



# Delegated Report

## *Telecommunication Works Application*

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|------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application No:</b> | 20250856                                                                                                                                                                     |
| <b>Location:</b>       | Junction Of Manor Road, Sole Street, Cobham, Gravesend, Kent                                                                                                                 |
| <b>Description:</b>    | The Electronic Communications Code (Conditions and restrictions) Regulations 2003 (as amended) - Regulation 5 Notice of Intention to Install Fixed Line Broadband Apparatus. |
| <b>Applicant:</b>      | Ryan Carroll, Openreach                                                                                                                                                      |

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### Site Description

The application site is located within the rural settlement of Sole Street, on Sole Street near the junction with Manor Road.



### Submitted Documents/Plans

- Consultation letter from BT Open Reach – dated 27 August 2025.

### Relevant Planning History

No relevant planning history.

### Proposed Development

This is a 28day notice application for the provision of fixed line broadband apparatus at the above site. The development comprises of the installation of a 'subtended headend cabinet extension'.



## Analysis

The installation of a cabinet can 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) (GDPO), which relates to the installation of any electronic communications apparatus. Development not permitted, specifically ground-based apparatus (as hereby proposed), is set out in 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 proposal involves the installation of a Subtended Headend Cabinet Extension (450mm wide, 350mm deep and 990mm high) and therefore complies with A.1 (a).

*(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 proposal involves the installation of a cabinet and not the alteration or replacement of apparatus; therefore A.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 proposed involves the installation of a cabinet and not the installation of a mast and therefore A.1(c) is not relevant.

*(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*

The proposal does not involve the alteration or replacement of a 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 third.*

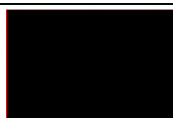
The proposal does not involve the alteration or replacement of a mast; therefore A.1 (1) (e) is not relevant.

Class A(a) development is permitted subject to the conditions set out under A.2. This includes the circumstances where prior approval would be required. The proposed pole does not fall under any of these circumstances and therefore prior approval is not required.

Condition A.2 (1) (d) specifies that the siting of development should: not prevent pedestrians from passing along a footway; not prevent access to premises adjoining a footway; and have regard to the needs of disabled people and the guidance document "Inclusive Mobility" issued by the Department for Transport in December 2021. Condition A.2 (2) specifies further conditions relating to removal and restoration.

## Conclusion

The proposed development of fixed line broadband electric communications apparatus involving the installation of a cabinet is considered to comply with the parameters set out in Schedule 2, Part 16, Class A.1 (1) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The proposal therefore constitutes permitted development, subject to the conditions set out at A.2.

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|----------------------|-------------------------------------------------------------------------------------|---------------------|---------------------------------------------------------------------------------------|
| <b>Case Officer:</b> | Mr Ethan Bonthron                                                                   | <b>Team Leader:</b> | Mrs Faye Walsh                                                                        |
| <b>Signed:</b>       |  | <b>Signed:</b>      |  |
| <b>Dated:</b>        | 16 <sup>th</sup> September 2025                                                     | <b>Dated:</b>       | 17 September 2025                                                                     |