
Site Address:	B.M Scaffolding, Brockhampton Road, Havant, PO9 1JU		
Proposal:	Proposed demolition of existing industrial unit in favour of a new replacement unit for B1, B2 and B8 use		
Application No:	APP/20/00533	Expiry Date:	04/09/2020
Applicant:	Mr Madgwick B.M Scaffolding		
Agent:	Mr Jay The Planning Service	Case Officer:	Tina Pickup
Ward:	St Faiths		

Recommendation: **GRANT PERMISSION**

1 Site Description

The application site is located at the end of an adopted spur road, off Harts Farm Way, and immediately south of the A27. It forms part of the wider industrial estate and is currently used for the storage and distribution of scaffolding (B8). There is a small, modern, industrial unit within the north east corner of the site, the remainder being largely open yard with high racking storing the scaffolding and associated equipment, wood etc on the north, east and southern boundaries. These are open sided ad hoc structures.

The site is bounded to the east by the embankment to Brockhampton Road and the bridge over the A27 - and the elevated position of the bridge affords views back into the site - which is currently not visually attractive due to the open nature of high storage. The southern embankment down to the lower A27 includes several mature trees, outside the application site but close to the boundary, although they are not TPO'd.

There are significant constraints to the site, including being within flood zone 3 with a main river culvert crossing the site; and IP and MP gas mains run along the northern and eastern boundaries, and in turn each have easements.

2 Planning History

APP/18/01024 - Proposed extension to existing industrial unit and creation of first floor level; change of use of site from B2 (general industrial) to B8 (storage and distribution)., PERM,06/03/2019

3 Proposal

Proposed demolition of existing industrial unit in favour of a new replacement unit for B1, B2 and B8 use

During the course of determining this application a revised FRA, full tree survey, AIA and AMS have been provided which necessitated the reduction in the size of the proposed building. The amended plans propose a speculative B1, B2 and B8 industrial unit located along the eastern side of the site measuring approximately 15.4m x 20m with height to eaves of 8.1m and to ridge of 9.47m. It would be constructed of Kingspan cladding panels in grey and white with a first floor comprising part storage, part offices.

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)
CS15	(Flood and Coastal Erosion)
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))
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)

Havant Borough Pre Submission Local Plan 2036

E22	(Amenity and pollution)
E24	(Contamination)
E20	(Drainage infrastructure in new development)
E1*	(High quality design)
E19	(Managing flood risk in new development)
C1*	(Protection of existing employment sites)
IN3	(Transport and parking in new development)
E18	(Trees, hedgerows and woodland)

Emsworth Neighbourhood Plan Post Examination Version 2020

n/a

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist

There are trees around the perimeter which are within 15m of the proposed development therefore an AIA is required and an AMS and TPP.

Arboriculturalist - on amended details

The supplied Arb documents appear to be comprehensive and acceptable in terms of the 'do-ability' of this proposed project.

In terms of the impact to the adjacent HCC trees I have set out below:

x3 Cypress

Proposed incursion into RPA = 3.7% which will involve root pruning.

Proposed tree works - Reduce southern crown of trees back to boundary.

The trees are Cypress which present as resilient species in terms of their vigour / vitality and resistance to pruning / management. The proposed works should not impact negatively on the health or public amenity of the trees.

It should be noted that the land owners have a legal right to cutback overhanging trees and roots on their property – these works must not effect the stability or impact negatively on the health of the trees.

In this instance I raise no objection on arboricultural grounds if the AMS and TPP supplied is strictly adhered to and conditioned. There should be no deviation from the AMS and TPP as if it is not followed fully and in line with the supervision of their Arb Consultant there is a risk that damage may occur to the trees

County Minerals

Nine received

Crime Prevention

None received

Department of Transport, Highways England

In the case of this development proposal, our interest is in the A27.

Having examined the above application we do not offer an objection to the proposal. However, due to the proximity of the works to the A27 we do request that we are notified of when the works will take place and we recommend the conditions that are set out below and in our attached formal response:

1. No development shall take place until a detailed Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority (in consultation with Highways England).

Reason: To mitigate any adverse impact from the development on the A27. To ensure that the A27 continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

2. Prior to the installation of any drainage systems, full details of drainage and its location shall be submitted to and approved in writing by the local planning authority (in consultation with Highways England). The development shall thereafter be undertaken in strict accordance with the approved details prior to the first occupation of the development hereby permitted and retained in accordance with the agreed specification.

