
Site Address:	Gas Holder, New Lane, Havant		
Proposal:	Application to determine whether prior approval is required for the method of demolition of 1No. gasholder and associated structures.		
Application No:	APP/21/00254	Expiry Date:	12/04/2021
Applicant:	SGN		
Agent:	Mr Harper	Case Officer:	Graham Speller
	Firstplan		
Ward:	Bondfields		

Recommendation:

1 Site Description

The site comprises the former gasworks to the east of New Lane within the authoritative area of Havant.

The site is positioned between Downley Road to the east and New Lane to the west, from which access is obtained, and is located less than 2km north-eastwards from the centre of Havant. The rectangular shaped parcel of land encompasses circa 0.6 ha and features grassland, with hardstanding in the northern portion. The site contains a single redundant spiral-guided gasholder, which is currently collapsed to its lowest level, and two associated low-lying structures.

The gasholder, constructed between 1953-1960, is now surplus to use owing to technological advances in gas storage and management. As such, the gasholder is redundant, purged of gas and isolated.

The surrounding area is mixed use in nature but primarily industrial. Immediately to the east is a veterinary clinic which was formerly the gas works depot. Construction works are well under way on a large scale industrial development immediately adjacent to the south. An enclosed operation area is situated directly to the north of the site but does not form part of the application site. On the opposite side of New lane is a tree belt and water course beyond which lie the rear gardens of residential properties fronting Littlegreen Avenue.

There are protected trees within the vicinity, however, these fall outside the application site.

2 Planning History

06/71938/000 - The development of a new 22.5 metre high monopole mast supporting 6No. antennas, 2No. 0.6 metre diameter radio link dishes, a ground based equipment housing and ancillary development thereto., PERM,17/01/2007

APP/10/00221 - Change of use from gas networks depot (Sui Generis) into a referrals veterinary clinic (D1). Construction of entrance lobby extension, new internal fit-out and associated alterations to various windows and door openings to suit. New external works layout including introduction of soft landscaping and 10No. kennels for staff dogs., PERM,27/08/2010

APP/15/00542 - Application to determine whether prior approval is required for the method of demolition of the steel gas holder, the boiler house and brick building and any proposed restoration of the site., PAY,11/06/2015

APP/16/01084 - Extension to west elevation of existing veterinary practice to provide further dog and cat kennelling with laundry area., UNK,

APP/17/00117 - Extension to west elevation of existing veterinary practice to provide further dog and cat kennelling with laundry area., PERM,03/04/2017

3 Proposal

This is an application to determine whether Prior Approval is required for the method of demolition of 1 No. gasholder and associated structures and the proposed restoration of the site.

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
DM10 (Pollution)

Havant Borough Local Plan (Allocations) July 2014

Submission Version Havant Local Plan

Emsworth Neighbourhood Plan Post Examination Version 2020

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

5 Statutory and Non Statutory Consultations

Arboriculturalist

The site has a number of trees on and surrounding, and I note in the ecological report that reference is made to some tree removal required to facilitate the dismantling of the Gas Holder.

As such we would require an AIA for this application please to include an AMS and TPP and mitigation planting for trees that are lost.

Building Control, Havant Borough Council

Section 80 Demo Notice should be served on Building Control HBC

Councillor Alex Rennie

No comments received.

Councillor T Hart - Bondfields

No comments received.

County Ecologist

No comments received.

Engineering/Drainage

No comments received.

Environment Agency

No comments received.

Environmental Health Manager, Community Group

Comments that the current application doesn't really address previous reasons for refusal. Information provided remains essentially generic. Also notes that the highway authority has treated this as an 'application' and proposed a condition. Also comments that a number of aspects of the works are unclear, such as if the site is to be restored to a level condition and whether the concrete slab under the tank base is to remain. Points out that there is a discrepancy in that the planning statement states the concrete base would remain but the generic method statement states that it will be broken up. A condition is also recommended securing a site specific method statement.

Hampshire Highways

The Highway Authority raises no objections subject to a construction method statement.

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: 40

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 0

7 Planning Considerations

- 7.1 The application seeks to determine whether Prior Approval is required for the method of demolition of 1 No. gasholder and associated structures and the proposed restoration of the site.

The application is made under the provisions of Schedule 2, Part 11, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Part 11 Class B permits any building operation consisting of the demolition of a building.

