



### **3    Proposal**

- 3.1    Following amendments made to the scope of the application since submission, as amended the application seeks a determination of whether prior approval is required for the method of demolition of buildings and any proposed restoration of the site.

The Planning Statement provides the following information:

The proposal relates to the demolition and removal of the existing buildings identified on the Site Location Plan and includes Front office, Old office, Factory, Warehouse, Dispatch.

Working Hours would be 0800 to 1800 Monday to Friday

Vacant buildings to be demolished and excess crushed material will be kept on site following the works and used to level the site.

Access would be to and from New Lane.

Details of demolition of building in South-East Corner (tall building) to be finalised.

Asbestos containing materials identified and method of dealing will be contractor specified. Buildings will be soft stripped in full prior to demolition of building structure, including asbestos removal in accordance with HSE requirements and Control of Asbestos Regs 2012.

Contractor required to produce a Demolition Environmental Management Plan (DEMP). A live document in which works, mitigation measures and monitoring for noise and dust will be set out.

Demolition works during the night not permitted and therefore external temp lighting not required.

Parking during demolition is due to be within site boundary.

Contractor to provide Waste Management Plan.

Preliminary Ecological Appraisal Feb 2017 carried out. Recommendations of Survey complied with.

Tree protection methods to be provided.

Archaeology impacts likely to be limited to western car park area, no demolition in this area although hardstanding of existing car park will be removed. Works will not penetrate deeper than the sub-base and therefore, are unlikely to disturb anything of archaeological significance.

***Note - The agent has confirmed that no below ground level works are now proposed.***

Ground investigation and investigation assessment carried out

Site within Source Protection Zone.

New lane within Zone 1c (inner zone - subsurface activity only) which extends the Zone 1 where aquifer is confined and may be impacted by deep drilling activities.

EA's approach to groundwater protection provides guidance.

The main risk to groundwater contamination would come from deep piling. No deep piling required during demolition, it is not recommended that any further investigations are carried out prior to demolition. Recommendation for further investigation noted and the need for these will be re-considered post demolition. Depending on the outcome of these investigations, the requirement for a hydrological assessment, in accordance with guidance will also be assessed.

Site in flood zone 1, where proposed development is appropriate. The site will not increase flood risk elsewhere.

- 3.2 The agent has confirmed that there will be no demolition below ground level at this stage to address concerns raised by the Council's Environmental Control Officer.

#### **4 Policy Considerations**

National Planning Policy Framework

Havant Borough Council Borough Design Guide SPD December 2011

Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

|      |                                                                                   |
|------|-----------------------------------------------------------------------------------|
| CS11 | (Protecting and Enhancing the Special Environment and Heritage of Havant Borough) |
| CS15 | (Flood and Coastal Erosion)                                                       |
| CS16 | (High Quality Design)                                                             |
| DM10 | (Pollution)                                                                       |

Havant Borough Local Plan (Allocations) July 2014

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

#### **5 Statutory and Non Statutory Consultations**

##### **Arboriculturalist**

The site consists of a variety of differing category trees that are mainly located close to boundaries of the site. Additionally, on the south western boundary line, there are a number of individual TPO'd trees and a group TPO outside the site which may have their RPAs potentially effected by the proposed demolition.

While a tree constraints plan has been provided, without a detailed Arboricultural Implications Assessment/Arboricultural Method Statement or Tree Protection Plan, I am unable to make any informed comments at this time. This information will need to be submitted should a formal application be made.

##### **Building Control, Havant Borough Council**

Demolition Notice application received 17/3595/DEM under Section 80/81 of the Building Act

Method of work does not form part of this legislation. Requirements relate that site

should be secure, drainage sealed, services removed or cut off and neighbours are aware of intended work

### **County Ecologist**

Thank you for consulting me. The application is accompanied by a "Bat Dusk Emergence/ Dawn Return Surveys" report (WYG, June 2017). The report confirms the likely absence of roosting bats from the building on site following the dusk and dawn surveys carried out in May and June 2017.

I have therefore no concerns that this development would adversely affect any statutory or locally-designated sites of wildlife importance, or any legally protected or notable habitats or species.

