
Site Address:	Land at Kenwood Business Park, New Lane, Havant, PO9 2NH		
Proposal:	Erection and siting of fibre exchange telecommunications infrastructure to provide a full fibre (gigabit) to the premises service.		
Application Type:	Full Planning Permission		
Application No:	APP/21/01349	Expiry Date:	14/04/2022
Applicant:	CityFibre		
Agent:	Mr Bingham	Case Officer:	Selina Donophy
	Murray Planning		
Ward:	St Faiths		

Recommendation: **GRANT PERMISSION**

1 Site Description

This application site comprises a section of land within the Kenwood Business Park located along New Lane in Havant. The land is located close to the eastern boundary of the site, to the east of a car parking area and industrial units. To the east of the site there is a row of trees screening the railway line. To the east of the railway line are residential properties to the west of Fourth Avenue.

2 Planning History

01/54846/017 - 1 No. internally illuminated sign on front (west elevation) of main building facing New Lane, 1 No. non-illuminated sign on front (west elevation) of factory adjacent northern boundary., PERM,07/05/2002
01/54846/016 - Two externally illuminated pole signs at entrance onto New Lane., PERM,30/07/2001
99/54846/015 - Demolition of various ancillary buildings, external building alterations to main factory including glazed extension to west elevation (reception area) and re-cladding works, together with altered building access arrangements and car parking layout., PERM,31/01/2000
98/54846/013 - Addition of 2 windows and 1 door to west elevation and 10 windows and 1 door to south elevation of former die-cast building at southern end of site, PERM,17/06/1998
98/54846/014 - Alterations and improvements to site entrance from Eastern Road, PERM,16/07/1998
97/54846/012 - Installation of 2 fire exit doors, PERM,01/04/1997
96/54846/011 - Extension to existing production building in north east portion of the site, PERM,10/09/1996
94/54846/004 - Two signs. One projecting road sign One at rear entrance to Kenwood site, INV,
94/54846/007 - Retention of 9 windows removal of one roller shutter door and addition of one pedestrian door, PERM,27/06/1994
94/54846/008 - Extension to existing building to provide additional die-casting facilities and associated parking revisions, PERM,31/01/1995

93/54846/004 - Southern extension to existing building to house die casting process., PERM,27/08/1993

90/54846/001 - Erection of canopy on north elevation of factory No.1., PERM, 90/54846/003 - Change of use of part of canteen to sports and social club., REF, 06/54846/020 - Display of internally illuminated fascia sign., PERM,19/05/2006

06/54846/021 - Change of use of land to a Coach Depot and parking facility, with associated garage/workshop, WC and restroom., REF,11/05/2007

07/54846/023 - Elevational changes to factories 1 & 2., PERM,05/04/2007

07/54846/024 - Change of use of land to a new coach depot and parking facility, with associated garage/workshop. WC and restroom. (Amended application). , PERM,14/08/2007

09/54846/028 - Construction of new blockwork enclosure within the existing warehouse to provide shop and training facilities and providing a new shop frontage and display of 2No. signs. , PERM,22/12/2009

09/54846/029 - Display on 2No. non-illuminated fascia signs., PERM,22/12/2009

APP/11/00187 - Retention of storage and loading canopies around entrances to warehouse units 7, 8 & 9 for a period of 24 months., PERM,27/09/2012

APP/12/00831 - Installation of 6No. new lighting columns to existing north east car park. , PERM,29/10/2012

APP/13/00884 - Erection of 2No. portable buildings to provide temporary office meeting rooms., PERM,14/11/2013

APP/13/00917 - Retention of storage and loading canopies around entrances to Warehouse Units 7, 8 & 9 until 31 December 2015., PERM,07/11/2013

APP/15/00274 - Refurbishment of existing Unit 10 comprising of existing envelope stripped back to structural frame, walls and roof re-clad with insulated panels, storm drainage adjusted to suit new external gutter system, new doors and windows to suit new internal layout. , PERM,18/05/2015

APP/15/00275 - Display of 1No. fascia sign., PERM,18/05/2015

APP/16/00598 - Change of use from B1 (Business - Offices/Light Industrial) and B8 (Storage/Distribution) to flexible B1(Business - Offices/Light Industrial), B2 (General Industrial) and B8 (Storage/Distribution) for units 3, 7 and 8., PERM,16/12/2016

3 Proposal

Erection and siting of fibre exchange telecommunications infrastructure to provide a full fibre (gigabit) to the premises service.