B.1 Development is not permitted by Class B if --

a) the building has been rendered unsafe or otherwise uninhabitable by the action or inaction of any persons having an interest in the land on which the building stands and it is practicable to secure safety or health by works of repair or works for affording temporary support:

Comment - This does not apply in this case; the structures are former operational gasholder and associated buildings no longer required by the utility's provider.

b) the demolition is "relevant demolition" for the purposes of section 196D of the Act (demolition of an unlisted etc building in a conservation area):

Comment - It is not – the site is not within a conservation area.

c) the building is used, or was last used, for a purpose falling within Class A4 (drinking establishment) of the Schedule to the Use Classes Order, including a purpose as described in Class A drinking establishments with expanded food provision) of Part 3 of Schedule 2 to this Order; or

d) the building is used, or was last used, for the purpose of –

(i) a concert hall;

(ii) a venue for live music performance; or

(iii) a theatre; or

e) the demolition relates to a statue, memorial or monument ("a commemorative structure") in place for a period of at least 10 years on the date of any proposed demolition, other than a commemorative structure—

(i) that is a listed building;

(ii) that is a scheduled monument;

(iii) within a cemetery, on consecrated land, or within the curtilage of a place of public worship;

(iv) within the grounds of a museum or art gallery; or

(v) within the curtilage of a dwellinghouse.

Comment - None of these criteria apply in this case.

The relevant criteria of Schedule 2, Part 11, Class B.1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) are

considered to have been met.

CONDITIONS, Paragraph B.2:

Development is permitted by Class B subject to the following conditions –

- (a) Where demolition is urgently necessary in the interests of safety or health and the measures immediately necessary in such interests are the demolition of the building the developer must, as soon as reasonably practicable, give the local planning authority a written justification of the demolition;

Comment – the gasholder and associated buildings have not been demolished

- (b) Where demolition does not fall within paragraph (a) and is not excluded demolition—
 - (i) the developer must, before the beginning of the development, apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the method of demolition and any proposed restoration of the site;
 - (ii) an application described in paragraph (b)(i) must be accompanied by a written description of the proposed development, a statement that a notice has been posted in accordance with paragraph (b)(iv) and any fee required to be paid;
 - (iv) subject to paragraph (b)(v), the applicant must display a site notice by site display on or near the land on which the building to be demolished is sited and must leave the notice in place for not less than 21 days in the period of 28 days beginning with the date on which the application was submitted to the local planning authority;
 - (v) where the site notice is, without any fault or intention of the applicant, removed, obscured or defaced before the period of 21 days referred to in paragraph (b)(iv) has elapsed, the applicant is treated as having complied with the requirements of that paragraph if the applicant has taken reasonable steps for protection of the notice and, if need be, its replacement;
 - (vii) the development must not begin before the occurrence of one of the following—

- (aa) the receipt by the applicant from the local planning authority of a written notice of their determination that such prior approval is not required;
- (bb) where the local planning authority give the applicant notice within 28 days following the date of receiving the application of their determination that such prior approval is required, the giving of such approval; or
- (cc) the expiry of 28 days following the date on which the application was received by the local planning authority without the local planning authority making any determination as to whether such approval is required or notifying the applicant of their determination;
- (viii) the development must, except to the extent that the local planning authority otherwise agree in writing, be carried out—
 - (aa) where prior approval is required, in accordance with the details approved;
 - (bb) where prior approval is not required, in accordance with the details submitted with the application;
- (ix) the development must be carried out—
 - (aa) where approval has been given by the local planning authority, within a period of 5 years from the date on which approval was given;
 - (bb) in any other case, within a period of 5 years from the date on which the local planning authority were given the information referred to in paragraph (b)(ii).

The application is supported by a planning statement and a generic method statement for the standard process adopted for removing gasholders. The applicant comments that the method of demolition is more akin with dismantling and that it will be carried out in a planned and methodical approach. The applicant also comments that the method of dismantling is tried and tested as SGN has successfully dismantled numerous gasholders across the country.

It is also stated that in terms of the dismantling process, if possible, the majority of the dismantling will occur from the inside out, which would limit most of the works to within the structure, meaning potential noise disturbance would be tightly controlled and surrounding trees protected.

