

Delegated Report

Planning Application

Planning Application No: 20240926

Location: McCarthy And Stone Site, Church Walk, Gravesend DA12 2QU

Description: The Electronic Communications Code (Conditions and restrictions) Regulations 2003 (as amended) -Regulation 5 Notice of intention to install 1 x 9m wooden pole (7.3m above ground).

Applicant: Openreach

Site Visit Date: Desktop

Submitted Documents/Plans

Covering letter

Relevant Planning History

None

Site Description

The application site is on the corner of Ellerslie and Milton Road adjacent to a former sports field which now has permission for the construction of a care home. There is currently no telecoms equipment on site.

Proposed Development

This is a 28-day notice application for the erection of a 9m wooden pole for broadband (7.3m above ground). No details of the pole have been submitted save for its location.

Analysis

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:

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 proposal is a mast/wooden pole and therefore this is not applicable.

(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 proposal is a mast and therefore this is not applicable.

(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 proposed mast will be 9m and therefore does not exceed these limits.

(d) in the case of the alteration or replacement of a mast, 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

There is no existing mast and therefore this is not applicable.

(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.

There is no existing mast and therefore this is not applicable.

A.1 (2) is not applicable as the equipment is not located on a building.

A.1 (3) is not applicable as only a mast is proposed.

A.1 (4) is not applicable as the site is not within article 2 (3) land.

A.1 (5) is not applicable as the site is not a dwellinghouse.

A.1 (6) is not applicable as the site is not a building.

A.1 (7) is not applicable as only a wooden mast is proposed and therefore the base area of the structure is not likely to exceed 1.5sqm.

A.1 (8) is not applicable as it does not relate to driver information systems.

A.1 (9) is not applicable as it does not consist of the installation, alteration or replacement of radio equipment housing.

A.1 (10) is not applicable as it is not a public call box.

A.2 lists conditions that could trigger the need for a prior approval assessment. 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 pole in this location is considered acceptable and will not have a significant impact on the surrounding character and appearance of the area.

Conclusion

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).

Recommendation

Approval

Case Officer:	Mrs Alison Webster	Team Leader:	
Signed:		Signed:	
Dated:	23 October 2024	Dated:	