4 Policy Considerations

National Planning Policy Framework
Havant Borough Council Borough Design Guide SPD December 2011
Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

CS16 (High Quality Design)
DM10 (Pollution)

Havant Borough Local Plan (Allocations) July 2014

AL1 (Presumption in Favour of Sustainable Development)

Submission Version Havant Local Plan

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist

No comment received

Councillor Imogen Payter

No comment

Councillor J Branson - St Faiths

No comment

Councillor T Pike - St Faith's

No comment

Environmental Health Manager, Community Group

Thank you for consulting the Pollution team on the above planning application. Please note this response relates to noise only.

A BS4142 noise report has been submitted with this application which predicts that noise from the proposed plant will have a "low impact". Therefore, mitigation measures are not proposed. Before we can provide comment we require clarification regarding the following matters:

- Existing background sound levels were recorded overnight on a weekday. Further detail is required about the working hours and days for the industrial estate. It is believed some companies (including Sumika) may operate 24-hours throughout the week which in turn may increase background sound levels. Background sound levels should be taken during the quietest part of the week.
- Confirmation that there is no other plant at the monitoring location which may have artificially increased background sound levels. I have visited the site and noted the existence of a ground mounted unit at the proposed application site.
- A full breakdown of the calculations provided in the report.

Case Officer comment : Further comments received following submission of additional information by the applicant

The response has addressed our concerns and we wish to withdraw our objection provided the following condition is attached,

The rating level of the noise emitted from the plant (as detailed in noise report KD1001227NR 17/02/2022) shall not exceed the existing background sound level determined to be 39 LA90,(15 min) Monday to Sunday. The noise levels shall be determined at noise sensitive receptors NSR1, 2 and 4 as identified in the noise report. The rating level of the noise emitted from the plant shall not exceed 40 dBA

Monday to Sunday at NSR3 as identified in the noise report. The measurements and assessment shall be made according to BS 4142:2014+A1:2019.

Note: this condition does not apply to the noise emitted from the emergency generators.

Regeneration Team

I have rationalised the regeneration response and would be happy that the following comments are published.

As a lead officer for strategic infrastructure within the borough I am interested to see this application which would enable the provision of enhanced (Full Fibre asymmetrical gigabit) broadband connectivity and 5G provision in the Havant area.

Having the best available digital connectivity is a crucial element in strategic infrastructure provision in the borough. A recent independent review of UK local authority Full Fibre to the Premises (FTTP) coverage (February 2022 data) shows that Havant Borough is nationally ranked 6th from the bottom for Openreach(BT) connectivity , just above the Shetland Islands, NE Lincolnshire, Orkneys, Isle of Scilly and Oadby and Wigston; all extremely rural areas. The report coincidentally also shows that whilst Havant is poor in terms of the Openreach FTTP connectivity; Havant is good in terms of Virgin Cable connectivity, being in 19th place nationally. However, the virgin cable system is an older system with limitations on download and upload speeds.

The full fibre technology that would become available with the application proposal is the best available technology and therefore what we ought to be aiming for. Our communities and businesses would see significantly improved FTTP connectivity to support them to thrive in the future.

Enhancing digital connectivity is an aim of government policy and whilst the Local Plan has now been withdrawn broadband improvement was featured as a key infrastructure policy.

The principle of installing the Fibre exchange within the borough is therefore something that the Council should be strongly supporting. Once the exchange is installed in an area then the Fibre cabling can be laid to connect homes and businesses to the best available digital services.

