

Havant Borough Council
Development Control
Civic Offices Civic Centre Road
Havant
Hampshire
PO9 2AX

Our ref: HA/2017/119092/01-L01
Your ref: APP/17/00075
Date: 22 February 2017

Dear Sir/Madam

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

LAND AT HERMITAGE PARK, HARTS FARM WAY, HAVANT, PO9 1FA

Thank you for consulting the Environment Agency on the above planning application which we received on 2 February 2017.

Environment Agency Position

We can confirm that the Environment Agency has no objection in principle to the proposed development as submitted; however, we request that the following planning condition(s) be attached to any planning permission granted in order to make the development acceptable. Without these conditions, the proposed development on this site poses an unacceptable risk to the environment and we would object to the application.

Planning Condition(s):

Condition - Construction Environmental Management Plan

No development shall take place until a method statement/construction environmental management plan that is in accordance with the approach outlined in the Planning/Environmental Statement, has been submitted to and approved in writing by the local planning authority. This shall deal with the treatment of watercourse and adjacent bankside habitat, the establishment of the native buffer zone, its aftercare and maintenance as well as a plan detailing the works to be carried out showing how the environment will be protected during the works. Such a scheme shall include details of the following:

- **The timing of the works**
- **The measures to be used during the development in order to minimise environmental impact of the works (considering both potential disturbance and pollution)**
- **The establishment of the native species buffer zone alongside the watercourse and forming the boundary of the development site.**

- A map or plan showing habitat areas to be specifically protected (identified in the ecological report) during the works.
- Construction methods
- Any necessary pollution protection methods
- Information on the persons/bodies responsible for particular activities associated with the method statement that demonstrate they are qualified for the activity they are undertaking.

The works shall be carried out in accordance with the approved method statement.

Reason

This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national planning policy.

The National Planning Policy Framework (NPPF) paragraph 109 recognises that the planning system should aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. Paragraph 118 of the NPPF states that if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused and that opportunities to incorporate biodiversity in and around developments should be encouraged.

This condition is also in line with policy DM8 Conservation, Protection and Enhancement of Existing Natural Features of the Havant Borough Council Core Strategy 2011

Advice to Applicant:

Ecology

Whilst the provision of a native species buffer alongside the watercourse and forming the southern boundary to the site is noted this buffer zone is very narrow and the watercourse would benefit from this zone being widened. Such a buffer will improve the river corridor (visually and ecologically) and may help to reduce light spillage towards the watercourse.

Pollution Prevention

Any facilities for the storage of oils shall be provided with secondary containment that is impermeable to both the oil and water, for example a bund, details of which shall be submitted to the local planning authority for approval. The minimum volume of the secondary containment should be at least equivalent to the capacity of the tank plus 10%. If there is more than one tank in the secondary containment the capacity of the containment should be at least the capacity of the largest tank plus 10% or 25% of the total tank capacity, whichever is greatest. All fill points, vents, gauges and sight gauge must be located within the secondary containment. The secondary containment shall have no opening used to drain the system. Associated above ground pipework should be protected from accidental damage. Below ground pipework should have no mechanical joints, except at inspection hatches and either leak detection equipment

installed or regular leak checks. All fill points and tank vent pipe outlets should be detailed to discharge downwards into the bund.

This is a requirement of the:

Control of Pollution (Oil Storage) (England) Regulations 2001;

More information on the minimum legal requirements is available in 'Above ground oil storage: PGG2'.

All precautions must be taken to avoid discharges and spills to the ground both during and after construction. For advice on pollution prevention measures, the applicant should refer to our guidance 'PPG1 – General guide to the prevention of pollution', which is available on our website at [Pollution Prevention Guidance](#)

In the event of a pollution incident, all works should cease immediately and the Environment Agency should be contacted via the incident hotline 0800 807060.

Environmental Permit

Please note that this development may require an Environmental Permit or an exemption from an Environmental Permit from the Environment Agency. Any works located in, over, under or within 8 metres of a main river or 16m of a tidal defence, is likely to require a Flood Risk Activity Permit from the Environment Agency.

The applicant is advised to contact the National Customer Contact Centre (NCCC) on 03708 506 506

The need for an environmental permit is separate to the need for planning permission. The granting of planning permission does not necessarily lead to the granting of an environmental permit.

Further details and guidance are available on the GOV.UK website: www.gov.uk/guidance/flood-risk-activities-environmental-permits

Yours faithfully

Mr Jon Maskell
Planning Advisor, Environment Agency

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