I would however suggest you add the following informative notes:

- Birds nests, when occupied or being built, receive legal protection under the Wildlife and Countryside Act 1981 (as amended). It is highly advisable to undertake clearance of potential bird nesting habitat (such as trees, buildings etc.) outside the bird nesting season, which is generally seen as extending from March to the end of August, although may extend longer depending on local conditions. If there is absolutely no alternative to doing the work in during this period then a thorough, careful and quiet examination of the affected area must be carried out before clearance starts. If occupied nests are present then work must stop in that area, a suitable (approximately 5m) stand-off maintained, and clearance can only recommence once the nest becomes unoccupied of its own accord.
- Bats and their roosts receive strict legal protection under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended). All work must stop immediately if bats, or evidence of bat presence (e.g. droppings, bat carcasses or insect remains), are encountered at any point during this development. Should this occur, further advice should be sought from Natural England and/or a professional ecologist.

### **Southern Water**

Southern Water has no objection for the proposed demolition works.

Please note: The proposed development would lie within a Source Protection Zone around one of Southern Water's public water supply sources as defined under the Environment Agency's Groundwater Protection Policy. Southern Water will rely on your consultations with the Environment Agency to ensure the protection of the public water supply source.

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.

The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk).

**Engineering/Drainage**

No comments received.

**Environment Agency**

No comments Received.

**Environmental Health - Contamination****Observations / Comments:**

I have reviewed the planning statement for this application in connection with the release of harmful pollutants, and within the context of the contamination assessment. Mark Moss will be providing comment as regards nuisance.

**Asbestos**

The identification of asbestos containing materials within the building fabric is noted, and is not unexpected. The procedures referred to in relation to the removal & disposal of this material are indicated to be appropriate, and the monitoring and clearance procedures robust.

This could be methodology that the LPA might wish to formalise, as the operational details and verification of the works would otherwise not be subject to approval. Provided that the planning statement can be regarded as sufficient statement of intent such that the Council may have a reasonable expectation that the broad principles outlined will be followed; I would be fairly comfortable to leave these details to the applicant & their nominated contractors, for the following reasons;

- ☐ The site has no immediate residential neighbours, and;
- ☐ Further contamination assessment is recommended, which should identify any significant quantities of asbestos containing materials released as fragments / free-fibres to soils.

**Contamination**

The contamination assessment report (environmental desk study, site walkover and preliminary intrusive investigation) was reviewed as part of the GEN application. Potentially significant sources were identified as being present at the site, and further characterisation of the contamination sources, and risks was proposed.

I agree with the conclusions of the report in this regard, though there are points of difference as to the perceived significance of some routes of exposure and risks to receptors of particular classes.

In particular, the risks to controlled waters (surface waters) may be understated, due to the proximity to the site, and due to the presence of connecting surface water drainage infrastructure.

I note that there may potentially be some archeological concerns in connection with excavations at the site, though I gather that the area of interest does not coincide with the footprints of the principal buildings. I also note that the stated principal purpose for the demolition is to eliminate the risk of trespass, injury, the building becoming insecure or left in dangerous or deleterious condition as a result of theft, and to mitigate the risk of arson. This is expressed in both these terms, and in terms of the security costs, which will be reduced commensurate with the reduced risks upon completion of the demolition works.

It strikes me that to achieve these aims, there is no particular requirement to go further than removal of above-ground structures. The submitted statement indicates that the West Car Park Hardstanding is to be stripped as a part of the works, and also indicates that aquifer risks are negligible due to the lack of any penetrative works. It is non-specific however about the scope of works as regards the removal of below ground infrastructure (e.g. storage tanks and associated pipework, storage areas, services), or the grubbing up of foundations / removal of slabs.

Significantly changing the proportion & position of impermeable ground cover at the site, especially if associated with physical disturbance, could mobilise contamination. The site is adjacent to a controlled water (the controlled water may in fact be present just within the curtilage), and is believed to have a direct connection to the surface water in the form of the 'monsoon' land drain. Other preferential migration pathways may exist at the site which also place the surface water at elevated risk from the demolition and site preparation works.

