

Planning Statement

Land to the West of Palk Road Havant, Hampshire PO9 1NL

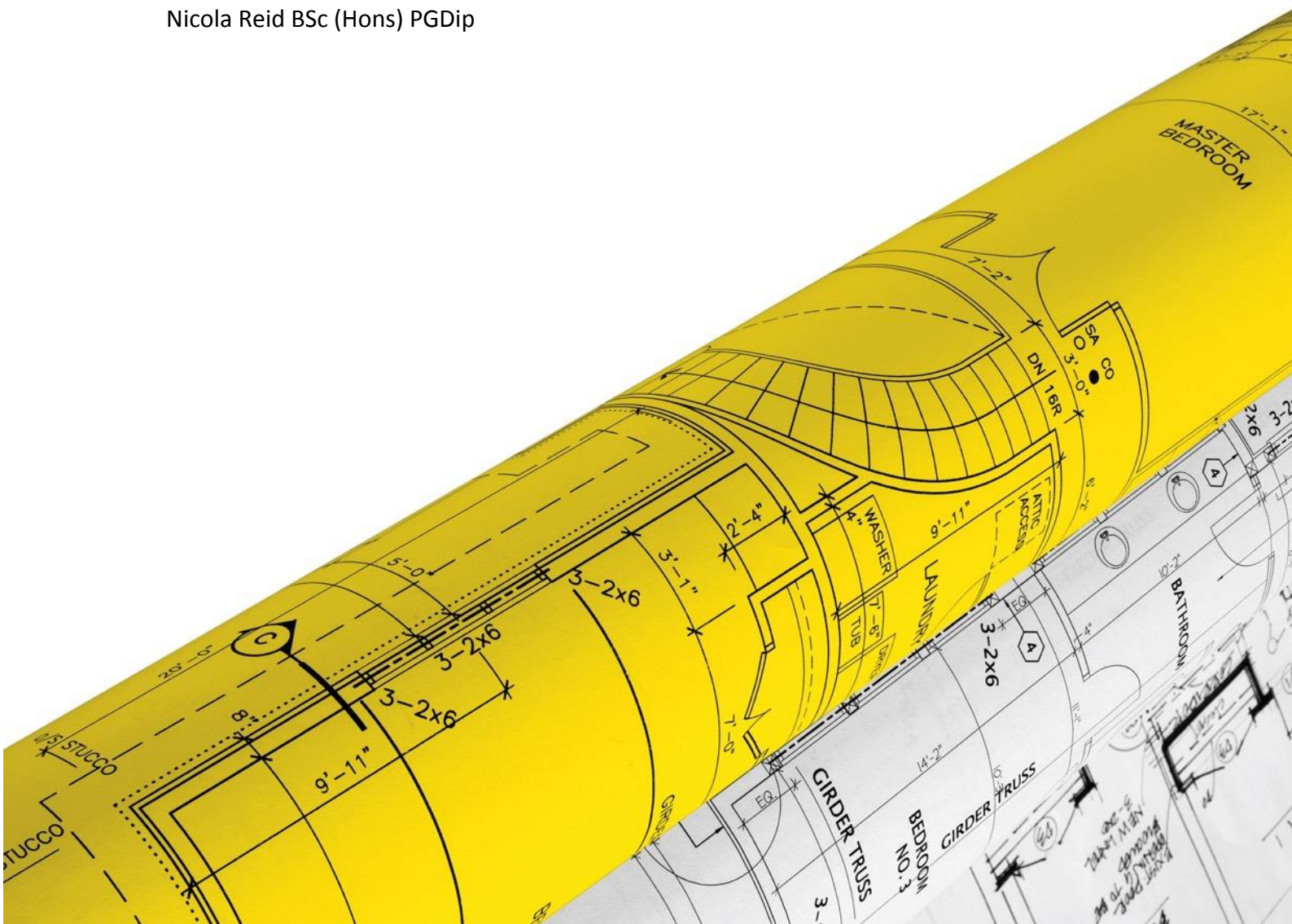
Report date: February 2017

Prepared for:

Brockhampton Property Investments Limited

Prepared by:

Nicola Reid BSc (Hons) PGDip



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1 Introduction

- 1.1. This Planning Statement is made in support of a planning application submitted on behalf of Brockhampton Property Investments Limited, a subsidiary of Portsmouth Water Limited, for the temporary change of use of the site to B8 (storage). This application follows a recently approved application (Ref. APP/15/00447) for a permanent change of use of the land to Use Class B8 (storage and distribution), restricted to use by Portsmouth Water Limited or a contractor acting on their behalf (Decision Notice and Committee Report attached as Appendices 1 & 2). The reason for this new application is that the requirements of Portsmouth Water Limited have changed.
- 1.2. This application is accompanied by the following:
 - Application form, certificate and fee
 - Site Location Plan
 - Portkabin plans
 - Block Plan
 - Transport Note
 - Noise Statement
 - Ecology Report, with addendum

2 Site and Surroundings

- 2.1. The 0.26 hectare site is currently an unused area of land within a wider parcel of land owned and utilised by Portsmouth Water Limited. It contains general scrub vegetation and is enclosed with thick rough hedging and mesh wire fencing.
- 2.2. The land immediately south and west of the application site is hard surfaced and is used as open storage for vehicles and associated equipment, including the provision of on site Portakabins.
- 2.3. To the east of the site are residential properties in a variety of forms. The residential building sharing the north eastern boundary of the site is 1½ storeys high with dormers facing onto Palk Road. To the north of the site is a railway line and the Bedhampton Railway Station. Beyond the railway line, to the north, are residential properties ranging from 1½ to 2½ storeys high of various tenures including terraced and detached. To the west of the site, beyond the remaining Portsmouth Water land is open grassland with an underground Portsmouth Water pumping station.
- 2.4. Access to the Portsmouth Water site is currently from the western end of Palk Road , with a new access proposed from within the existing storage land.
- 2.5. There are no listed buildings on or adjacent to the site, according to the English Heritage website.
- 2.6. The site is located within Flood Zone 1 and is therefore considered to be at low risk of flooding, according to the Environment Agency Flood Risk Map.



Figure 1. Palk Road - aerial photo showing application site and surrounding area

3 Proposed Development

- 3.1. The previously approved application proposed a change of use to B8 to allow a third party contractor, who manages the mains renewal on behalf of Portsmouth Water, to store vehicles, materials and necessary equipment. The third party contractor is now able to provide sufficient storage space within their own site and the land is therefore not currently required for Portsmouth Water's operations.
- 3.2. The site is allocated for housing within the Havant Borough Local Plan (Allocations) and this is the intended long term use. Due to existing projects being undertaken by Portsmouth Water, residential development on this site cannot be progressed in the immediate future of the next 0-5 years. During this time period Portsmouth Water want to make efficient use of the site and this application therefore proposes a temporary change of use to B8 for a period of six years, for an occupier not necessarily connected to Portsmouth Water. This time period has been carefully calculated to take into account the required marketing period and reasonable contract length for an occupier, as well as a realistic timescale for progressing an application for residential development.
- 3.3. The proposed use will be the same as the existing lawful use of the land to the west and south of the site and will effectively result in a temporary extension of this use into the scrubland.
- 3.4. The previously approved scheme proposed the siting of two portakabins and this element is retained in the current application.
- 3.5. A new access into the site will be required from the privately owned western section of Palk Road, and this has been designed to accord with highway standards.

