
Site Address:	Land adjacent to Fulflood Road, Havant		
Proposal:	Single storey pump house and three water storage tanks for internal sprinkler system.		
Application No:	APP/20/00430	Expiry Date:	31/07/2020
Applicant:	Ms Collins MIPA Paints Ltd		
Agent:	Mr Potter Stephen Potter Architectural Serv.	Case Officer:	Lesley Wells
Ward:	Warren Park		

Recommendation: **GRANT PERMISSION**

1 Site Description

The site is located in the Dunsbury Business Park which is located off Fulflood Road in Leigh Park. The site is being redeveloped following the implementation of planning permission reference APP/15/01233 and subsequent consents. It is surrounded by industrial uses to the north, west and east, with a stream to the southern boundary and a tree buffer separating residential development to the south of the site.

The site also lies adjacent to the Riders Lane Stream which is a tributary to the Hermitage Stream and lies within Flood Zone 1.

2 Planning History

06/71302/000 - Erection of a building comprising 1,669sqm of Industrial (Use Class B2) floorspace with associated car parking utilising the existing access to Downley Road., S106,05/06/2006

APP/15/01201 - Variation of Condition 1 of APP/14/00805 to allow permanent change of use from B1 to D2 for aerial fitness classes. , PERM,08/01/2016

APP/15/01233 - Erection of approx 1,920sqm of Warehouse, 890sqm of office space and a 220sqm training school facility with associated enclosed loading areas, car parking and refuse storage (approved 24.1.16). Request to Discharge Conditions 5 and 9 (16/04/2018)., PERM,24/02/2016

APP/16/00398 - Condition 5: Phase 1 Desk Study (parts 1 to 6); Phase 2 Site Investigation; Historic Discharge of condition on previous application; Remediation of Hydrocarbons Report Condition 9: Response to Condition 9, UNK,

APP/18/00478 - Application for variation of Condition 15 of Planning Permission APP/15/01233 relating to internal layout, fenestration layout and main entrance (approved 16.8.18). Request to discharge condition No. 6 (3.09.18). Request to discharge condition No's 3, 4, 9, 11 and 14 (10.09.18). , PERM,17/08/2018

APP/19/00383 - Variation of condition 2 of Planning Permission APP/18/00478 to vary approved plans relating to amended siting of unit. , WD,14/08/2019

APP/19/00875 - Variation of condition No.2 of Planning Permission APP/18/00478 relating to amendment to approved plans., PERM,03/12/2019

APP/19/00909 - Application for variation of condition 10 of planning permission APP/18/00478 and condition 9 of planning permission APP/19/00875 relating to revised piling arrangements., PERM,30/01/2020
APP/20/00634 - Non material change for alteration to parking arrangements. Permitted 28/08/20.

Officer comment: *The revised parking arrangements approved under this non-material amendment application are reflected in this current application, as they enable the release of the land for the proposed pump house and storage tanks.*

3 Proposal

The proposal is for a single storey pump house and three water storage tanks for an internal sprinkler system to the east of the warehouse building. The proposal is located on an area previously shown as car parking under planning permission reference APP/15/01233 and subsequent amending consents, for the 'Erection of approx 1,920sqm of Warehouse, 890sqm of office space and a 220sqm training school facility with associated enclosed loading areas, car parking and refuse storage', which is in the process of being constructed. The car parking previously shown in this area has, with the exception of one space, been relocated to the rear of the site, which would be located on an area of hard surfacing - this revised arrangement having approved as a non-material amendment to those earlier consents under APP/20/00634.

Thus the land required for the location of the pump house and storage tanks is unencumbered by any prior site layout requirements.

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

Havant Borough Local Plan (Allocations) July 2014

Havant Borough Pre Submission Local Plan 2036

Emsworth Neighbourhood Plan Post Examination Version 2020

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

5 Statutory and Non Statutory Consultations

Councillor Beryl Francis

No comment received.

Councillor John Davis

No comment received.

Developer Services, Southern Water - 2nd comment - No Objection

The submitted revised drawing no. 2014.01B indicates diversion of 300 mm public sewer. The details of the proposed diversion needs to be agreed and approved by Southern Water. An application under Section 185(Sewer diversion) of the Water Industry Act 1991 needs to be submitted by the applicant.

