

To:  
Development and Environment  
and  
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**Monks Orchard Residents'  
Association  
Planning**

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15<sup>th</sup> October 2020

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Dear Sir/Madam

Our local Residents have raised the following query with MORA relating to the recent works to the Telecom Mast & Antenna and Supporting Street Cabinets at Greenview Avenue, Shirley, Croydon.

The previous 15m Mast has been replaced with a significantly taller mast with Antenna as can be seen by the following illustration photographs.

This is the third mast which has been changed from the original, with each being replaced with a higher mast and on this occasion, it is not only higher but the Service Provider has also moved the Mast several metres from the original position, closer to the corner with 'The Glade'.

I have searched back through Planning Applications and have unearthed what I believe is the most recent application in 2013/14.

Reference	13/04363/DT
Application Received	Fri 20 Dec 2013
Application Validated	Fri 20 Dec 2013
Address	O/S 72, The Glade, (Fronting Greenview Avenue), Croydon CR0
Proposal	Removal of existing 12.5-metre-high tower; siting of a replacement 15-metre-high telecommunication mast and 1 equipment cabinet
Status	Decided
Decision	Approved (prior approvals only)
Decision Issued Date	Thu 30 Jan 2014

I would deduce from this that the Service Provider has not obtained Planning Permission to make any changes since 2014 and also that the recent works are not covered by 'Permitted Development' legislation Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2016 (See below).

When this was first installed, the local residents were notified and told that the installation would be **sympathetic** to the surrounding environment and would blend in with the tree next to it, which it clearly does not at this new height and position.

**Is it permissible for the service provider to significantly increase the height and change the location of this mast and supporting street cabinets without planning permission under**

**‘Permitted Development’ and if planning permission is required, should you be requesting retrospective planning permission via the normal channels, and allowing local residents a period for local consultation and comments before giving an approval?**

The following illustrations are offered for your information to help in your assessment of this question.



**Google Image of Mast Location & Height - March 2018**



**Google Image of Mast Location & Height - July 2019**





**Height of recent mast installation (without planning permission)**



**New Position of Mast and Street Cabinets**



**Google Earth image of Mast Position and street cabinets at March 2018**

We understand that **Permitted Development Legislation 2016** <sup>[1]</sup> states:

**Development not permitted: ground-based apparatus.**

**A.1—(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;
- (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;
- (c) in the case of the installation of a mast, the mast, excluding any antenna, would exceed a height of—
  - (i) 25 metres above ground level on unprotected land; or
  - (ii) 20 metres above ground level on article 2(3) land or land which is on a highway; or
- (d) **in the case of the alteration or replacement of a mast, the mast, excluding any antenna, would when altered or replaced—**
  - (i) **exceed the greater of the height of the existing mast or a height of—**
    - (aa) 25 metres above ground level on unprotected land; or
    - (bb) **20 metres above ground level on article 2(3) land or land which is on a highway; or**

...

**[1]** <https://www.legislation.gov.uk/ukxi/2015/596/schedule/2/part/16>

**[F<sup>1</sup>** Class A – electronic communications code operators

**[F<sup>1</sup>** Sch. 2 Pt. 16 Class A substituted (24.11.2016) by The Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2016 (S.I. 2016/1040), arts. 1, 2(2) (with art. 3)



Our assessment is that the **replaced mast** minus the antenna **exceeds the height of the existing apparatus** and the **mast** minus the antenna could **exceed 20m above ground level**.

Can you advise or confirm whether these upgrades and repositioning of the mast and the street hardware required planning permission and if so, can a retrospective application be requested of the Telecom Service Provider with an opportunity for local residents' consultation?

Kind Regards



**Derek C Ritson - I.Eng. M.I.E.T.**  
**Planning**  
**Monks Orchard Residents' Association**