DELEGATED OFFICER REPORT

PROPOSAL	**Application to determine if prior approval is required for a proposed Installation of 1 no. power generator and ancillary works.**
LOCATION:	Stoke Fruit Farm, 77 Havant Road, Hayling Island, PO11 0PT
REFERENCE NO:	APP/26/00292
APPLICANT:	EE Ltd
APPLICATION TYPE:	Prior notification: Development by telecoms operators
CONSULTATION EXPIRY DATE:	16/06/2026
APPLICATION EXPIRY DATE:	23/06/2026
WARD:	Hayling West

SUMMARY RECOMMENDATION: Prior Approval Required and Granted

1. Site Description

1.1 The application site relates to an existing radio base unit and area of hardstanding within Stoke Fruit Farm. The farm is located at a point where Havant Road bends so that it is both to the south and west of the road. The main access, leading to the Farm Shop and associated customer parking, is on the west side of Havant Road and the site can be reached by continuing past a large modern barn that is partly used for storage and partly as part of the shop. There is a further, gravelled access that runs north past the rear of the barn to Havant Road. There is a row of mature trees immediately to the north of the existing base unit and another modern barn with further tree planting to the south on the opposite side of a large area of hardstanding. The existing base unit consists of an approximately 3.7m long, 2.7m wide, and 2.9m high equipment cabinet and 17m high monopole surrounded by mesh security fencing. At the time of visiting the site the wooden pallet boxes shown on the submitted site plans had been moved to another location and the area of hardstanding in question was being used to store electronic equipment.

1.2 The area surrounding the application site is a mixture of residential, generally following the line of Havant Road and Castlemans Lane to the north, and open fields. The site is not within a designated area, however Stoke Fruit Farm is a Primary Support Area for the Solent Waders and Brent Goose Strategy Network.

2. Planning History

APP/20/00922 - Application to determine whether prior approval is required for construction of concrete hard standing., Withdrawn as Prior Approval not needed 10/11/2020.

APP/16/00950 - Application to determine whether prior approval is required for the siting and appearance of a 17m high "Swann's Column A" monopole supporting 6no. antennas on the existing foundation, and associated ancillary development., PAYA,31/10/2016.

02/53011/003 - Erection of 15m high telecommunications tower supporting 3no. antennae, 2no. microwave dishes (total height 17m), plus associated equipment cabinets located at ground level within a fenced compound for Hutchison 3g., PERM,09/09/2002.

02/53011/002 - Erection of 15m high monopole telecommunications tower supporting 3 no. antenna and 2 no. 0.6m microwave dishes (total height 17m), plus 10 equipment cabinets and fencing at ground floor level for Orange plc., PERM,09/09/2002.

01/53011/001 - Application to determine whether prior approval is required for the installation of a 15m high monopole telecommunications tower on a concrete base accommodating 3 cross polar antennae and 2 microwave dishes and equipment cabin air conditioning unit and meter cabinet at ground level within a compound enclosed by a 2.3m high fence., PARP,23/07/2001

3. Proposal

3.1 This application is made pursuant to Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) Order 1995 as amended and seeks to determine whether the prior approval of the Authority would be required for the siting and appearance of a power generator and associated ancillary works.

3.2 The power generator is intended as a backup for the existing radio base station in the event of a power outage, storm damage or vandalism. It is considered to be development ancillary to radio equipment housing, falling under class A subsection c of Part 16. As the generator would be just outside the existing operational telecommunications compound it is subject to the prior notification procedure. The associated works referred to consist of internal upgrades to existing equipment cabinets and therefore fall under Permitted Development.

4. Policy Considerations

In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, the Development Plan, and all other material planning considerations identified in the Planning Considerations section of the report.

