

Delegated Report

Full Planning Application

Planning Application No: 20260813

Location: Colewood Watling Street Cobham Gravesend

Description: Installation of 1 no. power generator and ancillary works thereto

Applicant: N/A

Site Visit Date: Desktop Assessment

Submitted Documents/Plans

Planning Application Form;
 Drawing No. 100 Existing Site Plan;
 Drawing No. 002 Site Location Plan;
 Drawing No. 150 Proposed Site Plan;
 Drawing No. 200 Existing Site Elevation;
 Drawing No. 250 Proposed Site Elevation;
 Planning, Design and Access Statement (5 August 2026);
 Site Specific Supplementary Information;
 Digital Infrastructure Extract from Connected Growth - Toolkit for Places;
 Institute of Engineering and Technology Guide: Allaying health concerns regarding 5G and exposure to radio waves;
 Mobile RAN Power Resilience: Technical Report and CFI Update (10 February 2025).

Relevant Planning History

Reference	Description	Decision	Decision Date
20260482	Application for determination pursuant to Part 16 Class A of the Town and Country Planning (General Permitted Development) Order 2015, as amended, as to whether prior approval is required for proposed telecommunications installation of 1 no. power generator and ancillary works thereto.	Telecomm - Prior Approval Refused	29.06.2026
20240712	The Electronic Communications Code (Conditions and Restrictions) Regulations 2003 (as amended) - Regulation 5 Notice of the installation of 3 no. proposed antennas on new poles. Existing 3 no. antennas to be relocated to new poles. Removal of 1 no. cabinet and installation of 1 no. proposed cabinet.	No Objection	07.08.2024
20211441	Application for determination pursuant to Part 16 Class A of the Town and Country Planning (General Permitted Development) Order 2015, as amended, as to whether prior approval is required for proposed upgrade to existing 22.0m High Lattice Tower on concrete base (Top of Tower +23.55m AGL) and associated ancillary works.	Telecomm - Prior Approval not required	17.01.2022

20190438	Removal of 3 no. antennas on existing mast and installation of 6 no. antennas and 3 no. 600 millimetre dish antennas and associated apparatus, removal of 3 no. equipment cabinets at ground level and installation of 9 no. equipment cabinets and associated ancillary works.	Permitted	28.06.2019
20100144	Replacement of existing antennas on existing mast and installation of cabinet within existing compound.	Permitted	26.04.2010
20020916	Installation of a 22.5 metre high lattice mast with three antennae, four dishes, equipment cabinet and associated development.	Permitted	10.03.2003
19880336	Use of land as a Transmitter Station incorporating the erection of a single storey cellular radio base station enclosed by a 3m high mesh fence.	Permitted	28.06.1988

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development & Design Principles
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards

As set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012 policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2026), the Council will also seek to replace these.

National Planning Policy Framework (2026)

- Section 3 – Decision-making policies
- Section 4 - Achieving Sustainable Development
- Section 5 – Meeting the challenge of climate change
- Section 9 – Supporting high quality communications
- Section 12 – Making Effective use of land
- Section 14 – Achieving well-designed places
- Section 19 – Conserving and enhancing the natural environment

Supplementary Planning Guidance

- Design for Gravesham – Design Code (2024)
- Gravesham Landscape Character Assessment (2009)
- Kent Downs AONB Management Plan 2021-2026

Emerging Local Plan as a Material Consideration

Section 38(6) of the Planning and Compulsory Purchase Act 2004 (Planning and Compulsory Purchase Act 2004) and section 70(2) of the Town and Country Planning Act 1990 (Town and Country Planning Act 1990) make it clear that planning applications can only be determined in accordance with the development

plan, unless material considerations indicate otherwise.

Decision Making Policy DM4 of the Framework sets out that when considering development proposals, relevant policies may be given weight, however, this is subject to:

- The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of compliance of the relevant policies in the emerging plan with the policies for plan-making in this Framework (the closer the policies in the emerging plan to the policies in this Framework, the greater the weight that may be given to them).

