



Delegated Report

Telecommunications Works Application

Application no: 20240710

Location: Waterditch Wood Base Station Wrotham Road Meopham Gravesend

Description: The Electronic Communications Code (Conditions and Restrictions) Regulations 2003 (as amended) - Regulation 5 Notice of the replacement of the existing 3 no. antennas and installation of 3 no. proposed antennas. Existing 1 no. cabinet to be removed and 1 no. proposed cabinet to be installed.

Applicant: Natalia Satterthwaite, Waldon Telecom

Site Visit Date: N/A

Submitted Documents/Plans

- Regulation 5 Licence Notification;
- Drawing no. 945563_GVN008_61629_DA0225_M001_EEVS_GA_A Rev. A – 002 Site Location Plan;
- Drawing no. 945563_GVN008_61629_DA0225_M001_EEVS_GA_A Rev. A – 004 Lease Demise;
- Drawing no. 945563_GVN008_61629_DA0225_M001_EEVS_GA_A Rev. A – 100 Existing Site Plan;
- Drawing no. 945563_GVN008_61629_DA0225_M001_EEVS_GA_A Rev. A – 150 Proposed Site Plan;
- Drawing no. 945563_GVN008_61629_DA0225_M001_EEVS_GA_A Rev. A – 200 Existing Site Elevation A; and
- Drawing no. 945563_GVN008_61629_DA0225_M001_EEVS_GA_A Rev. A – 250 Proposed Site Elevation A.

Relevant Planning History

Reference	Description	Decision	Decision Date
20050773	Attachment of additional headframe at a height of 17.4 metres, six panel antennae, one 600mm dish antenna at a height of 13.3 metres, on existing 25 metre high tower and two equipment cabinets and ancillary development within existing compound to provide a shared mobile telephone site.	Permitted	18.10.2005
