

Recommendation: **GRANT PERMISSION**

APP/15/00284 - Outline Application for demolition of existing building and structures and the redevelopment of the site with the erection of up to 11,363 sq m of accommodation for industrial and warehouse purposes, with a clear internal height of up to 12 m, within Use Classes B1,B2 and B8. Together with associated car and HGV parking and access, ancillary office and related facilities. Access and Scale to be determined, layout, appearance and landscaping reserved., PERM,09/06/2015

APP/16/00812 - Reserved matters application for demolition of existing building and structures and redevelopment of the site with the erection of 3No. units relating to layout, appearance and landscaping . Discharge of conditions Nos 3,4,5,6,7,10,14,15,16 of Outline Application APP/15/00284. (Site Option 1), PERM,06/03/2017

APP/16/00813 - Reserved matters application for demolition of existing building and structures and redevelopment of the site with the erection of 1No. unit relating to

layout, appearance and landscaping . Discharge of conditions Nos 3,4,5,6,7,10,14,15,16 of Outline Application APP/15/00284. (Site Option 2), PERM,21/12/2016

APP/18/00220 - Non-material change to Planning Permission APP/16/00812 relating to the internal layout, elevation detail; incorporation of smoke vents on the roof; adjustment of the boundary fence line (part) and change in colour from black to green; amendment to the refuse enclosure; change to concrete block paving for unit 2; demolition of 2no. redundant service enclosures and replacement with landscaping, paving and entrance sign., PERM,29/03/2018

APP/21/00074 - Retention of Display of 1No. internal illuminated logo sign; 4No. non-illuminated fascia signs; 3No. non-illuminated wayfinding signs; and 5 flag poles. PERM,09/04/2021

3 Proposal

3.1 Variation of Condition 1 of Reserved Matters planning permission APP/16/00812 in relation to changes to elevations, car parking layout changes and provision of A/C condensers and enclosures.

3.2 This is a Section 73 application seeking to make some operational changes to the approved layout and provides amended plans and a revised noise report. The changes include:

Provision of two air conditioning units in enclosures in front of the east elevation

Provision of 1 compressor unit in an enclosure in front of the east elevation

Additional horizontal line of windows on north elevation

One of the access doors on the east elevation enlarged (widened)

Insertion of panels of louvres on north, east and west elevations

Re-configuration of the car park layout, increasing/changing from 60 spaces and 24 cycle spaces to 87 spaces; 5 motorbike spaces and 18 cycles

The application is accompanied by an updated Noise report by Adnitt Acoustics dated 12 February 2021

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)

CS17 (Concentration and Distribution of Development within the Urban Areas)

CS2 (Employment)

DM10 (Pollution)

DM14 (Car and Cycle Parking on Development (excluding residential))

Havant Borough Local Plan (Allocations) July 2014

AL1 (Presumption in Favour of Sustainable Development)

AL2 (Urban Area Boundaries and Undeveloped Gaps between Settlements)

Submission Version Havant Local Plan

E22 (Amenity and pollution)
E1* (High quality design)
IN3 (Transport and parking in new development)

Emsworth Neighbourhood Plan Post Examination Version 2020

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Environmental Health Manager

In response to the request for Variation of Condition 1 in relation to parking & service yard layout changes, including the positioning of fixed mechanical plant (and Condition 2 of App/16/00812 as also referred to by the acoustic consultant), I can advise as follows:

Adnitt Acoustics have undertaken an acoustic Planning Compliance assessment, dated 12 February 2021, with regard to the fixed mechanical plant, including condensers and compressor units, now installed at the above site. The three mechanical plant areas to the front of the property i.e. facing the railway line and nearest residential receptors, are housed in enclosures; the 2 condenser plant enclosures are open top and the compressor plant is housed in a fully closed acoustic enclosure.

Based on their findings that none of the above mechanical plant was audible at the nearest noise sensitive residential receptors, I am satisfied that the plant housed in this area complies with the requirements of the conditions of Reserved matter Planning permission under APP/16/00812.