West Oxfordshire District Council v Secretary of State for Housing, Communities and Local Government & Rosconn Strategic Land Ltd [2018] EWHC 3065 (Admin) is a High Court judgement that deals with the weight to be given to a Regulation 19 Local Plan. In this judgement, the Court found that the weight to be given to an emerging Local Plan was a matter of planning judgement, which had to be reached having fully considered the relevant part of the Framework, which from 17 August 2026 Decision Making Policy DM4 of the Framework.

The Council's emerging Local Plan has reached the Regulation 19 Consultation stage, with the consultation having ended on 18 August 2026. The emerging Local Plan does not form part of the Development Plan.

The Council is aware that third parties have raised objections to the wider emerging Local Plan and specific policies within it. Therefore, at present the Council cannot categorically state that the emerging Local Plan can be considered sound and consistent with the National Planning Policy Framework (2024) [as an emerging Local Plan being brought forward under the legacy system, it would be examined under the 2024 Framework]. Taking this into consideration, one can only conclude that at this stage of the process, **limited (i.e. minimal) weight should be afforded to the emerging Regulation 19 Local Plan.**

This position would only change once the emerging Local Plan has progressed towards submission and examination, with the Council being fully aware of policies that are subject to unresolved objections and with knowledge of policies that have had their soundness and conformity against the Framework challenged.

This approach accords with the approach taken in a separate High Court case, Gladman Developments Ltd v SSHCLG & Corby Borough Council; & Uttlesford DC [2020] EWHC 518 (Admin) and Court of Appeal [2021] EWCA Civ 104, which was also the subject of a Court of Appeal Ruling [2021] EWCA Civ 104.

Consultations, Publicity and Representations

Consultees

KCC Heritage

Thank you for your letter consulting us on the above planning application. In this instance I suggest that no archaeological measures are required.

GBC – Environmental Protection

As with the previous prior approval application, there is no objection to this application.

The site is sufficiently distanced from any dwellings, and any noise is likely to be masked by traffic noise from the M2.

An ICNIPR Declaration has been submitted

Neighbouring properties

The application was advertised by the displaying of a site notice with an overall expiry date of 18th September 2026. No comments have been received.

Officer's Analysis

Proposal

The application seeks permission for the Installation of 1 no. power generator and ancillary works.

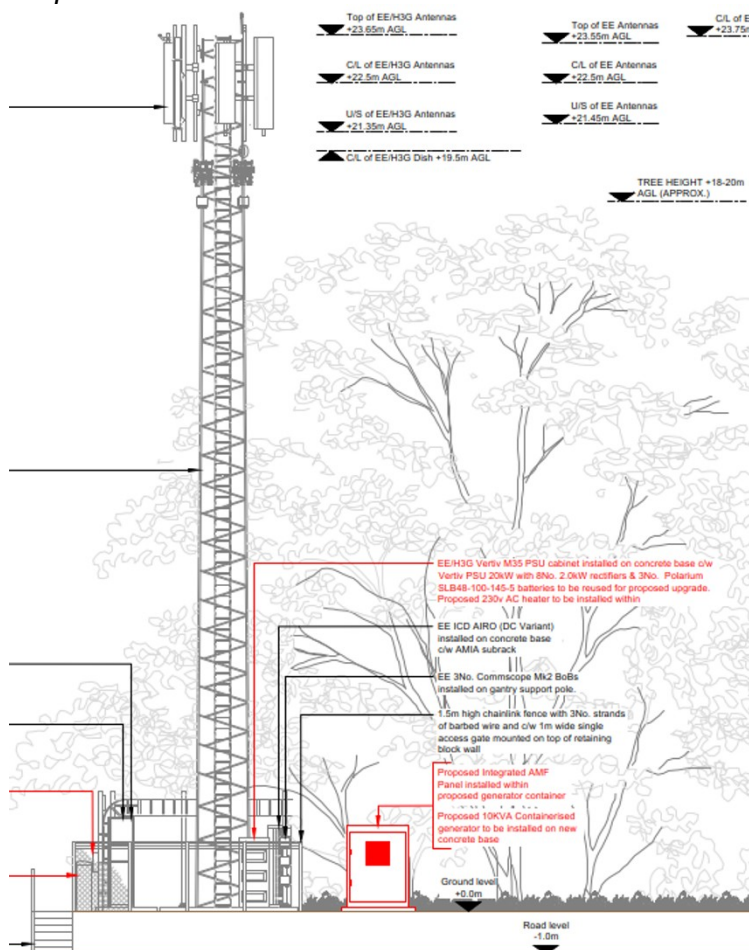
According to the Planning Statement, the development area accommodates an existing base station which is an established feature of this landscape that serves as an important cell within the wider mobile network due to the high density of users in this environment. It is noted that the site is located within Kent Downs National Landscape.

