
Site Address: 38 New Lane, Havant, PO9 2ND
Proposal: Demolition of existing industrial buildings and erection of 2No industrial buildings (comprising 12No individual units) within B1, B2 and B8 use classes together with ancillary office use, landscaping, car and cycle parking and access.
Application No: APP/19/00660 Expiry Date: 02/10/2019
Applicant: Mr Hooper
Kingsbridge Estates Ltd
Pension Scheme
Agent: Mrs Fellows Case Officer: Daphney Haywood
Luken Beck
Ward: Bondfields

Recommendation: **GRANT PERMISSION**

1 Site Description

The application site lies at the junction of New Lane and Stanbridge Road and on the western edge of New Lane Industrial Estate in Havant. Adjacent to the north is a redundant gas holder 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 Ave.

The 1.02 hectare site is a fairly regular shaped piece of land containing a number of self-contained industrial units, forming part of the Buttericks industrial complex. It is located in the New Lane Employment area, which includes a number of industrial estates, namely Downley Point, Oakwood Centre, Hayward Business Centre, Kenwood Business Centre and the recently completed Velocity. The railway line forms a strongly defined boundary of the wider employment area to the east and to the west the carriageway of New Lane and River Lavant watercourse forms the division between industrial units and post-war residential suburbs beyond.

To the north facing Downley Road is a group of trees which are covered by an Area Tree Preservation Order (TPO 888 G1) but all are off-site forming part of the gasholder and veterinary clinic. The external perimeter of the site is secured by palisade and chain-link fencing. Existing building comprises heights from 22.7m to 24m. The site comprises of a large warehouse of approximately 5,400 sqm with shared loading bays or roll down doors. There are ancillary external areas mainly hard paved with concrete and tarmac, although there are some areas of grass and planting near the parameters of the site.

The site lies on Made Ground overlying Superficial Deposits, which in turn overlie Bedrock. The Superficial Deposits are Head and the Bedrock consists of London Clay Formation. The geology underlying the site is classified as an Unproductive Aquifer overlying a Principal Aquifer. The site is located in Source Protection Zone 1c (SPZ1c) for the Havant and Bedhampton springs; an essential public water supply source.

Whilst previously 15 commercial businesses operated at the site at any one time, this has been reduced to 5 small companies, occupying 15% of the existing buildings. This originally included manufacture of plastics and car turntables, testing of digital production equipment, pet supplies, woodwork workshops and further office-based activities. As the building has aged, the uses have become predominantly for storage purposes.

2 Recent Planning History

00/53665/000 - Erection of 2.4m high blue coloured palisade fencing and matching gates along site frontages to Stanbridge Road (part only) and New Lane and 2.4m (maximum) high plastic coated chain-link fencing along parts of site frontages to Stanbridge Road and Downley Road., PERM,14/07/2000

3 Proposal

Demolition of existing industrial buildings and erection of 2No industrial buildings with a floor area of 5516 sqm (comprising 12No individual units) within B1, B2 and B8 use classes together with ancillary office use, landscaping, car and cycle parking and access.

The proposed buildings would be steel framed structure with metal cladding to walls and roof. The side and rear elevations of the units are predominantly horizontal trapezoidal profile cladding and the development would be constructed in a colour palette of silver/grey shades, with contrasting detailing. The application has been amended to provide additional landscaping, and the mass of the building broken down by the use of use of smaller external cladding panels and contrasting rain water goods with a vertical emphasise that breaks the appearance of the building into separate units.

The application is accompanied by a number of supporting documents comprising:-

- Design and Access Statement (including external lighting) (HNW Architects)
- Arboricultural Survey and Impact Assessment (Lizard Landscape Design & Ecology)
- FRA, Drainage Report and Foul Strategy (PTA)
- Transport Statement/Framework Travel Plan (i-Transport)
- BREEAM Pre-Assessment Report (Red Six)
- Contamination Report (Soil Consultants)
- Utilities Assessment (ION)

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)
CS19	(Effective Provision of Infrastructure)
CS2	(Employment)
CS21	(Developer Requirements)
CS3	(Skills and Employability)
DM10	(Pollution)
DM13	(Car and Cycle Parking on Residential Development)

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 Statutory and Non Statutory Consultations

Arboriculturalist

The trees shown for removal are not suitable for retention therefore I have no objection to their removal.

The offsite trees along the northern boundary are large mature specimens. I am in agreement with the consultant that it is unlikely there will be significant rooting beneath the existing buildings however it appears that although units 1-6 will be located further south of the trees (which is acceptable) however the new building will be encroaching further into the root protection area towards New Road (which may impact T25) could the footprint of the new building remain within the old?

