Site Address:	Hermitage Park, Harts Farm Way, Havant, PO9 1HS		
Proposal:	Proposed Gas fuelled Capacity Mechanism embedded generation plant to support the National Grid.		
Application No:	APP/17/00511	Expiry Date:	07/07/2017
Applicant:	Mr Toclu GFP II Ltd		
Agent:		Case Officer:	Rachael McMurray
Ward:	St Faiths		

Recommendation: **GRANT PERMISSION**

1 Site Description

The application is located at Hermitage Park which is a purpose built industrial park located off Harts Farm Way. The site is a square parcel of land on the north west of Hermitage Park although there are no clear defined site boundaries. The site is currently occupied by some hardstanding and overgrown vegetation with peripheral trees along the northern and western boundaries with the A27 dual carriageway directly to the north of the site. The site is located in a Flood Zone 1 with a main river line running adjacent to the site. Further afield to the site lies a range of commercial and industrial uses. There is also a mains gas pipe which runs close to the western boundary of the site.

2 Planning History

APP/11/01470 - Consultation by Hampshire County Council for provision of a new Havant Household Waste Recycling Centre (HWRC) on the former Havant incinerator land, Harts Farm Way, Havant and an access road to the land to the Northwest of the former incinerator land., PERM,18/11/2011
99/52646/013 - Renewal of Planning Permission 97/52646/12 to continue use of land for storage of fibreglass moulds.
, TPP,16/12/1999
88/52646/001 - Deemed Consent as set out in Minute No. 17 - Erection of 4 no. Portakabins 'Pullman' series or similar in two decks as office accommodation for a temporary period of 12 months on land as shown edged red on plan no. 3758, UNK,12/01/1989
89/52646/002 - Use of workshop for the preparation of new and used vehicles and area outside for parking of vehicles, UNK,21/09/1989
94/52646/009 - Formation of bus fuel/wash bay and boundary fence and retention of portable building for office, WD,12/12/1995
95/52646/010 - Change of Use of land for storage of fibreglass moulds (retrospective application
n), PERM,16/01/1996
96/52646/011 - Change of Use from bus depot to Class B8 (storage and distribution) and erection of portacabin to the south side of site
, PERM,23/09/1996
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/17/00623 - 4No. non-illuminated fascia signs and 4no. post or fence mounted signs., DEL,

3 Proposal

Proposed Gas fuelled Capacity Mechanism embedded generation plant to support the National Grid. The generation plant is proposed for this location due to the proximity to the gas pipe and other energy providers in terms of electricity and drainage pipes. It would be located within a compound which would be enclosed by a 2.4m high fence and then internally by a 4m high acoustic fence. There would be vehicular access from Hermitage Park. The development would contain several small scale industrial style buildings.

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)
DM10	(Pollution)
DM12	(Mitigating the Impacts of Travel)
DM14	(Car and Cycle Parking on Development (excluding residential))

Havant Borough Local Plan (Allocations) July 2014

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

5 Statutory and Non Statutory Consultations

Building Control, Havant Borough Council

A public foul sewer appears to run through the site. Southern Water should be consulted.

County Ecologist
No objections.

County Minerals
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 there 'presence' is taken into account.

Environment Agency
No objections. The applicant may need an Environmental Permit for Flood risk Activities as the applicant wants to carry out work in, under, over or near a main river and in the floor plain of a main river.

Natural England Government Team
No objections but an ecological survey may be required.
Officer note - the County Ecologist confirmed that no ecology survey is required.

Southern Gas Networks
SGN's comments on the application in relation to high pressure gas pipeline:
 Please ensure that the tree planting guide (attached) is adhered to.
 All precautions stated in publication SGN/WI/SW/2 (Work Instruction for Safe Working in the Vicinity of Pipelines & Associated Installations operating >7barg) shall be fully complied with in all respects.

The high pressure gas pipeline in the vicinity of the proposed development has a Building Proximity Distance (BPD). The building proximity distance (inner zone) is 3 metres either side of the pipeline. This should not however be confused with the HSE consultation middle and outer zones which will be considerably greater. The inner zone is a safety factor with reference to habitable buildings as recommended by IGE/TD/1. It is calculated from the
diameter, material, wall thickness and pressure of the particular pipeline. Under Pipeline Safety Regulations 1996 this distance is declared to the HSE. Any intrusion within this safety zone should not be taken lightly and any intention to proceed should be accompanied by a risk assessment or provision of other supporting evidence especially in the event of any legal proceedings at a later date. I have attached a copy of our plans showing the
pipeline in relation to this site.

Pipelines laid in private land are protected by a Deed of grant, which prohibits certain activities within the easement strip like no addition to or removal of surface levels, no structures over or within the specified distance of the pipeline. Further details are available if you require them. A request to us for any copies could incur a small fee, payable in advance. The easement strip is 6 metres in width. 3 metres either side from the centre-line of the
pipeline.