Havant Borough Council Borough Design Guide SPD December 2011
Havant Borough Council Parking SPD July 2016
Chichester Harbour Management Plan 2024-2025
Havant Borough Council and Chichester District Council Joint SPD - Chichester Harbour Area of Outstanding Natural Beauty

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS16	(High Quality Design)
CS19	(Effective Provision of Infrastructure)
DM10	(Pollution)

Havant Borough Local Plan (Allocations) July 2014

Listed Building Grade: N/A
Conservation Area: N/A

5. Statutory and Non Statutory Consultations

Ecology No objection. *Officer Comment* *The Council's Ecologist queried whether a CEMP related condition might be appropriate to control noise and visual disturbance during construction, however as the generator would be located on hardstanding within the existing yard construction to fix it in place would be minimal and brief and the condition would therefore not meet the necessary tests.*
Environmental Health Given the scale of the development and nature of the noise source (backup generator), and separation distances to dwellings, adverse noise impacts to residents are not anticipated. Environmental Health (pollution) has no objection to the proposals.
Councillor Jonathan Hulls No comments received.
Councillor Wilf Forrow No comments received.
Councillor Paul Gray No comments received.

6. Publicity and 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: 12

Number of site notices: N/A

Statutory advertisement: N/A

Number of representations received: 1

Comment	Officer Comment
We strongly object to this application the land is currenty leased by (redacted) ltd from (redacted). The land is used as part of (redacted) potatoe opperations and	Whilst the application form does not require a certificate B to be provided, the applicant has provided a copy of the Developer's Notice. The lease of the

although currently suspended there is need for this opperation to be able to opperate. The area is concrete hardstanding and used for stacking potatoe bins which carry equal importance in feeding the country as 5g masts. The area is also vital for use to turn artic lorrys in the yard. There will not be a willing to transfer the leese to EE or anyother communications company due to the essential use of that area to the bussiness. We had previously spoken with the applicant though they have not been forthcoming with negotiations to find a more suitble position for the generator. We are also concerned of the running of generator close to the farm buildings disturbing residents	area of hardstanding is a civil matter and the area required is not considered to significantly reduce manoeuvrability, noting that it was not in use for parking or turning at the time of visiting the site. Potential impact to residential buildings has been reviewed by the Environmental Health team.

Material planning considerations are addressed in Section 7.

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) Biodiversity Net Gain

(i) Principle of development

7.2 The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) [GDPO], at Schedule 2, Part 16, Class A, provides permitted development rights for electronic communications code operators to install, alter and replace electronic communications apparatus, subject to certain criteria, 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.

7.3 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 generator.

(ii) Background

7.4 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.

7.5 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.

7.6 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.

7.7 The Code of practice for wireless network development in England was published on 7 March 2022. The aim of the Code of Practice is to support the government's objective of delivering high quality wireless infrastructure whilst balancing the needs with environmental considerations.

7.8 The new UK Product Security and Telecommunications Infrastructure Act 2022 received royal assent on 6 December 2022 and came into effect on 29 April 2024. The Act supports the roll out of future-proof, gigabit capable broadband and 5G networks as soon as possible, and better protects citizens, networks and infrastructure against the harms enabled through insecure consumer connectable products.

7.9 The Government is also implementing the recommendations made in its Future Telecoms Infrastructure Review (FTIR) published in 2018 (last updated 8 June 2022).

7.10 The Statement of Strategic Priorities for Telecommunications, The Management of the Radio Spectrum, and Postal Services published on 27 April 2026 (last updated 30 April 2026) followed the publication of the FTIR and reflected its conclusions.

7.11 Another relevant document is the Government's publication in November 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.

7.12 In addition the Government held a Consultation on Changes to permitted development rights for electronic communications infrastructure and the consultation outcome was published 7 March 2022. The Ministerial foreword 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.

7.13 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.

7.14 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) has subsequently been amended.

7.15 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.

7.16 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

7.17 Other material considerations include the Governments Emergency Services Networks: overview guidance, updated 17 February 2025, which 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.

7.18 In addition, it comments that while the technology that supports Airwave is reliable and fit for purpose, its limited capability means it cannot match the opportunities offered by newer critical communications mobile technology.

