

Officer Comment: *This is the original application for the proposed distribution warehouse.*

APP/21/00783 - Application to determine whether prior approval is required for the method of demolition of buildings including slab removal and any proposed restoration. , PAYA,01/10/2021

APP/21/01244 - Variation of condition No's 4 (Operational Management Plan), 9 (Livery/Branding), 10 (Traffic Monitoring) and 28 (Employment and Skills Plan) of planning permission APP/21/00200 and the introduction of a new Community Liaison Strategy Condition. Request to discharge conditions 11, 14, 15, 16, 17, 18, 19, 22, 26 and 27 (received 27/03/2022). Request to discharge condition 12 (received 10/06/2022). Request to discharge conditions 5 and 6 (received 10/08/2022).Request to discharge condition 25 (27.09.22)., PERM,09/02/2022

Officer Comment: *This is the consent the subject of this NMA application*

APP/22/00895 - Proposed replacement fire hydrant tanks and pump house with associated works and landscaping., Permitted 23/12/22

3 Proposal

Application for Non-material amendment to Planning Permission APP/21/00200 relating to minor revisions - mezzanine floor alterations, re-positioning of windows/vents, addition of canopies on northern and southern side, relocation of smoking shelters, installation of gates to boundary treatments and access alterations.

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

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS14	(Efficient Use of Resources)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS2	(Employment)
DM10	(Pollution)
DM11	(Planning for More Sustainable Travel)
DM14	(Car and Cycle Parking on Development (excluding residential))
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

DM17	(Contaminated Land)
AL1	(Presumption in Favour of Sustainable Development)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Consultations

5.1 The following consultations have taken place:

County Estates - No response received

HBC Arboriculturalist - No response received

County Waste Management - No response received

6 Planning Considerations

6.1 As detailed in paragraph 3.1 above, this application has been submitted under Section 96A of the Town and Country Planning Act which allows a local planning authority to make a change to any planning permission if they are satisfied that the change is not material. The Government has advised that the requirements for design and access statements, publicity and consultation, and to take reasonable steps to identify unknown owners, would have applied to the original application if relevant. Therefore, those requirements do not apply to this type of application. The Government have advised that Local Planning Authorities must have regard to the effect of the change when determining where the proposal is a 'non-material' amendment.

6.2 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) Appropriateness of design and impact on the character of the area
- (iii) Effect on neighbouring properties

(i) Principle of development

6.3 The application site is located within the defined urban area, therefore development is considered acceptable in principle subject to development control criteria. The application is for a non-material amendment to the previously approved scheme. The changes proposed are considered below:

(ii) Appropriateness of design and impact on the character of the area

6.4 It is necessary to consider the proposed changes to the approved scheme in terms of any impact on the character and appearance of the area.

Mezzanine floor alterations

6.5 The agent has set out the changes to the approved scheme in a Non-Material Amendment statement. In relation to the mezzanine floor the level of the floor is raised from 4m to 4.8m within the building.

Repositioning of Windows

6.6 The windows proposed are consequently raised by 0.8m and stairs include an extra 4 risers between ground and first floor with slight internal layout change. The upper floor windows have been moved to suit and their position on the facade raised slightly

Plant deck/vents

- 6.7 The plant deck above the mezzanine has also been raised by 0.6m to aid the servicing of the plant. The overall height of the warehouse building is not increased externally. External louvre design has been updated following technical design development.
- 6.8 Arrangement of perforated panels / mesh on van parking facing New Lane amended.

Boundary Treatments

- 6.9 Changes to the boundary treatments including access gates and acoustic fence line to part of the northern boundary are proposed. Landscaping in front of fence line in southeastern area of site along boundary. Gas station plotting corrected and fence line amended.

Smoking Shelters

- 6.10 Smoking shelters have moved following detailed services design.

Canopies

- 6.11 North of warehouse - free standing canopy footprint has been reduced and profile changed to single vault.
- 6.12 Lean-to canopies added to North and South elevations of warehouse to bridge gap between warehouse, canopy to provide shelter when unloading.

Northern Access

- 6.13 Northern access minor change in line with S278 agreement (avoiding gas infrastructure) with updated landscaping and soft landscaping in gap between the road junction and acoustic fence.

Southern Access

- 6.14 Retain existing bell mouth in line with approved S278 Agreement.

Solar Panels

- 6.15 Alterations to solar panels on roof. These reduce the area of roof covered but are understood to retain the output previously anticipated. An amendment is required to Condition 8 of the APP/21/01244 application to allow for this change.

