

APPLICATION FOR PRIOR APPROVAL DELEGATED REPORT

APPLICATION REFERENCE:	PL/2026/04910
APPLICATION TYPE:	Prior approval: Development by telecoms operators
SITE ADDRESS:	Castle Combe Racing Circuit, Castle Combe, Chippenham, Wiltshire, SN14 7EY
DEVELOPMENT DESCRIPTION:	Installation of a permanent backup generator.
RECOMMENDATION:	That Prior Approval is NOT REQUIRED

PROPOSAL

Prior approval is sought under Schedule 2, Part 16, Class A to the Town & County Planning (General Permitted Development) Order (England) (Amendment) (No.2) Order 2016 (as amended) for the installation of new electronic communications equipment by a telecoms operator at one of their existing sites.

The development consists of a new 10kVA generator shown to be mounted on a concrete foundation in place of existing cabinets (which are shown to be removed). The submission also explains that the generator will with associated power ducting, trunking and a pole mounted control panel.

It is understood that the development is required to support emergency services communication, with the generator providing back up power for the existing telecoms tower in case of main grid power supply to the site fails. The submission explains that the development is required by government.

The submission does not amount to an application for planning permission. The proposal is submitted on the basis that it is permitted development, with only prior approval being sought for the details.

SITE DESCRIPTION/CONTEXT

The application site is an established telecoms compound, with fixed plant and equipment along with a 22.5m tall telecoms tower. The generator will be positioned within the compound, which is defined by a 2.4m tall security fence.

The compound is located adjacent to the Castle Combe racing circuit and is within the Cotswold National Landscape.

LEGISLATIVE CONTEXT

Schedule 2, Part 16, Class A Town & County Planning (General Permitted Development) Order (England) (Amendment) (No.2) Order 2016 (as amended) (GPDO)

The permitted development rights granted by Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) (Amendment) (No.2) Order 2016, the GPDO), introduced and extended permitted development rights in relation to electronic communications infrastructure. Most critically, the aforementioned Amendment introduced a new permitted development right to alter or replace existing telecommunication masts located on article 2(3) land (such as conservation areas), subject to a height limit of the greater of the existing height or 20 metres. Prior approval is required for increases in height above 20 metres. This package of amendments was introduced by the Government to facilitate the establishment of modern communications apparatus and infrastructure such as for 5G, which has been judged by successive governments to be important to a modern economy and in attaining sustainability objectives.

The permitted development granted subject to the prior approval procedure is similar to the granting of outline planning permission, with details of precise siting and appearance being reserved. This is explained at paragraph 8.4 of the Code of Best Practice on Mobile Network Development in England, November 2016. The National Planning Policy Framework is also accordingly clear that permitted development rights should not generally be withdrawn.

As a consequence, the scope of determination does not extend to whether the site selected is needed, as the principle of the development is not a material consideration given that the PD Regulations set out there is no need for a developer to apply for planning permission for such works. Likewise, whilst information on alternative sites may be supplied by way of background and context, the extent of the decision making extent pursuant to the proposed siting is limited to the precise siting at the identified site and not the general location.

POLICY

Wiltshire Core Strategy

- CP51 – Landscape
- CP57 – Design and appearance

CONSULTATIONS

Castle Combe Parish Council: No objection.

ASSESSMENT

Compliance with GPDO

This is a prior notification application under the permitted development regulations. It is not a planning application and does not require planning permission as explained within Planning Practice Guidance at Paragraph: 028 Reference ID: 13-028-20140306. In this case, there is no suggestion that the proposed development is not capable of being considered permitted development under the above regulations.

However, under paragraph A.3(4), before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will

be required as to the siting and appearance of the development. The legislation does not afford consideration of any other matter.

In this case, this application has been submitted with more information than is technically required to satisfy the requirements set out in the regulations, with a layout plan, elevations and background information being provided. Those details are considered below.

Siting and appearance

The submission confirms that the new generator and ancillary equipment will take place within the confines of a well-established telecoms compound and in large part on the position of existing cabinets, which are to be removed. The appearance and scale of the equipment appears to be utilitarian, but is considered appropriate to the intended use and context.

As is set out in the submission, the proposal is for the upgrade of an existing site and as such, no alternative site options were investigated. Whilst it is acknowledged that the development would be located in the National Landscape, the effects would be minimal compared to the existing situation and the approach of the applicant in this regard is considered to be reasonable.

Accordingly, the proposed development would be located within an existing telecommunications equipment compound and behind a relatively tall security fence. The siting and appearance of the proposals are considered appropriate in that context.

CONCLUSION

The proposed development has been assessed against the provisions, limitations, and conditions set out in Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Based on the submitted plans, there is no reason to believe that the development would not constitute permitted development for the purposes of Class A and that its siting and appearance would meet with the requirements of policies CP51 and CP57 to the Wiltshire Core Strategy. Accordingly prior approval is not required.

RECOMMENDATION: That Prior Approval is NOT required in relation to siting and appearance of the development.