

Application No:	APP/18/01281	Expiry Date:	07/02/2019
Applicant:	Mr Sheppard GFP II Ltd		
Agent:		Case Officer:	Emma Chisnall
Ward:	St Faiths		

APP/13/00498 - Consultation on application to Hampshire County Council to vary condition 2 of Planning Permission APP/11/01470., NPW,02/02/2016

APP/13/00592 - Application for removal of Condition 13 of Planning Permission APP/10/00737., PERM,12/02/2014
 APP/14/01264 - Proposed removal of stockpiled material and associated engineering operations, UNK,
 APP/15/00959 - Variation to Condition No. 6 of Planning Permission APP/14/00708 relating to height increase of 2m to the approved building.(APP/14/00708 was a variation of Reserved Matter approval APP/13/00911). , PERM,20/11/2015
 APP/15/01089 - Discharge of Condition No. 5 of Planning Permission APP/13/00592., PERM,22/10/2015
 APP/16/00373 - County Matter application for variation of condition 12 of Planning Permission APP/13/00498 (to allow the acceptance of trade waste) at Havant HWRC, Harts Farm Way, Havant PO9 1HS., RNO,27/04/2016
 APP/17/00075 - Erection of 1No. warehouse and 1No. portacabin for storage and distribution purposes (Class B8) with associated open storage, access and servicing arrangements, car parking, landscaping & associated works, PERM,25/05/2017
 APP/17/00511 - Proposed Gas fuelled Capacity Mechanism embedded generation plant to support the National Grid. (23.11.17). Request to discharge condition no's 3,4,5 & 6 (14.01.19)., PERM,23/11/2017
 APP/17/00623 - 6no. non-illuminated fascia signs, 2no non-illuminated totem signs, 1no. non-illuminated post mounted sign and 1no. flag. , PERM,15/08/2017
 APP/17/00959 - Application for non-material amendments to Planning Permission APP/17/00075 relating to additional hardstanding area to north west end of site and relocation of diesel tank., PERM,29/09/2017
 APP/18/00071 - Proposed new factory and wood chip store and associated works for B1, B2 and B8 use., PERM,19/12/2018
 APP/18/00160 - Non material amendment relating to installation of 3No. additional windows, PERM,29/03/2018
 APP/18/00928 - Condition 6 - External Materials pack to discharge condition 6. Document reference 18079-EXM01 refers (4 pages) Conditions 7 & 8 - Drainage - PTA Planning Conditions 7 & 8 Report (22 pages) Condition 9 - Hard Landscaping Plan 18079-HL-001 & Hard Landscaping Materials 18079-HL-002, UNK,
 APP/19/00047 - Condition 3 - Letter from Southern Water confirming that they have no objection to Condition 2 and 3. Condition 4 - Report from Waterco - w10748-180913 Condition 5 - Landscaping Scheme A4101/01/A Condition 6 - Landscaping Scheme A4101/01/A, UNK,

3 Proposal

- 3.1 Variation of conditions 2 (approved plans) and 3 (sewer diversion details) of Planning Permission APP/17/00511 (Proposed Gas fuelled Capacity Mechanism embedded generation plant to support the National Grid) in order to retain the existing sewer, change type of containerised generator, remove transformers and replace with a single 33kv transformer, amend size of proposed substation, reconfigure layout accordingly, replace proposed acoustic fence by a timber fence, and slightly amend fence line around the access to compound.

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)
CS16	(High Quality Design)
CS2	(Employment)
DM10	(Pollution)
DM12	(Mitigating the Impacts of Travel)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
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Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Building Control, Havant Borough Council

No comment

County Ecologist

Thank you for consulting me on this application.

The site comprises an existing 'yard' of hardstanding and as such there is no vegetation present. As a result I have no concerns in respect to the presence of legally-protected or notable species. I do not consider that an ecological assessment is justified. I note that Natural England and the Environment Agency have raised no issues. If you have any queries please don't hesitate to contact me.