As per the Arboricultural Method Statement, Arboricultural supervision will be essential for works around the trees along the northern boundary for the demolition and excavation of the buildings.

Further comments

Thank you for forwarding me the response. I can confirm that now the situation has been further clarified I have no objection to the proposal. The work should be carried out in accordance with the Arboricultural Method Statement and Tree Protection Plan.

Building Control

Building Regulation application will be required for this work. Comments in the meantime are below:

Solid waste storage is not shown so compliance with Approved Document H section 6 can not be checked

Hammer head turning facility provided this will be checked for compliance under Approved Document B section 5 when Building Regulation application submitted

Width of rear paths acting as escape routes to place of safety may be too narrow when considering width of door across this path. Once again will be checked when Building Regulation application submitted.

Amended Plans

Solid waste storage is now shown Provisions to comply with collection agency requirements.

Hammer head turning facility unable to scale. This will be checked for compliance under Approved Document B section 5 when Building Regulation application submitted.

Width of rear paths acting as escape routes to place of safety may be too narrow when considering width of door across this path. Once again will be checked when Building Regulation application submitted.

Officer note - applicant advised

County Archaeologist

Thank you for your consultation. Having reviewed our records I can confirm that I would not wish to raise any archaeological issues in this instance.

Crime Prevention -Major Apps

To the rear of each unit there is an escape door, which can be accessed using a rear access footpath. Easy access to the rear of the property facilitates crime and increases the vulnerability of the development to crime. Planning guidance advises, "Planning should promote appropriate security measures", it continues, "Taking proportionate security measures should be a central consideration to the planning and delivery of new developments and substantive retrofits." To reduce the vulnerability of the development to crime, the rear access footpaths should be enclosed within a robust boundary treatment, which should be at least 1.8m high. Any gates within the boundary treatment should be of a similar height and construction to the adjacent boundary treatment. Care should be taken with the design of the gates to ensure that locks, handles etc. do not facilitate climbing over the gate. In addition the design of the escape gates should ensure that the escape mechanism cannot be operated from the public side of the gate.

A number of external cycle stands are shown, these stands should provide some protection for the pedal cycles from the weather.

Cycle storage is shown within the units, to provide for the security of the pedal cycles, appropriate cycle anchor points should be installed.

An area is shown for motor cycle parking, to provide for the security of the motor cycles, motor-cycle ground anchor points should be fitted.

To provide for the safety and security of those within the development lighting throughout the development should conform to the relevant sections of BS5489:2013

Officer note - applicant advised

Developer Services, Southern Water

Our initial investigations indicate that Southern Water can provide foul sewage disposal to service the proposed development. Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer.

We request that should this application receive planning approval, the following informative is attached to the consent:

A formal application for connection to the public sewerage system is required in order to service this development. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link

<https://beta.southernwater.co.uk/infrastructure-charges>.

Southern Water has undertaken a desk study of the impact of the proposed development on the existing public surface water network. The results of this assessment indicate that with connection at the "practical point of connection" as defined in the New Connections Services implemented from 1st April 2018 that there is an increased risk of flooding if the proposed surface water run off rates are to be discharged at proposed connection points.

We request that should this application receive planning approval, the following condition is attached to the consent: "Construction of the development shall not commence until details of the proposed means of surface water run off disposal in accordance with Part H3 of Building Regulations hierarchy as well as acceptable discharge points, rates and volumes have been agreed by the Lead Flood Authority, in consultation with Southern Water."

It is the responsibility of the developer to make suitable provision for the disposal of surface water. Part H3 of the Building Regulations prioritises the means of surface water disposal in the order:

- a) Adequate soakaway or infiltration system
- b) Water course
- c) Where neither of the above is practicable; a sewer

Alternatively, the developer can discharge surface water flow no greater than existing levels if proven to be connected and it is ensured that there is no overall increase in flows into the surface water system. You will be required to provide a topographical site survey and/or a CCTV survey showing the existing connection points, pipe sizes, gradients and calculations confirming the proposed surface water flow will be no greater than the existing contributing flows.

The planning application form makes reference to drainage using Sustainable Urban Drainage Systems (SUDS).