The programme of works would limit working hours in the early mornings, evenings and weekends and HGV movement would be timed to avoid periods of peak congestion.

Whilst it is noted that the highway authority recommend a construction method statement it is not possible to impose such a condition on a prior approval application under Part 11.

In terms of the extent of works, the applicant has confirmed that in this case the concrete base is to be retained in terms of the demolition works under consideration and to ignore paragraph 10 in the generic method statement. It is clear from the planning statement that the proposals would dismantle the structure s to ground level

only with no intrusive works which could disturb and release any potential contaminants associated with the former gasworks site.

As noted above, environmental health has recommended that a planning condition be imposed securing a site specific method statement. However, under Part 11 of the regulations there is no scope to impose such a condition. Whilst other parts of the GPDO allow for conditions to be imposed and also additional information (under paragraph W), that does not apply in this case. It is considered that there would be positive environmental benefits by the removal of the gas holder and associated structures. As noted above, there would be no intrusive groundworks at this stage which could possibly release/expose potential contaminants. Any future works to the site in terms of potential development, would require the submission of a full and comprehensive contamination survey bearing in mind the sites former use. However, it is also noted that the site adjacent to the south currently being redeveloped with a large industrial building, found no contamination of the ground when carrying out bore hole sampling.

In addition, the relevant building regulation consent would be obtained, and best practice measures would be adopted to manage noise and air pollution. In this regard, noise and dust monitoring equipment would be implemented with any negative effects recorded and mitigated where necessary in line with the British Standard Guidance (BS5228 – 2 :2009) and SGN's own guidance relating to the Specification for the Demolition of Redundant Structures. In line with relevant guidance, practicable measures, such as mitigation for any particularly noisy work would also be implemented.

The applicant has also submitted a Method Statement specific to the demolition of this type of gasholder.

It is further commented that the relevant Building Regulation consents would be obtained and that the works would be closely coordinate with the Council's Building Control Section and the Environmental Health Officer with the statutory best practice measures being adopted in relation to any hazardous materials and gases, noise and air pollution.

A preliminary ecological appraisal carried out on 10 December 2020 by CT Ecology Ltd. Was submitted with the application in order to ascertain whether any ecological constraints could affect the proposed gasholder decommissioning works at the site.

This report noted that the proposed working area required to remove the gasholder structure would be confined to habitats immediately adjacent to the gasholder and recommended precautionary working practices in terms of tree protection and avoidance of any potential impact on breeding birds. Based on the current proposals it was concluded that no further surveys in relation to protected species were considered necessary.

Whilst the Arboriculture Manager requested additional tree information, the applicant has confirmed that the two trees are off the site and that the structures to be demolished are away from these. It is also noted that there is heras fencing adjacent to the structures to be demolished which would ensure that the demolition works are confined within the compound site.

The surrounding area is industrial in nature, with the nearest residential units some 40m to the west beyond New Lane and substantial vegetation. It is considered that the method statement submitted with the application would mitigate any possible adverse impacts on those residential properties by reason of noise, disturbance, dust or odours.

It is considered that the scale or nature of the proposed demolition is not such as to give rise to a requirement for an EIA.

In terms of restoration, the applicant confirms that the gasholder and associated structures would be removed to ground level and to the point of the underlying concrete base. No further site restoration is proposed at this stage.

It is considered that **Prior Approval is required** for the method of demolition and proposed restoration of the site in order that these can be fully considered.

Having determined that Prior Approval is required for the method of demolition and any proposed restoration the submitted information accompanying the application has duly been considered.

The supporting information is considered acceptable and **Prior Approval is Granted**.

9 RECOMMENDATION:

That the Head of Planning be authorised to for application APP/21/00254

(A)

1

Time limit – Demolition Prior Approval

The development must be carried out within a period of 5 years from the date on which this approval is given.

Reason: To comply with Part 11 paragraph B.2 (ix) (aa) of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.

2

Approved Details

The development must be carried out in accordance with the following details submitted with the application:

SITE LOCATION PLAN

SCOPE OF WORKS

PROPOSED SITE WORKS PLAN

SITE RESTORATION PLAN

PLANNING STATEMENT

PRELIMINARY ECOLOGICAL APPRAISAL

Reason: To comply with Part 11 paragraph B.2 (viii) (aa) of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.