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 16

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 3

Comment	Officer Comment
I live in Fourth Avenue and will be directly impacted from the constant	The close proximity between this site and residential properties has been noted and

noise of a new installation of fan units and generators located very close to where I live.

Sounds and noise generated from commercial machinery should not impact in any way on the residents and I suggest this proposed installation should be relocated further within the industrial business park for which the application is designed for and serves.

I believe this alternative is fair and reasonable and would also show consideration and sensitivity to the residents quality of life. It is reasonable to say that this commercial noise emitting project requires absolute soundproofing and any modern, technically advanced and caring business must be able to achieve this.

I have noticed that you have included the background noise of trains as part of your assessment. Train noise is intermittent and limited and reduces at night. This type of noise is in total contrast to the planned installation which would emit a 24/7 constantly intrusive drone.

I believe this additional constant noise would have a negative effect to my everyday life and work and be detrimental to my well being and mental health

The plan to remove and disturb trees and shrubs to install the units as well as added extra noise emitted, cannot be the best green option for such a venture. We have heard so much about the application in industry of more efficient and quieter renewable energy sources and wonder if the whole installation process could be rethought for a more progressive outcome.

My wife and I are already impacted by the noise generated from the industrial park and have met Mr Mark Moss from HBC to investigate the ongoing noise problems from the estate but as yet we have not received solutions, it follows

assessed as part of the Noise Impact Assessment submitted by the applicant and reviewed by the Council's Environmental Health Officer who has requested a condition relating to control of the noise ratings which the Noise Impact Assessment shows to not reach harmful levels.

that we do not need any increase in the noise pollution. Because of all I have mentioned in this communication I strongly object to the planned installation	
I live in Fourth Ave, Denvilles, immediately backing onto this development across the railway. I believe my house (at the rear) is the closest residential house to this development. I have an ongoing problem/complaint with HBC for existing fan/pump noise from another adjacent factory on the New Lane site. This has been an ongoing complaint with HBC since 2017 and has not been resolved, (ref 329/39847 applies). Mr Mark Moss was investigating and many detailed measurements were taken at my property. The fan/pump 50Hz AC noise was continuous 6 days a week, 24 hours per day and remains a continued annoying disturbance to this day. Nothing was done or has been done to successfully mitigate or reduce the disturbing "droning/humming " noise. This new proposed development with its addition of several AC 50Hz Fan Units to the rear of Phase 1 cabin will MAKE THE PROBLEM EVEN WORSE for me at my home. I note your noise assessment estimates an addition of 1dB accoustic noise. This is NOT insignificant to me. This will only add to the existing "drone" and I fear I will suffer even more disturbance as my property is immediately across the rail line from rear of Phase 1 cabin. (and a LOT closer to me than the existing acknowledged confirmed source of noise - Sumika Polymer Havant). I note that existing foliage shrubs and trees will be reduced between the development and my house reducing any attenuation of the likely additional low frequency noise. Please consider site re-location further away from any domestic housing to reduce noise, or extra noise attenuation measures such as a sound proof surround or high brick wall at rear of cabins, plus additional thick foliage (not taking some away!!). I strongly	The existing case with Environmental Health in relation to another industrial unit is noted . This proposal would not result incomparable noise levels .

object to this scheme going ahead as proposed as it will add additional significant disturbance to the already challenging local noisy environment / living conditions day and night, and will be further detrimental to my wellbeing in "quiet" Denvilles.	
I live to the North East of the proposed development across the railway line. Whilst the level of the noise may be low it will be a constant hum of fans running. The prevailing winds tend to be from the South West and in the summer with windows open we would certainly here the hum at night when trying to sleep. We already have issues with the Sumika Polymer factory adjacent to us with a constant whine which disturbs our sleep at night. I feel that this development will only add to the noise we have to endure.	The close proximity between this site and residential properties has been noted and assessed as part of the Noise Impact Assessment submitted by the applicant and reviewed by the Council's Environmental Health Officer who has requested a condition relating to control of the noise ratings which the Noise Impact Assessment shows to not reach harmful levels.