County Minerals

Updated Comments:

Thank you for the call. As discussed on the phone, I believe the letter was sent out as a way of informing the applicant of the safeguarded sites that are within the vicinity of the application. But, as you mentioned with the previous permission being granted in 2017 and that now being a committed scheme, they would already be aware of this. Therefore, the Planning Policy team would like to reiterate their previous response. If you have any further questions, please don't hesitate to ask

Previous response under APP/17/00511

The proposed development lies within the minerals and waste consultation area as it lies adjacent to the safeguarded sites Harts Farm Way Household Waste Recycling Centre. There is no objection to the proposal but the developer should be aware of the two adjacent active waste sites and ensure that their 'presence' is taken into account.

Original Comments:

Thank you for consulting Hampshire County Council (HCC) as the mineral and waste planning authority (MWPA) with regards to the above application.

The proposed development lies within the mineral and waste consultation area (MWCA) - Sites section.

It lies adjacent to the safeguarded site Harts Farm Way Household Waste Recycling Centre operated by Veolia and Harts Farm Way Waste Transfer Station operated by T J Transport. This area is informed by the safeguarded sites list as defined through Policy 16: Safeguarding - mineral infrastructure and Policy 26: Safeguarding -waste

infrastructure of the adopted Hampshire Minerals and Waste Plan (2013) (HMWP).

The purpose of these policies is to protect current and potential minerals and waste sites from pressures to be replaced by other forms of development, including through 'encroachment' where nearby land-uses impact their ability to continue operating.

It is often the case that appropriate buffers and mitigation measures can make potential nearby development compatible. Any mitigation measures would need to be undertaken by the proposed non-minerals or waste development and reduce potential impacts to and from the safeguarded site to levels that would ensure the safeguarded site could continue its intended minerals or waste use.

Usually the mitigation measures would need to focus on impacts such as noise, dust, visual impact, odour and traffic movements. They can take a variety of forms, including landscape design, tree planting, barriers, building design and orientation and use of different building materials (such as double glazing for windows).

The appropriate mitigation measures are best informed through direct discussions with the operator of the safeguarded site as they will be most aware of operational requirements. However HCC is also available for further discussions, as well as facilitation, if required.

In order to discharge the requirements of the safeguarding policy, HCC would expect to see how the nearby safeguarded site was considered, how operator comments were taken into account and what impacts that had on the proposed development design. If the details of mitigation are to follow in a future application, HCC would expect to see a condition requiring such details. In the unlikely event that it is not possible to agree appropriate mitigation measures, HCC would be seeking evidence that the minerals or waste management capacity can be relocated or provided elsewhere and delivered.

Further information on safeguarding and Hampshire County Council's approach to it is available in the adopted Minerals and Waste Safeguarding in Hampshire Supplementary Planning Document, which can be found on our website: http://WWW3.hants.gov.uk/mineralsandwaste/Planning-POLiCY-home/hmWP_sPds.htm

Officer Comments: *An informative shall be included with any decision*

Southern Water

Southern Water would have no objection to the revised plans, subject to no works over or within 3.5m of the public sewer crossing the site.

Environment Agency

No comment

Environmental Health

Comments here relate to Air Quality only. Comments may be received from Environmental Health under separate cover with respect to the proposed changes to the acoustic barrier, and the increase in elevation for plant.

I have reviewed the particulars of the application, and note that the emission release height is to be more than doubled, from 3.97m to 8.55m. This could in principle materially alter the emissions dispersion calculations presented in the 2017 Air Quality Assessment (Ref: I&BPB5588-111R001F01).

As a sense check, I have consulted the DEFRA model dispersion factors for landfill gas engines, and (whilst the proposals fall slightly outside the parameters for which these values are applicable); I note that the predicted emissions plume contribution at ground level and at 350m distance (closest residence), would be expected to be -12.5% (all other factors being equal).

The emission rate of the generator set is governed by the Environmental Permitting Regulations 2016, to a scalable ceiling rate and cannot (therefore) exceed the emissions rate modelled in the 2017 assessment, but could in principle exceed the absolute mass emission. The output capacity of the set is identical, and I have not identified any reference to an increase in anticipated operational hours. In this way, any difference would be in engine efficiency (or operational hours) only, and is unlikely to be material to local air quality, especially given the anticipated net positive impact resulting from the increased flue height (increased dispersion).