4 Planning History

4.1. The relevant planning history for the site is difficult to determine as planning history records are identified as land adjacent to Palk Road however there are a number of planning history records for Palk Road of similar description to the application to which this document relates. These are as follows:

- Application reference APP/15/00447 for Change of Use to Open Storage (B8 use), the addition of two Portakabins and associated hard standing. The application was made by Portsmouth Water and includes the land the subject of the current application. It was granted permission in July 2015.
- Application reference 08/61709/007 for change of use of land to storage and parking of coaches, siting of 3 No. Portakabins and 4 No. storage containers. The application was made by Flight Travel and was withdrawn in January 2009.
- Application reference 07/61709/005 for renewal of planning permission 03/61709/004 for 3 No. Portakabins, 2 No. storage containers and a covered area. The application was made for the former Pipe Store and was granted temporary permission in August 2007. The temporary permission expired in July 2011.
- Application reference 03/61709/004 for the re-siting of 2 No. existing Portakabins and 1 No. storage container and siting of 1 No. additional Portakabin and 3 No. additional storage containers and a temporary covered area. This is the variation of Condition 3 of planning permission 01/61709/002 to allow operating vehicles to enter and leave the site outside the hours of 06:30-22:30.

A split decision was reached in October 2003 granting consent only for the siting of the Portakabins over a limited period expiring June 2007. Extended hours of operation (06:30-22:30) were later agreed by a variation of condition.

- Application reference 02/50202/012 for the retrospective change of use for continued use of the land in connection with motor vehicle accident repair, car parking and associated storage. The application was made for the former Methodist Chapel at Palk Road and was granted temporary permission in September 2002. No detail is provided online as to the length of the temporary permission.
- Application reference 01/61709/002 for the use of part of the site for storage and overnight parking of coaches and the siting of 2 No. Portakabins and 1 No. storage container. Temporary planning permission was granted for the Pipe Store Palk Road in June 2002. The temporary permission expired in June 2007.
- Application reference 01/61709/001 for the erection of 1 No. Portakabin, 2 No. containers and associated parking provision adjacent to the eastern boundary with access from Palk Road. Temporary permission was granted for the Pipe Store Palk Road in June 2002 and expired in June 2007.
- Application reference 98/50202/011 for retrospective consent for change of use of land to storage of vehicles in connection with the accident repair centre for a period of 3 years and including surfacing of site with tarmac and 2m high fencing. The application for the former Chapel in Palk Road was granted temporary consent in October 1998. We are unaware of the expiry date.
- Application reference 97/61709/000 for change of use to land for vehicle storage. The application was for land at Palk Road and according to the LPA website was refused in June 1997.

- 4.2. There are further planning history records prior to 1997 which relate to the former Chapel site however are not relevant to the site to which this application relates.

5 Planning Policy Context

- 5.1. Sections 70(2) and 79(1) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 require a decision-maker determining an application to do so in accordance with the development plan, unless material considerations indicate otherwise. This is reiterated in paragraphs 11, 196 and 210 of the National Planning Policy Framework (NPPF).
- 5.2. The adopted Development Plan comprises the saved policies of the Havant Borough Local Plan (Core Strategy, 2011) and the Havant Borough Local Plan (Allocations, 2014). These policies carry the greatest weight in terms of decision making.
- 5.3. In terms of material considerations, the National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG) constitute material considerations of significant weight.

National Planning Policy Framework (NPPF)

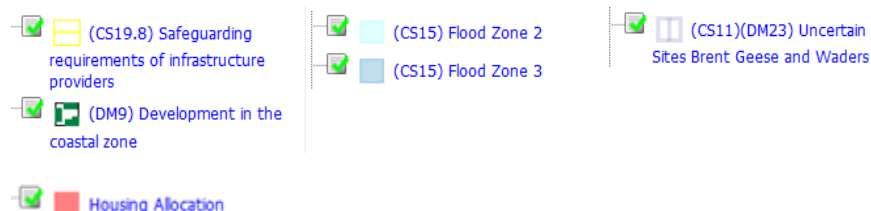
- 5.4. The National Planning Policy Framework (NPPF) was adopted as planning guidance in March 2012. The NPPF is the overarching planning document. The main theme to the document is to achieve sustainable development. Maintaining and sustaining the economy is a key requirement to this hence why one of the core principles is to proactively drive and support sustainable economic development (Paragraph 17). This is achieved through delivering homes, businesses and industrial units that the economy needs.
- 5.5. Paragraph 19 of the NPPF, demonstrates the Government's commitment to ensuring that the planning system does everything it can to support sustainable economic growth. Paragraph 20 goes further to state that Local Planning Authorities should seek to achieve this economic growth by planning pro-actively to meet the needs of developing businesses and developing economy.
- 5.6. Paragraph 34 of the NPPF states that Local Governments are encouraged to locate development in areas that maximise the use of sustainable transport modes.

Havant Borough Core Strategy

- 5.7. The Proposals Maps associated with the Core Strategy show the site as being allocated for residential development, along with the land immediately to the west, and being located in an area of development in the coastal zone. The site is adjacent to an area safeguarded for the requirements of infrastructure providers (a pumping station – run by Portsmouth Water).
- 5.8. The site is adjacent to uncertain sites for Brent Geese and Waders.



Fig.2 Extract from the Havant Borough Local Plan



- 5.9. Policy CS2 (Employment) seeks to accommodate 41,500 sq m of B8 warehousing between 2006 and 2026 in the Borough. The policy also states that planning permission will be granted for development proposals that safeguard existing employment sites that are fit for purpose.
- 5.10. Policy CS16 (High Quality Design) identifies that planning permission will be granted for developments which are of high quality design which require the following:
- A development that reflects and responds to the existing features of the local character, respects the neighbouring building heights, massing existing lines, materials etc, that the development is well connected through access to public transport and finally that the development does not cause unacceptable harm to amenity of neighbours (see the Noise Impact Assessment which accompanies this application).
 - Policy DM6 (Coordination of Development) details that proposals will only be permitted where they do not undermine the future development of adjacent sites.
 - Policy DM14 (Car and Cycle Parking on Development (excluding Residential)) details that development will only be permitted where it provides parking provision in accordance with the relevant standards. The Hampshire County Council Parking Standards are identified later in this document.