Under current legislation and guidance SUDS rely upon facilities which are not adoptable by sewerage undertakers. Therefore, the applicant will need to ensure that arrangements exist for the long-term maintenance of the SUDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system. Thus, where a SUDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should: Specify the responsibilities of each party for the implementation of the SUDS scheme
Specify a timetable for implementation

Provide a management and maintenance plan for the lifetime of the development. This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

This initial assessment does not prejudice any future assessment or commit to any adoption agreements under Section 104 of the Water Industry Act 1991. Please note that non-compliance with Sewers for Adoption standards will preclude future adoption of the foul and surface water sewerage network on site. The design of drainage should ensure that no groundwater or land drainage is to enter public sewers.

Land uses such as general hardstanding that may be subject to oil/petrol spillages should be drained by means of oil trap gullies or petrol/oil interceptors.

We request that should this application receive planning approval, the following condition is attached to the consent: "Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water."

Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

Economic Development - Commercial and Housing

The proposed development will provide for much needed business floorspace, enabling new and current businesses to grow and expand within the local area. Economic Development continually engages with businesses requiring floorspace in Havant Borough. The redevelopment of the Buttericks site will contribute towards an increase in supply of modern business use floorspace to meet increasing demand.

As noted within the applicant's planning statement this site can lead to 122 proposed new jobs within the borough. This follows the Havant core strategy focus on providing new employment to the borough and the reduction of out commuting. This will allow for businesses to relocate within the Borough, containing their employees and allowing them to grow at a base that meets their needs and plans. The proposal therefore, advances the National Planning Policy Framework paragraphs 80 which recognise the need to support economic growth and productivity, considering local business needs and wider opportunities for development.

Emerging Local Plan Policy C1 seeks to retain existing employment sites by reinforcing their function and role and therefore the proposal for redevelopment of the site to retain it in business use class is in accordance with the emerging Havant Borough Local Plan 2036.

We therefore consider that the proposal supports Local Plan Policies CS2 and CS3 and the National Planning Policy Framework Paragraph 80 in so far as it provides for local employment as well as the needs of businesses to grow and expand through provision of modern business use premises within the borough.

Environment Agency

No comments received

Environmental Health Manager, Community Group

As this area is relatively close to residential receptors i.e within 60 metres, and will possibly have B1, B2 & B8 rights, I have concerns related to the potential for future noise issues.

There is obviously no indication as to future occupiers of these units at this time, and as such the types of businesses to occupy the units is unknown. Therefore I would advise that if any of the future businesses backing onto New Lane, wish to operate any external plant e.g. extraction systems, fans, chiller units, compressors and / or other plant or equipment, at the rear of their premises or on the roof, and / or have internal extraction systems venting to these areas, that they may be required to submit an acoustic report depicting any necessary attenuation or mitigation measures, prior to the installation of such plant or equipment. I would seek a condition in this regard to ensure no adverse impact on nearby residential receptors.

I would ask that the following conditions and informatives be added to any approval that may be granted:

Condition 1: Noise from plant and equipment

No installation of any plant or equipment shall take place, especially at the rear of or on the roof of, any units facing onto New Lane, until an acoustic assessment to show that the rating level of such plant & equipment, as part of this development, will be at least 5 dB below the existing background levels, has been submitted to and been approved in writing by the Local Planning Authority. The assessment must be carried out by a suitably qualified acoustic consultant / engineer and be in accordance with BS4142: 2014 Methods for rating and assessing industrial and commercial sound.

Reason: To safeguard the amenities of the locality and/or occupiers of neighbouring properties including nearby residential receptors and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

Informatives re hours of working, dust and light requested.

Air Quality

From an air quality perspective, it is considered reasonable to treat the development as likely to have a negligible / minor impact, and the proposed planting is considered appropriate for air quality purposes.

Sustainability in Design

Pollution - SuDS

Further information to provide clarification is recommended.

Contamination Assessment

The report proposes general/generic watching brief. The potential localised contaminants comprise fuels, solvents & ash, all substances readily identifiable by visual or olfactory means. I would support this conclusion as being an appropriate and proportionate response to the risks & uncertainties - and would recommend that an open condition be imposed to ensure that a watching brief is observed, and which confers a 'duty to report' any discoveries to the Council.

Suggested wording below:

Condition 1: Contamination (Watching Brief – unexpected Contamination)

"The contamination 'watching brief' referred to at section 7.5 of the Soil Consultants Ltd. Report No. 10383/OT(rev1) 20/06/2019 shall be observed during all groundwork operations. In the event that suspected contamination (obviously contaminated soil / groundwater, or any buried waste materials that are out of keeping with ground conditions described within the 10383/OT report) is encountered; works in affected areas of the site shall cease until the Local Planning Authority has been notified of the discovery, and a scheme to deal with the risks associated with the suspected contamination has been submitted to- and approved in writing by- the Local Planning Authority.

