



Delegated Report

Telecommunication Works

Planning Application No: 20250334

Location: Whitehouse Farm School Lane Higham Rochester

Description: The Electronic Communications Code (Conditions and restrictions) Regulations 2003 (as amended) - Regulation 5 Notice of the intention to install 3no. Antenna and ancillary radio equipment at existing monopole mast, 1no. GPS Module onto proposed gantry pole within compound, 1 no. replacement Equipment Cabinet within compound, ancillary development thereto.

Applicant: United Living Connected Limited

Submitted Documents/Plans

Regulation 5 Notice Letter
Site Location Plan
UKKE007493-02-100-MD002 Rev 2 – Site Plan Proposed
UKKE007493-02-150-MD002 Rev 2 – Elevation Proposed

Relevant Planning History

Reference	Description	Decision	Decision Date
20010737	Replacement of existing 15m high tower with a new 20m high lattice tower with new equipment cabinet and associated ancillary equipment to facilitate a shared site with One 2 One.	Refused	29.10.2001
20000517	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 free standing 12.5m high monopole supporting 3 no. sector antennae dishes and 2 no. transmission dishes, construction of one equipment cabin and one electrical meter cabinet and erection of 2m high compound fence with access gates.	Refused	22.08.2000
19990895	Determination as to whether prior approval is required for the siting and appearance of a 15m high mono pole mast supporting 3 sectorised antennae and up to 4 transmission dishes and ancillary ground based equipment housing.	Refused	01.02.2000
19990387	Erection of a 15m high steel lattice mast and associated equipment cabinets.	Prior Approval Not Required.	28.06.1999

Proposed Development

This application proposes to;

Install 3no. antenna on the existing monopole
Install ancillary radio equipment
Install 1no. GPS Module onto proposed gantry pole within compound
Install 1no. replacement equipment cabinet within compound.

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.*

Class A – electronic communications code operators

Part 16, Class A of the GPDO, 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 not covered by article 2(3) land. 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, and, A.1 (7) Ground or Base Area and A.1 (9) Radio Equipment Housing.

A.1(1) Development not permitted: ground-based apparatus

Section of Legislation	Requirement	(Y/N)
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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 Apparatus on Gantry Cable would be no greater than 3m in height.
(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 Apparatus on Gantry Cable would be no greater than 3m in height.
(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 Mast is existing
(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 Mast is 20m high.
(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.1 (3) Development not permitted: Apparatus on Masts

Section of Legislation	Requirement	(Y/N)
A.1 (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	N Mast is 20m high.

	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.	
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A.1 (7) Development not permitted: Ground or Base Area

Section of Legislation	Requirement	(Y/N)
A.1 (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.	N Development related to (a) a mast and (e) radio equipment housing.

A.1(9) Development not permitted: radio equipment housing

Section of Legislation	Requirement	(Y/N)
A.1 (9)	Development consisting of the installation, alteration or replacement of radio equipment housing is not permitted by Class A(a) if—	(see assessment below)
(a)	the development is not ancillary to the use of any other electronic communications apparatus;	N
(b)	the cumulative volume of such development 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	N/A On a permitted compound
(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 On a permitted compound
9A	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)).	Y Development is in a permitted compound and so (9)(b) and (c) do not apply.

Assessment

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

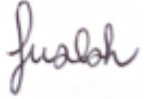
approval of these matters is required.

It is considered that that the alterations to this permitted compound would not result in a significant detrimental impact relating to siting and appearance of the development. The existing overall height and scale of the mast would not be altered, the site is located in a location where there is limited visibility of the scheme with exception of the top of the mast. Therefore, the cabinets and 3m high gantry poles would have a limited impact. The addition of 3no. antennas on the mast would not be a significant increase. It would be preferable that any equipment and new poles are painted green to match the current appearance, and to blend in more appropriately with the backdrop of trees. An email has been provided confirming that all equipment cabinets and the pole will be painted fir green. Prior approval 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 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The recommendation is No Objection.

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

Case Officer:	Mrs Lisa Fisher	Team Leader:	Mrs Faye Walsh
Signed:		Signed:	
Dated:	9th April 2025	Dated:	10 April 2025