The proposals are anticipated to be neutral to marginally beneficial, and for this reason, I raise no objection to the proposals on air quality grounds, and do not require the air quality assessment to be revisited.

Natural England Government Team

No comment

Southern Gas Networks - stage 1

Please note this response and any attached map(s) are only valid for 28 days. There are high pressure pipelines in the vicinity of your proposed work area. SGN formally object to this planning application until such time as a detail consultation has taken place.

For your safety, it is essential that no work or crossing of this high pressure pipeline is carried out until a detailed consultation has taken place.

This response is for initial/scoping out work only. This response does not give permission to undertake any work. When consultation has taken place, your planning has been approved and works on site are due to start, another request for information and updated maps must be made via our on-line system as a 'planned works' enquiry.

Please find an extract from our mains records for your search area, any SGN assets are described in the map legend. On some occasions maps may be sent that do not contain any gas pipes, this is due to the location of your proposed work area and although there are no pipelines in the immediate vicinity, consultation is still required to ensure that your development has no other impact on our pipelines. SGN Personnel must confirm the actual location of all pipelines prior to commencement of any work. Please note there may also be additional gas pipes (low pressure, medium pressure, etc.) shown on the mains record.

This mains record only shows the pipes owned by SGN in our role as a Licensed Gas Transporter (GT). Please note that privately owned gas pipes or pipes owned by other GTs may be present in this area and information regarding those pipes needs to be requested from the owners. If we know of any other pipes in the area we will note them on the plans as a shaded area and/or a series of x's.

The information shown on this plan is given without obligation or warranty and the accuracy cannot be guaranteed. Service pipes, valves, siphons, stub connections etc.

are not shown but their presence should be anticipated. Your attention is drawn to the information and disclaimer on these plans. It must be stressed that both direct and consequential damage to gas plant can be dangerous for your employees and the general public and repairs to any such damage will incur a charge to you or the organisation carrying out work on your behalf.

Officer Comment: *An informative shall be included with any decision outlining SGNs requirements.*

Southern Gas Networks - stage 2 consultation

No response

Drainage Engineer:

As long as Southern Water are happy I have no other observations regarding drainage.

Landscaping:

Having reviewed the amended landscape scheme, I can confirm that I have no further comments. Hard-surfacing: No further comments

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: 14

Number of site notices: 2

Statutory advertisement: Not applicable.

Number of representations received: 0

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) Neighbouring amenities
- (iv) Highways and parking considerations
- (v) Landscaping/tree considerations
- (vi) Other matters

- (i) Principle of development

7.2 The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria. Outline permission for the redevelopment of the site was granted in 2002 and then renewed in 2010. A further application in 2013 (APP/13/00592) sought to remove Condition 7 of the outline permission which limited the amount of Class B8 uses on the overall site. This was approved. Other applications on the overall site have been for reserved matters and under APP/17/00511 full planning permission was granted for a generator

plant. The current application seeks to alter the site layout, the generators, the fencing and amend sewer diversion details by varying condition 2 and 3 of the 2017 planning permission which was granted in November 2017.

- 7.3 The proposal would accord with Policy CS2 by providing employment opportunities in the Borough.

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

- 7.4 The scheme would comprise a gas meter kiosk, a welfare cabin, a SSE substation, a switchgear cabin, a spare parts container and a 33kV Transformer. The site would be enclosed by a 4m high timber fence and then a 2.4m high security fence around this. The buildings on site would utilise industrial style materials and have an industrial style appearance, in keeping with the context and character of the site. The external 2.4m high proposed fence is similar in appearance to other boundaries nearby. The higher timber fence would be located approx 1.5m into the site and whilst high, would serve a purpose to visually screen the generators and provide an acoustic barrier. In terms of its impact on the character and appearance of the area, the scheme is considered acceptable and would not have an adverse impact on the appearance of the area and as such, accords with Policy CS16.