No surface water shall be permitted to run off from the development hereby permitted on to the Strategic Road Network or in to any drainage system connected to the Strategic Road Network. No drainage connections from any part of development hereby permitted may be made to any Strategic Road Network drainage systems.

Reason: To mitigate any adverse impact from the development on the A27. To ensure that the A27 continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

3. Prior to the installation of any external lighting full details of lighting and its location shall be submitted to and approved in writing by the local planning authority (in consultation with Highways England). The development shall thereafter be undertaken in strict accordance with the approved details prior to the first occupation of the development hereby permitted and retained in accordance with the agreed specification.

Reason: To mitigate any adverse impact from the development on the A27. To ensure that the A27 continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

Department of Transport, Highways England - *on amended plans*

Repeats previous no objection subject to same conditions

Economic Development

None received

HBC Engineering/Drainage

None received

Environment Agency - initial response

Object - The submitted FRA does not comply with the requirements for site-specific FRA.

It appears that the development could contribute towards a loss of floodplain storage, which could mean that the development displaces floodwater into adjacent areas, increasing flood risk to others. The submitted FRA suggests mitigating this by the installation of under floor voids. Should we find this proposal acceptable, we would need to see evidence that the proposed use of under-floor voids provides adequate and like for like, pre and post construction volumetric flood plain storage before being accepted as an adequate form of compensation. Additionally, for this method of compensation to be deemed acceptable, details of a maintenance plan to ensure that the void is kept clear should be included within the revised FRA.

If voids are proposed as an alternative form of mitigation these will need to be floodable, with the underside of the void above the 1% annual probability (1 in 100) flood level with an appropriate allowance for climate change. The LPA must also be satisfied that they can enforce a condition to maintain the voids as designed and that an adequate maintenance plan is in place to ensure the voids remain open for the life time of the development.

Likewise, the submitted FRA references the setting of the finished floor levels at 500mm above the 1% AEP flood extent. We recommend that the FFLs of any development are set at a minimum of 600mm above the expected flood height for the design life of the development including climate change adjustments. Where this cannot be achieved we would expect a FFL no lower than 300mm above the expected flood height and would recommend the use of flood resilience and resistance measures up to 600mm above the expected flood height.

If recommended FFLs are not able to be achieved we would expect to see this justified within the revised FRA and site specific Flood Resilience and Resistance measures given.

To overcome our objection, the applicant should submit a revised FRA which addresses the points above and demonstrates that the development currently seeking planning permission is safe without increasing risk elsewhere. Where possible, it should reduce flood risk overall.

Environment Agency - on amended FRA

request condition:

The development shall be carried out in accordance with the submitted flood risk assessment (ref "FRA – 2019 – 000002", titled "Flood Risk Assessment", Revision No. 2, and dated 26/08/2020) and the following mitigation measures it details:

- [14.2.1] Finished Floor Levels: Finished floor levels shall be set no lower than 5.3 metres above Ordnance Datum (AOD)
- [14.2.2] Flood displacement storage: Compensatory storage shall be provided through use of under floor voids.
- [14.2.2] All development within Flood Zone 3 must not result in a net loss of flood storage capacity
- [14.2.2] Maintenance and clearance of the underfloor voids should be undertaken regularly to assure the effective use of the underfloor as flood storage

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reasons

To reduce the risk of flooding to the proposed development and future occupants. To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.

The condition is in line with the Planning Practice Guidance (PPG) to the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change.

Note to the Local Planning Authority/Applicant

Climate Change Flood Levels

The Applicant has used the 1 in 1000yr flood height as the climate change adjusted design flood level for this development. This is contrary to the usual climate assessment made by adjusting existing 1 in 100yr flood heights using the climate change allowances online.

In this instance, although a basic assessment of future flood risk, we will accept this as the design flood level in the absence of 1 in 100yr flood levels with climate change allowances. This is due to the commercial nature of the development and as such a lower vulnerability according to NPPG. Were any future development or change of use to occur at this site we would expect a full assessment of the flood height for the design life of the development with appropriate climate change allowances.

It is for the Local Planning Authority to decide if this is an appropriate assessment of future flood risk and if the vulnerability of proposal justifies the approach.