Havant Borough Local Plan (Allocations)

- 5.11. The site to which this application relates forms part of an allocated site within this document known as H19 Land at Palk Road (0.53ha) and is allocated for a total of 21 dwellings.
- 5.12. The allocation mentions that this site is owned by Portsmouth Water and is considered surplus to use. This is still the case for the future.

Adopted Non Residential Parking requirements (Hampshire County Council)

- 5.13. Non residential parking standards are determined by Hampshire County Council and the requirements are as follows:

Use	Maximum Parking Limit (spaces)	Parking Required in Accessible Locations (spaces)	Cycle Parking Provision - Long Stay (stands)	Cycle Parking Provision – Short Stay (stands)
B8	1 per 90sqm	1 per 303sqm	1 per 500sqm	1 per 1000sqm

6 Development Considerations

Principle of Development

- 6.1. The proposed change of use is, in principle, contrary to local planning policy as the site forms part of an allocated site for 21 residential dwellings under the Havant Borough Local Plan (Allocations) document, adopted in July 2014. The proposal, however, is only for a temporary period of six years, meaning that the long term housing provision will not be jeopardised. In addition to this, a permanent change of use to B8 has already been granted for the land (as part of a larger site) and this proposal therefore represents a better situation, making efficient use of the land whilst preserving its long term use for housing.
- 6.2. Aside from the allocation of the site for residential use the site is clearly suitable for B8 open storage and the provision of two Portakabins. This is the prominent character of the area, with land to the west and south used for B8 storage by a number of occupiers, including Portsmouth Water. Given that the surrounding land is already used for open storage it accords with the character of the area.
- 6.3. The Havant Borough Local Plans support sustainable economic growth, seeking to accommodate a significant amount of B8 space between 2006 and 2026. The use of the site as B8 employment will contribute towards this target, providing and securing jobs for a local business and generating wealth and economic output for an existing key employment provider within Havant.
- 6.4. In terms of national planning policy, the principle of supporting sustainable economic growth is a key aim of the NPPF, as is the provision of housing. The principle, therefore, of providing additional B8 employment land for a temporary period, retaining the long term plan for residential development accords with national policy.

Sustainability

Sustainable development is the key theme of the NPPF. In providing jobs for the immediate future, making efficient use of the land for employment, whilst supporting a key local employer, the proposal is considered to be economically sustainable. With the appropriate biodiversity mitigation and enhancements, in addition to the location of the site close to a wide variety of transport modes, the proposal is considered to be environmentally sustainable. By enabling more

employment for local people, and protecting existing residents from unacceptable noise and disturbance, the proposal is considered to be socially sustainable.

Design and Layout

- 6.5. The site will largely remain open, for the storage of materials and vehicles. Two portakabins were proposed as part of the previously approved application and these continue to be proposed for this current application.
- 6.6. Elevation and floor plans for the Portakabins are submitted in support of this application and the siting is shown on the submitted Location Plan. They will be located against the railway line and residential dwelling to the north east of the site in order to provide a buffer between the B8 open storage use and the adjacent residential dwelling - further explained in the noise section of the development considerations below.

Highway Impact

- 6.7. The Council's Development Engineer (Highways) raised no concerns regarding the previously approved application in terms of the nature of the operation, likely traffic to be generated and the ability of the site to provide the required parking for operatives/plant.
- 6.8. The nature of the operation, with the land being used for B8 open storage, is not changing from that previously approved, and the site is now smaller.
- 6.9. A Transport Note has been submitted to support this current application, which details the likely trip generation and impact associated with the proposal, and establishes a suitable access point. As the proposed use is unchanged from that already consented, the likely trip rates associated with a B8 open storage use would have previously been considered acceptable. Whilst this current proposal is not restricted to Portsmouth Water users, no restrictions were imposed on the site in terms of traffic movements, other than restrictions of the general hours of operation, which the proposal does not seek to amend. The proposed development will therefore not place additional trips onto the local road network when compared to the consented use.
- 6.10. As shown within the submitted Transport Note, a new access will be created from the western section of Palk Road that falls within the existing employment area. This access has been located to accord with highway standards in terms of visibility splays and to avoid any conflict with the existing access points on the southern side of Palk Road.
- 6.11. The proposed development would accord with the adopted parking standards outlined in paragraph 5.26 as there is ample space on site for parking provision. A condition could be imposed to require space for the loading, unloading and parking of vehicles and plant to be agreed prior to commencement of development, as per the previous approval.

Hours of Operation

- 6.12. Proposed hours of operation are outlined in the application form to read 0700 – 1900 Monday-Friday and this accords with the hours of operation approved as part of the previous application. The hours are based on the noise report accompanying this planning application which details that activity outside the aforementioned hours would not be acceptable on a regular occasion given the nearby residential dwellings.

Flood Risk

- 6.13. As mentioned previously in this document the site is located within Flood Zone 1 and is therefore considered to be at low risk of flooding, according to the Environment Agency Flood Risk Map.

Heritage

- 6.14. There are no listed buildings on or adjacent to the site according to the English Heritage website.

Noise

- 6.15. A Noise Impact Statement accompanying this planning application outlines that the proposed change of use should not give rise to 'significant' adverse noise impacts, subject to appropriate mitigation measures being in place. These include the provision of a 2.4m high boarded sound proof fence along the boundary shared with the adjacent residential dwelling ('Wengen'), the siting of two portakabins and a restriction on the height of storage to ensure nothing exceeds the height of the boundary fence for the depth of the portakabin. These mitigation measures can be secured by condition as per the previously approved application.

Ecology

- 6.16. The Ecology Report: Phase 1 and Reptile Survey submitted in support of the previous change of use application approved in 2015 determined that there was little habitat for protected ecological activity aside from that of reptiles. The Reptile Survey findings included evidence of the presence of Slow Worms on the site and these were translocated in accordance with a methodology agreed as part of the previous application. In total 59 Slow Worms were captured and moved to a nearby receptor area. The capture operation was completed with a supervised destructive search stripping the site down to bare ground.
- 6.17. An updated walkover survey was undertaken by the ecologist on the 23rd January 2017 and the report is submitted with this application. Due to the length of time that has elapsed since the site was stripped, it has been recolonised by vegetation, although the species composition can now be considered more indicative of those found on disturbed ground.
- 6.18. The walkover survey concludes that despite the fact that some habitats have re-established, the site will not support any reptiles. The exclusion fencing, erected along the northern boundary (the only area where there is any suitable reptile habitat linked to the site) is still intact.
- 6.19. In terms of other ecological impacts, no significant areas of scrub have developed which can be considered large enough to be suitable for nesting or breeding birds and no invasive species were noted.
- 6.20. Based on the nature of the habitats on site and the previous works carried out, the report concludes that it is not necessary to undertake any further ecology surveys to support this revised planning application.