(iii) Neighbouring amenities

- 7.5 The proposal is situated within the Business Park and does not have residential neighbours within the immediate vicinity. Instead the site has commercial units which surround it however, these are considered to be set suitable distances away from the proposal which combined with the reduced scale of the compound and screening surrounding the site means that the works, on balance, are considered to result in an acceptable neighbourly relationship.
- 7.6 The proposal includes the alteration of an acoustic fence with a higher timber fence and Environmental Health have been consulted. It has been noted that the nearest residential receptor is some distance away and therefore no objection has been raised. Should a noise complaint be made by the neighbouring commercial properties then Environmental Health would be able to enforce their own legislation to review this.
- 7.7 In terms of Air Quality the proposal has been assessed and is anticipated to be neutral to marginally beneficial. Due to this Environmental Health raise no objection to the proposal on air quality grounds which is considered to be acceptable.

(iv) Highways and parking considerations

- 7.8 The internal road to the site has already been constructed. Access to the site would be via the main access to the north and there is an existing access point which has been extended to the compound. The servicing of the site would be limited and the use would generate very low levels of vehicle movement. The access would allow vehicles to access the compound and park centrally which is considered to be sufficient.

(v) Landscaping/tree considerations

- 7.9 The site is a cleared area of land with no landscaping or trees. Therefore there are no ecological threats resulting from the development. The Environment Agency, Natural England and the County Ecologist have been consulted and raise no objections.

- 7.10 A landscaping plan has been submitted for assessment and the Landscaping Officer has raised no objection to the proposal. The proposed works shall be conditioned to be carried out in accordance with the proposed plan in order to ensure a satisfactory landscaping proposal is provided.

(vi) Other matters

- 7.11 The site lies within close proximity of the main gas pipe and Southern Gas have been consulted with. Although an objection has been raised the proposal follows a previous permission under APP/17/00511 where the proposed generators were in closer proximity to the pipe. As the site now proposes a reduced scale layout the impact caused to the main gas pipe is considered to be reduced. Following no additional consultation response from Southern Gas it is considered appropriate to include an informative outlining their concerns and requesting that the applicants discuss this further with them. However the concern raised would not warrant a refusal of planning permission and the application is considered to be acceptable.
- 7.12 The amended layout and proposal has removed the concern originally raised by Southern Water and the diversion that was taking place in order to accommodate the original layout of the compound. A new consultation has been sought now that the generators are further north within the application site and Southern Water and the Council's Drainage Engineer have raised no objection. The proposal is therefore considered to be acceptable and would have an acceptable impact on drainage.

8 Conclusion

- 8.1 The proposal is considered to have an acceptable impact and would provide the benefit of important energy infrastructure within the Borough and is therefore recommended for approval.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/18/01281 subject to the following conditions:-

- 1 The development must be begun not later than three years beginning with the date of the previous permission granted under APP/17/00511 dated 23rd November 2017 .
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: Drawing No 4000_GF_DR_LP_101
Proposed Site Plan Showing Sewer Position: Drawing No 4000_GF_DR_PP_103
Proposed Close Board Fence Plan: Drawing No STD_GF_DR_CBF_336
Proposed Generator Elevation and Section Plan: Drawing No TR18017-16V4000L64_03
Proposed Elevation of Substation Plan: Drawing No STD_GF_DR_SSE_320

Rev A

Proposed General Arrangement 20/25 MVA Transformer: Drawing No A6712072

Drainage Strategy: Received 14.02.2019

Proposed Landscaping Plan: Drawing No A4101 01 Rev B Received 08.02.2019

Reason: - To ensure provision of a satisfactory development.

- 3 The landscaping works shown on the approved plans [Drawing No A4101 01 Rev B Received 08.02.2019] shall be carried out in accordance with the approved details and in accordance with any timing / phasing arrangements agreed or within 6 months of 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, unless the Local Planning Authority gives its consent in writing to any variation.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs and having due regard to policies CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.