



Delegated Report

Telecommunication Works Application

Application no: 20251148

Location: 1 Pipes Place Forge Lane Shorne Gravesend

Description: The Electronic Communications Code (Conditions and restrictions) Regulations 2003 (as amended) - Regulation 5 Notice of Intention to Install Fixed Line Broadband Apparatus; 10 metre pole.

Applicant: Openreach

Site Visit Date: N/A

Submitted Documents/Plans

- Consultation Letter; and
- Site Location Plan (Un-numbered).

Relevant Planning History

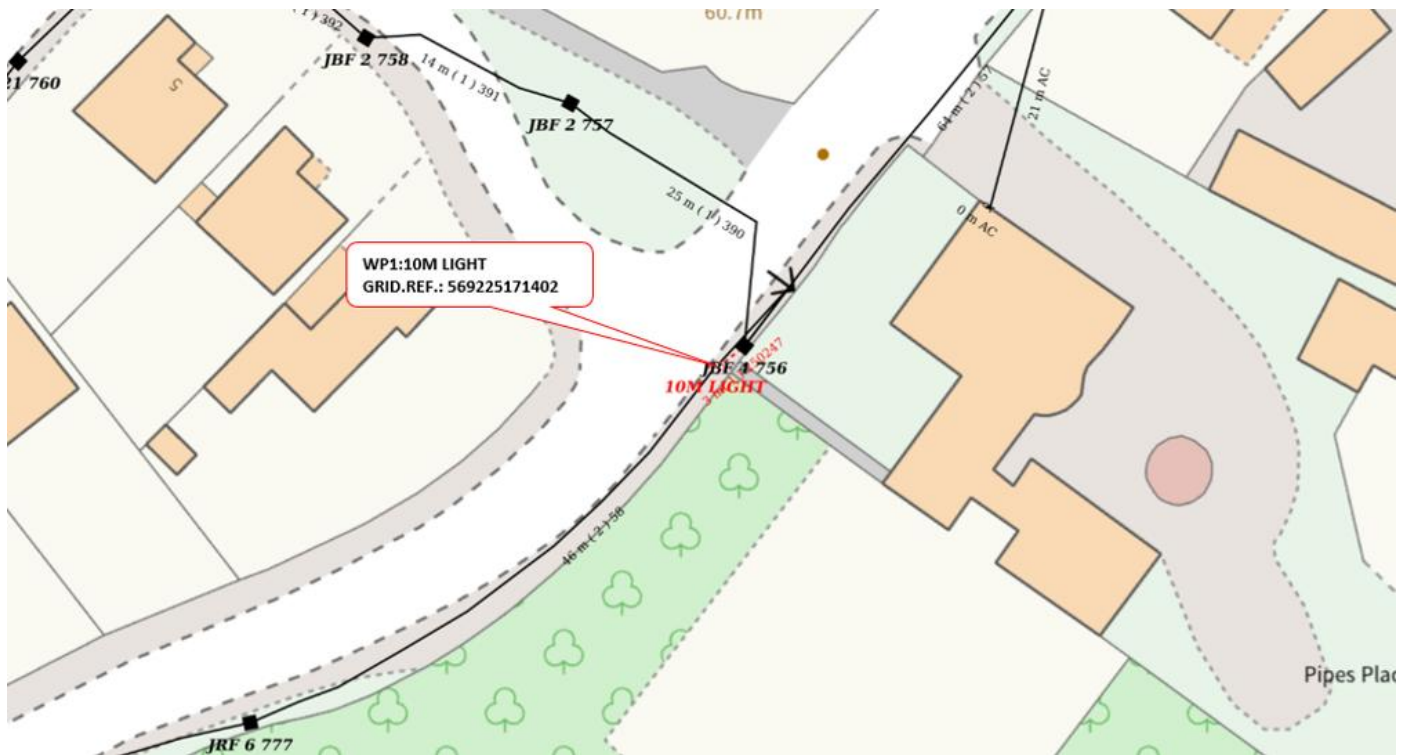
None.

