
Site Address: Footway adj Langbrook Farm, Langstone Road, Havant,
PO9 1SA

Proposal: Application to determine if Prior Approval is required for installation of 20m high slim-line monopole supporting 6No. antennas, 1No. wraparound equipment cabinet, 2No. equipment cabinets, 1No. electric meter cabinet and ancillary development thereto including 1No. GPS module.

Application Type: Telecommunications Notification

Application No: APP/22/01035 Expiry Date: 20/12/2022

Applicant: CK Hutchinson Networks (UK)
Ltd

Agent: Mr Laskowski Case Officer: Selina Donophy
Clarke Telecom

Ward: St Faiths

Recommendation: **REFUSE PRIOR APPROVAL**

1 Site Description

This application site comprises a section of pavement located on the west side of Langstone Road sited forward of the Langbrook Farm restaurant and in from the junction leading to Langstone Technology Park. This section of pavement forms part of the main road linking Hayling Island to Havant and forms the main vehicular access for vehicles accessing and leaving Hayling Island. To the north of the site is the Premier Inn Hotel and roundabout and on the opposite side of the road are residential properties.

2 Planning History

The following planning applications relate to adjacent sites.

APP/15/00049 - Discharge of Condition No. 14 and 31 of Planning Permission
APP/12/00467., PERM,16/03/2015

APP/15/00643 - Discharge of Condition No. 8 of Planning Permission APP/14/01300.,
PERM,04/08/2015

APP/15/00771 - Application for non-material change to Planning Permission
APP/14/1300 relating to re-positioning of air conditioning compound.,
PERM,13/08/2015

APP/15/00912 - Display of 1No. illuminated letters and logo, 5No. illuminated fascia;
1No. illuminated pole mounted signs and 3No. pole mounted directional signs.
(Revised Application.), PERM,14/10/2015

APP/15/01266 - Erection of four storey hotel (including restaurant for hotel guests only) with associated car parking and landscaping; and air conditioning units in compounds, with access from the private access road to Langstone Technology Park. Request to Discharge Condition 19 of Planning Permission APP/14/01300 (04.11.15), PERM,20/01/2016

APP/15/01410 - Discharge of Condition No. 21 of Planning Permission
APP/14/01300., PERM,21/06/2016

APP/22/00172 - Outline Planning Application for Phased demolition of existing buildings and the erection of new flexible use employment floorspace (Use Classes E(g)(i)-(iii)/B2/B8) and ancillary uses (Use Classes E(b), E(d) and E(f)); and associated works. All matters reserved except Access., Current Application

3 Proposal

Application to determine if Prior Approval is required for installation of 20m high slim-line monopole supporting 6No. antennas, 1No. wraparound equipment cabinet, 2No. equipment cabinets, 1No. electric meter cabinet and ancillary development thereto including 1No. GPS module.

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

CS1	(Health and Wellbeing)
CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS16	(High Quality Design)
CS19	(Effective Provision of Infrastructure)
CS20	(Transport and Access Strategy)
DM10	(Pollution)
DM11	(Planning for More Sustainable Travel)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
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Emsworth Neighbourhood Plan Post Examination Version 2020
N/A

Listed Building Grade: Not applicable.
Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Councillor Imogen Payter

No comment received

Councillor Phil Munday - St Faiths

No comment received

Councillor T Pike - St Faith's

Reference the above application which has just been publicised. I had already complained to this developer about this proposal, as it is in the path of an important

walking and cycling route between Havant and Langstone - the official cycle route goes along this path and down the slope to the tunnel under the A27. It is obviously an inappropriate location, in a similar way to the one on Eastern Road that was moved to a better position.

I'd like to register my objection to the site chosen, and ask that a site is chosen that does not block a pavement or cyclepath. It shouldn't be difficult to find a site in this area that is not blocking access.

Department of Trade and Industry

No comment received

Developer Services, Southern Water

Thank you for your letter dated 02/11/2022.

Further to your recent pre-application request for the above site, Southern Water have the following observations to make in respect of the proposed development:

- Southern Water's records show that there are public foul and surface water sewers within the proposed development site.
- No development should be carried out within 3.5 metres of the external edge of the public gravity sewer without consent from Southern Water.
- All existing infrastructure should be protected during the course of construction works.
- It is possible that a sewer now deemed to be public could be crossing the development site.

Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing,

West Sussex, BN13 3NX (Tel: 0330 303 0119).

Website: southernwater.co.uk or by email at:

SouthernWaterPlanning@southernwater.co.uk

Hampshire Highways

Thank you for consulting the Highway Authority on the proposed implementation of 5G equipment on Langstone Road, to the north of the access between Langstone Road and Langstone Technology Park.