Flood Plain Storage Compensation

In the absence of space for flood plain storage compensation and thus level for level compensation in areas outside of the flood plain, the use of under floor voids in this instance can be deemed acceptable. As the development will take place within 8m of a Statutory Main River the works will be subject to regulation through a Flood Risk Activity Permit. Whilst details regarding the precise nature and volumes of flood storage are lacking within the submitted FRA we are happy to see the matter of flood storage compensation addressed in detail through the Flood Risk Activity Permitting Process. We would expect to see precise calculations detailing that there will be no net loss of flood storage.

Finally, with regards to the voids, for these to be considered an acceptable form of compensation it is important that the conditioned reference to the regular maintenance and clearance of the voids is sustained throughout the lifetime of the development. Failure to do so would make the void's redundant and increase flood risk to people and property elsewhere.

Flood resistance and resilience

We strongly recommend the use of flood resistance and resilience measures. Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage.

Advice to Applicant - Environmental permit

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- • on or within 8 metres of a main river (16 metres if tidal)
- • on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- • on or within 16 metres of a sea defence
- • involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- • in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission

For further guidance please visit

<https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

The Applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Environmental Health Manager

Amenity/Nuisance - No adverse comments

Contaminated Land -

Given the industrial history of the site – particularly that associated with metal finishing / surface treatment, I have undertaken a brief review of the context of the site. This review has highlighted some features of concern. Notably, 89/54070 shows at least one soakaway which is shown as featuring an overflow pipe communicating directly with the culverted channel to the Brockhampton Stream. It not known what degree of connectivity there may be between site and the former watercress beds & the section of the Brockhampton channel to the west of the site; or between the culverted section of the Brockhampton, and the beds / channel to the west – however it is known from prior sampling that the Brockhampton channel to the west has exceeded EQS values for metals in individual sample results (which could in principle have been associated with this site, though were attributed to another source at the time).

It is understood the metal plating processes were not undertaken within the laboratory unit, but it is implicit that such activity was routinely undertaken within the workshop. I also note that prior consents included Grampian style condition relating to provisions for the safe refueling of vehicles; this is an unusual provision, and it implies that local refueling was a feature of the operation of the site.

Plans also indicate that buildings previously present on the site were clad & roofed almost exclusively with Asbestos containing materials – and most rainwater goods were specified as being constructed from asbestos cement. It would be prudent to regard all made soils at the site as potentially contaminated with asbestos. This could have implications for disposal, and if this risk is not dismissed through physical investigation the potential for presence may necessitate quantification and screening. It is acknowledged that the proposed use is not contamination sensitive, however it remains appropriate in policy terms (para. 178 of the NPPF, and locally, DM17 & DM10) to seek confirmation that the site could not meet the definition of 'Contaminated Land' following development.

The potential risk to controlled waters is considered sufficient to justify requiring a proactive investigation of the site. Any investigation undertaken will need to respond to the utilities constraints.

There is no material objection to the proposed development, subject to the following conditions: standard investigates survey condition; and standard verification and remediation condition

Air Quality

The development is not 'major' development and so under emerging policy would not require either proposals to offset emissions to air, or an assessment of emissions from the operational fleet of vehicles. A significant air pollution impact would not be expected.

I note that the parking consultee has highlighted the parking shortfall. I would further point out that 4 of the proposed spaces could not be used concurrently with the loading bays.

Long stay cycle parking (by means of indoor wall mounted storage brackets) is indicated to be proposed, but is not shown on the plans. It is considered good practice to provide adequate cycle storage and changing / showering facilities to make sustainable travel choices as easy as possible for employees. Given the above comment, this is advised, but I could not justify an objection on this omission / inconsistency.

Drainage/SuDS

I note that the focus of the FRA report is upon justifying the principle of development within a flood risk zone. No drainage scheme proposal is given within the application documents, and I note that the report omits a site runoff estimate from the existing site for flood contribution purposes.

It is anticipated that the LLFA will require that a detailed drainage scheme be secured by means of a Grampian condition. If not, please contact me and I will suggest suitable wording.

Pollution issues can be dealt with under that condition – it suffices to state here that the same reasons that make this site sensitive in respect of soil Contamination make the site similarly sensitive in pollution terms. A proprietary interceptor unit may be required in the yard area, and filter strips / attenuation planting might be prudent at the site boundaries.

I note the comments within the FRA on feasible runoff mitigation on a small site – a green roof solution is suggested alongside rainwater harvesting as potential features (it is recognised that these do not represent proposals).

Green roofs are regarded as providing an air quality benefit (providing an attenuation and absorption service), and would be welcomed at this location, considering nearby emissions sources.