The scheme may take a proportionate approach to the degree of formality adopted and may comprise separate results / reports / statements as appropriate, but unless specifically excluded by agreement shall include;

1) Investigation in the vicinity of suspected contamination, sufficient to characterise it's nature, likely extent & mobility,

2) An appropriate assessment of the risks to all receptors that may be affected, based upon 1), and;

3) Where potentially unacceptable risks are identified by 2), a Remediation Strategy that includes appropriately considered remedial objectives and clearly defined proposals for achieving these, having due regard to sustainability.

All investigation, assessments & other actions required by 1)-3) above (and B, below) shall be undertaken by competent persons, and the findings presented in a written format. The scheme shall be implemented as approved.

Prior to the occupation of any relevant part of the permitted development, EITHER of the following shall be submitted to the Local Planning Authority;

A. A statement confirming that no suspected contamination was identified during development,

OR;

B. Documentation in accordance with 1)-3) above; together with a Verification Report (where appropriate) demonstrating that remediation objectives have been met.

Reason: Having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014] and the National Planning Policy Framework, there is a potential for contamination to exist at the site could pose a risk to site construction workers or future occupants”

comments on additional information

Hampshire Highways

I confirm the Highway Authority have no objection in principle to the redevelopment of this site, once again for employment uses subject to conditions and a note to applicant.

Conditions:-

1. Prior to the use of the new access to Stanbridge Road being brought in to use the existing vehicular access points from Downley Road at the northern end of the site, New Lane to the rear of unit 5 and Stanbridge Road to the east of the proposed shall be physically and permanently closed, including the provision of full face kerbing and the highway margins reinstated accordingly.

2. Prior to the occupation of the first unit the areas shown on the approved plan and drawings in the Transport Assessment for the parking and manoeuvring of vehicles shall be provided and reserved for these purposes at all times.

Note to applicant

Before undertaking any work which affects a public highway (including a public right of way) you must obtain specific written approval from the Director of Economy, Transport and Environment at Hampshire County Council and enter into or secure any necessary legal agreements or consents to enable the works on a public highway to proceed. It is an offence to carry out unauthorised works on a public highway. This requirement applies not only to the creation of new vehicle accesses involving excavation within a footway, verge or carriageway but also to the stopping of existing access(es) or other works on or to the public highway. For further information, please contact highways.development.control@hants.gov.uk

Landscape Team

- All proposed trees will need to be a minimum specification of 12-14 Heavy.

We have concerns with the success of the proposed spec of 08-10 standard within the streetscape.

- We require tree pit planting details we have concerns with the success of the trees planted in the hard surfaced areas.
- The proposed CS3 Channel surrounding the street trees is not deemed appropriate.

We require the following drawings to be amended.

- A soft landscape scheme requiring submission of fully annotated plans at sufficient scale to identify species of individually planted trees, shrubs, hedges, marginal, bulbs and any areas of turfing / seeding. Planting areas should show the locations of different single species groups in relation to one another, and the locations of any individual specimen shrubs. Other information shall include plant specification schedules, comprising plant size, number and density and subsequent management plan.

Amended proposals

From a landscape perspective we require cross section drawings of the tree pits within the hard landscape to comment on the proposals. We recommend the conditioning of the hard landscaping, soft landscaping and boundary treatments.

Local Lead Flood Authority HCC

The submitted information addresses our requirements/previous concerns and we have no further comments.

Planning Policy

The Local Plan (Core Strategy) and the Local Plan (Allocations), together with the Hampshire Minerals and Waste Plan, provide the development plan for the borough. The Pre-submission Havant Borough Local Plan 2036 (HBLP 2036) was approved by the Council on 30 January 2019 and can be afforded limited weight.

The following policies are of particular relevance:

- CS2 – Employment
- CS16 – High Quality Design
- CS19 – Effective Provision of Infrastructure
- CS21 – Developer Requirements
- DM10 – Pollution
- DM13 – Car and Cycle Parking on Residential Development

In the Pre-submission Plan the following policies are of particular relevance:

- DR1 | Delivery of sustainable development
- C1 | Protection of existing employment sites
- IN1 | Effective provision of infrastructure
- IN3 | Transport and parking in new development
- E1 | High quality design
- E22 | Amenity and pollution

Principle of Development:

Policy CS2 of the Core Strategy prioritises the use of previously developed land for the provision of new employment floorspace, whilst Policy DM2 seeks to safeguard existing employment sites from development proposals for non-employment uses.