The proposal is for the installation of 1 no. power generator and other associated ancillary development including the internal upgrade of existing equipment cabinets and installation of 150mm cable tray laid flat on concrete base.

The generator would measure 3.2m wide square and 4.3m in height and would be located to the side of the existing lattice tower.

The purpose of the upgrade is part of the operators' continuous efforts to improve existing mobile network infrastructure across the country.

Proposed Elevation:



Main Issues

The application site is located at Colewood, approximately 102m south-west of the M2 and around 3.9km from Rochester. The proposed generator would be located adjacent to an existing radio base station within a woodland area. Woodland extends in all directions from the proposed site, beyond which lies the M2, running in a north-west to south-east alignment. The site is located away from any residential properties, with the nearest dwelling situated over 175m to the north-east, separated by intervening woodland and the motorway.

The application site has various designations, including the Metropolitan Green Belt, Kent Downs National Landscape, Boundaries of Ancient Woodland, Archaeological Notification Area, and Ashenbank And Cobham Parkland Landscape Character Area.

On the basis of the above designations, the main issues to consider with this proposal are as follows:

- Sustainability of the site
- Impact on the openness of the Green Belt
- Design and impact on character and appearance of the area
- Impact on the Kent Down National Landscape
- Residential Amenities.

Sustainability of the Site

The objective of Section 9 of the NPPF (2026) is to support the expansion and upgrading of telecommunications infrastructure, in ways which limit an unnecessary proliferation of equipment and respect important environmental safeguards. Advanced, high quality and reliable communications are essential to meet changing technological, social, business and security requirements (including through delivering coverage of higher quality standalone 5G in all populated areas by 2030, and nationwide gigabit-capable broadband by 2032).

Policy CO1(1a) specifically states the use existing masts, buildings and other structures already employed for this purpose, upgrade, or replace existing infrastructure, unless there is no reasonable opportunity to do so (taking into consideration meeting consumer needs, the efficient operation of the network and providing reasonable capacity for future expansion).

Policy CO2 requires local planning authorities should not require minimum distances to be maintained between telecommunications infrastructure and other development, seek to prevent competition between different operators, question the need for the expansion or upgrading of telecommunications networks, or use health safeguarding standards different from the International Commission guidelines on non-ionising radiation protection.

The proposal to maintain and enhance the telecommunications provision at this existing site would meet the objectives of Section 4 of the NPPF (2026) which is to meet development needs through sustainable patterns of development, including by maximising the potential for growth on suitable land within settlements, enabling development which will support the rural economy, rural communities and the provision of infrastructure, and limiting development away from settlements to help safeguard the intrinsic character and beauty of the countryside. With the proposal according with Policy W3(1) which seeks for local authorities to give considerable weight to;

- (a) The benefits for improving energy security, supporting economic development and/or the transition to a net zero future;
- (b) b. In the case of applications for the re-powering and life-extension of existing sites, the additional benefit of utilising an established site for this purpose; and
- (c) The contribution that small-scale and community-led renewable and low carbon energy projects can make to reducing greenhouse gas emissions, along with their associated economic and social benefits.

Impact on Green Belt

Policy CS02 of the Core Strategy 2014 prioritises development in the urban area as a sustainable location for development. In the rural area it states that development will be supported within rural settlements that are inset from the Green Belt and defined on the Policies Map. Development outside those settlements (which is the case here), will only be supported where it is compatible with national policies for protecting the Green Belt and policies in the Core Strategy 2014.