Incidental changes

- 6.16 Gravel bed added near staff car park, stair to south of HGV yard
- 6.17 The alterations have been considered in the context of this extensive site and individually and taken in combination are considered to result in relatively minor changes to the approved development. The changes would not be harmful to the design of the development or the character and appearance of the area and can be considered as non-material in relation to the scheme as a whole.

(iii) Effect on neighbouring properties

- 6.18 In terms of the impact on neighbouring properties, the changes have been assessed in particular in relation to the changes to windows/vents and boundary treatments.
- 6.19 The window changes are not considered to result in any significant change to neighbouring properties which remain set well off the buildings. The windows are to the north and west elevations. The west elevation faces New Lane, however, given the distance to the nearest properties to the west of New Lane it is not considered that there would be any significant overlooking to these properties. To the north of the site are other commercial properties.
- 6.20 The application is supported by a noise assessment, this has been considered in relation to condition clearance by Environmental Health in relation to the approved scheme and the fire hydrant tanks and pump house application (now approved). It is not anticipated that the development would result in unacceptable impacts on residential amenity as a result of the amendments.
- 6.21 The boundary treatment drawing reflects the position of the approved details for the condition discharge associated with the approved scheme and is considered acceptable.
- 6.22 The proposed changes are, whilst numerous, relatively modest and it is considered they are unlikely to lead to an adverse impact to neighbouring properties and can therefore be considered as non-material.

7 Conclusion

- 7.1 Overall, the proposed alterations to the previously approved scheme APP/21/01244 are not considered to result in a material change to the extant planning permission and the changes are recommended for approval.

7 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/22/00919 subject to the following conditions:

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

Site Location Plan 7379-SMR-00-ZZ-DR-A-2001-S4-P3
Proposed Site Plan 7379-SMR-00-ZZ-DR-A-2003-S4-P20
Proposed Site Plan Grade Level 7379-SMR-00-ZZ-DR-A-2003A-S4-P16
Proposed Site Plan Overlay 7379-SMR-00-ZZ-DR-A-2007 S4-P3
Existing Site Plan 7379-SMR-00-ZZ-DR-A-2002-S4-P4
Site with Surface Finishes Plan 7379-SMR-00-ZZ-RR-A-2012-S4-P15
Proposed Warehouse Floor Plan 7379-SMR-00-ZZ-DR-A-2102-S4-P7
Proposed Van Parking Deck Plan - Levels 0 &
17379-SMR-00-ZZ-DR-A-2103-S4-P4
Proposed Van Parking Deck Plan - Levels 2 & 3

7379-SMR-00-ZZ-DR-A-2104-S4-P4
 Proposed Warehouse Elevations 7379-SMR-00-ZZ-DR-A-2101-S4-P12
 Proposed Warehouse Roof Plan 7379-SMR-00-ZZ-DR-A-2109-S4-P4
 Existing and Proposed Site Section 7379-SMR-00-ZZ-DR-A-2006-S4-P7
 Proposed Parking and Vehicular Movements
 7379-SMR-00-ZZ-DR-A-2005-S4-P13
 Proposed Building Overlay 7379-SMR-00-ZZ-DR-A-2004-S4-P4
 Proposed Boundary Treatments Plan 7379-SMR-00-ZZ-DR-A-2008-S4-P13
 Proposed Cycle and Smoking Shelter Details
 7379-SMR-00-ZZ-DR-A-2010-S4-P5
 Proposed Guard Hut & Guard Cabin Details
 7379-SMR-00-ZZ-DR-A-2009-S4-P4
 Proposed Height Restrictor & Vehicle Barrier Details
 7379-SMR-00-ZZ-DR-A-2011-S4-P4
 Landscape Masterplan Strategy LLD2007-LAN-DWG-010 Rev 10
 Noise Assessment A118298 September 2022 Rev 5
 Landscape Design Strategy LLD2177-LAN-REP-001 Rev 08
 Plant Schedule Doc Ref 10290-PLANT-001 Rev 02 27th July 2022
 Non-Material Amendment Statement dated 15th September 2022
 Non-Material Amendment Update Sheet dated 18th January 2023

Reason: To ensure provision of a satisfactory development.

8 *Condition 8 of Planning Permission APP/21/01244 is amended as follows:*

Prior to the occupation of the development the following provisions shall be made on site:

Photovoltaic panels as shown on drawing reference

7379-SMR-00-ZZ-DR-A-2109-S4-P4.

Electric Vehicle charging provision for 20% of all car and van parking spaces provided on site. In addition the remaining 80% of van parking spaces shall be provided with passive infrastructure to allow for further charging points to be easily installed.

The Photovoltaic panels and Electric Vehicle charging provision shall thereafter be retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: To accord with the details of the submitted Transport Assessment, to reduce pollution and to help to ensure sustainable development having due regard to policies CS14 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.