



Application: 20211052

**TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015 (AS AMENDED)**

NOTIFICATION OF GRANT OF PERMISSION TO DEVELOP LAND

To: **EE (UK) Ltd**
C/O Damian Hosker, WHP Telecoms Limited
Troy Mills,
Helena House
Troy Road
Horsforth
Leeds
LS18 5GN

TAKE NOTICE that the **GRAVESHAM BOROUGH COUNCIL**, the Local Planning Authority under the Town and Country Planning Acts, has **GRANTED PERMISSION** for development of land situate at:

Telecommunications Mast
Batts Road
Cobham
Gravesend
Kent
DA13 0XE

and being **Proposed telecommunications installation off Batts Road, 27.5m 30H Tower on New Pad foundation and associated ancillary works.**

Please refer to drawings Your application dated 23rd August 2021 is permitted subject to the following:-

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason In pursuance of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Planning Application Form received 23 August 2021;
Covering Letter received 23 August 2021;
Supplementary Information - ICNIRP Declaration received 23 August 2021;
Supplementary Information - Site Specification Information received 23 August 2021;
Supplementary Information - BT ESN Coverage Justification Presentation;
Drawing No. ESN40094TT/70485TT 01 - Issue B - Site Location;
Drawing No. ESN40094TT/70485TT 01A - Issue B - Site Demise Location;
Drawing No. ESN40094TT/70485TT 02 - Issue B - Site Plan;
Drawing No. ESN40094TT/70485TT 02A - Issue B - Boundary Plan;

Drawing No. ESN40094TT/70485TT 02C - Issue B - Construction Zone;
Drawing No. ESN40094TT/70485TT 03 - Issue B - Equipment Layout;
Drawing No. ESN40094TT/70485TT 04 - Issue B - North Elevation;
Drawing No. ESN40094TT/70485TT 04A - Issue B - South East Elevation;
Drawing No. ESN40094TT/70485TT 04B - Issue B - South West Elevation; and
Drawing No. ESN40094TT/70485TT 04C - Issue B - West Elevation.

Reason For the avoidance of doubt and in the interests of proper planning.

3. Notwithstanding the details included on the application form and approved plans, the materials and colours of the tower, dishes generator and cabinets as hereby permitted shall be steel coloured fir green (RAL6009).

Reason: To ensure a satisfactory visual relationship between the existing and the new development in accordance with Policy CS19 of the Gravesham Local Plan: Core Strategy (September 2014).

4. No trees, shrubs or hedges within the site which are shown as being retained on the approved plans shall be felled, uprooted, wilfully damaged or destroyed, or removed without the prior written consent of the Local Planning Authority. Any trees, shrubs or hedges removed without such consent, or which die or become severely damaged or seriously diseased with five years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of similar size and species until the Local Planning Authority gives written consent to any variation.

Reason: To ensure that trees and other vegetation to be retained are not damaged during construction works in accordance with Local Plan: Core Strategy Policy CS19 and paragraph 131 of the National Planning Policy Framework 2021.

5. All tree pruning works shall be carried out in full accordance with the approved specification and the requirements of British Standard 3998: 2010 - Recommendations for Tree Works.

Reason: To ensure that trees and other vegetation to be retained are not damaged during construction works in accordance with Local Plan: Core Strategy Policy CS19 and paragraph 131 of the National Planning Policy Framework 2021.

INFORMATIVES:-

1 STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION-MAKING

In accordance with Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), and paragraph 38 of the National Planning Policy Framework (NPPF) 2021, the Local Planning Authority has approached the assessment and determination of this application in a positive and creative way and, where appropriate, has worked pro-actively with the applicant to secure a development that is sustainable and that improves the economic, social and environmental conditions of the area, and that is in accordance with the Development Plan for the area.

2 DEVIATION FROM APPROVED PLANS

It is possible that any proposed deviation from the approved plans could be classed as a 'material' change requiring a further application/permission. In the event that any change is proposed, applicants are advised to seek advice from the Local Planning Authority as proceeding without the necessary permissions could nullify this permission.

3 KENT COUNTY COUNCIL HIGHWAYS AND TRANSPORTATION

It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of the highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority. The development hereby permitted requires works to be undertaken in the public highway adjacent to the site. Prior to starting work you must first contact KCC Highways and Transportation on 030000 41 81 81 to ascertain what work is required and the procedure to be followed to progress this to completion.

Dated: 18 October 2021

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Wendy Lane MRTPI
Assistant Director (Planning)
Planning Service

~~~~~

### NOTIFICATION TO APPLICANT

#### APPEALS TO THE SECRETARY OF STATE

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- If this is a **householder application\*** which has been refused and you want to appeal against your Local Planning Authority's decision then you must do so within **12 weeks of the date of this notice**.
- For all other applications, refused or permitted, if you want to appeal against your Local Planning Authority's decision then you must do so within 6 months of the date of this notice.
- **Appeals must be made using a form which you can obtain from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN; telephone: 0303 444 5000; email: [enquiries@pins.gsi.gov.uk](mailto:enquiries@pins.gsi.gov.uk) or online at [www.planningportal.gov.uk/pes](http://www.planningportal.gov.uk/pes).**
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

#### **\*Householder applications**

These are:

- (a) applications for planning permission for development of an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse, or

- (b) an application for any consent, agreement or approval required by or under a planning permission, development order or local development order in relation to such development

but does **not** include –

- (i) an application for change of use;
- (ii) an application to change the number of dwellings in a building.

### **PURCHASE NOTICES**

If either the Local Planning Authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonably beneficial use in its existing state nor can he/she render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

### **COMPENSATION**

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.

These circumstances are set out in Sections 114 and related provisions of the Town and Country Planning Act 1990.