For these reasons, I would recommend that the applicant limit works to the removal of above ground structures, leaving slabs and hard-standing in place at this stage. This would serve to:

- ☐ preserve the site, and prevent demolition works prejudicing further development of the conceptual site model in connection with further ground investigation works.
- ☐ limit changes in infiltration and run-off rates (minimise hydrological mobilisation)
- ☐ limit physical disturbance of soils (minimise mechanical mobilisation)

This approach would also serve to limit impact on any archeology that may be present at the site.

There are benefits to the completion of above ground demolition prior to the undertaking of further site investigation, and so pre-investigation demolition is supported in principle.

If the applicant can confirm that works will be limited to above ground structures, then I have no adverse comments to make.

**Note** - now confirmed and no objection email received from Environmental Control Officer.

However, if the applicant requires a complete site (ground cover strip), and extensive sub-surface works, then I would consider that approval is required for the method of works and site restoration in order to ensure that the environmental impact of such works is minimised.

### **Environmental Health - Amenity**

I would ask that the following condition(s) be imposed, if prior approval is to be required:

**Condition 1:** No works or ancillary operations associated with the demolition of buildings on this site which is audible at the site boundary or at such other place as may be agreed with the Local Planning Authority, shall take place on any Saturday, Sunday or Bank Holiday, nor on any other day except between the following times  
Monday to Friday 08.00 – 18.00 (as stipulated within the Planning statement)  
Unless in association with an emergency or with the prior written approval of the

Local Planning Authority.

**Reason:** To protect the occupants of nearby residential properties from noise and vibration nuisance.

**Condition 2:** Demolition works. The commencement of the demolition shall not take place until a programme for the suppression of dust during the construction/demolition of the development has been submitted to and approved in writing by the Local Planning Authority. The measures approved shall be employed throughout the period of construction/demolition unless any variation has been approved by the Local Planning Authority.

**Reason:** In the interests of residential amenity.

**Condition 3:** During the site demolition, clearance and construction phase of the development no bonfires whatsoever shall be allowed on the site.

**Reason:** To protect the amenity of nearby residential properties.

**Condition 4:** No floodlighting or other form of external lighting scheme shall be installed unless it has been approved by the Local Planning Authority. Such details shall include, Location, height, type and direction of light sources and intensity of illumination. Any lighting scheme agreed in writing by the Local Planning Authority shall not thereafter be altered without prior consent other than for routine maintenance, which does not change its details. (although no night time working is advised within the Planning statement, consideration should be given to light requirements especially during late afternoon periods in winter).

**Reason:** To protect the occupants of nearby residential properties from light disturbance / pollution.

### **Portsmouth Water Company**

Thank you for consulting Portsmouth Water on the above application, regarding groundwater protection we have no further comments to make.

## **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: 0

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 0

It should be noted that the requirements for a Site Notice is for the applicant to carry out under the Town and Country Planning Act (General Permitted Development) (England) Order 2015 Schedule 2 Part 11 Class B Demolition of Buildings.

## **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) Whether Prior Approval is required

(i) Principle of development

7.2 Local planning authorities are required to receive notification of any demolition. This enables the authority to consider whether the building is of listable quality, and to control the manner in which the demolition is to be undertaken and any proposed restoration of the site.

7.3 Consideration will be undertaken subject to compliance with the Development Plan and any other material considerations.

### Whether Prior Approval is required

7.4 The buildings proposed to be demolished are large office and other industrial and office buildings probably dating from the 1960's/70's. They are utilitarian in nature and are not of a quality that are considered worthy of listing.

7.5 The removal of the buildings will be subject to compliance with the Building Regulations and any other appropriate legislation (for example in relation to asbestos removal).

7.6 There are TPO'd trees around the periphery of the site and whilst a tree constraints plan has been provided it is considered that a detailed Arboricultural Implications Assessment and Arboricultural Method Statement and Tree Protection plan would be required to ensure that significant trees are protected during demolition and retained.

7.7 Environmental Health have raised amenity issues in relation to dust control, timing of works, bonfires and lighting controls, which can be controlled by condition.

7.8 Whilst no comments have been received from the Environment Agency, both Portsmouth Water and Southern Water have raised no objections to the proposed demolition. The Council's Environmental Control Officer has confirmed that subject to no below ground demolition taking place he would have no adverse comments to make.

7.9 The application confirms that excess crushed material will be kept on site following the works and be used to level the site. Leveling works would in themselves require planning permission and therefore a condition in relation to the manner of storage of crushed materials is recommended.