Emerging Policy C1 of the Pre-Submission Local Plan proposes to define New Lane as an established employment area (within which the application site falls) and generally protects employment sites from change of use or redevelopment to a non-employment use.

In this case, the application proposals seek to re-provide employment floorspace through the redevelopment of the site. It would result in the loss of 5,400 square metres of existing gross internal floorspace, but re-provide 5,516 square metres of gross internal floorspace, and thereby result in a net additional gross internal floorspace of 116 square metres. The proposals would therefore support the delivery of employment floorspace in line with emerging DR1 of the Pre-Submission Draft Local Plan.

Whilst the site would be retained in employment use, it should be acknowledged there may be harm through the displacement of the existing businesses which occupy the site. Paragraph 7.14 of the submitted Planning Statement notes that four small companies currently occupy the site, with three of the occupiers due to relocate within the locality at the end of June/July. It is unclear whether the three occupiers are vacating as a result of the proposed development and/or if they have suitable and available alternative premises which enables them to relocate. The remaining occupier is also likely to be displaced as a result of the site coming forward for development. However, a policy objection would not arise on this basis.

Design

Both the adopted and emerging local plan require high quality design in all development under policies

- CS16 High Quality Design (Core Strategy)
- E1 High Quality Design (HBLP 2036)

Source Protection Zones:

The site lies within Groundwater Source Protection 1c for Bedhampton and Havant Springs. Policy DM10 (in the Adopted Local Plan) and emerging Policy E21 (in the Pre-Submission Local Plan) are therefore of relevance. The Environment Agency and Portsmouth Water will be able to provide further advice in terms of where solution features are present, and if any conditions should be imposed.

Parking:

The proposals would need to ensure that appropriate parking provision is provided in accordance with Policy DM13, emerging policy IN3 and the Council's Parking SPD. The submitted Planning Statement suggest that 34 car parking spaces, 22 long stay cycle spaces and 11 short stay spaces would be provided. The development proposals would therefore provide for at least the minimum number of car parking spaces (24) based on the higher parking requirement for both employees and visitors. The development would provide a policy level compliant level of cycle parking based on the higher parking requirement.

Summary:

The development proposals would secure the redevelopment of an existing employment site within an established employment area. Furthermore, the development proposals would contribute towards addressing the Borough's employment needs. Whilst the development proposals would result in a degree of harm through the displacement of the existing occupiers, a policy objection would be unlikely to be sustained on these grounds.

Portsmouth Water Company

Portsmouth Water have no objections in principle to the proposed development. On the basis of the information provided no deep subterranean activities (e.g. deep bore soakaways) are planned, as a result the risk to groundwater quality and our supply at Havant and Bedhampton Springs is considered low. In the case deep subterranean activities are proposed for this development we would need to review our position.

The proposed foul water drainage strategy is disposal via a new manhole to the existing public sewer under Stanbridge road. This is acceptable to Portsmouth Water in relation to groundwater protection.

If any of the drainage strategies change (i.e. the developer wishes to deploy soakaways) we would wish to be consulted on the amended drainage strategy.

Foundations and Piling

The Ground Investigation Report by Soil Consultants Ltd (SCL) provides a geotechnical assessment on foundations for the site. The recommended foundation solution for the development is shallow foundation systems such as spread foundations. Portsmouth Water would not have any concerns regarding these shallow systems and are pleased to see no piling recommended for the development.

Portsmouth Water would have a presumption against piling if the piles or structures penetrate the full depth of the clay cover. We would have no objections to piled foundations that terminate within the clay cover; in this instance we would expect a piling risk assessment and method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, vibration and the programme for the works) to be submitted to and approved in writing by the local planning authority in consultation with Portsmouth Water.

Any piling, if proposed, must be undertaken in accordance with the terms of the approved piling method statement.

Piling or any other foundation designs using penetrative methods can pose a risk to potable suppliers from, for example, turbidity, mobilisation of historical contaminants, drilling through different aquifers and creation of preferential pathways.

