

Our ref: OH/ST21363/OLT-40/LET-001

Date: 9th July 2025

Your ref:

The Chief Planning Officer
Cumberland Council (Copeland Area)
The Market Hall
Market Place
Whitehaven
Cumbria
CA28 7JG

Dear Sir/Madam,

PROPOSED INSTALLATION OF NEW BROADBAND INFRASTRUCTURE AT PORT HAVERIGG MARINA VILLAGE AT HAVERIGG, MILLOM, LA18 4LG (BETWEEN E:317103, N:478821 AND E:317180, N:478839)

Entegro are a telecommunications contractor who design on behalf of Fibrus appointed contractors. They are committed to enabling and enhancing a digital society by working closely with communities, industry and service providers to empower and connect people, homes and businesses in both urban and rural areas. They serve as a designer and contractor of Fibrus Network Limited's new hyperfast broadband network, part of the UK Government's £5 billion programme 'Project Gigabit', which will enable hard to reach communities access to fast gigabit-capable broadband. The works are proposed at several locations across Cumbria and the Lake District, with 60,000 premises expected to benefit from the proposed works. Once the gigabit-capable network has been built, residents and businesses will be able to request a connection from a broadband service provider to benefit from the faster speeds.

This notification is submitted under Part 16 (Communications) of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO). In accordance with Schedule 2, Part 16, Class A of the GPDO, a determination is sought as to whether the prior approval of the Authority will be required for the siting and appearance of the development.



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The proposal comprises the installation of new broadband infrastructure within Port Haverigg Marina Village near Haverigg, Cumbria (between E:317103, N:478821 and E:317180, N:478839). The works will comprise:

- Proposed 2x Footway chambers with approximately 1.60m of narrow trench along roads through Port Haverigg Marina Village

Under Part 16 (Communications), Class A (electronic communications code operators) of the GPDO, the development would be classed as permitted development.

Details of what constitutes permitted development is explained by Paragraph A of Part 16 of the Order:

“A. Development by or on behalf of an electronic communications code operator for the purpose of the operator’s electronic communications network in, on, over or under land controlled by that operator or in accordance with the electronic communications code, consisting of—

- a) **the installation, alteration or replacement of any electronic communications apparatus,***
- b) the use of land in an emergency for a period not exceeding 18 months to station and operate moveable electronic communications apparatus required for the replacement of unserviceable electronic communications apparatus, including the provision of moveable structures on land for the purposes of that use, or*
- c) development ancillary to radio equipment housing”.*

The proposed works would be located within the Duddon Estuary Site of Special Scientific Interest (SSSI) and Ramsar, the Morecambe Bay and Duddon Estuary Special Protection Area (SPA) and the Morecambe Bay Special Area of Conservation (SAC).

Paragraph A.2(3) under Part 16 of the GPDO states:

“(3) Subject to sub-paragraph (5), Class A development –

- a) on article 2(3) land, excluding development specified in sub-paragraph (4);*
- b) on land which is, or within, a site of special scientific interest*

is permitted subject, except in the case of emergency, to the conditions set out in paragraph A.3 (prior approval)”.

Under Schedule 1, Part 1 (Article 2(3) land) of the GPDO, Article 2(3) land is defined as:

“1. Land within –



- (a) an area designated as a conservation area under section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (designation of conservation areas);*
- (b) an area of outstanding natural beauty;*
- (c) an area specified by the Secretary of State for the purposes of section 41(3) of the Wildlife and Countryside Act 1981 (enhancement and protection of the natural beauty and amenity of the countryside);*
- (d) the Broads;*
- (e) a National Park; and*
- (f) a World Heritage Site.*

No works associated with this application are proposed on any Article 2(3) land.

Due to the siting of the proposals within the Duddon Estuary SSSI, a Prior Notification application is required as per the requirements of Paragraph A.3(4) of the legislation:

“(4) Before beginning the development described in paragraph A.2(3), 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”.

This Prior Notification is submitted for and on behalf of Entegro. In accordance with the provisions of Part 16 of the GPDO, the following information is provided:

- **Written Description of the Proposed Development** – Proposed installation of new broadband infrastructure comprising the installation of underground chambers and narrow trench.
- **Site Location** – Port Haverigg Holiday Village near Haverigg, Millom, LA18 4LG (between E:317103, N:478821 and E:317180, N:478839)
- **A Plan indicating the site and showing the Proposed Development**
 - Drawing No. ST21363-OLT40-H-001 (Site Location Plan – Port Haverigg)
 - Drawing No. ST21363-OLT40-H-002 (Extent of Proposed Works Within SSSI – Port Haverigg)
- **Application Fee** – Prescribed fee of £673.00 to be paid via the Planning Portal
- **Copy of Developer’s Notice, and proof of delivery**
- **Contact address and email address for the developers**
 - Fibus Networks Limited, 108-113 Dargan Crescent, Belfast, BT3 9JP
 - Telephone – 028 9099 3230
 - Email – tboanchis@entegro.ie
- **Contact address and email address for the landowners**



- BEST HOLDINGS (UK) LIMITED, 4th Floor, 95 Gresham Street, London, EC2V 7AB

In support of this application, Wardell Armstrong have undertaken a high-level Desk Based Ecology Assessment to identify potential ecological constraints pertinent to the proposed works planned for Haverigg and the wider Milom area. The study includes detail on the level of impact likely to be experienced at the Duddon Estuary SSSI as a result of the proposed works, alongside a list of recommended measures that should be considered prior to any works being undertaken.

Wardell Armstrong have also undertaken a Habitat Regulations Assessment (HRA) (included within this submission for completeness) which has been produced for the purpose of providing the relevant Authority with the information necessary to enable compliance with its duties under the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 ('Habitat Regulations 2019'). This report describes the methods used to define the scope of a screening assessment and identify potential effects on European Sites associated with the proposed scheme individual, and in combination with other plans or projects.

Alongside an HRA, a detailed Ecological Management Plan (EMP), which contains specific measures to protect features of ecological interest during the proposed works, has been undertaken. Appropriate and deliverable mitigation measures have been identified to avoid or minimise the risk of impacts and to ensure that there will be no adverse effect upon the integrity of any European Site. This will be implemented by Entegro and contractors with ongoing support from an Ecological Clerk of Works (ECOW) to ensure all mitigation is adhered to.

A Construction Environment Management Plan (CEMP), which sets out how Entegro will minimise any adverse environmental impacts associated with the construction of the broadband infrastructure, has also been included in support of this application.

The application has been prepared in accordance with the Code of Practice for Wireless Network Development in England (March 2022).

The proposals contained within the notification are identified as the most suitable option that balances operational need with local planning policies and national planning policy guidance.



We are committed to maintaining a positive relationship with the Local Planning Authority and we would be happy to provide any reasonable additional information in relation to this application.

You are reminded that the time period specified for a decision on this application is defined under Paragraph A.3(8) of Part 16 of the Town and Country Planning (General Permitted Development) (England) (No.2) Order 2016 and nothing in this letter, allows or agrees to an extension to that time period.

We look forward to receiving your acknowledgement and decision in due course.

Yours faithfully
for Wardell Armstrong LLP

OLIVER HYAM
Planner

(for and on behalf of Entegro)

In accordance with the Town and Country Planning (General Permitted Development) (England) (Amendment) (No.2) Order 2016, all correspondence to the developers, in the first instance, should be sent to:

Fibrus Networks Limited
108-113 Dargan Crescent
Belfast
BT3 9JP