Site Description

The works relate to the pavement to the north-west of Pipes Place a grade II listed building and the front garden wall and gate piers are grade II listed in their own right also.

St Katherines is a grade II listed building situated to the north and the site is in the Shorne Conservation Area.

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



Showing location of proposed 10m pole –annotated ‘WP1’



Proposed Development

This is a 28 day notice application to install 1x 10m wooden pole. The below photo shows the location where the proposed 10m pole would be just in front of the boundary wall of Pipes Place:



Consultations

Consultations are not required or carried out on Regulation 5 Telecommunication Notification applications but Shorne Parish Council have made comments on the application as follows:

Shorne Parish Council

The Parish Council has no objection in principle to this application.

The proposed location is difficult to determine exactly as the telephone manhole covers do not seem to be in quite the same positions as shown on the plans.

The location is in the Shorne Village Conservation Area and affects the setting of two Listed buildings. It should be noted that the garden wall of Pipes Place is also Listed Grade II in its own right as it dates from the 1700's, damage must be avoided. Specialist advice might be appropriate.

The location is close to important mature trees and where the footway and verge are very narrow, adverse impacts on these and the footings and stability of the wall should be considered, and more detail of required mitigation provided.

We would be very grateful if these matters could be drawn to the Applicant's attention.

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

A telegraph pole could be permitted development under Schedule 2, Part 16, Class A(a) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), specifically paragraph A.1 (1). This paragraph states that ground-based apparatus would not be permitted if:

(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—

(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;

The installation of a telegraph pole, as proposed, would have a height of 10m. Therefore, this falls below the maximum height requirement of A.1 (1) (a) of the GPDO.

~~*(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;;*~~

The proposed development is for the installation of a new telegraph pole, therefore A.1 (1) (b) is not relevant.

~~*(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;*~~

The site is located on a highway (pavement), however the telegraph pole would not exceed a height of 25m (it would be 10m)..

~~*(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~~

(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.~~

The proposed development is for the installation of a new telegraph pole, therefore both A.1 (1) (d) and (e) are not relevant.

The conditions set out in paragraph A.3 (prior approval) do not apply to a proposal seeking to install a fixed line broadband telegraph pole (A.2(5)). 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.

The installation of a wooden telegraph pole in this location is considered unacceptable. Pipes Place is a grade II listed building and the front wall and pier are also listed in their own right. This is rare as the majority of the listed buildings in the Borough do not have their boundary walls listed in their own right but they are protected by virtue of the main building being listed. To have the front boundary wall of Pipes Place listed demonstrates its national architectural and historic importance and as stated the main building of Pipes Place is listed also. Although the 10m pole would be located on the pavement outside to the north-east of Pipes Place, due to its height and that it would be situated in front of the wall it would obscure the view of the wall at that point and act as an incongruous feature in front of the historic main listed Pipes Place and its front boundary wall and piers. It is considered the proposed pole would be harmful to the setting of the grade II listed Pipes Place and the grade II listed front boundary wall and piers outside of Pipes Place and also by extension it would be harmful also to the character and appearance of the Shorne Conservation Area. There is a telegraph pole slightly further along Forge Lane to the north-east of Pipes Place but this is located outside of an un-listed property and so is not considered to provide any justification to this proposal where it would be located in front of a listed building and front boundary wall. The proposed 10m pole is therefore considered to be unacceptable in respect of the siting and appearance.

Conclusion

The proposed development requires prior approval under paragraph A.2(1)(a) of Schedule 2, Part 16 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), and the Local Planning Authority consider the siting and appearance of the development would have adverse impact due to the harm on the setting of the grade II listed Pipes Place and the grade II listed front boundary wall and piers outside of Pipes Place and also by extension the harm that would be caused to the character and appearance of the Shorne Conservation Area.

Recommendation

Objection

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

Case Officer:	Ms Rebecca Harrison	Team Leader:	Mrs Faye Walsh
Signed:	<i>Rebecca Harrison</i>	Signed:	
Dated:	2nd December 2025	Dated:	03 December 2025