Southern Electric

No comments received

Traffic Management Team

no adverse comment to make

Waste Services Manager

No comments received

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: 36

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 1

Comment	Officer Comment
Objection The Arboricultural report appears to have been written by someone who sees trees only as a hindrance or a burden. There are several noteworthy trees on the site particularly T04/T05 (Prunus sp.) which look quite old and could quite possibly be a coppiced relic of the field hedge system which still existed on the site in the 1950s and possibly into the 1960s. Further, the South-East corner of the site has an interesting and diverse selection of trees most prominent of which is T11 an 8m high ash tree which is a focal point of the collection of trees which offers a pleasing aspect to that corner of the site.	see section 7

Summary:

Comment:

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) Highways and Transport
- (v) Contamination
- (vi) Drainage and flood risk
- (vii) Sustainability
- (viii) Trees

(i) Principle of development

The application proposal seeks to retain employment uses within an established employment area situated within an urban area where further development is considered acceptable subject to the usual development control criteria. The current employment accommodation is outdated and no longer fit for purpose. Currently 15% of the building is occupied by four small companies, with a total of 15 employees at the site. The redevelopment of the site would displace the existing occupiers, and whilst the applicant states that 3 have made arrangements to relocate to alternative premises, it is unclear as to the exact arrangements. However, the development proposals would secure the redevelopment of an existing employment site within an established employment area, and the development proposals would contribute

towards addressing the Borough's employment needs.

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

This part of New Lane is characterised by commercial development, and whilst generally the development is set back from the highway beyond the car parking area, in the case of the application site the existing building is located relatively close to the frontage. The proposed development would be sites a similar set back to the existing development but it would be more bulky. At eaves level it would be in the order of 2.1m above the eaves of the main flat roofed building, with the ridge being a further 1.6m above the proposed eaves. Consequently it would be more prominent in the street scene than the existing building and in order to address the visual impact the proposal has been amended to provide additional landscaping on the new Lane frontage comprising Standard (Heavy);Min. 2.0 m clear stem height trees on the road frontages with under planting and native hedging. Additional detailing has been incorporated into the design of the building to provide visual relief to the elevations. It is considered that as now submitted, and having regard to the location of the site in an established employment area, the proposed development would be appropriate for the area and not result in visual detriment.

(iii) Impact upon residential amenity

In terms of impact on the neighbouring properties, the nearest residential properties lie in Littlegreen Avenue and the proposal would provide building to building separation in the order of 55 to 60m. The rear gardens of these properties back onto a fenced watercourse with intervening mature vegetation along New Lane. Additionally the proposed redevelopment would place all associated activity within a central yard area which is bordered by two buildings, one of which backs onto New Lane, helping to contain any noise. subject to conditions recommended by Environmental Health the proposal is therefore considered to be in accordance with Core Strategy Policy DM10 Pollution.

(iv) Highways and Transport

The site currently has access from New Lane and Stanbridge Road. The proposed vehicular access is directly from Stanbridge Road and the scheme provides for on site turning near the northern boundary of the site adjacent the New Lane frontage.

134 car parking spaces have been provided for members of staff and visitors, which is in accordance with Havant Borough Parking Standards SPD (2016) and Policy CS2 relating to Transport considerations. The parking provision has been calculated using the higher standards B1c/B2 (c) as set out in the table below, although the application is for a mix which includes some B8 Warehouse uses. One motorcycle space has been provided for every 25 car parking spaces and a total of 5% are disabled spaces.

Secure cycle parking provision has also been provided to serve the whole development. Taking into account the highest requirement, a minimum of 22 long stay and 11 short stay cycle stands are required . The proposal includes 24 long stay cycle spaces and 24 short stay cycle spaces. A total of 51 cycle stands are provided across the site. These are located both within each of the commercial units alongside the provision made externally using Sheffield stands along the access road. Protection for the pedal cycles from the weather is required and this would need to be the subject of a condition.

(v) Contamination

The application is accompanied by a Land Contamination Assessment produced by Soil Consultants which responds to comments made by Environmental Health and Portsmouth Water. This includes a Phase 2 investigation, which has found “no contamination has been recorded at the site resulting in no complete pollutant linkages being identified. It is therefore considered that the site is fit for the proposed end use without further assessment or remediation.” The Geotechnical Assessment also reviewed spread foundations, placed within the natural soils, future loading, pavement construction and soakaways/drainage designs.

This report identifies the risk as low to the aquifer and surface water given the soil and groundwater indicate no widespread contamination is present. Also the vast majority of the site will be covered by new buildings and hardstanding area, preventing infiltration. Mitigation measures are outlined in the report and can be controlled by an appropriate condition in relation to contamination, in accordance with Core Strategy Policy DM10 Pollution. The submitted information has been assessed by the Council's Environmental Health Team and subject to conditions no objection is raised.