The utilities are proposed to the back of the existing footway located to the north of the access into Langstone Technology Park, adjacent to the Langbrook Farm restaurant.

The facilities are likely to obstruct forward visibility to the road sign which informs drivers of the lane allocation prior to approaching the A27/Langstone Road roundabout for those emerging from the Langstone Technology Park site access.

Whilst the cabinets and associated equipment will be located to the back of the footway, they will still present an obstruction on an existing shared use path. The applicant has not clarified the width of the apparatus but based on drawing number HVT25307_B35_M002_H3G_DNSW_GA_B, there will not be the appropriate minimum width of 3m achieved for a shared use path. This shared use path is currently the only highway route for pedestrians and cyclists looking to access the shared use path to the north of Langstone Technology Park and the A27 underpass. By implementing the proposed infrastructure, the applicant would therefore be introducing substandard facilities on a key pedestrian and cycle route which may also compromise future improvement schemes.

Recommendation

For the reasons noted above, the Highway Authority therefore recommends objection to the proposed development based on the following reasons:

The proposed infrastructure will restrict the available width of the shared use path on Langstone Road, presenting substandard facilities for pedestrian and cyclists, and the forward visibility splays from the Langstone Technology Park site access, presenting a safety concern for highway users.

Reason: In the interest of highway safety.

Southern Gas Networks - stage 1

Please find an extract from our mains records for your proposed work area, any SGN assets are described in the map legend. **On some occasions blank maps may be sent to you, this is due to your proposed work being in a no gas area but within our operational boundaries.**

This mains record only shows the pipes owned by SGN in our role as a Licensed Gas Transporter (GT). Please note that privately owned gas pipes or pipes owned by other GTs may be present in this area and information regarding those pipes needs to be requested from the owners. If we know of any other pipes in the area we will note them on the plans as a shaded area and/or a series of x's.

The information shown on this plan is given without obligation or warranty and the accuracy cannot be guaranteed.

Service pipes, valves, siphons, stub connections etc. are not shown but their presence should be anticipated. Your attention is drawn to the information and disclaimer on these plans. The information included on the plan is only valid for 28 days.

On the mains record you may see the low/medium/intermediate pressure gas main near your site. There should be no mechanical excavations taking place above or within 0.5m of a low/medium pressure system or above or within 3.0m of an intermediate pressure system. You should, where required confirm the position using hand dug trial holes.

A colour copy of these plans and the gas safety advice booklet enclosed should be passed to the senior person on site in order to prevent damage to our plant and potential direct or consequential costs to your organisation.

Safe digging practices in accordance with HSE publication HSG47 "Avoiding Danger from Underground Services" must be used to verify and establish the actual position of the mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all relevant people (direct labour or contractors) working for you on or near gas pipes.

It must be stressed that both direct and consequential damage to gas plant can be dangerous for your employees and the general public and repairs to any such damage will incur a charge to you or the organisation carrying out work on your behalf. Your works should be carried out in such a manner that we are able to gain access to our apparatus throughout the duration of your operations.

If you require any further information please do not hesitate to contact us.

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: 13

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 2

Comment	Officer Comment
The proposal to erect a 5G is supported in principle. However, the location is inappropriate. While this may not be a heavily used footpath (it really go nowhere) it is an extremely visible part of Langstone, Havant and will present a dominant image to all passing by. Is this the best place for such a large piece of engineering infrastructure? Would it be possible, subject to the owners permission, to site this mast in the large car park of Langstone Park? There are existing 15m lighting columns to illuminate the area and so a 20m pole would possibly be less visually intrusive. I act as Secretary to Langstone Residents' Association and make these observation on behalf of the local community. We welcome the upgrade to 5G broadband but request a much less obvious location. The attached technical report/guidance are very useful and one would not wish to stop this improvement to the technology but, a better location should be found.	Comment has been noted - please see 'Planning Considerations' section of the report.

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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) Background
- (iii) Siting and appearance
- (iv) Impact on neighbour amenity
- (v) Impact on highway and pedestrian safety
- (vi) Drainage

(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.

- 7.3 The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) [GDPO] has established the principle of proposals of this nature provided that certain criteria are met and subject to the local planning authority determining (a) whether Prior Approval is required for the siting and appearance of the proposal and, if so, (b) whether such Prior Approval should be granted or refused.
- 7.4 In this case, having reviewed the application, the local planning authority has determined that prior approval is required in this instance for the siting and appearance of the proposed development.