Similarly, the scale of the site would lend itself to a modest rainwater harvesting system – representing a low-cost flood mitigation feature that would add to the sustainability credentials of the scheme.

Due to the proximity of nearby controlled waters, infiltration drainage may not be compatible with soil conditions – this might be dependent upon the results from the contamination assessment.

On the assumption that drainage details can be secured post-consent & prior to commencement, I have no objections on pollution grounds to the principle of development

Hampshire Highways

It is not considered that the change of use will result in a substantial increase in vehicular trips from the site. As such, the Highway Authority raises no objection to the proposal.

Southern Gas Network

Although SGN has a high pressure gas pipeline in the vicinity, the safety and integrity of our assets will not be affected by the proposal. However, should your proposal change please contact us immediately and we will re-assess.

The pipeline is of prime importance to the gas supplies of this area. It is essential that you comply with the restrictions detailed below and in the document SGN/WI/SW2 in order to protect our plant and equipment and for the safety of your own operatives. A SGN representative must be contacted before any works commence.

1. No mechanical excavation is allowed within 3 metres either side of pipeline.
2. No plant or storage of equipment shall be made within any easement strip.
3. If any metallic pipes or cables are being laid in proximity to gas pipelines then interference testing will be required, the cost of which to be borne by the promoter of the works. A minimum clearance of 600mm is required.
4. All precautions stated in publication SGN/WI/SW/2 (Safe Working in the Vicinity of High Pressure Gas Pipelines) shall be fully complied with in all respects. Acceptance of SGN/WI/SW/2 shall be acknowledged by the responsible site person signing and returning the form Appendix A (back page) to the SGN representative contacted in (7).
5. No thrust boring shall take place within 3 meters of the pipeline.
6. All planting within the easement strip should comply with 'Notes for Guidance on Tree Proximity'.
7. Before commencing work on site you must contact our Pipeline Maintenance Section on the number above at least seven days before work commences. A Southern Gas Networks representative will then contact you to arrange to visit site. Details of working near to highpressure gas pipelines can then be discussed.
8. Pipeline sections that are planned and agreed by SGN to be permanently covered (i.e. by road surface) will require a coating survey. SGN will repair any indicated coating defects free of charge. The survey costs will be borne by the promoter of the works. Prior to any surface cover cathodic protection coupons and reference cells will require installation at no cost to SGN.
9. This pipeline is cathodically protected and as such has test cables located in test posts, were these to be lost through this work we would look to you for remedial action at no cost to SGN.
10. Intrusive construction methods will require an agreed method statement prior to work starting.

11. Any extended period of SGN site supervision may incur charges to you. These will be charged based on visiting times, materials and occurrences. You will be informed when these come into effect and be invoiced direct.

12. Any piling or boreholes within 15 metres of the pipeline may require vibration monitoring. No piling or boreholing must take place within 3 metres of the pipeline.

Please ensure these conditions, together with any relevant drawings are forwarded for use by the construction personnel of your works.

Traffic Management

With reference to the amount of available parking bays for this proposed development, to include B1, B2 and B8 use that the minimum requirement in relation to the site's size is not met, as per HBC parking standards.

Officer Note - the amended reduced floorspace meets the Parking SPD ratio - see section 7

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: 6

Number of site notices: 1- *displayed by agent due to Covid 19 restrictions*

Statutory advertisement: Not applicable.

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 upon the character and appearance of the area
- (iii) Impact upon residential amenity
- (iv) Impact on Trees
- (v) Highways and Parking
- (vi) Flood Risk, Contamination & Drainage

(i) Principle of development

- 7.1 The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria. The site lies immediately adjacent, but outside, the Harts Farm Way North employment land allocation as set out in Policy HB2 (Site BD9) of the Allocations Plan. As an existing B8 site, within a recognised industrial area, the proposal of a larger replacement B1, B2 and B8 unit is considered appropriate in principle to the context of the site. It would also accord with the aims of policy CS2 of the Core Strategy that seeks to generate employment uses. Similarly the proposal is compliant with emerging policy C1 that seeks to protect existing employment sites.
- 7.2 It must be noted that since the submission of the application the Use Class Order has been updated by the 2020 Order. The requested B2 (industrial) and B8 (storage) uses remain unaffected, but the requested B1 a, b and c uses have all become Class E (Commercial, business and service uses). Since Class E also includes retail shops, cafes, clinics, nurseries, gyms etc, not all of which would be appropriate to this particular site, then it is considered necessary to limit by condition the future use of the building to the specific uses requested under the 1987 Order.