7.10 In relation to the car parking area, previous reports/consultation responses have identified that the area has some potential in relation to archaeology. The confirmation of no below ground demolition means that this potential is not impacted by the current demolition proposals.

7.11 Finally the County Ecologist has raised no objection to the works and recommended informatives which will be added to the decision

- 7.12 Given the requirement for environmental controls (in part based on the scale and nature of the works), it is considered in this case that Prior Approval is required and can be granted subject to appropriate conditions.

## **8 Conclusion**

- 8.1 The demolition of these buildings are acceptable in principle as they have no intrinsic value. Subject to the imposition of conditions Prior Approval can be granted.

---

## **9 RECOMMENDATION:**

That the Head of Planning be authorised to for application APP/17/01001 subject to the following conditions:

- 1 The development must be carried out within a period of five years from the date of this decision.  
**Reason:** To comply with the Town and Country Planning (General Permitted Development Order) 2015.
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:  
Ecology Report Bat Dusk Emergence / Dawn Return Surveys 15th June 2017  
Supporting/Planning Statement September 2017  
Archaeological Desk-Based Assessment A090070-182 June 2017  
Tree Constraints Plan received 12th September 2017  
Site Plan COLT\_HAV\_SP\_001 Rev A  
Location Plan 02 A090070-182(ST1)02  
Email from WYG dated 11th October 2011 confirming demolition limited to above ground structures only  
**Reason:** - To ensure provision of a satisfactory development.
- 3 No works or ancillary operations associated with the demolition of buildings on this site which is audible at the site boundary or at such other place as may be agreed with the Local Planning Authority, shall take place on any Saturday, Sunday or Bank Holiday, nor on any other day except between the following times Monday to Friday 08.00 – 18.00 hours (as stipulated within the Planning Statement); unless in association with an emergency or with the prior written approval of the Local Planning Authority.  
**Reason:** To protect the occupants of nearby residential properties from noise and vibration nuisance having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 4 The commencement of the demolition shall not take place until a programme for the suppression of dust during the demolition of the development has been submitted to and approved in writing by the Local Planning Authority. The measures approved shall be employed throughout the period of demolition and associated storage of demolition materials unless any variation has been approved by the Local Planning Authority.  
**Reason:** In the interests of residential amenity having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the

National Planning Policy Framework.

- 5 During the site demolition and clearance phase no bonfires whatsoever shall take place on the site.  
**Reason:** To protect the amenity of nearby residential properties having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 6 No floodlighting or other form of external lighting scheme shall be installed unless it has been approved in writing by the Local Planning Authority. Such details shall include, location, height, type and direction of light sources and intensity of illumination. Any lighting scheme agreed in writing by the Local Planning Authority shall not thereafter be altered without prior consent other than for routine maintenance, which does not change its details.  
**Note to applicant:** *Although no night time working is advised within the Planning Statement, consideration should be given to light requirements especially during late afternoon periods in winter.*  
**Reason:** To protect the occupants of nearby residential properties from light disturbance / pollution having due regard to policy DM10 of the Havant Borough Local Plan 2011 and the National Planning Policy Framework.
- 7 The demolition works shall not take place unless and until a detailed Arboricultural Implications Assessment and Arboricultural Method Statement or Tree Protection Plan has been submitted to and approved in writing by the Local Planning Authority. Tree protective fencing and any other mitigation measures shall be provided on site in accordance with the approved details prior to the commencement of development and retained and maintained throughout the demolition process.  
**Reason:** To ensure that trees on and adjacent to the site are protected from potential harm during the demolition process in the interests of the character and visual amenities of the area and having due regard to policies CS11 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 8 Prior to the demolition taking place details shall be provided for the location of areas for the storage of materials arising from the demolition which are to be retained on site including proposals to reduce the visual impact of such area(s).  
**Reason:** In the interests of the character and appearance of the area and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan Core Strategy 2011 and the National Planning Policy Framework.
- 9 Notwithstanding any submitted details the demolition hereby approved shall be limited to above ground structures only.  
**Reason:** To limit risks of potential contamination mobilisation, pollution to water resources and to limit impacts on potential archaeology having due regard to policies CS11 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.