(ii) Background

- 7.5 The importance of mobile technology in the UK and its contribution to the sustainability agenda is recognised by planning legislation and national policy and to facilitate the growth of new and existing telecommunications systems, and operators have obligations to meet customer demands for improved quality of service. Additionally, the National Planning Policy Framework places emphasis on encouraging the continued roll out of high speed digital infrastructure networks, of which the proposal would form a part.
- 7.6 An Electronic Communications Code consultation was published on 27 January 2021. The consultation outcome – ‘Access to land: consultation on changes to the Electronic Communications Code-government response’, was updated 24 November 2021.
- 7.7 The Ministerial foreword of Julia Lopez MP of this document, states, inter alia, the government is committed to delivering lightning-fast, reliable broadband to everyone in the United Kingdom and making the country a global leader in digital connectivity.
- 7.8 It further states that the COVID-19 pandemic has highlighted how important it is to be connected - now more than ever – and having long-lasting gigabit capable connections in place will help to keep society functioning both now and in the future.
- 7.9 The Government is also implementing the recommendations made in its Future Telecoms Infrastructure Review published in 2018.
- 7.10 In addition to the above, the Government also published a consultation on Changes to permitted development rights for electronic communications infrastructure (Published 20 April 2021) at how to implement the proposals consulted on in August 2019 to support the deployment of 5G and extend mobile coverage.
- 7.11 The Ministerial foreword commented that the case for 5G is compelling and that it will provide faster, more responsive and more reliable connections than ever before. Further, that the planning system plays a key role in delivering the infrastructure that is needed as households and businesses become increasingly reliant on mobile connectivity.
- 7.12 On 7th March 2022, the consultation outcome of the changes to permitted development rights for electronic communications infrastructure was published.
- 7.13 The Ministerial foreword of Julia Lopez MP of this document, states, inter alia, that bringing forward these important changes will ensure that the planning system supports the delivery of mobile infrastructure, as part of the government’s mission that

by 2030, the UK will have nationwide gigabit-capable broadband and 4G coverage, with 5G coverage for the majority of the population.

- 7.14 The Executive summary of the consultation outcome, comments that in considering the proposed reforms, the government has sought to ensure that it strikes an appropriate balance between providing local control over new development and delivering improved connectivity. In addition, it comments that while it is essential that communities and businesses have access to high-quality wireless connectivity, it recognises that it is important that the visual impacts of new network development are mitigated, and local amenity is protected as much as possible. It also comments that this is especially important in more sensitive locations such as National Parks, Areas of Outstanding Natural Beauty, Conservation Areas, and where development may impact designated heritage assets.
- 7.15 On 14th March 2022, secondary legislation was laid in Parliament to support the deployment of 5G and help extend mobile network coverage. Part 16 of the General Permitted Development Order 2015 (as amended) was amended and came into effect on 4th April 2022.
- 7.16 These amendments followed the announcements published in the government response to the 'Changes to permitted development rights for electronic communications infrastructure: technical consultation' (Monday 7th March) noted above. This set out that, following consultation responses from 3,000 people and organisations, the Government has decided to take forward most of the proposed reforms including changes to enable: • the deployment of taller and wider masts; • building-based masts located nearer to highways; and • deployment of radio equipment housing required alongside new antennae.
- 7.17 Whilst a number of changes have been introduced within the permitted development Order as a consequence of the consultation outcome, the government has decided that it will not be taking forward the proposal to permit the deployment of monopole masts without the requirement for prior approval on unprotected land at this time.
- 7.18 As noted above, the Code of Practice for Wireless Network Development in England has been published alongside the changes to permitted development outcome. To further ensure that the delivery of high-quality wireless infrastructure is balanced with environmental considerations, among other things, the new Code of Practice will provide updated guidance for all those involved in network deployment, and it has a stronger focus on the siting and design of wireless infrastructure and the process for engaging with local authorities and communities. The government will introduce new planning conditions that require Code Operators to minimise the visual impact of new network development, particularly on Article 2(3) land, and to minimise impacts on the accessibility of footways and access to properties.
- 7.19 Other material considerations are the Governments Emergency Services Networks: overview guidance that was updated on 14 April 2022.
- 7.20 This guidance comments that the Home Office is leading a cross-government programme to deliver the new Emergency Services Network (ESN) critical communications system. This will replace the current Airwave service used by the emergency services in Great Britain (England, Wales and Scotland) and transform how they operate.
- 7.21 It comments that ESN will enable fast, safe and secure voice, video and data across

the 4G network and give first responders immediate access to life-saving data, images and information in live situations and emergencies on the front line.