(ii) Impact upon the character and appearance of the area

- 7.3 Currently the site comprises the outside storage of scaffolding in unsightly high racks on the perimeter of the site, which can be seen from both the A27 and the bridge over. The development offers the opportunity to tidy the site with a single industrial unit with associated hard surfacing for parking and maneuvering etc. However as originally submitted there were some concerns over the size of the proposed unit, in particular its close proximity to the northern boundary with the A27 (just between some 1.1 and 1.7m separation) and its consequential visual impact and dominance from the A27 and bridge over.
- 7.4 The amended plans have however reduced the footprint of the building such that there would now be a separation of between 4.3 and 4.9m to the northern boundary. A cross section plan shows the proposed unit in context with the adjacent new development to the west, and those buildings are 12.9m and 6.8m high. The proposed unit, set to the east, with height of 8.1m to eaves and 9.47m to ridge would be of an appropriate scale to the character of the area. The materials proposed are relatively neutral and in keeping with other new industrial units in the area, with sufficient material details provided to negate the need for a materials condition. Overall the design, size and siting of the reduced, amended plans are considered visually appropriate to the setting of the site with acceptable impact on users of the A27 and bridge over.

(iii) Impact upon residential amenity

- 7.5 The site is surrounded by industrial buildings, and therefore is not considered to have a significant adverse impact on neighbouring properties.

(iv) Impact on trees

- 7.6 The affected trees are Cypress and are located outside the application site within the A27 embankment but overhang the site. The original size and siting of the building would have severely impacted these highway trees which the County Arboriculturalist objected to. As a result a full AMS and AIA was undertaken which resulted in the reduction of the size of the building, increasing the separation to the northern boundary. The amended plans result in only a marginal encroachment of the RPA of tree 3 and since piled foundations are not possible on the site (due to other constraints, river & gas main) then manual root pruning is proposed, as well as the reduction of the southern crown. The Arboricultural officer has noted the vigour of Cypress trees and does not consider the works would negatively impact the trees. No objection is raised to the amended plans, subject to the AMS and TPP being conditioned and adhered to.

(v) Highways and parking

- 7.7 In terms of vehicular movements the Highway Authority raises no objection to the continued use of the site for industrial purposes. Because the development is immediately adjacent the A27 and bridge over, and close to the highway embankment, Highways England were also consulted in order to ensure protection of the trunk road and ensure drivers on the A27 are not distracted. They raise no objection in principle but request conditions including a Construction Method Statement; details of drainage and its route with no surface water allowed to run off or connect to the drainage system of the strategic road network; and details of any lighting to prevent glare.
- 7.8 In terms of parking the amended plans result in 130 sqm of B1 floorspace; 222 sqm of B2; and 75 sqm of B8. Using the current adopted parking ratios for these uses, the development triggers a need for 10 spaces. These are shown on the layout plan together with access to one of the units loading bay doors with clear access for a lorry to deliver and turn on site. In addition provision of 3 bike racks are shown at the front of the building which would encourage sustainable forms of travel. Therefore there is no objection to the amended highways and parking layout, subject to the conditions requested by Highways England and a standard condition requiring provision prior to occupation.

(vi) Flood risk, contamination & drainage

- 7.9 The application site is located within Flood Zone 3 and during the course of determining this application a revised FRA was submitted. Since the whole site is already in flood zone 3 and currently in use for industrial purposes, then being a replacement industrial building, there would be sequentially no better place to site the building within the site, and therefore the sequential test is not required. The development type is also classified as less vulnerable, and therefore the exception test is also not required.

- 7.10 A river culvert crosses the site and the development could affect the capacity of the flood plain to store water, hence use of underfloor voids is recommended. The FRA identifies that the following mitigation measures are to be undertaken:
- Finished floor levels will be set no lower than 5.3mAOD;
 - Construction will utilise flood resistant materials and services will be placed as high as practicable to reduce impact of flooding;
 - Occupants will sign up for EA Emergency Flood Warning Direct Service;
 - Safe egress to flood zone 1 is a 2-minute walk away and safe refuge is available on upper floors.
- 7.11 The EA have raised no objection, subject to condition and on that basis the proposed development is considered safe for its lifetime without increasing flood risk elsewhere.
- 7.12 In terms of contamination and drainage, due to past industrial uses of the site and old soakaways and overflow pipes, and probable previous asbestos on the site, it is likely that made soils at the site are contaminated. This could have implications for disposal and potential risk to controlled waters. Therefore Environmental Health recommends the imposition of investigative contamination and drainage conditions.
- 7.13 There is also a gas main along the north and eastern boundaries of the site and the siting of the building has allowed for the SGN 2m access zone. SGN raise no objection in principle, subject to several operational conditions, which are covered by other legislation and would be appropriate as an Informative. Their full response letter has been passed to the agent.