(vi) Drainage and flood risk

The site is situated within Flood Zone 1, which is considered to have a low probability of flood risk, therefore the continued industrial and warehouse uses proposed are seen as appropriate for this location.

The drainage system and levels have also been designed to accommodate the 100-year rainfall event with a 40% allowance for climate change. The site is within Source Protection Zone 1c, however, as outlined in the report and assessed by Portsmouth Water, the aquifer will not be impacted by the redevelopment either through pilling or possible sources of contamination.

(vii) Sustainability and BREEAM

A BREEAM pre-assessment has been undertaken which concludes an overall BREEAM rating of ‘very good’ BREEAM in accordance with Policy CS14. The applicant advises that as the end user is unknown at this stage, flexibility for the likely operational activities and functional requirements for the future occupier(s) are factored into the design, delivery and viability of the project, and all reasonable measures have been taken to ensure an adequate sustainability rating with maximum improvement in energy efficiency.

(viii) Trees

The planning application is accompanied by a Tree Constraints Plan, Tree Retention and Removal Plan, and Arboricultural Impact Assessment (AIA). There is existing landscaping within the current site. This is mostly found around its perimeters, consisting of small ornamental trees, hedges, shrubs and several self-seeded trees. Several large Lombardy poplars are present just outside of the site to the northern boundary. *Havant Borough Council TPO 888 (G1)* covers a line of trees outside of the site to the north.

The proposals require the removal of a number of low-value, ornamental or self

seeded trees present along the site boundaries. The existing vegetation is not well-maintained or of high amenity value. It is proposed to replace the vegetation lost on a minimum 1 for 1 replanting ratio, with good quality specimens which would provide an attractive setting with improved ecological value.

8 Conclusion

The proposed development would deliver high-quality employment premises and valuable commercial floorspace contributing to the Borough's long-term goals of regenerating poor quality older industrial accommodation within its established Industrial Estates . The industrial units would reflect the market demand for a variety of B1, B2 and B8 uses, ranging from small and medium premises for start-up companies or existing companies which have found their existing premises not fit for purpose.

The site benefits from good accessibility both by road and public transport, with local facilities nearby for employees. parking and cycle provision provided for both visitors and employees alongside servicing vehicles. An acceptable visual impact is achieved and subject to conditions the application would not have an adverse effect on neighbouring properties or the surrounding area.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/19/00660 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:
LOCATION_PLAN-1182009
PROPOSED_BLOCK_18041-HNW-ZZ-ZZ-DR-A-2115
PROPOSED UNITS 7-12 - 18041-HNW-ZZ-ZZ-DR-A-2203
PROPOSED UNITS 1-6 - 18041-HNW-ZZ-ZZ-DR-A-2202
AMENDED PROPOSED UNITS ELEVATIONS -
18041-HNW-ZZ-ZZ-DR-A-2330 REV B
AMENDED PROPOSED SECTIONS 18041-HNW-ZZ-ZZ-DR-A-2322 REV B
LANDSCAPE GENERAL ARRANGEMENT DRAWING-
LLD1619-LAN-DWG-100 REV 01
SOFT LANDSCAPE LAYOUT - LLD1619-LAN-DWG-200 REV 01
DETAILED PLANT SCHEDULE AND SPECIFICATION-
LLD1619-LAN-SCH-001
TREE RETENTION AND PROTECTION PLAN - LLD1619-ARB-DWG-002
REV 02
Reason: - To ensure provision of a satisfactory development.

- 3 No development hereby permitted shall commence until plans and particulars specifying the layout, depth and capacity 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. 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 Local Planning Authority in consultation with Southern Water.
- Reason:** To safeguard the amenities of the locality and ensure that all such drainage provision is constructed to an appropriate standard and quality and having due regard to policies and proposals CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 4 Construction of the development shall not commence until details of the proposed means of surface water run off disposal in accordance with Part H3 of Building Regulations hierarchy as well as acceptable discharge points, rates and volumes have been agreed by the Lead Flood Authority and Southern Water, in consultation with the Local Planning Authority.
- Reason:** To safeguard the amenities of the locality and ensure that all such drainage provision is constructed to an appropriate standard and quality and having due regard to policies and proposals CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 5 The work shall be carried out in accordance with the Arboricultural Method Statement and Tree Protection Plan
- Reason:** To safeguard the continued health and presence of the retained trees and to protect the amenities of the locality and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 6 No installation of any plant or equipment shall take place at the rear of or on the roof of any units facing onto New Lane, until an acoustic assessment to show that the rating level of such plant & equipment, as part of this development, will be at least 5 dB below the existing background levels, has been submitted to and been approved in writing by the Local Planning Authority. The assessment must be carried out by a suitably qualified acoustic consultant / engineer and be in accordance with BS4142: 2014 Methods for rating and assessing industrial and commercial sound.
- Reason:** To safeguard the amenities of the locality and/or occupiers of neighbouring properties including nearby residential receptors and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 7 The contamination 'watching brief' referred to at section 7.5 of the Soil Consultants Ltd. Report No. 10383/OT(rev1) 20/06/2019 shall be observed during all groundwork operations. In the event that suspected contamination (obviously contaminated soil / groundwater, or any buried waste materials that are out of keeping with ground conditions described within the 10383/OT report) is encountered; works in affected areas of the site shall cease until the Local Planning Authority has been notified of the discovery, and a scheme to