20021001	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 6 antennae mounted on site share steelwork fixed to existing 25m high tower with	Prior Approval Not Required	16.01.2003

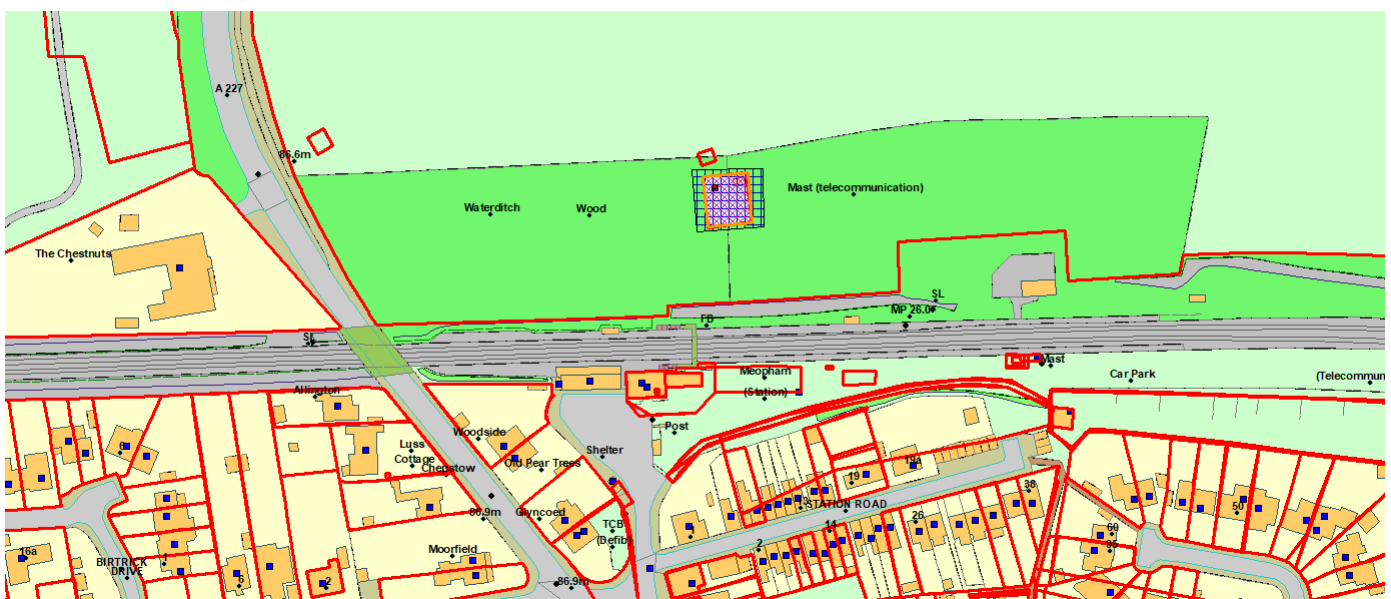
	equipment cabin.		
20010432	Application for determination pursuant to Part 24 Class A of the Town and Country Planning (General Permitted Development) Order 1995 as to whether prior approval is required for the siting and design of a replacement 25 metres high pole and radio equipment housing.	Prior Approval Not Required	05.07.2001
19970260	Erection of 24.7 metre high radio mast supporting five items of equipment, construction of two cabins and one meter cabinet. Erection of 2.15 metre high compound fence with access gates and formation of vehicular access onto a classified road.	Permitted	08.07.1997
19960854	Application for the approval of landscaping scheme as required by condition (iii) of planning permission ref no. GR/96/450W.	Permitted	23.01.1997
19960451	Erection of 24.7 metre high radio mast supporting five items of equipment, construction of two cabins and one meter cabinet. Erection of 2.15 metre high compound fence with access gates and formation of vehicular access onto classified road.	Prior Approval Not Required	28.10.1996
19960450	Erection of 24.7 metre high radio mast supporting five items of equipment, construction of two cabins and one meter cabinet. Erection of 2.15 metre high compound fence with access gates and formation of vehicular access onto classified road.	Prior Approval Not Required	28.10.1996