Any vehicle crossings over the pipeline must cross at 90 degrees to the pipeline. The crossing will require: calculations to prove that no additional stresses will be incurred; a design showing the roadway in relation to the pipeline; and method statements to be

agreed with SGN before it goes ahead. Road crossings need to be kept to a minimum.

This pipeline is of prime importance to the gas supplies of this area. Should any work be contemplated it is essential that you comply with the restrictions detailed below and in the document SGN/WI/SW/2 in order to protect our plant and equipment and for the safety of your own operatives.

1) No mechanical excavation is allowed within 3 metres either side of pipeline.
2) No plant or storage of equipment shall be made within any easement strip.
3) If any metallic pipes or cables are being laid in proximity to gas pipelines then interference testing will be required, the cost of which to be borne by the promoter of the works. A minimum clearance of 600mm is required.
4) All precautions stated in publication SGN/WI/SW/2 (Work Instruction for Safe Working in the Vicinity of Pipelines & Associated Installations operating >7barg) shall be fully complied with in all respects.
5) No thrust boring shall take place within three metres of the pipeline.
6) All planting within the easement strip should comply with “Notes for Guidance on Tree Proximity”.
7) Before commencing work on site you must contact our Third Party Enquiry Team at maintenance.tpes@sgn.co.uk at least seven days before work commences. A Southern Gas Networks representative will then contact you to arrange to visit site. Details of working near to high-pressure gas pipelines can then be discussed.
8) Pipeline sections that are planned and agreed by SGN to be permanently covered (i.e. by road surface) will require a coating survey. SGN will repair any indicated coating defects free of charge. The survey costs will be borne by the promoter of the works. Prior to any surface cover cathodic protection coupons and reference cells will require installation at no cost to SGN.
9) This pipeline is cathodically protected and as such has test cables located in surface boxes, were these to be lost through this work we would look to you for remedial action at no cost to SGN.
10) Intrusive construction methods will require an agreed method statement prior to work starting.
11) The minimum proximity between the high pressure gas pipeline and any wind turbine should be 1.5 times the fixed mast height excluding the turbine of the wind turbine. If you are planning to construct a wind turbine closer than this, then you must contact SGN immediately.
12) Any extended period of SGN site supervision may incur charges to you. These will be charged based on visiting times, materials and occurrences. You will be informed when these come into effect and be invoiced direct.
13) Any piling or boreholes within 15 metres of the pipeline may require vibration monitoring. No piling or boreholing must take place within 3 metres of the pipeline.
14) Please ensure these conditions, together with any relevant drawings are forwarded for use by the construction personnel of your works.

Environmental Health (EH)
Contamination:
Initial response - further information is required in the form of an Air Quality Report.
Officer note - several rounds of negotiation took place between the applicants and the EH Officer to ensure that the AQ report was of the sufficient standard with the correct information. On the 9/10/17, the EHO confirmed that they were satisfied and raised no objection.

Commercial:
Initial response - further information is required in the form of an acoustic report.

Further response - The acoustic report submitted is considered to be acceptable.

Southern Water (SW)
The applicant is proposing to divert a public sewer. SW requests a formal application for sewer diversion under s185 of Water Industry Act 1991 in order to divert any public sewer. For further advice, the applicant should contact SW. SW request a condition is attached to any permission which states:

"The developer must advise the local authority (in consultation with Southern Water) of the measures which will be undertaken to divert the public sewers, prior to the commencement of the development."

The applicant is advised to consult the Environment Agency directly regarding the use of a septic tank drainage which disposes of effluent to sub-soil irrigation. The owner of the premises will need to maintain the septic tank to ensure its long term effectiveness.
Officer note - an informative will be added to this effect.

It may be possible for the flows from the proposed development to be connected to a nearby public sewer, and the applicant may wish to investigate this option. Southern Water requires a formal application for a connection to the public sewer. The applicant is advised to contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW
(Tel: 0330 303 0119) or www.southernwater.co.uk".
Officer note - an informative will be added to this effect.

The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.

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."

The proposed development site is located approx 200 metres from Budds farm WWTW.

Southern Water endeavours to operate its sewage and sludge treatment works efficiently and in accordance with best practice to prevent pollution. However the very nature of sewage treatment works means that they are not ideal neighbours to sensitive land uses. Development sensitive to odour pollution in close proximity to sewage treatment works can suffer from smells that are inherent in the treatment process.

We therefore ask that the precautionary principle is adopted by Local Planning Authorities to avoid potential land-use conflict, in accordance with National Planning Policy Framework. This can be achieved by designating an appropriate buffer zone around the treatment works within which development sensitive to odour is excluded or by a S106 agreement in which the developer funds measures at the works required to control odours. I will describe later how the size of the buffer zone can be determined but will first make reference to National Planning Policy Framework.