- 7.22 In addition, it comments that while the technology that supports Airwave is reliable and fit for purpose, its limited capacity means it cannot match the opportunities offered by newer critical communications mobile technology.
- 7.23 ESN's high-speed mobile technology will mean communication between the emergency services will take priority over other network traffic, even at peak times in busy urban locations. It will mean the emergency services and other first responders can share vital data, information and expertise quickly and securely from the frontline when it is needed most.
- 7.24 Users for ESN include the police, fire and rescue and ambulance services as well as other users stretching from local authorities and utility services to first responders like inshore rescue.
- 7.25 It further comments that there are 300,000 frontline emergency service users who will depend on ESN, using handheld devices or operating equipment in 45,000 vehicles, 66 aircraft and more than 100 control rooms.
- 7.26 Another relevant document is the Government's publication at the end of 2020 of its National Infrastructure Strategy. This covers a whole spectrum of infrastructure in the country. In the foreword of this document, among other things, the then Prime Minister comments that in a world likely to be working less from the office, its massive gigabit-capable broadband programme looks more important than ever.

(iii) Siting and appearance

- 7.27 This proposal comprises the erection of a 20 metre high monopole in grey steel with a wrap around cabinet at its base and three associated cabinets located on a section of pavement towards the front of the Langbrook Farm Restaurant along Langstone Road. The immediate area retains an open character, with Langstone Road forming a total of 5 traffic lanes at this point - the tallest building in the immediate vicinity is the Premier Inn Hotel however, this is located a considerable distance away from the proposed pole location and is set off the main road. The public house/restaurant has a total ridge height of approximately 7 metres therefore the pole would rise an additional 13 metres above this. The closest lamp post has a height of 10 metres and therefore the monopole would rise 10 metres above the closest lamp post. The cabinets would have heights of approximately 1.7 metres which is comparable to a standard fence height. The cabinets would be sited on the inside of the pavement closest to the hedge boundary with the public house curtilage.
- 7.28 Noting the context of the surrounding building and lamp post heights, the pole would be significantly taller and highly prominent. There are some TPO group pine trees to the south of the Langstone Technology Park junction, however, these are set away from the proposal site and would not offer any form of screening to the monopole. Langstone Road is highly used by both traffic and pedestrians when travelling between Havant and Hayling Island, forming the only vehicular access to Hayling Island. Subsequently any development along this road would be the last and first thing to be seen when accessing and leaving Hayling Island and Langstone. As stated, there would be no screening offered from trees or buildings in a highly prominent location.

- 7.29 The cabinets are considered to result in a cluttered appearance to the public highway- this section of pavement is only 3 metres in width and therefore the cabinets would significantly encroach upon the pavement area. Encroachment upon this section of pavement is not considered to be acceptable. The visual appearance of this is not deemed to be a positive addition to the streetscene where there are already several signs and lamp posts along this section of pavement.
- 7.30 The closest residential dwellings are sited on the opposite side of Langstone road with approximately 23 metres separation distance. Whilst the separation is noted, the height of the monopole at 20 metres is considered to be clearly visible in the outlook of these properties which have a direct line of sight towards the pole.
- 7.31 It is noted that this is the preferred mast location for the TCC operator after undertaking a search of alternative locations in the local area. A number of the locations investigated by the applicant appear to have been discounted these including freestanding poles and roof top mounted. Many of the roof tops explored were either inappropriate design or the required coverage was not available in terms of height. Other sitings were not appropriate either due to being located in a flood zone, SSSI or AONB . The applicant has been advised to explore sites with adequate screening in the form of trees or taller buildings within closer proximity.
- 7.32 It is considered that the proposed mast would appear as an alien and incongruous addition to this part of the street scene and beyond. It would adversely impact upon the visual amenities of the street scene and locality in a busy and prominent location. It is therefore considered that the siting and appearance of the proposed development in this location would be detrimental to the appearance of the site, the visual amenities of the street scene and the character of the locality. The proposed mast is therefore considered contrary to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011.

(iv) Impact on neighbour amenity

- 7.33 The NPPF states, inter alia, that local planning authorities must determine applications on planning grounds only and should not seek to prevent competition between different operators, question the need for an electronic communications system, or set health safeguards different from the International Commission guidelines for public exposure.
- 7.34 Therefore, the grounds for a local planning authority to refuse a prior notification application is limited only to the issues relating to the appearance and siting of the proposed mast.
- 7.35 As noted in section (iii) above, the proposed mast and equipment would be sited relatively close to residential properties and would be clearly visible to those neighbouring properties however they would be viewed on the opposite side of a wide road (properties east of Langstone Road) or across the access road to Langstone Technology Park and beyond trees (properties to the south).
- 7.36 Government guidance in the NPPF is clear that local planning authorities should not insist on minimum distances between new electronic communications development and existing development. Furthermore, it is the Governments view that if a proposed development meets ICNIRP guidelines for public exposure to electromagnetic fields, it should not be necessary for an authority, in processing an application, to consider health aspects and concerns further.

