

Delegated Report

Telecommunication Works Application

Planning Application No: 20240712

Location: Telecommunication Mast At Colewood Reservoir Watling Street Cobham
Gravesend

Description: The Electronic Communications Code (Conditions and Restrictions) Regulations 2003 (as amended) - Regulation 5 Notice of the installation of 3 no. proposed antennas on new poles. Existing 3 no. antennas to be relocated to new poles. Removal of 1 no. cabinet and installation of 1 no. proposed cabinet.

Applicant: Natalia Satterthwaite, Waldon Telecom

Submitted Documents/Plans

Cover Letter
ICNIRP Declaration
002 – Site Location Plan
004 – Lease Demise
100 - Existing Site Plan
150 – Proposed Site Plan
200 – Existing Site Elevation A
250 – Proposed Site Elevation A

Relevant Planning History

Reference	Description	Decision	Decision Date
20211441	Application for determination pursuant to Part 16 Class A of the Town and Country Planning (General Permitted Development) Order 2015, as amended, as to whether prior approval is required for proposed upgrade to existing 22.0m High Lattice Tower on concrete base (Top of Tower +23.55m AGL) and associated ancillary works.	Prior Approval Not Required	17.01.2022
20190438	Removal of 3 no. antennas on existing mast and installation of 6 no. antennas and 3 no. 600 millimetre dish antennas and associated apparatus, removal of 3 no. equipment cabinets at ground level and installation of 9 no. equipment cabinets and associated ancillary works.	Permitted	28.06.2019
20100144	Replacement of existing antennas on existing mast and installation of cabinet within existing compound.	Permitted	16.04.2010
20061075	Installation of one 1200mm dish, three 600mm dishes and one 300mm dish on the existing mast.	Permitted	12.02.2007
20020916	Installation of a 22.5 metre high lattice mast with three antennae, four dishes, equipment cabinet and	Permitted	10.03.2003

	associated development.		
19980363	Retention of 3 metre high anti-vandal steel palisade fence, security gates, kerbing and stile.	Permitted	23.07.1998
19970823	Earth modelling in connection with proposed Channel Tunnel Rail Link.	Permitted	15.01.1998
19940159	Notice under Section 7 of the Telecommunications Act 1984 for the temporary siting of a mobile installation comprising vehicle, equipment cabinet and trailer mounted with 15m, high radio tower.	Prior Approval Not Required	07.04.1994
19910355	Application for the variation of conditions (iii) and (iv) of planning permission ref. no. GR89/744 for use of land as a cellular radio transmitter station.	Permitted	20.06.1991
19890744	Use of land as a transmitter station incorporating the erection of a single storey cellular radio base station enclosed by a 3m high mesh fence.	Permitted	15.02.1991
19880336	Use of land as a Transmitter Station incorporating the erection of a single storey cellular radio base station enclosed by a 3m high mesh fence.	Permitted	28.06.1988
19520163	Erection of a switching station	Permitted	15.07.1952

Development Plan

Proposed Development

This is a 28day notice application to:

- Install 3no. proposed antennas on new antenna support poles on existing mast
- Relocate 3no. existing support poles on existing mast.
- Removal of 1no. cabinet
- Installation of 1no. cabinet

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 Scheule 2, Part 16 provides the following definitions:

- “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 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 is covered by article 2(3) land as it is in the National Landscape. The sections of legislation which would most appropriately cover this proposal would be A.1 (1) Ground Based apparatus, 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(7) Ground or Base Area, and A.1 (9) Radio Equipment Housing. 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)
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
1(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
1(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
1(c)	in the case of the installation of a mast, the mast, excluding any antenna, would exceed a height of— (i) 30metres above ground level on unprotected land; or	N/A

	(ii) 25 metres above ground level on article 2(3) land or land which is on a highway;	
1(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
1(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.	Y

A.1 (3) Apparatus on Masts

Section of Legislation	Requirement	Has the requirement been met? (Y/N)
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.	Y

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

Section of Legislation	Requirement	Has the requirement been met? (Y/N)
4	Development consisting of the installation, alteration or replacement of an antenna, a mast or any other apparatus which includes or is intended for the support of an antenna, or the replacement of an antenna or such apparatus by an antenna or apparatus which differs from that which is being replaced, is not permitted by Class A(a)—	See assessment below.
4(a)	on any article 2(3) land unless— (i) the development (excluding the installation, alteration or replacement of a mast) is carried out in an emergency and is within any limitations specified in paragraph A.1 for development of the same type on unprotected land;	Y (i) Not on a dwellinghouse (ii) Not on a building (iii) Not on a building (iv) Yes- complies with height limit set out in

	(ii)the antenna or apparatus comprises or is part of a small cell system and is on a building which is not a dwellinghouse or within the curtilage of a dwellinghouse; (iii)the antenna is a small antenna and the development is within the limitations specified in paragraph A.1(5) or (6); or (iv)where the antenna or apparatus is not a small cell system or a small antenna, the development is within the limitations specified in paragraphs A.1(1)(c)(ii), A.1(1)(d)(ii) or A.1(2)(f);	A.1(1)(c)(ii)
4(b)	on any land which is, or is within, a site of special scientific interest unless— (i)the development (excluding the installation, alteration or replacement of a mast) is carried out in an emergency and is within any limitations specified in paragraph A.1 for development of the same type on unprotected land; or (ii)the development is within the limitations specified in paragraph A.1(5).	Y – Not on a SSSI

A.1(7) Ground or Base Area

Section of Legislation	Requirement	Has the requirement been met? (Y/N)
7	Development consisting of the installation, alteration or replacement of any electronic communications apparatus other than— (a)a mast; (b)an antenna; (c). (d)any apparatus which does not project above the level of the surface of the ground; or (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.	Y – Radio Equipment Housing

A.1 (9) Radio Equipment Housing

Section of Legislation	Requirement	Has the requirement been met? (Y/N)
9	Development consisting of the installation, alteration or replacement of radio equipment housing is not permitted by Class A(a) if—	See assessment below.
9(a)	the development is not ancillary to the use of any other electronic communications apparatus;	Y
9(b)	the cumulative volume of such development	N/A – See 9(A) below

	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	
9(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 – See (A) below.
9(A)	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))	Based on the GPDO provided definition of 'permitted compound', this site would comply as it has an area of approximately 35m ² and has a closed perimeter. Therefore 9(b) and (c) do not apply.

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 alter the antennas on the existing mast and remove and install cabinets on the compound, would have no significant effect on the external appearance of the surrounding area. There are some concerns that an increase in antennas on this mast could result in a cluttered appearance, particularly when viewed within the National Landscape Area. However, the number of antennas proposed is not significant and there is limited visibility of the mast from the wider area, given its relative isolation and that it is surrounded by tall trees. Overall, it is not considered that this scheme would result in any significant deterioration of the character of the 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.

Conclusion & Recommendation

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). The recommended response is No Objection.

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

Case Officer:	Mrs Lisa Fisher	Team Leader:	Richard Hart
Signed:		Signed:	
Dated:	7th August 2024	Dated:	7th August 2024