7 Planning Obligations

- 7.1. The Havant Borough Council Community Infrastructure Levy (CIL) charging schedule identifies that industrial use including B8 open storage is subject to a £0 per sq m payment.
- 7.2. It is considered that no further financial contributions would be required for the site.

8 Conclusion

- 8.1. It is considered that the proposed temporary development is acceptable in principle, according with both local and national planning policies.
- 8.2. The use of the land for B8 (storage) by an occupier not connected to Portsmouth Water is not considered to be materially different to what has already been approved for this site, with the nature of the operations and operating hours being the same as previously approved. The temporary proposal has the key benefit of retaining the long term use of the land for housing.

- 8.3. The key constraints of ecology, noise and highway safety have been assessed and appropriate mitigation and enhancement measures are proposed. These can be secured by detailed planning conditions as they were for the previous approval.
- 8.4. The proposal, due to the surrounding land uses, is considered to be appropriate for the location and with the relevant mitigation measures in place will not adversely affect the amenities of the nearby residential dwellings.
- 8.5. On balance, this proposal is considered to be economically, environmentally and socially sustainable. It supports economic growth, making efficient use of the redundant land, whilst safeguarding the land for housing in the long term. In accordance with paragraph 14 of the NPPF, the proposal should be approved without delay.

Appendix 1

Decision Notice of Approved Change of Use



Havant
BOROUGH COUNCIL

Public Service Plaza
Civic Centre Road
Havant
Hampshire PO9 2AX

T 023 9247 4174
F 023 9248 0263

www.havant.gov.uk

Mr Christian
Vail Williams LLP
Meridians House
7 Ocean Way
Ocean Village
Southampton SO14 3TJ

For: Brockhampton Property Investments Ltd
obo Portsmouth Water

**The Town and Country Planning (Development Management Procedure) (England) Order
2015
Grant of Planning Permission**

Application Number: APP/15/00447

Site Address: Land adjacent, Wengen, Palk Road, Havant

Proposal: Change of Use to Open Storage (B8 use), the addition of two portacabins and associated hard standing.

Further to your application received on 24 April 2015, which was valid from 07 May 2015, Havant Borough Council, as Local Planning Authority **Grants Planning Permission** for the above proposal in accordance with the submitted plans and particulars as detailed below.

This permission is subject to compliance with:

- (i) The plans and other documents submitted with regard to your application; and
- (ii) The following conditions:

Conditions:

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date on which this planning permission was granted.
Reason: To comply with 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 documents and plans:

Application form
Planning Statement April 2015
Noise Impact Statement, The Equus Partnership, Ref EPL 5414/R1, April 2015
Phase 1 & Reptile Surveys, ecosupport, April 2015
Ranelagh Road Reptile Capture & Proposed Management of Meyrick Road POS, ecosupport, June/July 2014
1:1250 Location Plan
1:1250 Location Plan showing location of portacabins
1:100 Plans & Elevations of Portacabin 1 - North Boundary; Drawing No 1
1:100 Plans & Elevations of Portacabin 2 - North Boundary; Drawing No 2
Email from Ben Christian, Vail Williams dated 29 June 2015

Reason: - To ensure provision of a satisfactory development.

Our Ref: APP/15/00447

- 3 The use of the land for open storage purposes shall solely be restricted to that associated with operations undertaken by Portsmouth Water Company.
Reason: To accord with the terms of the application submitted in putting forward a proposal which departs from the provisions of the adopted Havant Borough Local Plan (Allocations) 2014; in view of the access arrangements and relationship with other operational land of Portsmouth Water Company it would not be appropriate for the use to ensure for the benefit of the land; and having due regard to policies CS16 and CS2 of the Havant Borough Local Plan (Core Strategy) 2011 policy HB1 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework 2012.
- 4 The development shall not be brought into use until space for the loading, unloading and parking of vehicles and plant has been provided within the site, surfaced and marked out in accordance with details to be agreed in writing with the Local Planning Authority. Such areas shall thereafter be retained and used solely for those purposes.
Reason: In the interests of highway safety and neighbouring amenity and having due regard to policies CS16 and DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 5 No plant or machinery shall be operated at the premises the subject of the application except between the hours of 0700 and 1900 Monday to Friday and not at all on Saturdays, Sundays or recognised Public Holidays.
Reason: To minimise the disturbance to neighbouring residential properties and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 6 Unless agreed otherwise in writing by the Authority, the use hereby permitted shall not commence prior to the completion of the installation of the 2.4m high close boarded sound proof fence to be sited 1m into the site, and parallel to the boundary with the residential property on the eastern boundary, as is thus approved by the Authority. At all times thereafter, all of that screening provision shall be retained in a wholly sound and effective condition.
Reason: To safeguard the amenities of the occupiers of neighbouring property 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.
- 7 At no time shall the height above ground level of any vehicle, plant, equipment or items stored for a distance of 4.5m from the 2.4m high fence to be erected under the requirements of condition 6, exceed 2.4m in height (other than the portacabin hereby approved).
Reason: To safeguard the amenities of the occupiers of neighbouring property and having due regard to policies CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 8 Development shall proceed in accordance with the ecological mitigation, compensation and enhancement measures detailed within the Phase 1 & Reptile Surveys report (EcoSupport, April 2015) unless agreed in writing with the LPA, and with all mitigation and enhancement features permanently retained.
Reason: To conserve and enhance biodiversity in accordance with the Wildlife & Countryside Act 1981, the NERC Act 2006, the National Planning Policy Framework 2012 and with Policy CS 11 of the Havant Borough Local Plan (Core Strategy) March 2011.

Other Important Information:

- (1) This notice only relates to the decision of Havant Borough Council as Local Planning Authority under the Town and Country Planning Acts. It does not relate to any other application that may be required under the Building Regulations or under any other Act, Regulation, Byelaw or Order where the Council's approval may be needed. For further guidance as to the need for consent under the Building Regulations please phone 023 9244 6571.
- (2) Your attention is drawn to the attached information regarding firstly your right to appeal to the Planning Inspectorate, if you are aggrieved by the Council's decision, and secondly the rights of an owner to, in certain circumstances serve a purchase notice on the Council. See www.planningportal.gov.uk/pcs.
- (3) Any failure to adhere to the details of the approved plans, and other documents or to comply with any conditions listed above may lead to enforcement action being taken by the Council. If you wish to depart from the approved details or conditions in any way you should contact the Planning and Development service at the Plaza or by telephoning 023 9244 6015.
- (4) In accordance with paragraphs 186 and 187 of the NPPF Havant Borough Council (HBC) takes a positive and proactive approach and works with applicants/agents on development proposals in a manner focused on solutions by:
 - Offering a pre-application advice service, and
 - Updating you of any issues that may arise in the processing of your application and where possible suggesting solutions, and,

In this instance:

- You sought and were provided with pre-application advice,
- You were updated about issues after the initial site visit.

