

Delegated Report

Telecommunications Determination (PRIOR)

Application No:	20250789
Location:	Grass Verge Stonebridge Road, Northfleet, Gravesend, Kent, DA11 9DR
Description:	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 telecommunications installation of a 20m streetworks mast.
Applicant:	MBNL

Site Description

The site is located on the northern side of Stonebridge Road (B2175), on a strip of grass verge. It is within the wider urban area, in Northfleet.



Submitted Documents/Plans

- Application Form – dated 24 July 2025;
- Developers Notice (dated 23 July 2025);
- ICNIRP Declaration (dated 02 July 2025);
- Site Specific Supplementary Information (dated 24 July 2025);
- Supplementary Information – Collaborating for Digital Connectivity (Department for Digital, Culture, Media & Sport) (07 March 2019);
- Supplementary Information – MBNL 5G and Future Technology – Delivering the UK's Telecoms Future (06 December 2018);
- Supplementary Information – 5G and Health by Mobile UK (May 2019);
- Drawing no. 002 – Rev. A – Site Location Plan;
- Drawing no. 100 – Rev. A – Existing Site Plan;
- Drawing no. 150 – Rev. A – Proposed Site Plan;
- Drawing no. 200 – Rev. A – Existing Elevation;
- Drawing no. 250 – Rev. A – Proposed Elevation (Max Configuration).

Relevant Planning History

No relevant planning history.

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS07 – Economy, Employment and Skills
- CS10 – Physical and Social Infrastructure
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development & Design Principles

Paragraph 34 of the NPPF (2024) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2024), the Council will also seek to replace these.

National Planning Policy Framework (2024)

- Section 2 – Achieving Sustainable Development
- Section 10 – Supporting High Quality Communications
- Section 12 – Achieving Well-Designed Places

Consultations, Publicity and Representations

Neighbouring properties

A notice was displayed on site 15 August 2025.

Under paragraph A.1 (7) there is a limitation on the ground base area of 1.5m² for masts, antenna or radio equipment housing.

Condition A.2 (3) (c) indicates that development on unprotected land that consists of the installation of a mast (of any size) is subject to a requirement for prior approval under paragraph A.3.

Under paragraph A.3 (4) there is a requirement that a determination should be sought as to whether prior approval of the Local Planning Authority is required as to the siting and appearance of the development.

Under paragraph A.3 (7) the Local Planning Authority must take into account any representations as a result of consultations or notices.

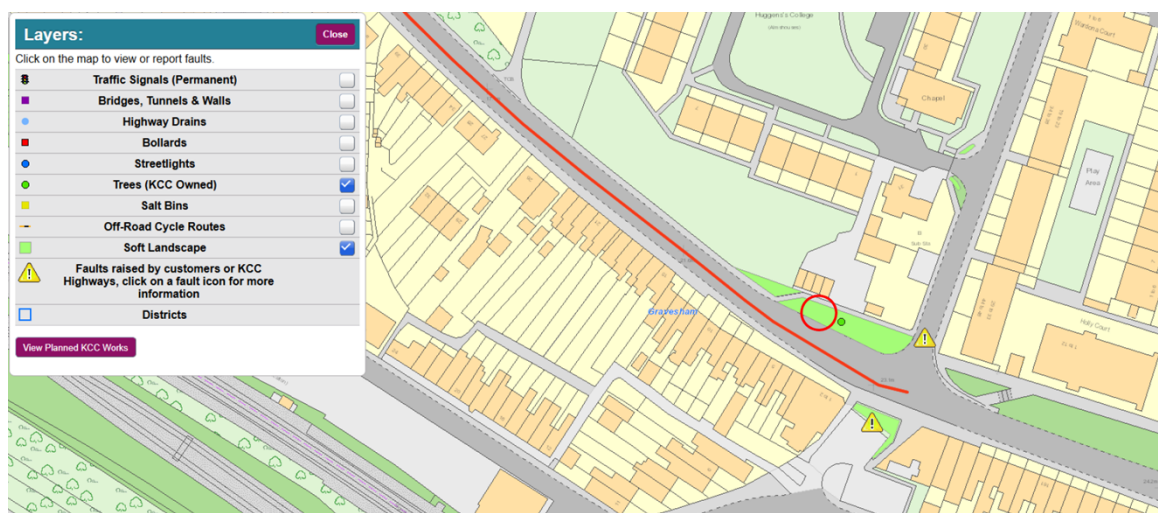
It is acknowledged that the development as proposed would fall within the permitted development provisions under Class A of Part 16 of the GPDO in meeting the height limitations on unprotected land (proposed at 20m) and ground base area limitations (the base around the monopole being 0.2m²) but that an application as to whether prior approval is required is necessary in this case.

