



Delegated Report

Telecommunications Works Application

Application no: 20240935

Location: Homelea Farm Green Farm Lane Shorne Gravesend

Description: The Electronic Communications Code (Conditions and restrictions) Regulations 2003 (as amended) - Regulation 5 Notice to install electronic communications apparatus/development ancillary to the existing site comprising the following; Remove and replace 3no antenna, 1no cabinet and add 1no GPS node, along with ancillary equipment works.

Applicant: John Tsoi, Talent Technology Services Ltd

Site Visit Date: N/A

Submitted Documents/Plans

- Regulation 5 Licence Notification;
- Drawing no. 1018204_GVM011_76299_DA0220_M001 Issue A – 002 Site Location Plan;
- Drawing no. 1018204_GVM011_76299_DA0220_M001 Issue A – 100 Existing Site Plan;
- Drawing no. 1018204_GVM011_76299_DA0220_M001 Issue A – 150 Proposed Site Plan;
- Drawing no. 1018204_GVM011_76299_DA0220_M001 Issue A – 200 Existing Site Elevation A;
- Drawing no. 1018204_GVM011_76299_DA0220_M001 Issue A – 250 Proposed Site Elevation A; and
- Declaration of Conformity with International Commission on Non-Ionizing Radiation Protection Public Exposure Guidelines.

Relevant Planning History

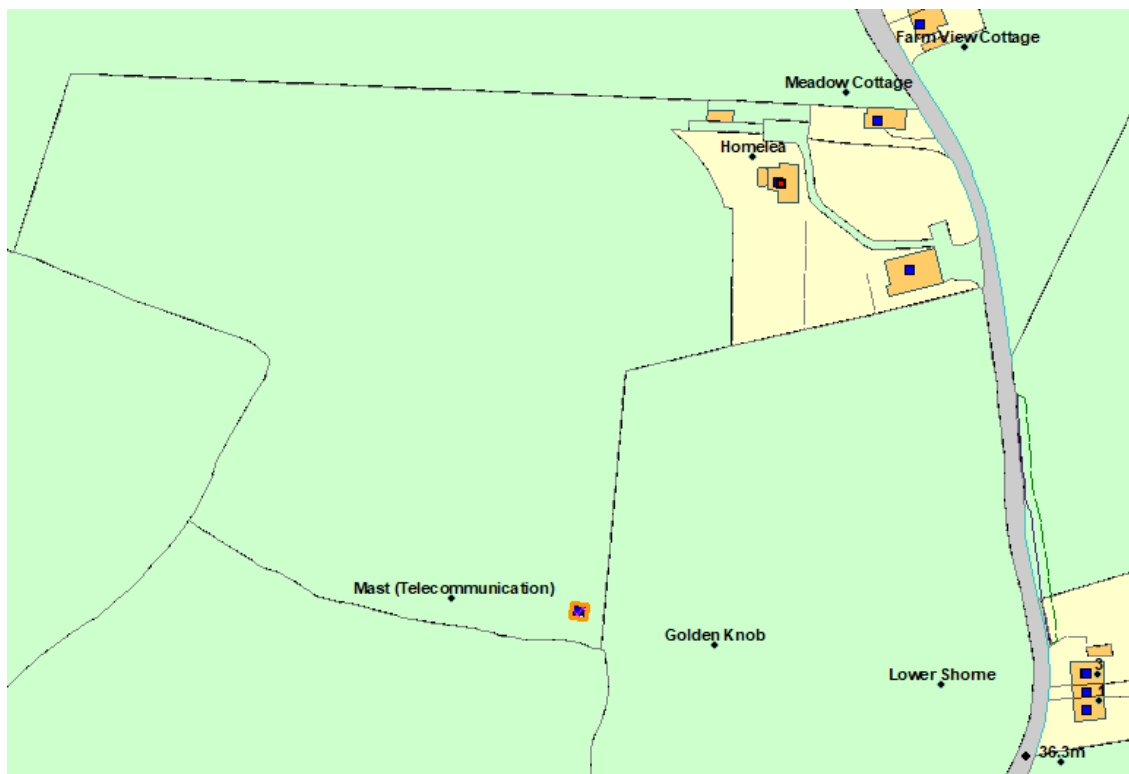
Reference	Description	Decision	Decision Date
20080664	Application for determination pursuant to Part 24 Class A of the Town and Country Planning (General Permitted Development) Order 1995 as to whether prior approval is required for the installation of three additional antennas, associated radio equipment cabinet and ancillary development on existing tower.	Prior Approval Not Required	01.08.2008
20070201	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 15m high mobile phone monopole with three antennas and associated equipment cabinets.	Prior Approval Not Required	26.04.2007