The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Policy GB2 states that the Green Belt serves five purposes:

- a. Check the unrestricted sprawl of large built-up areas;
- b. Prevent neighbouring towns merging into one another;
- c. Assist in safeguarding the countryside from encroachment;
- d. Preserve the setting and special character of historic towns; and
- e. Assist urban regeneration by encouraging the recycling of derelict and other urban land.

Policy GB1 states that the general extent of Green Belts across the country is already established. New Green Belts should only be established in exceptional circumstances, for example when planning for larger scale development such as new settlements or major urban extensions.

Policy GB6 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Policy GB7 states that development in the Green Belt is inappropriate unless one of the following exceptions applies:

- a. Development which is for agriculture, horticulture and forestry, or which is solely for nature conservation, restoration and/or enhancement;
- b. The reuse, extension, alteration or replacement of an existing building, provided that the existing building is of permanent and substantial construction, is lawful in planning terms, and any extension or alteration will not result in a disproportionate increase in size compared to the original building⁴⁰. In the case of proposals for a replacement building, it should be for the same use and not materially larger than the one it replaces;
- c. Limited infilling in villages lying within the Green Belt;
- d. Limited affordable housing for local community needs under policies set out in this Framework or the development plan (for instance, on a rural exception site);
- e. The redevelopment of previously developed land (including a material change of use to residential or mixed-use including residential), which would not cause substantial harm to the openness of the Green Belt;

f. Certain other forms of development, provided the impact on the openness of the Green Belt is minimised, and there would not be a significant conflict with the Green Belt purposes. These are:

- i. Mineral extraction and processing, engineering operations, and transport, electricity network, water and telecommunications infrastructure required in a Green Belt location);
- ii. Development brought forward under a Community Right to Build Order or Neighbourhood Development Order;
- iii. Material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
- iv. The provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments.

g. Development where all of the following apply:

- i. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
- ii. There is an evidenced unmet need for the type of development proposed⁴¹;
- iii. The development would be in a sustainable location, with particular reference to policy TR3 of this Framework⁴²; and
- iv. In the case of major development involving the provision of housing, the development proposed complies with policy GB8.

h. Residential or mixed-use development which would:

- i. Be within reasonable walking distance of a well-connected station (applying the definitions in the glossary at Annex B);
- ii. Be physically well-related to the station or the settlement within which the station is located;
- iii. Be of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure;
- iv. Not prejudice any proposals for long-term comprehensive development in the same location; and
- v. In the case of proposals for major development, comply with policy GB8.

The proposed development comprises the reuse of an existing building and may therefore be considered an exception under Policy GB7(f)(i) of the NPPF (2026) which is;

- i. Mineral extraction and processing, engineering operations, and transport, electricity network, water and telecommunications infrastructure required in a Green Belt location);*

In relation to criterion (g)(ii) of Policy GB7, which relates to a demonstrable unmet need, the submitted Planning Statement sets out that 5G is an essential delivery that will open new opportunities as it creates innovation that can increase the value of local areas and trying to improve their network infrastructure in order to adapt to the changing environment and keep up with customer demands. There is also a supporting document, *Institute of Engineering and Technology Guide: Allaying health concerns regarding 5G and exposure to radio waves*, which sets out how a good 5G fibre base local broadband



infrastructure will be important to local communities over the coming decades in view of the ever-increasing amounts of data being consumed by the general public. This information supports the Government's aim to expand electronic communications networks for economic growth and social well-being, and would therefore meet this currently unmet need, and comply with the Policy GB7 (g)(ii).

The location of the site is sustainable, being immediately adjacent to the M2 with connections to London and the port of Dover. Access to the site will continue to be provided by the existing established entrance. Thus, criterion (g)(iii) is met.

On this basis, in line with Policy GB7 of the NPPF 2026, the proposal would not be regarded as inappropriate in the Green Belt.