Prior Approval

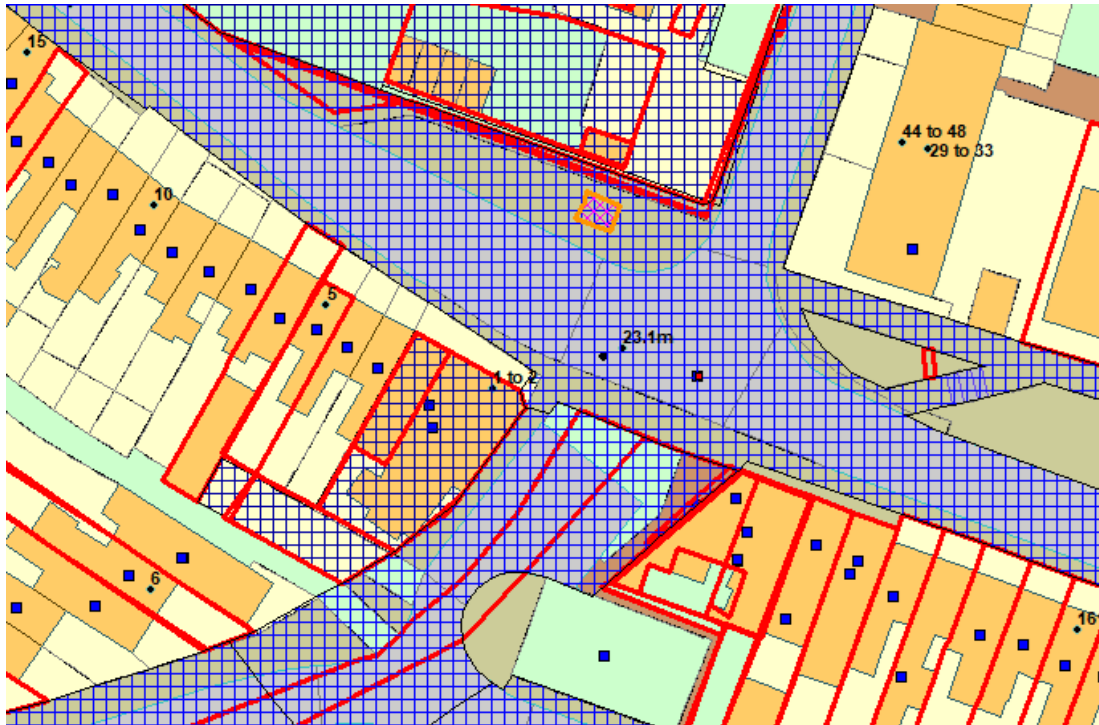
An application for prior approval under Part 16, Class A of the Town and County Planning (General Permitted Development) (England) Order, 2015, as amended, according to paragraph A.3 (5) (c), must be accompanied by evidence set out in paragraph A.3 (1). Paragraph A.3 (1) requires the developer to give notice of the proposed development to any person who is the owner of the land, to which the development relates, and paragraph A.3 (2) specifies the details that are to be provided.