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

Under certain circumstances SuDS will be adopted by Southern Water should this be requested by the developer. Where SuDS form part of a continuous sewer system, and are not an isolated end of pipe SuDS component, adoption will be considered if such systems comply with the latest Sewers for Adoption (Appendix C) and CIRIA guidance available here:

[water.org.uk/sewerage-sector-guidance-approved-documents/
ciria.org/Memberships/The_SuDS_Manual_C753_Chapters.aspx](http://water.org.uk/sewerage-sector-guidance-approved-documents/ciria.org/Memberships/The_SuDS_Manual_C753_Chapters.aspx)

Where SUDS rely upon facilities which are not adoptable by sewerage undertakers 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.

Developer Services, Southern Water - 1st comment - No Objection

Please find attached a plan of the sewer records showing the approximate position of a public foul and surface water sewers within the site and in access. The exact position of the public sewers must be determined on site by the applicant before the layout of the proposed development is finalised.

Please note:

- The 225 mm and 300 mm public foul sewers require a clearance of 3 metres on either side of the gravity sewers to protect it from construction works and to allow for future access for maintenance.

- The 375 mm public surface water sewer require a clearance of 3 metres on either side of the gravity sewers to protect it from construction works and to allow for future access for maintenance.
- No development or tree planting should be carried out within 3 metres of the external edge of the public sewers without consent from Southern Water.
- No soakaway, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of a public sewer.
- All existing infrastructure should be protected during the course of construction works.

The impact of any works within highway/ access road on public apparatus shall be assessed and approved, in consultation with Southern Water, under NRSWA enquiry in order to protect public apparatus.

In order to protect drainage apparatus, Southern Water requests that if consent is granted, a condition is attached to the planning permission. For example, "The developer must advise the local authority (in consultation with Southern Water) of the measures which will be undertaken to protect the public sewers, prior to the commencement of the development."

Furthermore, it is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

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.

Officer comment: *the suggested condition is not required, as the drainage details for the site have already been approved. However, a condition linking back to the approved drainage plans/permission is recommended.*

Environment Agency

The proposal may require an Environmental Permit from the Environment Agency under the terms of the Environmental Permitting (England and Wales) (Amendment) (No. 2) Regulations 2016 for any proposed works or structures on or within 8 metres of a main river. This was formerly called a Flood Defence Consent. **An environmental permit is in addition to and a separate process from obtaining planning permission.** For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact the Partnership and Strategic Overview team on psohiow@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, Community Group - 2nd Comment - No Objection

Thank you for forwarding the additional information below. I have no further concerns or comments on the application.

Environmental Health Manager, Community Group - 1st Comment

I refer to the above application for a single storey pump house and three water storage tanks for internal sprinkler system. It is unclear from the application whether there is likely to be any noise from machinery contained within the pump house, or whether it includes externally sounding alarms. I recommend that further information is sought from the applicant on any machinery or plant to be installed within the pump house and storage tanks so a view can be formed on whether this is likely to adversely impact residential amenity due to noise.

Portsmouth Water Company - No Objection

Portsmouth Water do not object to the proposed development in principle, however if deep subterranean activities such as deep drainage solutions and/or piling are to be undertaken on site we would wish to be further consulted at the detailed design stage. The site is located within the Source Protection Zone 1c (SPZ1c) for an essential Public Water Supply Source. The SPZ1c relates to subsurface activity only, where the Chalk aquifer is confined and may be impacted by deep drilling activities. Subterranean activities such as deep drainage solutions and/or piling may pose a risk to groundwater quality at the local public water supply source.

Drainage

The proposed surface water strategy is disposal by sustainable drainage system; this is acceptable to Portsmouth Water in relation to groundwater protection. There is no requirement for foul drainage.

Piling & Foundations

Portsmouth Water would have no objection to piling at this location if the piles terminate within the Clay cover. If the piles penetrate the full depth of the Clay cover 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.

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

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: 30

Number of site notices: One

Statutory advertisement: Not applicable.

Number of representations received: 0

Comment	Officer Comment
None.	

