



Delegated Report

Telecommunications Works Application

Application no: 20260040

Location: Outside 1 The Street, Cobham, Gravesend, Kent

Description: The Electronic Communications Code (Conditions and restrictions)
Regulation 2003 (as amended) - Regulation 5 Notice of Intention to Install
Fixed Line Broadband Apparatus.

Applicant: Openreach

Site Visit Date: N/A

Submitted Documents/Plans

- Regulation 5 Notice

Relevant Planning History

None.

Site Description

The works relate to an existing cabinet on the pavement outside the front boundary of the land to the east of no. 1 The Terrace, The Street, Cobham which is on the south-western side of The Street opposite the junction with Battle Street. Nos. 1-4 The Terrace are grade II listed building and the site is located in the Cobham Conservation Area.

The site is shown in the below map and arial image:



The above map shows the location of the proposed fixed line broadband apparatus by the blue circle.



The above aerial image shows the location of the proposed fixed line broadband apparatus (marked by the yellow man).

Proposed Development

This is a 28 day notice application to install a 'subtended Headend Sidepod' onto the existing BT cabinet.

The existing cabinet is shown below (with no. 1 The Terrace partially shown in the background):



It is proposed to add an additional element on the side of the existing cabinet called a subtended Headend Sidepod'. An example of this side pod is shown below:



An example of the side pod attached to an existing cabinet is shown below:



Example picture



Analysis

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 Schedule 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

The sections of legislation which could most appropriately cover this proposal would be A.1 (1) Ground Based apparatus and A.1(7) Ground or Base Area. The other sections would not be relevant to the proposal.

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**

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/A
(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/A
(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: 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.

Comment – N

Assessment

The proposed development is for the install a 'subtended Headend Sidepod' onto the existing BT cabinet.

The proposed development would not trigger the need for a prior approval assessment under paragraph A.2 (conditions) and the proposed works to the existing site are considered acceptable. The side pod would be attached onto an existing cabinet which is outside the front boundary of the land to the east of no. 1 The Terrace, The Street, Cobham. The proposed side pod would be a modest addition to the existing cabinet. As the existing cabinet is already there and the side pod would smaller than the height and depth of the existing cabinet, it would have no material impact on the character of the streetscene. By extension it would protect the setting of the grade II listed 1-4 The Terrace and preserve the character and appearance of the Cobham Conservation Area.

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).

Recommendation

No objection

See draft Decision

Case Officer:	Ms Rebecca Harrison	Team Leader:	Richard Hart
Signed:	<i>Rebecca Harrison</i>	Signed:	<i>R Hart</i>
Dated:	03 February 2026	Dated:	4th February 2026