

Delegated Report

Telecommunications Works Application

Application no: 20240078

Location: Telecommunications Pole Cherrywood Drive Durndale Shears Green

Description: The Electronic Communications Code (Conditions and restrictions) Regulations 2003 (as amended) - Regulation 5 Notice of Intention to Install Fixed Line Broadband Apparatus.

Applicant: George Liddell

Site Visit Date: N/A

Submitted Documents/Plans

- Covering Letter;
- Un-numbered Plan Drawing - 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 28 day notice application for the provision of a 10m wooden telegraph pole, which it is said in the covering letter would be for the purpose of building an electronic communications network.

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 10m. 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, not altering or replacing existing equipment 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 25m.

*(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 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;*

The proposed development is for the installation of a new telegraph pole, not altering or replacing an existing mast therefore A.1 (1) (d) is not relevant.

*(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 this*

The proposed development is for the installation of a new telegraph pole, therefore A.1 (1) (e) is not relevant.

Moreover, 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.

The installation of a wooden telegraph pole in this location is considered acceptable. The site is located in the urban area where Cherrywood Drive is commonplace in containing a number of 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 (a) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Recommendation

Approval

See draft Decision

Case Officer:	Ms Rebecca Harrison	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	15th February 2024	Dated:	16 February 2024