Andrew Biltcliffe

Andrew Biltcliffe
Executive Planning Service Manager

17 July 2015

Appendix 2

Committee Report

Agenda Item 10(3)

Site Address:	Land adjacent, Wengen, Palk Road, Havant		
Proposal:	Change of Use to Open Storage (B8 use), the addition of two portacabins and associated hard standing.		
Application No:	APP/15/00447	Expiry Date:	02/07/2015
Applicant:	Brockhampton Property Investments Ltd obo Portsmouth Water	Team:	Team 1
Agent:	Mr Christian Vail Williams LLP	Case Officer:	Sally Smith
Ward:	St Faiths		

Reason for Committee Consideration: Proposal represents a departure from the Havant Borough Local Plan (Allocations) 2014

EHPE Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The application site lies within the urban area of Bedhampton on the north western side of Palk Road, adjacent to the Havant-Portsmouth railway line. It can be seen to be composed of two distinct areas. The eastern end is an area of scrub land with a number of waste materials on it including some pipes. The western end is an area already used for pipe storage. The site is bounded by the railway line on the north side; open land to the west, open storage areas to the south and a residential property to the east (known as Wengen). Access is from Palk Road which also serves, at its western end, other Portsmouth Water Company activities.

2 Planning History

- 2.1 The recent planning history concerning Palk Road principally relates to various permissions for coach storage and associated portacabins on the south side of Palk Road, opposite the application site. Portsmouth Water Company has historically used the western end of the site for pipe storage.

3 Proposal

- 3.1 The proposal seeks approval to regularise the use of the western part of the site for Class B8 open storage purposes and extend this use into the eastern part of the site and to place two portacabins on this part of the site. The purpose of the proposal is to provide open storage to a third party operator who will assist in the operations of Portsmouth Water such as replacement of pipes, providing meters, reinstatement of road works and the sampling and testing of water. The site will be used to store vehicles, materials and equipment required for undertaking such activities. The portacabins are to be a base for the activities and management of employees. The applicants have offered that the activities could be restricted to operations of Portsmouth Water Company. On this basis the use of the land could normally be regarded as 'permitted development' under Part 13 of Schedule 2 of the 2015 Town and Country Planning (General Permitted Development) Order - however these provisions would not extend to the placing of the portacabins on the land.
- 3.2 With regard to the portacabins, they are to be located on the northern boundary and

alongside the residential property to the east, respectively, with a combined floor area of 104sqm and a height of 3.5m. A 2m high fence was originally proposed on the boundary adjacent to Wengen; however following the consultation period associated with the application an amendment to the application was received proposing the fence as 2.4m in height but locating it and the portacabin 1m from the boundary with Wengen.

- 3.3 The application is supported by a detailed ecology report addressing the potential for reptiles to be present on the site and setting out a translocation methodology for any reptiles found.

4 Policy Considerations

National Planning Policy Framework 2012

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS2	(Employment)
DM10	(Pollution)
DM14	(Car and Cycle Parking on Development (excluding residential))

Havant Borough Local Plan (Allocations) July 2014

HB1	(Havant and Bedhampton Housing Allocations)
AL1	(Presumption in Favour of Sustainable Development)
DM23	(Sites for Brent Geese and Waders)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Environment Agency

No bespoke comments

Consultant Ecologist

No objection but condition proposed that works comply with ecology reports in respect of mitigation measures for reptiles

Southern Water

Advice re avoidance of foul sewers (not shown directly on the application site)

Environmental Health Manager

No comments received

Development Engineer - Highways

No objection

Crime Prevention

No comments received

Economic Development - Commercial and Housing

No comments received

Natural England

No bespoke comments

Planning Policy

This application proposes the construction of 104.2 sq. m of B8 open storage space on a site of 0.39ha. The site is a housing allocation H19 in the Local Plan (Allocations).

The application site is partly in use by Portsmouth Water Ltd for storage (Use Class B8) and is partly scrubland. The proposal seeks permission to allow the entire site to be authorised for B8 use to allow expansion of Portsmouth Water's operational requirements. The enlarged part of the site is to be used by a contractor employed by Portsmouth Water.

Policy HB1 of the Local Plan (Allocations) states that development proposals for site H19 must provide approximately 21 dwellings to be broadly consistent with the indicative figure in the policy. Pre-application discussions were held between the applicant and Planning Policy in February 2015 to discuss the appropriateness of the site being redeveloped for a non-residential use. Paragraph 6.10 of the applicant's Planning Statement refers to the policy officer's comment that the loss of 21 dwellings on this site is a relatively small number and could be made up by windfall provision elsewhere in the borough. Portsmouth Water Ltd also intends to relocate its office headquarters from West Street to land north of Solent Road and the West Street site is to be redeveloped for 162 residential dwellings which would make a much larger contribution towards the Local Plan housing target. The Planning Statement also refers to the importance of the Palk Road site to ensuring the water provider's continued effective long-term operation.

The site will accommodate two new Portacabins on the northern and eastern boundaries. The portacabin on the northern boundary would be adjacent to the railway line and the one on the eastern boundary would abut the curtilage of a residential dwelling.

The applicant has submitted an ecology report and a noise impact statement alongside the planning application. The ecology report identifies the presence of a low population of slow worms on the site, whose habitat would be lost as a result of the proposal and which could also be killed or injured during the construction process; however the planning statement indicates that it is proposed to capture and translocate these to a nearby appropriate receptor site in Meyrick Road which is also managed by Portsmouth Water. To do so would avoid an offence being committed under the Wildlife and Countryside Act 1981 and would avoid adverse long term ecological impacts. The Meyrick Road site was used as a receptor site for translocation of slow worms from a site in Ranelagh Road under condition 40 of application APP/14/01262.

The Noise Impact Statement accompanying the planning application details that the proposed change of use should not give rise to 'significant' adverse noise impacts. In order to mitigate any potential impacts it is proposed to ensure that a 2m high close boarded fence be erected and maintained on the boundary between the site and the adjacent residential dwelling ('Wengen'). The site layout would provide further protection to the residential dwelling to the east of the site against the noise impacts of vehicular movements on site as the new storage buildings would be located to the west and the portacabins would be located to the east of the site, acting as a buffer between the residential and B8 uses.

The proposal would contribute towards the target of 41,5000 sq.m of B8 warehousing space to be built in Havant borough between 2006 and 2026 under policy CS2 of the Local Plan Core Strategy.

Paragraph 5.18 of the Planning Statement confirms that parking will be provided in accordance with Hampshire County Council's non-residential parking standards. For an accessible location these are 1 space per 303 sq. m and 1 long-stay cycle stand per 500 sq. m GEA and 1 short-stay cycle stand per 1,000 sq. m GEA.