7.19 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 front line when it is needed most.

7.20 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.

7.21 It further comments that there are 300,000 front line 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.

7.22 To ensure that the UK can realise the full economic and societal potential of 5G, the government has developed a UK Wireless Infrastructure Strategy, which sets out a strategic framework for boosting investment in and delivering nationwide coverage of standalone 5G to all populated areas by 2030. The Strategy also sets out the government's vision for 6G.

(iii) Siting and appearance

7.23 The proposed generator would be located immediately to the west of the existing radio base compound and would be approximately 2.3m in length, 1.6m wide, and 2.7m high. The type of generator specified is 10kVA diesel in light grey steel container housing similar to the colour of the existing mast.

7.24 Under Part 16 the LPA can only consider the development on the basis of its siting and appearance, but also taking into account any representations received. A third party comment has been received regarding lease of the hardstanding and potential noise. Evidence that the correct notice has been served has been provided and further details of lease agreements are a civil matter. Impact on neighbour amenity is considered below.

7.26 The proposed generator would be visible from within the hardstanding area serving the barns at Stoke Fruit Farm but would not be visible from the parking area used by customers to the Farm Shop or from Havant Road. In the context of the existing base unit and nearby corrugated metal agricultural buildings it would be modest in scale with a similarly industrial appearance.

7.27 The Council's Principal Ecologist was consulted, due to the site being located within the Solent Waders and Brent Goose Strategy Network and has raised no objection.

7.28 Overall the siting and appearance is not considered to result in any unacceptable harm to the wider character of the area.

(iv) Impact on neighbour amenity

7.29 The application site is approximately 91m from No.81 Havant Road to the north-west and 42m from the manager's house within Stoke Fruit Farm to the south-east. These are the nearest residential dwellings, and the site is not directly visible from either property.

7.30 The Environmental Health Team were consulted and have raised no objections, noting that due to the separation distances to dwellings adverse noise impacts are not anticipated.

7.31 Consequently, it is considered that the siting and appearance of 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).

(v) Biodiversity Net Gain

7.32 The proposed generator would be sited on an existing area of hardstanding, requiring no habitat removal, and the proposal would therefore meet de minimis exemption criteria.

8 Conclusions

8.1 The applicant has provided the necessary evidence to justify the proposed development and the National Planning Policy Framework recognises that planning decisions should support the expansion of electronic communications networks.

8.2 As such, it is considered that the siting and appearance of the proposed development will not result in any adverse impact on the character and appearance of the area and is considered acceptable.

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9. RECOMMENDATION:

That Prior Approval is required for the siting and appearance of the development and that the Interim Head of Planning be authorised to **GRANT PRIOR APPROVAL** for application APP/26/00292 subject to the following conditions

Conditions:

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

Reason: To comply with the requirements of Schedule 2 Part 16 Class A Paragraph A.3 of the Town and Country Planning (General Permitted Development) (England) Order 2015

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

002 Site Location Plan HVT005_61929_PO0287_EE_PR_DDD_A1
150 Proposed Site Plan HVT005_61929_PO0287_EE_PR_DDD_A1
250 Proposed Site Elevation HVT005_61929_PO0287_EE_PR_DDD_A1
Planning, Design and Access Statement
Site Specific Supplementary Information dated 28 April 2026
Ofcom Mobile RAN power resilience Technical Report and CFI Update published 10 February 2025
IET Allaying health concerns regarding 5G and exposure to radio waves
Department for Digital, Culture, Media & Sport Connected Growth pages 37-39

Reason: To ensure provision of a satisfactory development.

Informatives:

1 In accordance with paragraphs 38-50 of the NPPF Havant Borough Council (HBC) takes a positive and proactive approach and works with applicants/agents on development proposals in a manner focused on solutions by:

- Offering a pre-application advice service, and
- Updating you of any issues that may arise in the processing of your application and where possible suggesting solutions, and,

In this instance:

- Your application was acceptable as submitted and no further assistance was required.