7 Planning Considerations

- 7.1 The application site is situated within an urban industrial area where further development is considered acceptable subject to the usual development control criteria. Additionally, the development of the site for industrial purposes has been established by the existing extant planning permissions. The proposal seeks to install a pump house and three water tanks at the eastern end of the main building currently under construction for MIPA Paints, which the LPA has been advised is a requirement of their insurers, to ensure that the aerosol storage compartment within the building is covered with an automatic sprinkler system in the event of fire.

The main considerations arising from this application are therefore:

- (i) Impact upon the character and appearance of the area
- (ii) Impact upon residential amenity
- (iii) Parking
- (iv) Drainage & Flooding

- (i) Impact upon the character and appearance of the area

The proposal would be sited within an established industrial estate alongside the associated main building, which is currently being constructed. The water tanks would be galvanised steel, with a height of approximately 5.5m. The pump house would be clad to match the main building, with a height of approximately 3.5m. Both of these heights are considerably less than the main building to the west which will be approximately 8.8m high. The total gross internal floor area of these 4 structures would be 82.2 sq m.

Due to its siting, the proposal would not be out of character or have an adverse impact on the appearance of the area in accordance with Policy CS16 of the HBLP

(ii) Impact upon residential amenity

The nearest residential properties are to the south, with allotments and Riders Lane Stream between. There is a band of trees and vegetation along this boundary, with a separation distance of approximately 70m. In view of this, the proposal should not have an adverse impact on the residential amenity of the occupiers of these properties, in accordance with Policy CS16 of the HBLP. It is noted that no objections have been received in respect of the proposal.

(iii) Parking

The proposal has resulted in part of the approved car parking to be re-located to the rear of the site (11 spaces). The number of spaces would be 38, which is the same as when planning permission was originally granted under reference APP/15/01233.

In response to the Environment Agency's query, the agent has confirmed "*...that the overflow car parking will not require any land raising.*".

(iv) Drainage & Flooding

The comments of Southern Water are noted. As to drainage (foul and surface) the agent has confirmed that this will remain unchanged from that previously approved under reference APP/18/00478, on 1st February 2019 and 2nd October 2019 when the details were discharged. The agent has also confirmed that the permeable tarmac surrounding the water storage tanks and pump house will be laid as approved and the storm water from the tanks and pump house will seep into it just as it would after running off vehicles, if they were parked there.

Notwithstanding, as to SuDs and the possibility of a legal agreement to ensure that it is maintained, this was not required for the main part of the development, as this is a commercial development on an established industrial estate, with the SuDs drainage the responsibility of the estate to manage and maintain. Further the small scale nature of the current development on this self-contained site would not normally require a legal agreement, which would be disproportionate to that applied for.

As the drainage details have been previously approved, a condition linking back to the approved drainage plans/permission is recommended.

As to the proximity of the car parking to the water course to the south of the site, the Environment Agency has raised no objection to the proposal.

8 Conclusion

The proposal would not adversely impact on the locality or residential amenity and the level of parking and drainage would not change from that previously granted. It is therefore recommended that conditional planning permission be granted.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/20/00430 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:

Site Location Plan - Drawing No. 27974-PD100A

Site Block Plan - Drawing No. 27974-PD210

Proposed Pump Room and Water Storage Tanks for Sprinkler System - Elevations - Drawing No. 2014.02A

Floor Plan - Revision to Approved Plans & Elevations - Drawing No. 2014.01A

Reason: - To ensure provision of a satisfactory development.

- 3 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, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, 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 and having due regard to policies CS15 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and National Planning Policy Framework.

- 4 The development hereby permitted shall be carried out in accordance with the Surface and Foul Water disposal details submitted in relation to condition Nos.9 and 11 of planning permission APP/18/00478 and subsequently approved on the 1st February 2019 and 2nd October 2019 as amended by Planning Permission APP/19/00875 drawing No. 1853.05. All details shall be implemented and maintained in accordance with the previously approved details.

Reason: To ensure the appropriate management of surface water runoff to control the rate of inputs to local surface waters and to mitigate potential pollution of local surface waters. This condition is imposed having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011.

- 5 The external materials used shall match, in type, colour and texture, those of the main building so far as practicable and as set out in the planning application form.

Reason: In the interests of the amenities of the area and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.