The site is in close proximity to Langstone Harbour SSSI and within the coastal zone. Policy DM9 of the Core Strategy sets out requirements for planning applications in this zone. The site is fully within an area that is already allocated for development; however it is important to ensure that none of the criteria of policy DM9 are breached. Natural England raised no objection in its consultation response to the application provided that the development is carried out in accordance with the details of the application. The site is inland and a considerable distance away from the Chichester Harbour AONB and therefore highly unlikely to have an adverse impact on it (Core Strategy policy CS12).

The site is adjacent to 'uncertain' sites for Brent Geese and Waders (Core Strategy policy CS11) but the site itself is not such a site.

Other policies will be relevant in determining more general matters associated with the proposal. Further advice from Planning Policy can be sought if required. The DM officer may need to consider further constraints/limitations arising from matters such as trees/neighbouring amenity in line with adopted policy.

Principle of Development: No objections, subject to the proposals being carried out in accordance with the details of the application and in accordance with the above

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: 43

Number of site notices: 1

Statutory advertisement: Yes

Number of representations received: 1 - Queries received from the neighbouring occupier regarding the size and position of the portacabins; location of any plant; hours of operation. Matters raised as concerns rather than objections.

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 streetscene
- (iii) Impact upon residential amenity
- (iv) Highway considerations.
- (v) Environmental considerations.

- (i) Principle of development

7.2 The application site is situated within an urban area where further development is normally considered acceptable subject to the usual development management criteria. This particular site has been allocated for housing as H19 under policy HB1 of the approved Havant Borough Local Plan (Allocations) 2014. The response from Planning Policy indicates that whilst the proposed use of the site for Class B8 storage purposes would represent a departure from the Allocations Plan, this can be justified on the basis that it will assist in the operational requirements of Portsmouth Water Company, a key utility company operating in the borough. Furthermore, as the proposal does not involve building development it would not be prejudicial to future housing proposals for the site should the requirements of Portsmouth Water change. Portsmouth Water are also looking to develop its West Street site for housing which would make a much larger contribution to future housing stock. It is therefore considered that in view of the special requirements pertaining to the operations of Portsmouth Water, the close link with the adjacent current operations of Portsmouth Water and the nature of the adjacent sites, which do not currently provide a high quality environment for housing, that the proposal is acceptable as a departure from the housing allocations proposal for the site. As the exception is being made to facilitate the operations of the Water Company it is considered that a condition to this effect would be reasonable and necessary. This makes the use akin to permitted development for a Water undertaking.

(ii) Impact upon the streetscene

7.3 The site is opposite Palk Road storage sites and has the railway line on the northern side. The use of the land for open storage will not therefore have a significant impact on the visual amenity of the locality, and being appropriate in context for the site the use is considered to meet the requirements of Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011.

(iii) Impact upon residential amenity

7.4 There is one residential property adjacent to the eastern boundary, known as Wengen. It is a chalet bungalow with ground floor windows on the western elevation adjacent to a drive area. Close boarded fences up to 2m have been erected on the western boundary of the dwelling to the front of the site; however alongside the dwelling itself the fencing structure is more of a trellis structure which provides a view through it and over the application site. To the rear the fence has been replaced with a concrete block wall. The original application proposal included a 2m fence on the boundary together with one of the portacabins. To provide a greater buffer the proposal has been amended to erect the fence 1m off the boundary and have it at a height of 2.4m; the portacabin will be repositioned adjacent to this new fence. There would also be no storage that exceeds the height of the fence for the depth of the portacabin. It is considered that on the basis of these amendments that the relationship with the adjacent property Wengen is acceptable in terms of visual outlook.

7.5 With regard to the hours of operation, these are proposed as 0700 to 1900 Monday to Friday and this is considered acceptable in terms of protecting the amenities of future occupiers of Wengen. It is therefore considered that in these respects the amenity requirements of policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 will be met.

(iv) Highway considerations

7.6 The nature of the operation would involve operatives coming to the site in their own cars and then leaving with the vehicles necessary to deliver and return the materials and plant associated with the activities of Portsmouth Water. Part of the access route to the site lies within the application site, whilst the eastern end of Palk Road is made up to adoptable standards. The Development Engineer has raised no concerns with the nature

of the operation and likely traffic generated or the ability of the site to provide the required parking for operatives/plant. The proposal is therefore considered acceptable on these grounds.

(v) Environmental considerations

- 7.7 The ecological reports submitted with the application acknowledge that there are reptiles to translocate and a receptor site in the ownership of Portsmouth Water is identified. Whilst the site is shown in the Allocations Plan as covered by Policy DM23 (Uncertain Site for Brent Geese) this is not an issue raised by either Natural England or the Council's Consultant Ecologist. Indeed the overgrown nature of the eastern end of the site, coupled with the proximity of the site to adjoining commercial uses and railway line mean that the site is unlikely to be conducive to Brent Geese. On the basis of the condition proposed by the Council's Consultant Ecologist the proposal is considered to meet the requirements of Havant Borough Local Plan (Core Strategy) Policy CS11.

8 Conclusion

- 8.1 In view of the special requirements of the operations of Portsmouth Water Company and the nature of the site and its surroundings, it is considered that the proposed use of this site for B8 open storage purposes, whilst amounting to a departure from the adopted Havant Borough Local Plan (Allocations) 2014, can nonetheless be justified and will not prejudice the bringing forward of the site as a housing allocation should Portsmouth Water's requirements change in future. Furthermore the impact of the development on the character of the area, neighbouring amenity, highway considerations and environmental issues are also considered acceptable subject to the submitted amendments and the conditions proposed.

9 RECOMMENDATION:

That the Executive Head of Planning and Economy be authorised to **GRANT PERMISSION** for application APP/15/00447 subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date on which this planning permission was granted.
Reason: To comply with 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 documents and plans:

Application form
Planning Statement April 2015
Noise Impact Statement, The Equus Partnership, Ref EPL 5414/R1, April 2015
Phase 1 & Reptile Surveys, ecosupport, April 2015
Ranelagh Road Reptile Capture & Proposed Management of Meyrick Road
POS, ecosupport, June/July 2014
1:1250 Location Plan
1:1250 Location Plan showing location of portacabins
1:100 Plans & Elevations of Portacabin 1 - North Boundary; Drawing No 1
1:100 Plans & Elevations of Portacabin 2 - North Boundary; Drawing No 2
Email for Ben Christian, Vail Williams dated 29 June 2015

Reason: - To ensure provision of a satisfactory development.