In this case, a developer notice and supplementary letter has been supplied to Gravesham Borough Council (GBC), however GBC are not in ownership of the site for the proposed development. The landowner, Kent County Council Highways (KCC), have not been consulted and no evidence has been provided to the Local Planning Authority to confirm them being notified by the applicant.

The mapping image below shows that KCC Highways own the land on which the proposed development will be located. The light green hatching is land within KCC Highways ownership and the small red circle is the proposed site.



In addition, the land ownership has been corroborated with GIS mapping, with the blue hatched land in KCC Highways ownership.



Therefore, the application has not been accompanied by evidence required under paragraph A.3 (1) and therefore fails to meet the requirement set out in paragraph A.3 (5) (c). As such, the application has not been received by the Local Planning Authority (LPA) in accordance with paragraph A.3 (5) and Prior Approval is required and refused.

Given that the application fails under paragraph A.3 (5), no detailed assessment has been made against the siting and appearance or other matters relating to the proposal. However, brief comment is provided below:

Siting and Appearance

Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (LPCS) (2014) states that the design, layout and form of new development will be derived from a robust analysis of local context and character, and will make a positive contribution to the street scene, the quality of the public realm and the character of the area. In addition, Section 12 (Achieving Well-Designed Places) of the NPPF (2024) sets out that the creation of high-quality places is fundamental and should add to the overall quality of the area, over the lifetime of the development. It also states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.

In assessing this application, regard must be paid to the NPPF (2024) and the development plan. The NPPF supports high quality communication infrastructure with Paragraph 119 noting that “*high quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections*”. Furthermore, the NPPF continues to state that the use of existing masts and structures should be encouraged and that equipment should be sympathetically designed and camouflaged where appropriate.

The proposed site is located at the rear of the grass verge, adjacent to the highway and is positioned in front of the footway, boundary wall and outbuilding of Huggens Cottages, next to an established tree. The new mast would be large in the immediate context, dwarfing the tree and the built form to the north when viewed from the street. Although similar to street lamps in terms of its linear design, the scale of the mast and apparatus would appear alien within the street scene. Therefore, the Local Planning Authority have concern that the location of the proposal would impact siting and appearance of the area.

Amenity of Adjoining Properties

In considering any proposals for development, it is important to ensure that it does not cause demonstrable harm to the amenity of any existing residents or property such that it will materially harm their living conditions. Policy CS19 (LPCS) requires new development to safeguard the amenity, including privacy, daylight and sunlight, of its occupants and those of neighbouring properties and land.

The proposed mast will be approximately 18m away from the nearest dwellings to the south and 30m from the nearest dwellings to the north.

The proposed development will not cause material harm to the amenity of any adjacent properties in terms of loss of light, outlook, privacy or sense of enclosure.

Highways Issues

There are no highway implications related to the proposed development. The apparatus would be set back from the edge of the highway by approximately 3.75m and would not have any impact on the highway. As such, the proposed telecommunications apparatus is considered acceptable in terms of highways.

Any Other Material Planning Considerations

Health Impact Issues – 5G frequencies

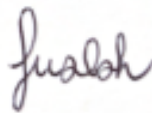
The proposed base station is designed to operate in accordance with all health and safety requirements, including the guidelines issued by the International Commission on Non-Ionizing Radiation Protection (ICNIRP) and the appropriate declaration provided.

Conclusion

The application has not been accompanied by evidence required under paragraph A.3 (1) and therefore fails to meet the requirement set out in paragraph A.3 (5) (c). The landowner, Kent County Council Highways, have not been consulted by the applicant and no evidence has been provided to the Local Planning Authority to confirm that they were notified of the development. As such, the application has not met the requirement set out in paragraph A.3 (5), by virtue of no evidence to satisfy paragraph A.3 (1), and therefore Prior Approval is required and refused.

Recommendation

Prior Approval is Required and Refused

Case Officer:	Mr Ethan Bonthron	Team Leader:	Mrs Faye Walsh
Signed:		Signed:	
Dated:	25 th September 2025	Dated:	26 September 2025