Hampshire Highways

The Highway Authority has reviewed the revised internal layout and raises no objection

Traffic Management

The Traffic Team have no adverse comment to make

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: 81

Number of site notices: 1 posted by applicant due to Covid restrictions

Statutory advertisement: 26/02/2021

Number of representations received: 0

Comment	Officer Comment
None received	

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 of amended plans

(i) Principle of development

7.2 This is a Section 73 application and if approved, its granting effectively re-issues the original Reserved Matters permission and must repeat the relevant conditions unless they have been discharged. In this case there were only 2 conditions on APP/16/00812 - condition 1 listed the approved documents; and condition 2 required ongoing compliance with noise mitigation measures. The changes sought as part of this application have been implemented and the application is retrospective. It is the impact of the changes to the overall development that are now under consideration. The site remains in the defined urban area, where development is considered acceptable in principle subject to development management criteria.

(ii) Impact of amended plans

7.3 The external alterations to the elevations of the main industrial building are modest in scale relative to the unit and in keeping with design, colours etc. They would have no visual harm to the overall design of the development.

7.4 The introduction of the external A/C units and compressors have potential for noise nuisance given the sites location adjacent residential dwellings in Nutwick Road. They have been housed in enclosures and located close to the building and the residential properties are separated by the railway line and acoustic fence. A noise report was therefore submitted considering their impact and this concluded that the mechanical plant items were inaudible at the dwellings on Nutwick Avenue. Given this finding it was considered that the original noise report of APP/16/00812 and condition 2 could continue to be fully complied with as no additional mitigation measures were required. The Environmental Health Officer reviewed the noise report and concurred that the additional mechanical plant would not impact ongoing compliance with condition 2 of APP/16/00812.

7.5 With respect to the revisions to the car park layout these have been driven by the users need rather than speculative at Reserved Matter application stage. The parking layout as it appertains to unit 1 is largely unchanged (1 additional space has been provided) and within this unit the office and meeting rooms are provided to support the business. It is the layout of the parking and servicing area of unit 2 that has changed and now includes 3 rows of parking in addition to lorry access to the service doors. The covered cycle storage associated with this unit has been omitted and replaced with motorbike spaces and 6 open visitor cycle stands. Overall 27 additional car parking spaces are provided; 6 cycle spaces lost but 5 motorbike spaces gained. Given the scale of the industrial unit the changes are considered proportionate to the business needs and would not undermine the original permission, Parking SPD or lead to additional demand for on street parking to serve the unit. It is noted that neither Hampshire Highways or the Traffic Team have objected to the proposal.

7.6 Overall the changes proposed are considered to have no adverse impacts and can be supported.

8 **Conclusion**

- 8.1 This is a Section 73 application and its granting effectively re-issues the original permission and must repeat or amend accordingly the relevant conditions unless they have already been discharged. It is recommended to grant permission to vary condition 1 of APP/16/00812 to substitute the approved plans with those now submitted.
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9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/20/01154

(A) subject to the following conditions

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

Site Plan Drawing No AR28634_PL_P00_SP Rev 2

Proposed Ground Floor Arrangement Plan Drawing No AR28634_00_GA Rev 17

Existing and Proposed North Elevations Drawing No AR28634_PL_E01 Rev 1

Existing and Proposed East Elevations Drawing No AR28634_PL_E02 Rev 1

Existing and Proposed South Elevations Drawing No AR28634_PL_E03 Rev 1

Existing and Proposed West Elevations Drawing No AR28634_PL_E04 Rev 1

Planning Compliance Assessment by Adnitt Acoustics Report E21008/PCA/R1 dated 12 February 2021

Reason: - To ensure provision of a satisfactory development.

- 2 All mitigation measures to reduce noise emissions as outlined in the Noise Impact Assessment by Environoise dated Friday 29th July 2016, shall be adhered to at all times during which the units the subject of this permission are in use.

Reason: In the interests of the amenities of nearby residential properties and having due regard to Policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.