8 Conclusion

- 8.1 The proposed replacement industrial building has been carefully designed to take account of all the constraints on the site: trees, culvert, gas pipes and contamination and achieves a modest modern industrial building that would tidy the site and offer employment opportunities. With sufficient detailed conditions controlling many technical aspects of the development, the application is recommended for permission.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/20/00533 subject to the following conditions

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

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Proposed Location & Site Plan Drawing Number P001 V6. dated 22/01/2021
 Site Investigation & Building Positioning with below Ground Assets Drawing Number P002 V6.1 dated 07/12/2020
 Proposed Elevations Drawing Number P003 V6.1 dated 07/12/2020
 Proposed Perspectives Drawing Number P004 V6.1 dated 07/12/2020
 Proposed Floor & Roof Plans Drawing Number P005 V6.1 dated 07/12/2020
 Site Plan with Tree Overlay Drawing Number P006 V6.1 dated 07/12/2020
 Arboricultural Method Statement by Arbetch dated 17 December 2020
 Arboricultural Impact Assessment Drawing No. AIA 01 dated Dec 2020
 Tree Protection Plan Drawing No. TPP 01 dated Dec 2020
 Flood Risk Assessment by STM Environmental Ref: FRA - 2019-000002
 Version 2.0 dated 26/08/2020
 Topographical Survey CM/19828 Rev A

Reason: - To ensure provision of a satisfactory development.

- 3 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, (as amended) and the Town and Country Planning (Use Classes) Order 2020, or any other Town and Country Planning (General Permitted Development) Order, the premises shall only be used for Class B2 (industrial), Class B8 (storage and distribution) and Class B1 (a) ,(b), (c) (offices and research and development) of the 1987 Order and for no other purposes within Class E of the 2020 Order.

Reason: The location of the site is not necessarily suitable for other Class E uses without appropriate assessment of their impacts on amenity, highway safety, free flow of traffic etc, and having due regard to Policies CS2, CS16 and DM3 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 The proposed works shall be carried out in strict and full accordance with the Arboricultural Method Statement by Arbetch dated 17 December 2020; Arboricultural Impact Assessment Drawing No. AIA 01 dated Dec 2020; and Tree Protection Plan Drawing No. TPP 01 dated Dec 2020.

Reason: To ensure the highway trees are not adversely affected by the construction of the development and having due regard to policies CS11 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and National Planning Policy Framework.

- 5 No development shall take place until a Construction Method Statement specifying/addressing the following matters have been submitted to and approved in writing by the Local Planning Authority, in consultation with Highways England and the Council's Arboriculturalist:
 - (i) The provision to be made within the site for contractors' vehicle parking during site clearance and construction of the development;
 - (ii) The provision to be made within the site for a material storage compound during site clearance and construction of the development.
 - (iii) Details of construction method with regards to any craneage of roof trusses/roof panels and measures to ensure no encroachment or danger of over spilling onto the A27 highway embankment or damage to trees.
 Thereafter, throughout such site clearance and implementation of the development, the approved parking provision and storage compound shall be kept available and used only as such.

Reason: To mitigate any adverse impact from the development on the trees and A27 and to maintain road safety, having due regard to policies CS11, DM8 and DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework and section 10 of the Highways Act 1980.

- 6 No development hereby permitted shall commence until plans and particulars specifying the layout, depth, capacity and connections of all foul and surface water drains and sewers proposed to serve the same, and details of any other proposed ancillary drainage works/plant (e.g. pumping stations) have been submitted to and approved in writing by the Local Planning Authority. Drainage shall have due regard to pollution risks. No surface water shall be permitted to run off from the development hereby permitted on to the Strategic Road Network or in to any drainage system connected to the Strategic Road Network. No drainage connections from any, part of development hereby permitted may be made to any Strategic Road Network drainage systems. Unless agreed otherwise in writing by the Local Planning Authority, the development hereby permitted shall not be brought into use prior to the completion of the implementation of all such drainage provision in full accordance with such plans and particulars as are thus approved by the Authority and thereafter retained in accordance with the agreed specification.