- 3 The use of the land for open storage purposes shall solely be restricted to that associated with operations undertaken by Portsmouth Water Company.
Reason: To accord with the terms of the application submitted in putting forward a proposal which departs from the provisions of the adopted Havant Borough Local Plan (Allocations) 2014; in view of the access arrangements and relationship with other operational land of Portsmouth Water Company it would not be appropriate for the use to ensure for the benefit of the land; and having due regard to policies CS16 and CS2 of the Havant Borough Local Plan (Core Strategy) 2011 policy HB1 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework 2012.
- 4 The development shall not be brought into use until space for the loading, unloading and parking of vehicles and plant has been provided within the site, surfaced and marked out in accordance with details to be agreed in writing with the Local Planning Authority. Such areas shall thereafter be retained and used solely for those purposes.
Reason: In the interests of highway safety and neighbouring amenity and having due regard to policies CS16 and DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 5 No plant or machinery shall be operated at the premises the subject of the application except between the hours of 0700 and 1900 Monday to Friday and not at all on Saturdays, Sundays or recognised Public Holidays.
Reason: To minimise the disturbance to neighbouring residential properties and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 6 Unless agreed otherwise in writing by the Authority, the use hereby permitted shall not commence prior to the completion of the installation of the 2.4m high close boarded sound proof fence to be sited 1m into the site, and parallel to the boundary with the residential property on the eastern boundary, as is thus approved by the Authority. At all times thereafter, all of that screening provision shall be retained in a wholly sound and effective condition.
Reason: To safeguard the amenities of the occupiers of neighbouring property 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.
- 7 At no time shall the height above ground level of any vehicle, plant, equipment or items stored for a distance of 4.5m from the 2.4m high fence to be erected under the requirements of condition 6, exceed 2.4m in height (other than the portacabin hereby approved).
Reason: To safeguard the amenities of the occupiers of neighbouring property and having due regard to policies CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 8 Development shall proceed in accordance with the ecological mitigation, compensation and enhancement measures detailed within the Phase 1 & Reptile Surveys report (EcoSupport, April 2015) unless agreed in writing with the LPA, and with all mitigation and enhancement features permanently retained.
Reason: To conserve and enhance biodiversity in accordance with the Wildlife & Countryside Act 1981, the NERC Act 2006, the National Planning Policy Framework 2012 and with Policy CS 11 of the Havant Borough Local Plan (Core Strategy) March 2011.

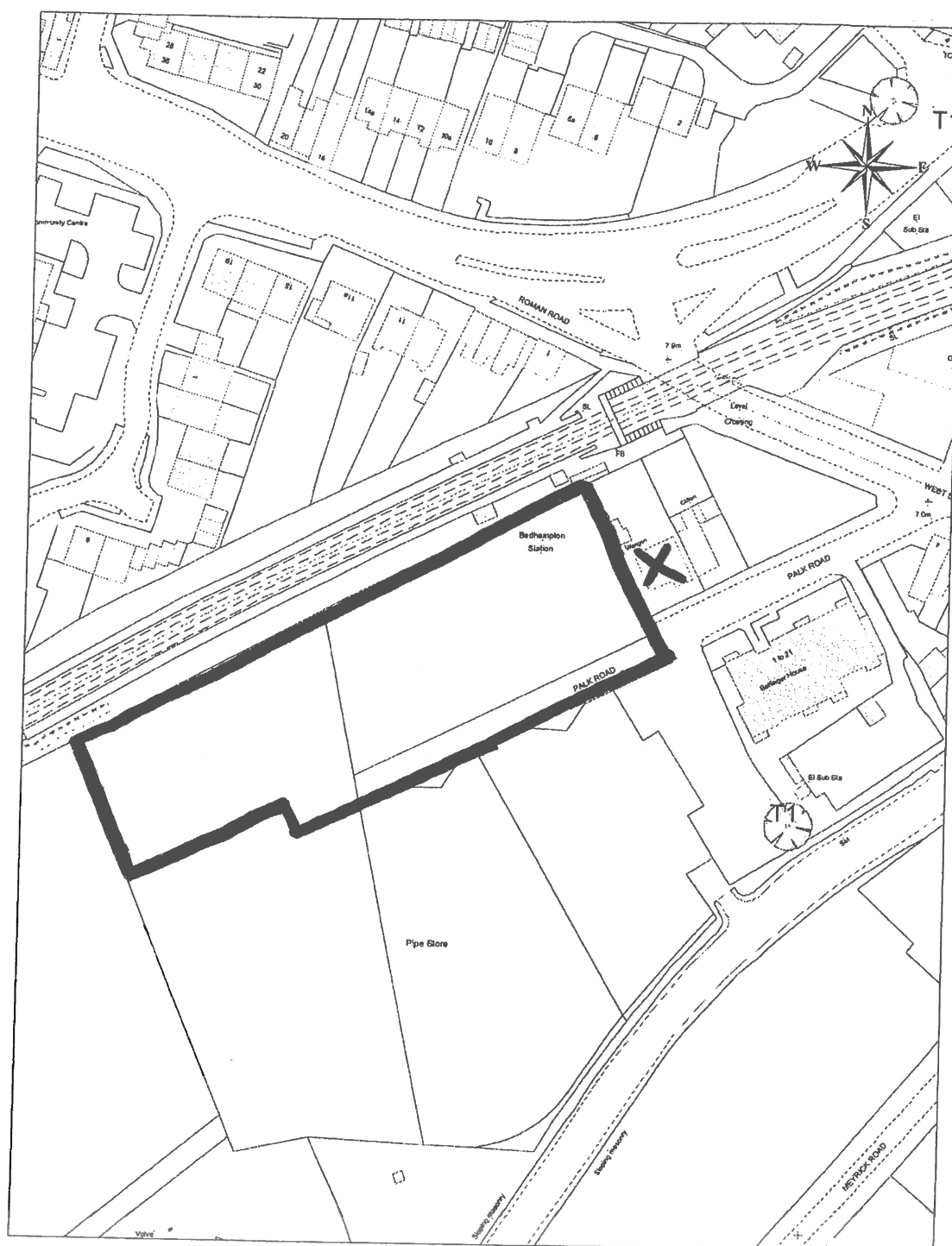
Appendices:

