



Delegated Report

Telecommunication Notification

Planning Application No: 20241024

Location: Telefonica Vodaphone Telecommunications Station South Of Willow Tree Farm Wrotham Road Meopham

Description: The Electronic Communications Code (Condition and restrictions) Regulations 2003 (as amended) - Regulation 5 Notice of Removal of 1no existing 12.5m monopole and 3no existing antennas to be replaced with 1no new 17.5m monopole and 6no new antennas, installation of 2no new equipment cabinets and other associated ancillary works thereto.

Applicant: Cornerstone

Submitted Documents/Plans

Consultation Letters
Consultation Plan
100 1A – Site Location Maps
200 1A – Existing Site Plan
201 1A – Proposed Site Plan
300 1A – Existing Site Elevation
301 – Proposed Site Elevation
Declaration of ICNIRP Compliance
General Background Information for Telecommunications Development

Relevant Planning History

Reference	Description	Decision	Decision Date
20170051	Application for determination pursuant to Part 16 of Schedule 2 of the Town & Country Planning (General Permitted Development) Order 2015 as amended by the Town and Country Planning (General Permitted Development) (England) (Amendment) (no.2) Order 2016 as to whether prior approval is required for the installation of a new 12.5 monopole with 3no. shrouded antennas, 2no. 3000mm microwave dishes and 3no. equipment cabinets along with ancillary development.	Prior Approval Not Required	15.03.2017

Proposed Development

This is a 28day notice application to:

- Remove 1no. existing 12.5m high monopole
- Remove 3no. existing antennas
- Erection of 1no. 17.5m high monopoly

- Installation of 6no. antennas
- Installation of 2no, equipment cabinets and other associated ancillary works.

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:

“development ancillary to radio equipment housing” means the construction installation, alteration or replacement of structures, equipment or means of access which are ancillary to and reasonably required for the purposes of the radio equipment housing, and except on any land which is, or is within, a site of special scientific interest includes—

- (a) security equipment;
- (b) perimeter walls and fences; and
- (c) handrails, steps and ramps;

“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 details the requirements for Communications. Class and Country Planning (General Permitted Development) (England) Order 2015. Part 16, Schedule 2 of this

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

This application is not covered by article 2(3) land. The sections of legislation which would most appropriately cover this proposal would be A.1 (1) Ground Based apparatus, A.1(3) Apparatus on Masts, and A.1 (9) Radio Equipment Housing. No other sections would be relevant to the proposal.

A.1 (1) Ground Based apparatus

Section of Legislation	Requirement	Has the requirement been met? (Y/N)
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
1(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;	Y Only Mast is above 15 metres
1(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;	Y Only Mast is above 15 metres
1(c)	in the case of the installation of a mast, the mast, excluding any antenna, would exceed a height of— (i) 30metres 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;	Y See 1(d) for replacement mast.
1(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	Y Mast is below 30 metres high.
1(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.	Y

A.1 (3) Apparatus on Masts

Section of Legislation	Requirement	Has the requirement been met? (Y/N)
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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.	Y Mast and Radio equipment housing
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A.1 (9) Radio Equipment Housing

Section of Legislation	Requirement	Has the requirement been met? (Y/N)
9	Development consisting of the installation, alteration or replacement of radio equipment housing is not permitted by Class A(a) if—	See assessment below
9(a)	the development is not ancillary to the use of any other electronic communications apparatus;	Y
9(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	Y
9(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
9(A)	Sub-paragraph (9)(b) and (c) does not apply where the development is carried out within a permitted compound (and accordingly the development described in that sub-paragraph is permitted by Class A(a))	N/A

The proposed development would not trigger the need for a prior approval assessment under paragraph A.2 (conditions). 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.

It is considered that that the replacement mast and new cabinets at the proposed scale and in this particular location, would have a minimal effect on the external appearance of the area as there is an existing character of telecommunication apparatus and poles in this urban area. However, the monopole which it would replace uses a light grey colour which does not reflect the backdrop of greenery behind. Following discussions with the applicant, the colour of the monopole proposed was amended to an Olive Grey Colour identified as RAL7002 which would be more neutral. It is therefore determined that the siting and appearance of the development would be acceptable and prior approval would not be required for the development.

Conclusion & Recommendation

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). The recommendation is No Objection.

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mrs Lisa Fisher	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	15th November 2024	Dated:	15th November 2024