Reason: To safeguard the amenities of the locality, environmental quality, and to mitigate any adverse impact on the A27 to ensure that all such drainage provision is constructed to an appropriate standard and quality and having due regard to section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety, and policies and proposals CS16, DM10 and DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 7 Prior to the installation of any external lighting anywhere on the site, full details of the lighting and its location shall be submitted to and approved in writing by the local planning authority (in consultation with Highways England). Such details shall include height and direction of lamp, bulb details, light spread and spillage. The development shall thereafter be undertaken in strict accordance with the approved details prior to any lighting being first switched on, and retained in accordance with the agreed specification.

Reason: To mitigate any adverse impact from the development on the A27. To ensure that the A27 continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety and policies and proposals CS16, DM10 and DM15 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 8 The development shall be carried out in full accordance with the submitted Flood Risk Assessment by STM Environmental version No. 2 dated 26/08/2020 and the following mitigation measures it details:
- [14.2.1] Finished Floor Levels: Finished floor levels shall be set no lower than 5.3 metres above Ordnance Datum (AOD)
 - [14.2.2] Flood displacement storage: Compensatory storage shall be provided through use of under floor voids.
 - [14.2.2] All development within Flood Zone 3 must not result in a net loss of flood storage capacity

- [14.2.2] Maintenance and clearance of the underfloor voids should be undertaken regularly to assure the effective use of the underfloor as flood storage

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To ensure that flood risk mitigation is adequate in order to reduce the flood risk to future occupiers having due regard to Planning Practice Guidance to the National Planning Policy Framework and policy CS15 of the Havant Borough Local Plan (Core Strategy) 2011.

- 9 Prior to the commencement of any specific phase of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), an assessment of the nature and extent of contamination at the site, whether originating from within or outside the curtilage, shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall be undertaken by competent persons, and the findings presented as a written report.

The assessment may comprise separate reports as appropriate, but unless specifically excluded in writing by the Local Planning Authority, shall include;

1) A site walk-over survey &/or sufficient desk-based research to identify;

- All relevant previous uses of the site,
- Potentially significant features and contaminants associated with those uses
- Uncertainties relating to previous use or associated potential contaminants
- A conceptual site model identifying all relevant sources, exposure pathways and receptors, and;
- A summary of potentially unacceptable risks arising from contamination at the site.

2) Site investigation based on (1), to provide sufficient data and information to adequately identify & characterise any physical contamination on or affecting the site, and to inform an appropriate assessment of the risks to all receptors that may be affected, including those off site.

3) The results of an appropriate risk assessment based upon (1) & (2), and where unacceptable risks are identified, a Remediation Strategy that includes;

- appropriately considered remedial objectives,
- an appraisal of remedial &/or risk mitigation options, having due regard to sustainability, and;
- clearly defined proposals for mitigation of the identified risks.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out any Remediation Strategy required under (2) are complete, identifying any requirements for longer-term monitoring of pollutant linkages, maintenance of engineered mitigation measures, and arrangements for contingency action.

All elements shall be adhered to unless agreed in writing by the Local Planning Authority

Reason: Contamination may be present at the site as a result previous land uses, activities and/or demolitions that could pose a risk to controlled waters, groundworks personnel, or future occupants. This is in line with DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 178-180 of the National Planning Policy Framework.

- 10 Prior to the occupation of any relevant part of the permitted development, any verification report required in accordance with condition 9 shall be submitted to and approved in writing by the Local Planning Authority.
The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan, and must demonstrate that site remediation criteria have been met. Where longer-term monitoring of pollutant linkages is identified as being necessary, the report shall clearly set out plans for monitoring, provision for maintenance, relevant triggers and contingency actions (a "long-term monitoring and maintenance plan").

The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: Contamination may be present at the site as a result previous land uses, activities and/or demolitions that could pose a risk to controlled waters, groundworks personnel, or future occupants. This is in line with DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 178-180 of the National Planning Policy Framework.

- 11 The car parking, servicing and other vehicular access arrangements; the cycle racks; and refuse bins and refuse storage area shown on the approved plans to serve the development hereby permitted shall be fully provided, laid and marked out and made available for use prior to the development being first brought into use and shall be retained thereafter for their intended purpose.

Reason: In the interests of highway safety and having due regard to policy DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.