Site Description

The application site is an existing telecommunications mast located in the south-east corner of a field. To the north, south, east and west there are further fields.

The existing EE monopole is 15m high on a 5.5m x 5.5m steel grillage platform. There are 3 antennas on the monopole and there is also an EE/H3G Flexi stack mounted with MK2 UCU mounted on top, an EE MK3 link AC cabinet c/w Tx Equipment (Microwave and Fibre) and single phase distribution board supplied from remote meter cabinet approx. 220m away from site, an existing H3G Samsung Samo cabinet and an EE 1No. Huawei BTS 3900A 1800 RFC & 1No. Huawei APM30H cabinet in stacked arrangement c/w 1800 RF modules. The compound is enclosed behind a 2.1m high close boarded timber fence.

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



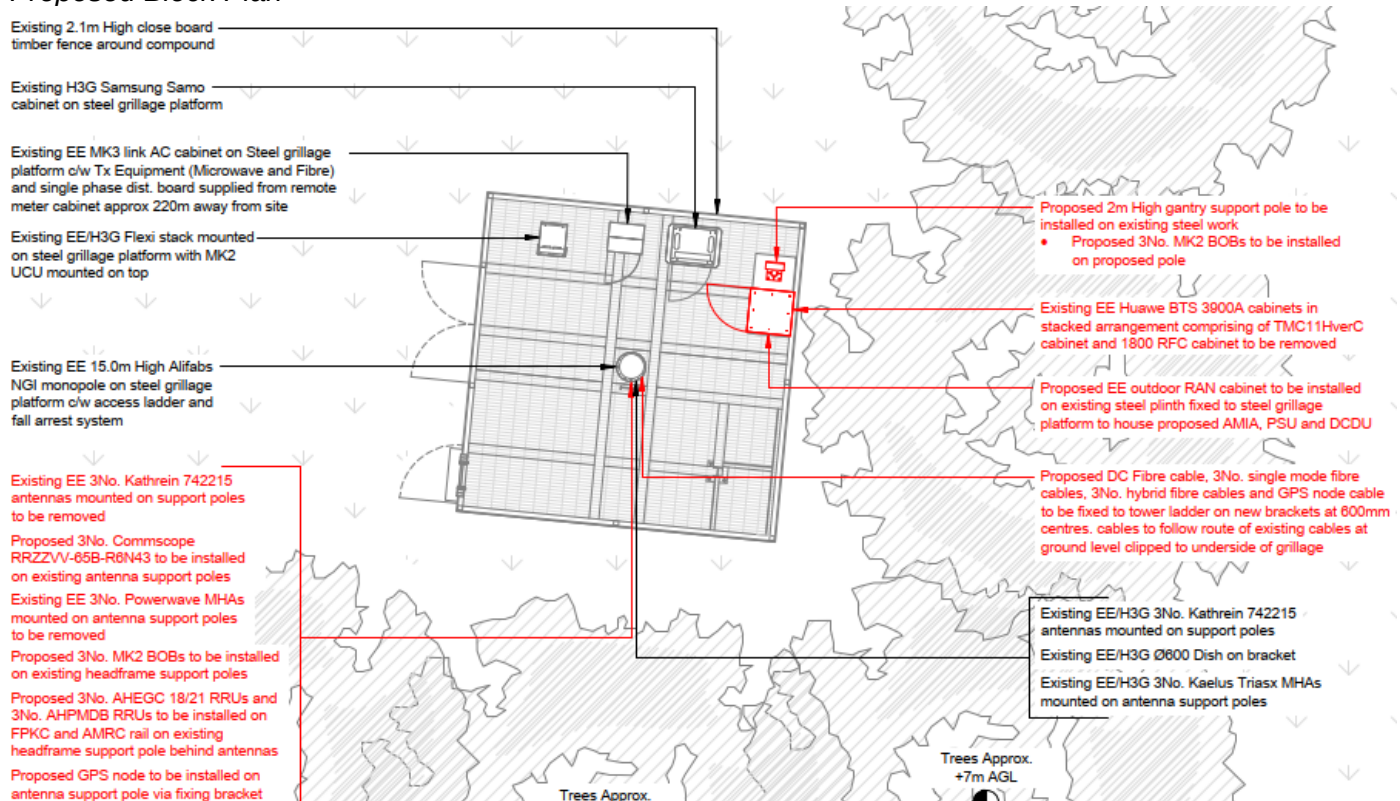
Proposed Development

This is a 28 day notice application to remove and replace 3no antenna, and 1no cabinet and add 1no GPS node along with ancillary equipment works.