Special Circumstances Case

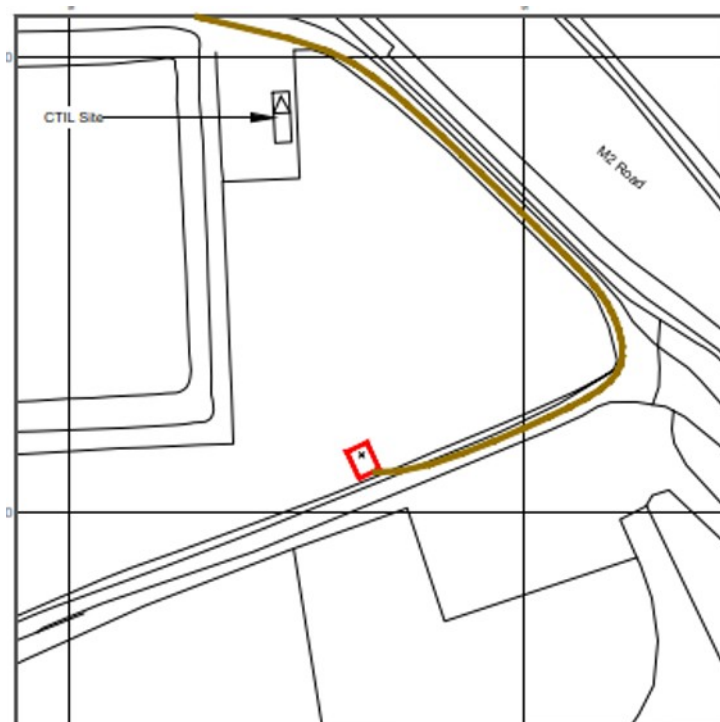
In this case, the operational needs of 5G and the wider public benefits of improved network coverage represent the very special circumstances that would outweigh any limited Green Belt harm in this location. There would be no development beyond the existing site boundary, and as this is an existing telecommunications site it would provide a better environmental solution to developing a new site. Whilst the proposed development is not regarded as inappropriate, these matters are considered to support a very special circumstances case that would weigh in support of the proposal and outweigh any Green Belt harm.

Green Belt Conclusion

The proposed development is not regarded as inappropriate in the Green Belt, plus it has the added benefits of aiding the expansion of electronic communication network and utilising an existing mast site to do so, and would therefore be in accordance with Section 13 of the NPPF 2026.

Design, Character and Appearance

The application site is located at Colewood, approximately 102m south-west of the M2.





Due to the presence of the existing tree, longer views of the mast from the M2 are limited:



The site is located within the Kent Downs National Landscape and Ashenbank And Cobham Parkland Landscape Character Area.

The objective of Section 14 of the NPPF (2026) is to promote high quality, healthy, inclusive and sustainable places, through setting clear expectations about design outcomes and the use of relevant tools and processes. Policy CS19 of the Core Strategy 2014 reflects these aims and requires that new development is well-designed and respects the character and appearance of the surrounding area. With regard to the impact on the landscape, Policy CS12 of the Gravesham Core Strategy 2014 is relevant to this application, relating to green infrastructure. This policy states that the overall landscape character of the Borough will be conserved, restored and enhanced and that the Gravesham Landscape Character Assessment (GLCA) 2009 will be taken into account in determining applications.

Policy N1 of the NPPF (2026) aims for development to safeguard and enhance the natural environment and Policy N2 seeks for developments to Consider the environmental qualities of land proposed for development, including habitats, landscape character and the natural beauty of the countryside, and identify opportunities for those qualities to be conserved or enhanced.

There is now a duty on Local Authorities under Section 245 (Protected Landscapes) of the Levelling-up and Regeneration Act 2023 to seek to further the statutory purposes of Protected Landscapes such as National Landscapes. This duty is intended to facilitate better outcomes for Protected Landscapes.

Policy SD2 of the Management Plan 2021-2026 recognises the need to conserve and enhance the local character, qualities, distinctiveness and natural resources of the AONB. Principle SD8 seeks to ensure that proposals do not negatively impact on the distinctive landform, landscape character, special characteristics and qualities, the setting and views to and from the AONB. The Kent Downs National Landscape Position Statement states that scale, height, siting, use, materials and design are factors that will determine whether a development affects the natural beauty and special qualities of the Kent Downs National Landscape. Examples of adverse impacts on the setting of the Kent Downs National Landscape include: development which would have a significant impact on views in or out of the National Landscape and the introduction of an abrupt change of landscape character.

