1 (4) is not applicable as the site is not within article 2 (3) land.

A.1 (5) is not applicable as the site is not a dwellinghouse.

A.1 (6) is not applicable as the site is not a building.

A.1 (7) is not applicable as the base area of the structure does not exceed 1.5sqm

A.1 (8) is not applicable as it does not relate to driver information systems.

A.1 (9) is not applicable as it does not consist of the installation, alteration or replacement of radio equipment housing.

A.1 (10) is not applicable as it is not a public call box.

A.2 lists conditions that could trigger the need for a prior approval assessment. 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 a taller mast in this location is considered acceptable. There is an existing mast on the site which will be removed and the replacement will be only 2.5m higher which, set against the backdrop of the driving range and its chain link boundary fencing, will not have a significant impact on the surrounding character and appearance of the area.

Conclusion

The proposed development is 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).

Recommendation

Approval

Case Officer:	Mrs Alison Webster	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	27 February 2024	Dated:	28th February 2024