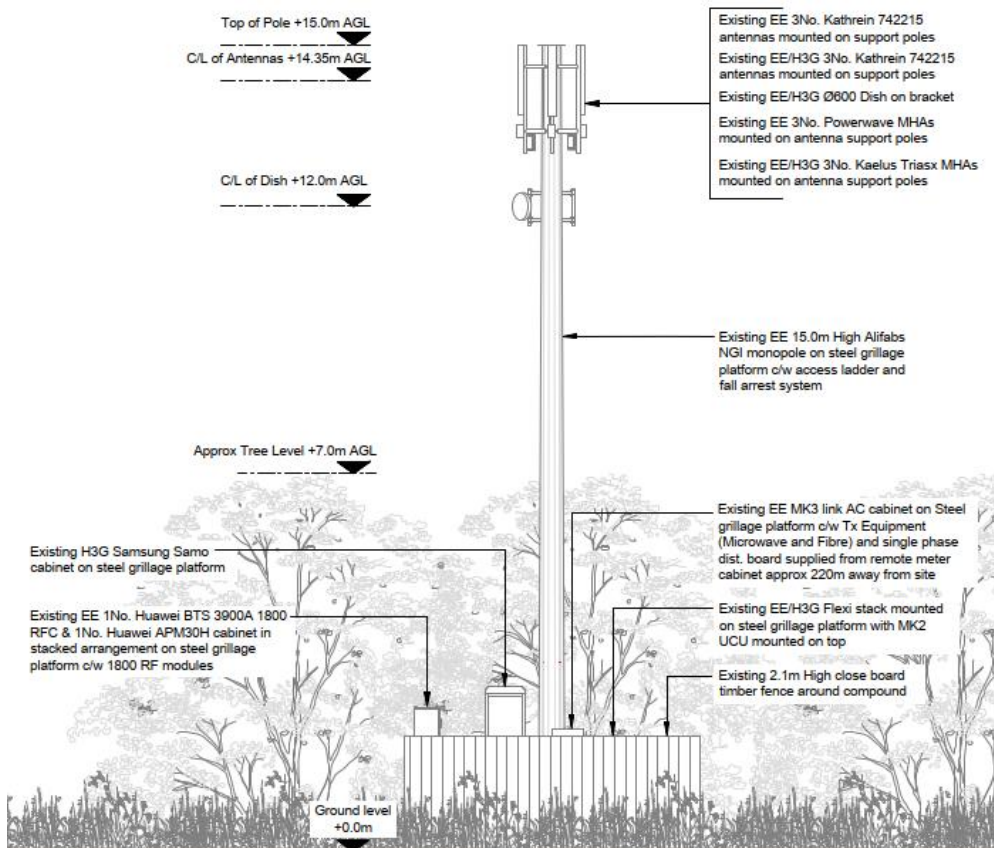
Existing Block Plan



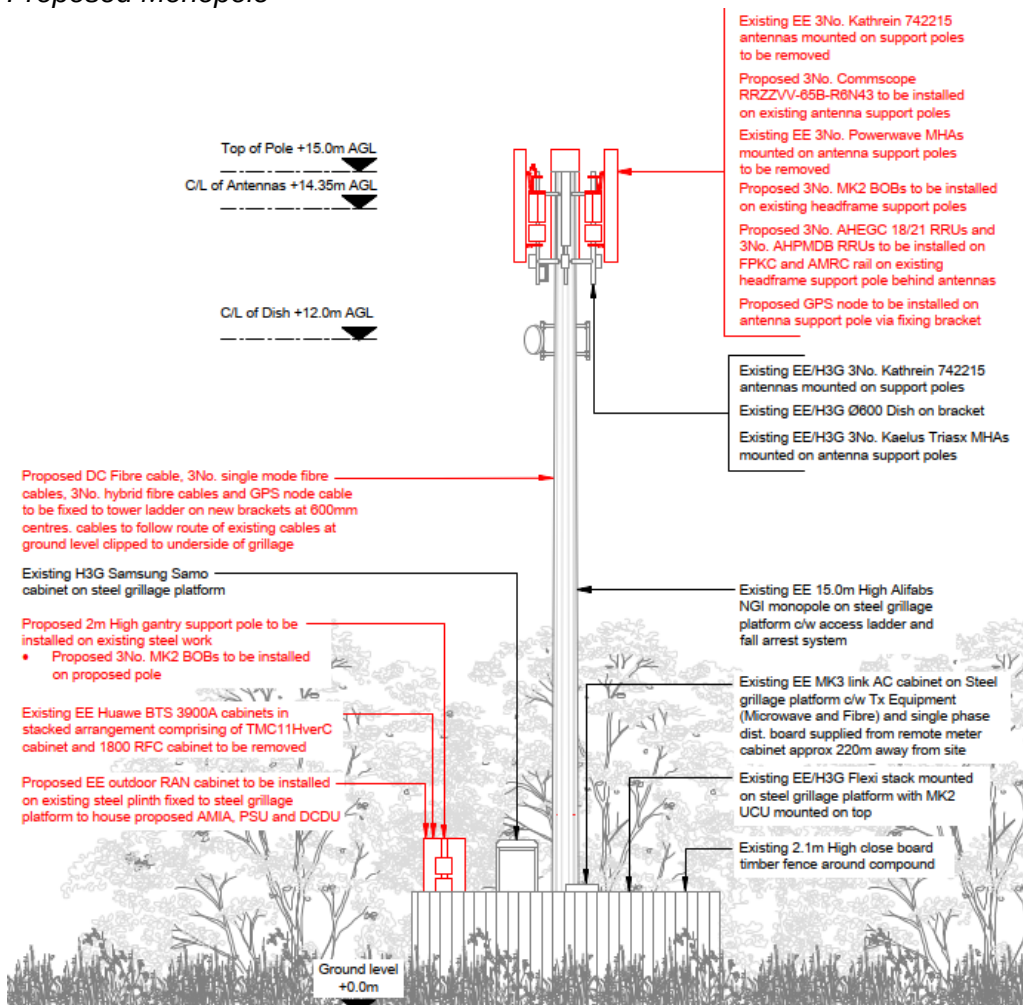
Proposed Block Plan



Existing Monopole



Proposed Monopole



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

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.

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 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 would exceed 30 cubic metres; or	N
(c)	on any land which is, or is within, a site of special	N/A

	scientific interest, any single development would exceed 2.5 cubic metres, unless the development is carried out in an emergency.	not on SSI land
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Assessment

The proposed development is for the removal of no. 3 antennas and the installation of 3 no. replacement antennas on the existing mast, the removal of one ground based cabinet and the installation of a new cabinet and installation of 1 no. GPS node on an antenna support pile via a fixing bracket. 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 overall or its character.

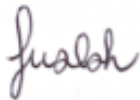
Conclusion

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:	Mrs Faye Walsh
Signed:	<i>Rebecca Harrison</i>	Signed:	
Dated:	13 January 2025	Dated:	13 January 2025