Some of the key characteristics of the Ashenbank And Cobham Parkland Landscape Character Area are the slightly undulating topography with a strong presence of man made landform and two large dense ancient woodland. The overall condition of the landscape is good and has moderate sensitivity. It is recommended that key landscape elements should be conserved and reinforced.

The overall scale, height, and appearance of the new generator is modest in its context and would not be highly visible from public vantage points. In this respect the proposal is considered to comply with Policies CS12 and CS19 of the Core Strategy 2014 and the relevant requirements of the Gravesham Landscape Character Assessment (2009) and the Kent Downs AONB Management Plan 2021-2026 in relation to conserving landscape character.

Residential Amenity

The NPPF 2024 states that planning decisions should aim to secure a high standard of amenity for all existing and future users (paragraph 135f). The impact on amenity is also considered with regard to the criteria within Policy CS19 of the Core Strategy 2014, which states that new development should be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of its occupants, and those of neighbouring properties and land, and avoid adverse environmental impacts from pollution.

Policy CO2 of the NPPF (2026) requires that the application be supported by the outcome of pre-submission consultation with organisations with an interest in the proposed development (in particular with the relevant body where a mast is to be installed near a school or college, or within a statutory safeguarding zone surrounding an aerodrome, technical site or military explosives storage area. In this instance, the site is not near a school or college, or within any other the other consultation areas as described in this paragraph. Therefore, no consultation was necessary with these bodies.

The proposed scheme would result in alterations in a new generator adjacent to the existing mast which would is considered not to result in detrimental impact. There would be no significant impact on outlook, light or privacy from the proposal.

The proposal is considered to safeguard the amenity of residential properties in compliance with Policy CS19 of the Core Strategy 2014 and relevant NPPF paragraphs.

Parking and Highways

The site is located immediately adjacent to the M2 with connections to London and the port of Dover. Access to the site will continue to be provided by the existing established entrance and the established routes will not require any alterations as part of the proposal.

Once constructed, the development will be unmanned requiring only periodic visits, typically once every two to three months for routine maintenance and servicing by authorised personnel.

There would therefore be no adverse parking or highway issues resulting from the proposals, which would comply with Saved Policies T1 and T5 of the Local Plan First Review (1994) and Policies CS11 and CS19 of the Core Strategy 2014.

Any Other Material Planning Considerations

Biodiversity

The objectives Section 19 of the NPPF 2026 is to influence the design and location of new development to help drive nature's recovery and contribute to wider environmental outcomes, safeguarding our most important habitats, species and landscapes and recognising the centrality of natural capital to delivering sustainable growth. Policy CS12 of the Core Strategy seeks to protect sites designated for their biodiversity value based on their level of importance and enhance, restore, recreate and maintain habitats particularly within Biodiversity Opportunity Areas, which is a designation of this site. However, as the works involve alterations to an existing communications site, there will be no new or additional habitat impacts and therefore the proposal would comply with the requirements of the aforementioned policies. Biodiversity net gain would also not be a requirement as the proposal would fall under the de minimis exemption, where development does not impact a priority habitat and impacts less than 25 square metres (e.g. 5m by 5m) of

onsite habitat, and 5 metres of linear habitats.

A restriction on any construction compound and lighting to protect biodiversity should be conditioned as with the previous application.

Conclusion

The proposed development is not regarded as inappropriate in the Green Belt, has the added benefits of aiding the expansion of electronic communication network in the public interest and utilising an existing mast site. The proposal would also be acceptable with regard to design, landscape, residential amenity, parking and highways and biodiversity impacts, and would therefore be in accordance with the requirements of Sections 9, 13, 14 and 19 of the NPPF 2026 and Policies CS02, CS11, CS12, CS19 and CS20 of the Core Strategy 2014.

Recommendation

Permission with conditions.

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Ms Amanda Cue	Team Leader:	Richard Hart
Signed:	<i>A Cue</i>	Signed:	<i>R Hart</i>
Dated:	29 th September 2026	Dated:	1st October 2026