National Planning Policy Framework. paragraphs 17, 109 and 120 list matters that may

be material in the consideration of individual planning applications. It includes: " the need to separate necessary but potentially polluting and other land uses so as to reduce conflicts, for example by identifying where necessary areas around existing sources of pollution in which proposed new development and uses should be carefully considered in terms of the potential as pollution receptors.

Returning to the question of the size of the buffer zone required, the water industry predicts the dispersion of odours from point sources using computer modelling. Meteorological Office data is used to predict the dispersion of odours throughout a "receptor grid" radiating outwards from
the works. Modelling is based on the industry standard for odour of 0.6 parts per billion (ppb) of hydrogen sulphide with a 98-percentile probability. Sensitive development that is subject to levels above this standard is likely to lead to complaints about odour from residents.

Officer note - The proposed development would have an industrial use and a limited number of employees and therefore it is considered that the proposed development is highly unlikely to be sensitive to nearby odour pollution from the WWTW. No objections in relation to this aspect has been received from Environmental Health.

Health and Safety Executive:

HSE's Advice: Do Not Advise Against, consequently, HSE does not advise, on safety grounds, against the granting of planning permission in this case.

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: 1

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) Highways and parking considerations
(iv) Flooding and landscaping/tree considerations
(v) Other matters

(i) Principle of development

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 however, this application is for full planning permission. The proposal would accord with Policy CS2 by providing employment opportunities in the Borough.

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

The scheme would comprise a workshop, a welfare cabin, a substation, a switchgear cabin, and a gas meter kiosk. The site would be enclosed by a 4m high acoustic 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 acoustic fence would be located 1.5m into the site and whilst high, would serve an acoustic purpose. 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, accord with Policy CS16.

(iii) Highways and parking considerations

The internal road to the site has already been constructed. Two parking spaces are to be provided on site within the proposed compound on the internal driveway. This is considered to be sufficient as once completed, the site would run essentially unmanned expect for daily short periodic visits for inspecting engineers. All monitoring would be done from a remote location.

(iv) Landscaping/tree considerations

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.

(v) Other matters

The site lies within close proximity of the main gas pipe. Southern Gas Networks have advised that any development need to be a minimum of 3m from the pipe which is acceptable as the proposed development would be in excess of this distance. HSE have raised no objection on safety grounds. Informatives in relation to Southern Gas Network requirements have been added.

8 Conclusion

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/17/00511 subject to the following conditions

1 The development must be begun not later than three years beginning with the date of this permission.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Proposed site plan - 4000_GF_DR_PP_103
Design, Access and Planning Statement
Site Plan - 4000_GF_DR_PP_101
Proposed kiosk - STD_GF_DR_GK_303
Proposed generator STD_GF_DR_GN_302_C
Proposed switchroom - STD_GF_DR_SL_308
Proposed substation - STD_GF_DR_SSE_320
Transformer - STD_GF_DR_TX_300
Welfare Cabin STD_GF_DR_WO_310
Workshop - STD_GF_DR_WS_331
Acoustic Fence Details - STD_GF_DR_AF_311
Acoustic report submitted on 26/7/17
Air Quality report submitted on 26/7/17

Reason: - To ensure provision of a satisfactory development.

3 Prior to the commencement of development proposals and measures including timing for the diversion of the public sewers in the vicinity of the site shall be submitted to and approved in writing by the Local Planning Authority. The diversion works shall thereafter be carried out in accordance with the approved details.
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, CS19 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

4 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 (in consultation with

Southern Water), the development hereby permitted shall not be brought into use prior to the completion of the implementation of all such drainage provision in full accordance with such plans and particulars as are thus approved by the Authority.

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 No development hereby permitted shall be brought into use until a detailed soft landscaping scheme for all open parts of the site outside of the compound as shown on Drawing Number 4000_GR_DR_PP_103 not proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall specify the proposed finished ground levels in relation to the existing levels, the distribution and species of ground cover to be planted, the positions, speciesand planting sizes of the trees and shrubs to be planted and/or retained, and timing provisions for completion of the implementation of all such landscaping works.

The implementation of all such approved landscaping shall be completed in full accordance with such approved timing provisions. Any tree or shrub planted or retained as part of such approved landscaping scheme which dies or is otherwise removed within the first 5 years shall be replaced with another of the same species and size in the same position during the first available planting season.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

6 No development hereby permitted shall commence until a specification of the materials to be used for the surfacing of all parts of the site outside of the compound as shown on Drawing Number - 4000_GF_DR_PP_103 proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be brought into use until the implementation of all such hardsurfacing has been completed in full accordance with that specification.

Reason: In the interests of 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 2012.