- (A) Location Plan
- (B) Site Layout Plan
- (C) Portacabin elevations

Further Information

<http://tinyurl.com/nhre3lo>

APPENDIX A

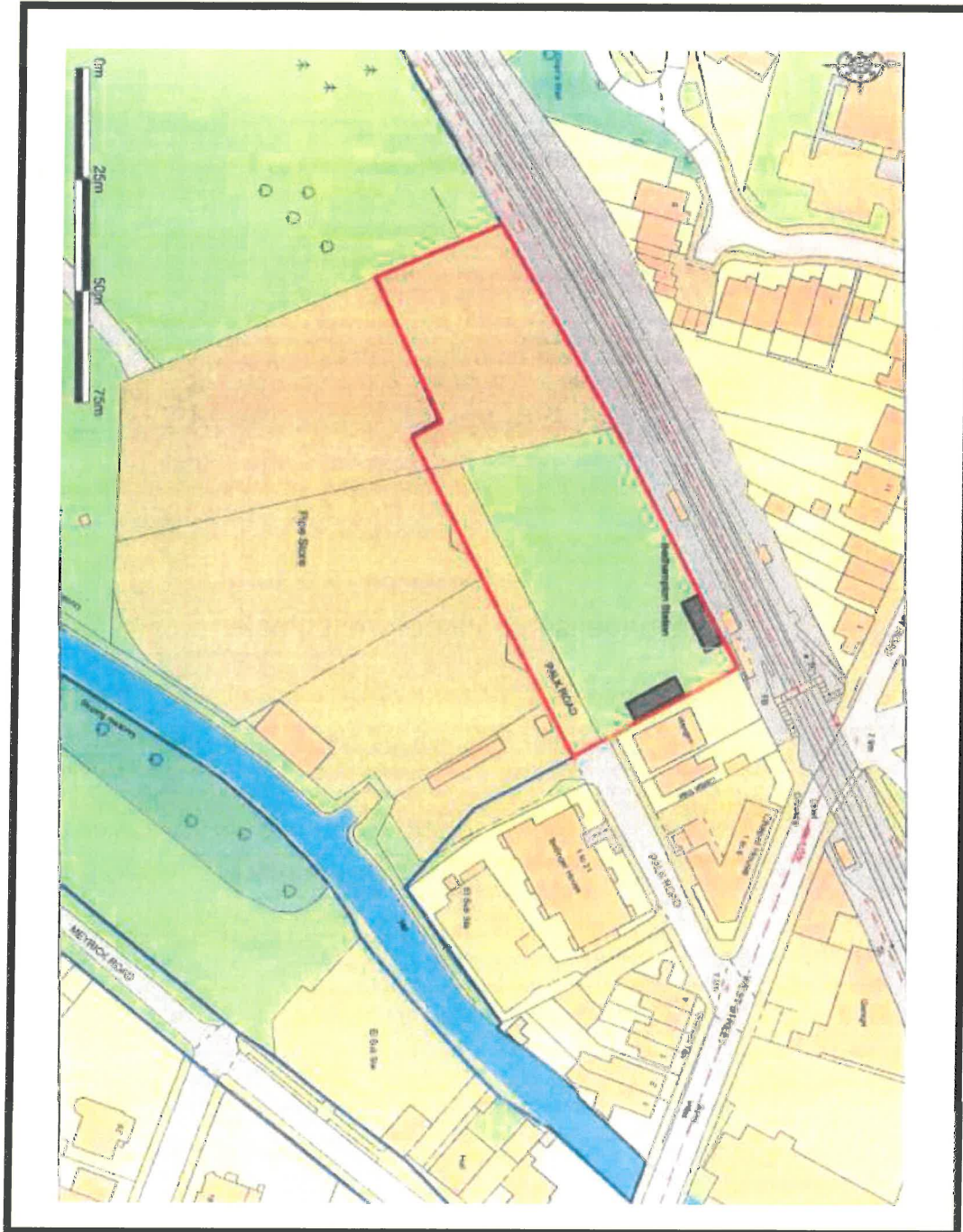


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APPENDIX B

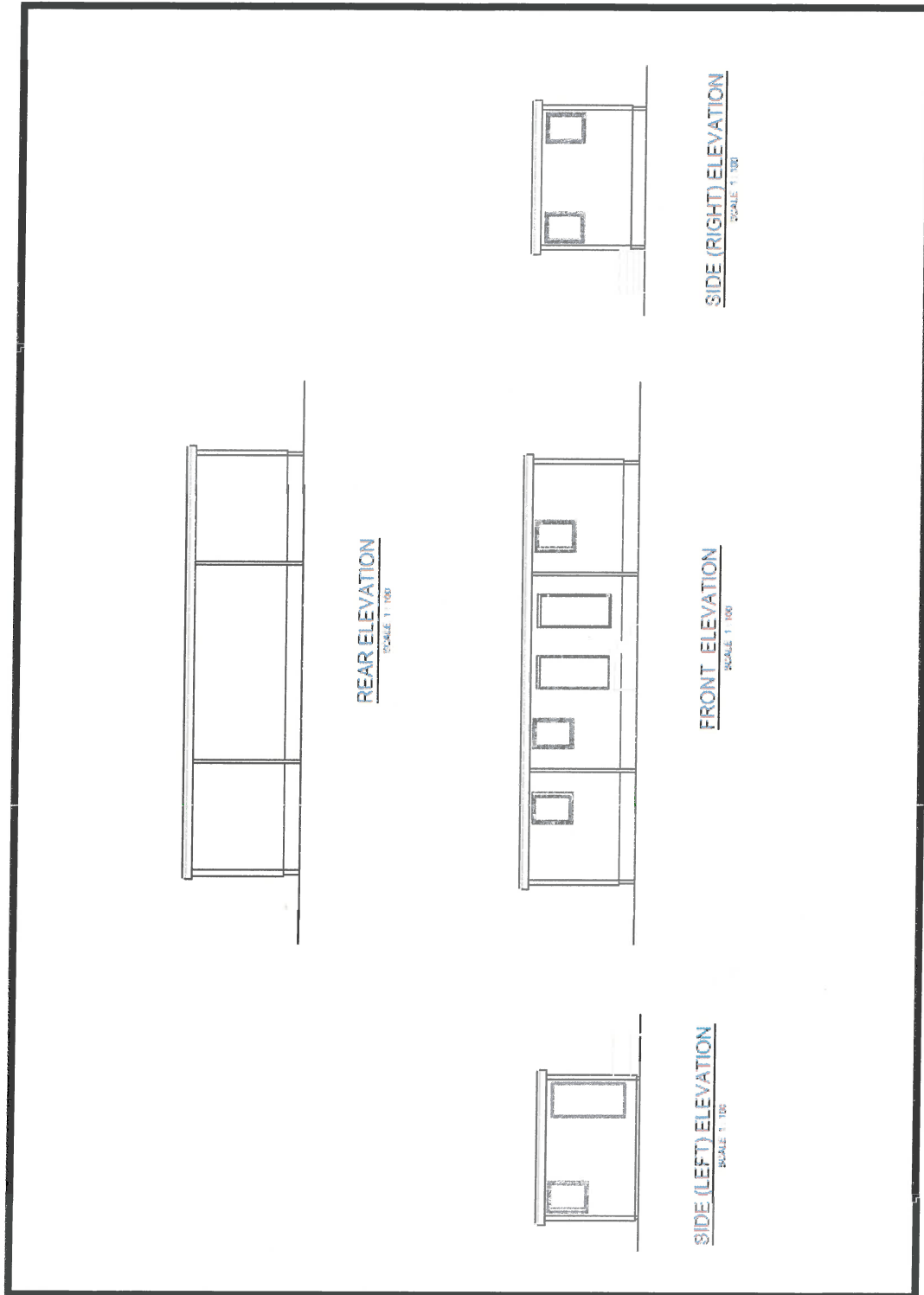
LOCATION PLAN INCLUDING LOCATION OF PORTACABINS



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APPENDIX C

PORTACABIN ELEVATIONS



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