deal with the risks associated with the suspected contamination has been submitted to, and approved in writing by, the Local Planning Authority.

The scheme may take a proportionate approach to the degree of formality adopted and may comprise separate results / reports / statements as appropriate, but unless specifically excluded by agreement shall include;

- 1) Investigation in the vicinity of suspected contamination, sufficient to characterise it's nature, likely extent & mobility,
- 2) An appropriate assessment of the risks to all receptors that may be affected, based upon 1), and;
- 3) Where potentially unacceptable risks are identified by 2), a Remediation Strategy that includes appropriately considered remedial objectives and clearly defined proposals for achieving these, having due regard to sustainability.

All investigation, assessments & other actions required by 1)-3) above (and B, below) shall be undertaken by competent persons, and the findings presented in a written format. The scheme shall be implemented as approved.

Prior to the occupation of any relevant part of the permitted development, EITHER of the following shall be submitted to the Local Planning Authority;

A. A statement confirming that no suspected contamination was identified during development,

OR;

B. Documentation in accordance with 1)-3) above; together with a Verification Report (where appropriate) demonstrating that remediation objectives have been met.

Reason: Having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014] and the National Planning Policy Framework, there is a potential for contamination to exist at the site could pose a risk to site construction workers or future occupants

- 8 Prior to the use of the new access to Stanbridge Road being brought in to use the existing vehicular access points from Downley Road at the northern end of the site, New Lane to the rear of unit 5 and Stanbridge Road to the east of the proposed shall be physically and permanently closed, including the provision of full face kerbing and the highway margins reinstated accordingly.

Reason: In the interests of highway safety and having due regard to policies CS16 and CS20 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 9 Prior to the occupation of the first unit the areas shown on the approved plan and drawings in the Transport Assessment for the parking and manoeuvring of vehicles shall be provided and reserved for these purposes at all times.

Reason: In the interests of highway safety and having due regard to policies CS16 and CS20 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 10 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority in consultation with Portsmouth Water, which may be given for those parts of the site where it has been demonstrated through:-

☐ ☐ a piling risk assessment undertaken by competent consultants identifying anticipated depths for each pile for the proposed development, with the piling risk assessment being shared with Portsmouth Water for consultation;

☐ ☐ Associated geotechnical site investigation that confirms the maximum depth of anticipated piles (e.g. 1m below the maximum pile depth) does not enter the Chalk that makes up the principal aquifer;

☐ ☐ Submission, approval and implementation of a piling method statement detailing how potential risks will be minimised.

That there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: The site lies within the groundwater Source Protection Zone 1c for the Bedhampton and Havant springs, a public water supply. Preferential pathways could cause contamination to migrate downwards towards the Chalk (a principal aquifer) and pollute drinking water supplies. Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater. The National Planning Policy Framework paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Having due regard to policies DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and DM17 of the Havant Borough Local Plan (Allocations) 2014, contamination may be present at or in the immediate vicinity of the site as a result of both previous & current land uses (&/or activities) that could pose a risk to controlled waters.

- 11 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or a full specification of the materials to be used externally on the building(s) have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 12 The landscaping works shown on the approved plans LLD1619-LAN-SCH-001 DETAILED PLANT SCHEDULE AND SPECIFICATION shall be carried out in accordance with the approved details and in accordance with any timing / phasing arrangements approved or within the first planting season following final occupation of the development hereby permitted, whichever is the sooner. Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.
Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 13 Notwithstanding the submitted plans no part of the development shall be first occupied until details of the type, siting, design and materials to be used in the construction of all means of enclosure including boundaries, screens or retaining walls, have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.
Reason: To safeguard the amenities of the locality and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.