- 7.37 However, the prominent visual appearance of a mast within some sensitive locations, such as a predominantly residential area, may erode perceptions of the quality of the local environment and the well being of local residents, and this may form grounds of objection.
- 7.38 Furthermore, the GDPO states, inter alia, that when determining applications made under sub paragraph (4), the local planning authority must take into account any representations made to them as a result of consultations or notices.
- 7.39 The height of the telecommunications pole at 20 metres and its bulky appearance would lie within close visual proximity to the closest dwellings on the opposite side of Langstone Road . Whilst the mast would clearly be visible on balance it is not considered harmful to the visual outlook from these properties and those to the south.

(v) Impact on highway and pedestrian safety

- 7.40 As stated above , the proposed cabinets and pole would encroach upon the pavement which is a well used route linking Havant and Langstone/ Hayling Island. Reducing useable pavement space is not considered to be acceptable with access being made harder for pedestrians where sustainable transport such as walking should be encouraged and not hindered by obstructions to the public highways.
- 7.41 Highways have been consulted in regards to this proposal and have objected on various grounds. The first of these being potential obstruction to the signage informing drivers of lane allocation on the approach to the roundabout. The second reason for objection is due to the obstruction of walkway which would no longer meet the required 3 metre width with the inclusion of the pole and cabinets to the walkway. Whilst it is noted that this section of path is not currently an allocated cycle path, it is often used as such and forms the most direct path for cyclists , linking with the cycle path which begins metres away at the Langstone Technology Park junction. Highways have also confirmed that this section of path should be left unblocked for any future cycle path allocations which may take place. Given this is the most direct pedestrian route between Havant and Langstone/ Hayling Island it is considered this obstruction to the path would not be acceptable alongside potential visibility obstructions to road signs resulting in safety concerns to motorists approaching the roundabout. .

(vi) Drainage .

- 7.42 Southern Water's records show that there are public foul and surface water sewers within the vicinity of development site. Southern Water have advised that no development should be carried out within 3.5 metres of the external edge of the public gravity sewer without consent from Southern Water.

8 Conclusion

- 8.1 It is acknowledged that the requirement for improvement connectivity with 4G and 5G is clearly compelling particularly having regard to recent and still unfortunate current events of the COVID-19 pandemic. This has seen a complete change in working practices in that home working had to develop in order to allow businesses to function and provide services.
- 8.2 The need for such infrastructure is even more compelling with the changes to how emergency services of all types will communicate in the future new Emergency

Services Network (ESN) critical communications system. However, ESN can operate across the 4G network.

- 8.3 As recognised by the Government in its consultation document, there is a recognition that there needs to be a balance of the benefits of improved connectivity with local control and environmental protections.
- 8.4 In this instance, whilst the National Planning Policy Framework recognises that planning decisions should support the expansion of electronic communications networks and the applicant has provided the necessary evidence to justify the proposed development in principle, it is considered that by reason of its height and siting the development would result in harm to the visual amenities of the street scene and the character of the locality resulting in a dominant and incongruous appearance which is not outweighed by these other considerations. Furthermore the proposal would be sited in a position which would obstruct the public highway and future potential for shared use of the path and signage visibility resulting in an objection from the Highways Authority.
- 8.5 As such, the proposed development is contrary to Policies CS11, CS16 and CS19 of the Havant Borough Local Plan (Core Strategy) 2011, and the National Planning Policy Framework.
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9 RECOMMENDATION:

That Prior Approval is required for the siting and appearance of the development and that the Head of Planning be authorised to **REFUSE PRIOR APPROVAL** for application APP/22/01035

(B) for the following reasons

- 1 The proposed development, by reason of its height and siting would appear as a visually intrusive and incongruous feature in the street scene. The proposed pole location is highly prominent and it has not been sited or designed in a way that would minimise the impact of the development and consequently would result in an adverse impact upon the visual amenities of the street scene and the appearance of the locality.

As such, the proposed development is contrary to Policies CS16 and CS19 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 2 The proposed infrastructure will restrict the available width of the path on Langstone Road, presenting substandard facilities for pedestrians and any future allocation for use by cyclists. The proposed infrastructure would also restrict motorist visibility of signage before entering the roundabout and the forward visibility splays from the Langstone Technology Park site access, presenting a safety concern for highway users.

As such, the proposed development is harmful to highway safety contrary to Policies DM11, CS16 and CS20 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.