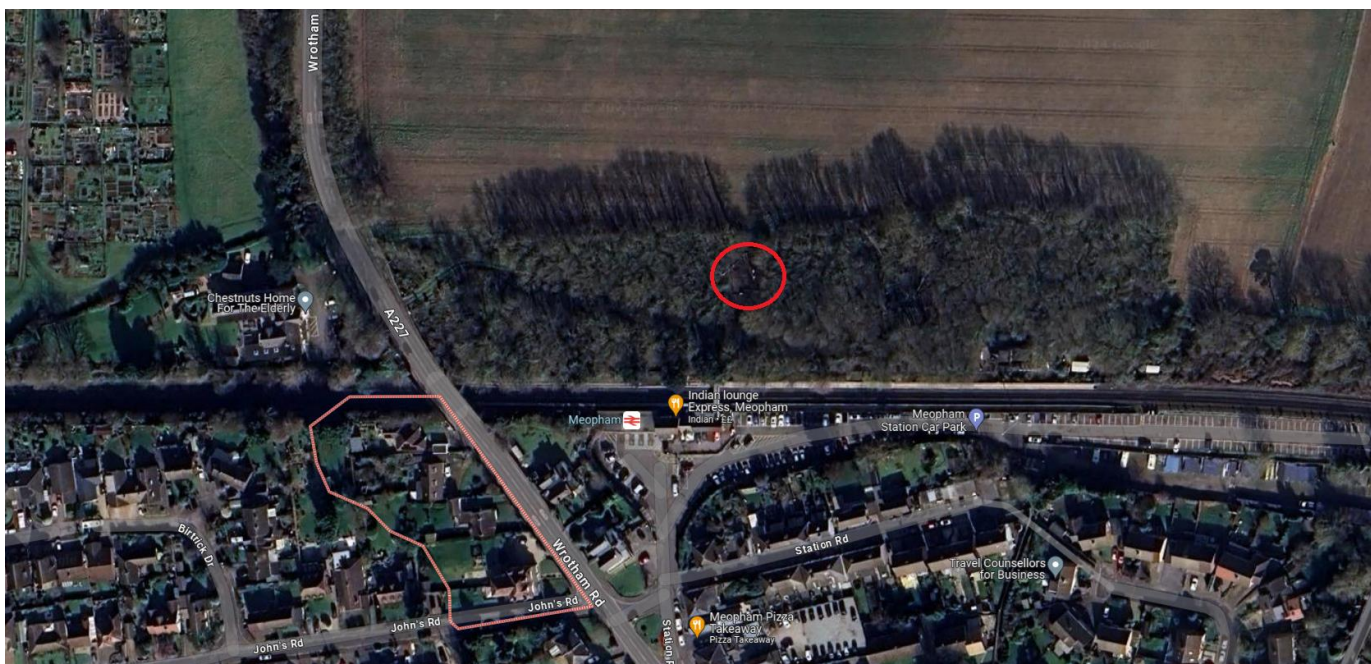
Site Description

The application site is an existing telecommunications mast located within a wooded area to the north of a railway line. To the south of the wooded area is Meopham Station and residential development, to the north is open farmland, to the east is more farmland and wooded area and to the west are allotments and Chestnuts Home for the Elderly.

The existing EE/H3G 25m high monopole is 25m high on a 4.3m x 4.3m concrete base. There is 1 No. EE/3HG dish installed on the support pole fixed to the tower steelwork via an offset bracket. There are 3 no. EE/H3G. antennas fixed to support poles on the tower headframe. There are 3 no. cabinets along the southern boundary, two of which are redundant. There is a 1.8m high chain link security fence around the perimeter of the site.

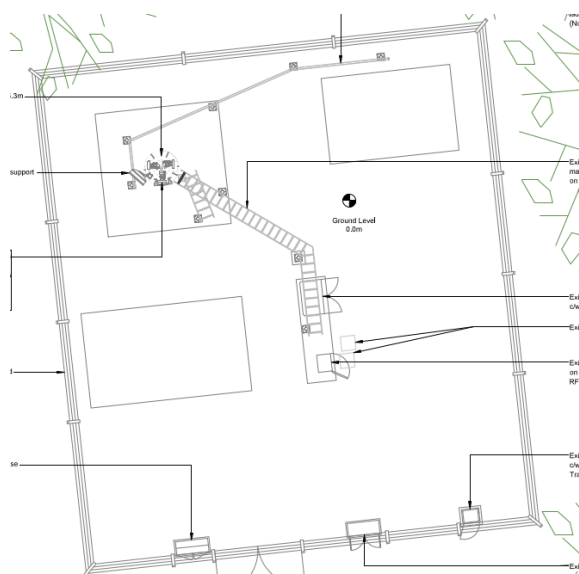
The site is shown in the below map and aerial image:



