



Delegated Report

Telecommunication Works Application

Application No:	20240423
Location:	Land Outside 16 Martins Close, Higham, Rochester, Kent, ME3 7HE
Description:	The Electronic Communications Code (Conditions and restrictions) Regulations 2003 (as amended) - Regulation 5 Notice of Intention to Install Fixed Line Broadband Apparatus.
Applicant:	Openreach

Submitted Documents/Plans

- Covering Letter (ref: WFLWDK2R) – dated 13 May 2024;
- Un-numbered Plan Drawing – Work Location – Pole Location Plan (no scale).

Relevant Planning History

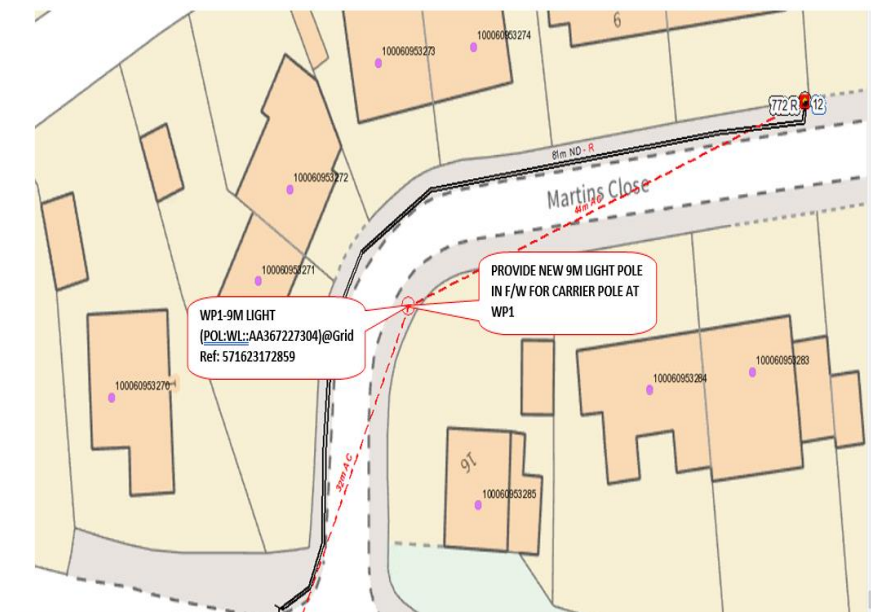
No relevant planning history.

Site Description

The application site is located within the urban area of Gravesend and is on a residential street.

Proposed Development

This is a 28day notice application for the provision of a 9m wooden telegraph pole, which would enable connection of broadband service to Martins Close (Higham, Gravesend).



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:

(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 9m. 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, however the telegraph pole would not exceed a height of 20m.

- ~~*(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 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 acceptable. Martins Close contains streetlamps and another telegraph pole, therefore the proposed pole will have no detrimental impact on the character or appearance of the street scene.

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

No Objection

Case Officer:	Mr Ethan Bonthron	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	30 th May 2024	Dated:	31 May 2024