7 **Planning Considerations**

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Impact upon the character and appearance of the area
- (iii) Impact upon residential amenity
- (iv) Trees

(i) Principle of development

7.2 The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria.

(ii) Impact upon the character and appearance of the area

7.3 This proposal comprises the erection of fibre exchange telecommunications infrastructure located on a section of land on the east side of the Kenwood Business Park. The company, 'City Fibre' aims provide high speed internet service locally . The infrastructure proposed encompasses 2 fibre optic cabin units on a concrete base . These would have dimensions of approximately 12 metres length by 3.6 metres width and 3.4 metres height, flat roofed with the exterior formed from metal. Each cabin would be served by AC units and there would be phase 1 and phase 2 generators both on concrete bases alongside a concrete pathway created -the site would be enclosed by 2.4 metre high palisade fencing.

- 7.4 The site would be largely screened from view from Fourth Avenue to the east where the railway line separates the site as well as foliage along the site boundary. Whilst it would be visible from the industrial park, the proposal is not deemed to appear harmful when judged within the context of the site within close proximity of industrial units and concrete car parking areas. It is noted the proposal would help to improve connectivity for the borough which is also supported by the Council's Regeneration Team. Overall the proposal is deemed to comply with Policy CS16 of the Havant Borough Local Plan.

(iii) Impact upon residential amenity

- 7.5 To the east of the proposal site are residential properties located on the west side of Fourth Avenue. It is noted the closest property is sited approximately 23 metres to the east of the site, separated by the railway line. A Noise Impact Assessment has been provided by the applicant and noise measurements were taken from 4 receptors, with rating levels concluding that the impact was low in relation to night time representative noise levels. In relation to the emergency generators, the rating levels for these were found to be above representative background sound levels at night however these would not form part of everyday operations. Havant's Environmental Health officer has been consulted in regard to this application and has no objection subject to a condition being applied controlling noise levels. Overall the proposal is not deemed to result in additional harmful noise pollution to the properties to the east of the site as shown in the calculations in the submitted Noise Impact Assessment.
- 7.6 Consequently, it is considered that the proposal would have limited and acceptable impact on the properties immediately adjacent to the application site and the properties opposite or to the rear, meeting the requirements of Policy CS16 of the HBLP (Core Strategy)

(iv) Trees

- 7.7 There are some trees located between the site and the railway line - these are not TPO'd and these are sited outside of the red site line and the applicant has confirmed the only alteration would be the cutting back of the foliage encroaching on the proposal site.

8 Conclusion

- 8.1 The scale, siting and design of the proposal would have limited and acceptable impact on the neighbours and is therefore considered to be appropriate and recommended for approval.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/21/01349

subject to the following conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Application form - materials

Noise Impact Assessment uploaded on the 17.02.2022

P1808-212-PL-005-C Proposed site plan

P1808-212-PL-006-B Proposed elevations west and south

P1808-212-PL-007-B Proposed elevations east and north

P1808-212-PL-001-C Site location plan

Design and Access Statement uploaded on the 16.12.2022

Reason: - To ensure provision of a satisfactory development.

- 3 The rating level of the noise emitted from the plant (as detailed in noise report KD1001227NR 17/02/2022) shall not exceed the existing background sound level determined to be 39 LA90,(15 min) Monday to Sunday. The noise levels shall be determined at noise sensitive receptors NSR1, 2 and 4 as identified in the noise report. The rating level of the noise emitted from the plant shall not exceed 40 dBA Monday to Sunday at NSR3 as identified in the noise report. The measurements and assessment shall be made according to BS 4142:2014+A1:2019.

Note: this condition does not apply to the noise emitted from the emergency generators.

Reason To safeguard the amenities of nearby residential properties from noise pollution and having due regard to Policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.