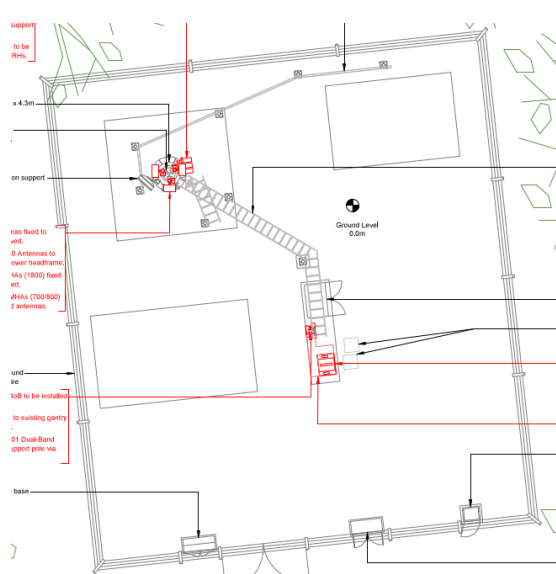


Proposed Development

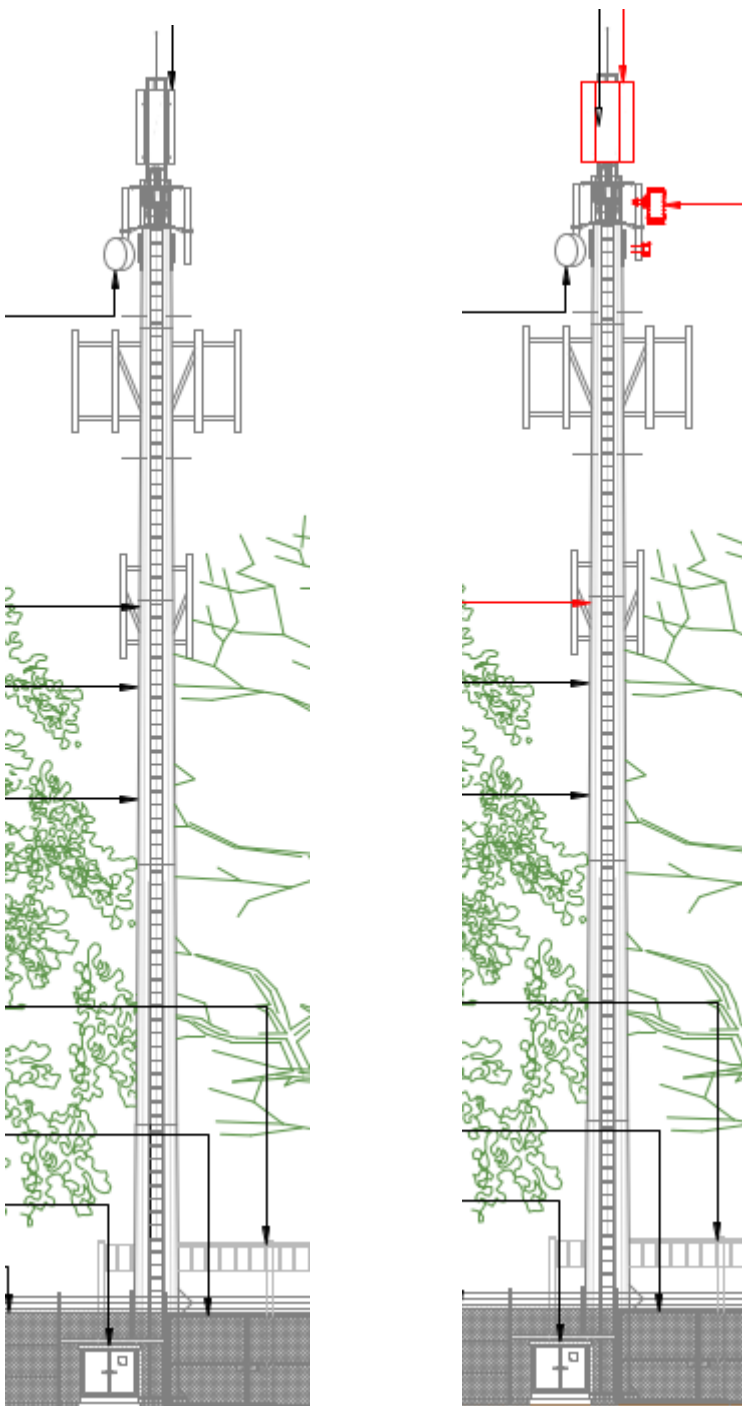
This is a 28 day notice application for the replacement of the existing 3 no. antennas with 3 no. new antennas and removal of 1 no. existing cabinet and installation of 1 no. new cabinet.



Existing



Proposed



Existing

Proposed

Analysis

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

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, A.1 (3) Apparatus on Masts, A.1(7) Ground or Base Area, and A.1 (9) Radio Equipment Housing. The other sections would not be relevant to the proposal.

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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

(c) development ancillary to radio equipment housing.

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
(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: 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 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.	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/A	

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	N

	would exceed 30 cubic metres; or	
(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 not on SSI land

Assessment

The proposed development is for the removal of no. 3 antennas and the installation of 3 no. replacement antennas on the existing mast as well as the removal of one ground based cabinet and the installation of a new 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, as the development will not alter the amount of development on the site or its character.

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:	Miss Faye Hobbs
Signed:	<i>Rebecca Harrison</i>	Signed:	
Dated:	19th August 2024	Dated:	19 August 2024