

APP/19/00806 - Variation of Condition 2 of Planning Permission APP/19/00296 (Erection of a new building entrance structure, reception/lobby refurbishment and associated hard and soft landscaping works) to amend approved plans., PERM,09/10/2019

APP/21/00134 - Application for non material change to Planning Permission APP/19/00703 relating to change to approved plans and amendment to proposed elevations., REF,18/03/2021

APP/21/00405 - Variation of Conditions 2, 3, 8, 18, 19, 22 and 25 of Planning Permission APP/19/00703 relating to the erection of the flexible use industrial units in the south-western corner of the site (Phase 1).(25.08.21). Request to discharge conditions 4,7,9,10,11,12,13,14 & 15 (06.09.21).Request to discharge conditions 5 & 6 (24.12.21). Request to discharge conditions 4, 5, 6, 7, 12, and 20 (received 15/08/2022). Request to discharge conditions 16, 17, 19 (received 30/08/2022).Request to discharge condition 15 (Phase 2b) (received 22.6.23). Request to discharge condition 6 (phase 2b and 2c)(received 13.7.23). Request to discharge condition 9 (phase 2)(recd 16.8.23)., PERM,25/08/2021

Officer Comment: this is the applicaiton proposed for a non-material amendment.

APP/21/00926 - Application for non-material change to Planning Permission APP/21/00405 relating to amendments to Condition 2 plans approved (changes to elevational treatment of Buildings 1000 and 4000), PERM,01/10/2021

GEN/22/00093 - Screening Opinion., ,01/04/2022

APP/22/00172 - Outline Planning Application for Phased demolition of existing buildings and the erection of new flexible use employment floorspace (Use Classes E(g)(i)-(iii)/B2/B8) and ancillary uses (Use Classes E(b), E(d) and E(f)); and associated works. All matters reserved except Access.(22.12.23). Request to discharge conditions 5,6,8,10,12,24,25,26,28,29,32,33 and 36 (Rcvd 02.01.24)., PERM,22/12/2023

APP/22/00615 - Application for non-material change to planning permission APP/21/00405 relating to amendment of parking provision., PERM,24/10/2022

APP/24/00058 - Application for non-material amendment to planning permission APP/22/00172 relating to condition 35 BREEAM., DEL, **Current Application**

3. Proposal

Application for Non-material amendment to condition 2 of Planning Permission APP/21/00405, to alter door openings, provide dock levellers with associated excavation, and revisions to drainage - all relating to Unit 3.

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)
CS14	(Efficient Use of Resources)
CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS19	(Effective Provision of Infrastructure)
CS2	(Employment)
CS20	(Transport and Access Strategy)
CS21	(Developer Requirements)
CS8	(Community Safety)
DM10	(Pollution)
DM11	(Planning for More Sustainable Travel)
DM12	(Mitigating the Impacts of Travel)
DM14	(Car and Cycle Parking on Development (excluding residential))
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

DM17	(Contaminated Land)
DM20	(Historic Assets)
AL1	(Presumption in Favour of Sustainable Development)
DM18	(Protecting New Development from Pollution)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5. Consultation Responses

Local Lead Flood Authority:

The LLFA has no objection to the proposals.

HCC Property Management

No comments received.

County Waste Management

No comments received.

Environment Agency

No comments received.

Engineering/Drainage

No comments received.

Arboriculturalist

No comments received.

6 Planning Considerations

6.1 As detailed in paragraph 3.1 above, this application has been submitted under Section 96A of the Town and Country Planning Act which allows a local planning authority to make a change to any planning permission if they are satisfied that the change is not material. The Government has advised that the requirements for design and access statements, publicity and consultation, and to take reasonable steps to identify unknown owners, would have applied to the original application if relevant. Therefore, those requirements do not apply to this type of application. The Government have advised that Local Planning Authorities must have regard to the effect of the change when determining where the proposal is a 'non-material' amendment.

6.2 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) Appropriateness of design and impact on the character of the area
- (iii) Effect on neighbouring properties
- (iv) Drainage

(i) Principle of development

6.3 The application is for an amendment to the previously approved planning permission APP/21/00405 - relating to the erection of the flexible use industrial units in the south-western corner of the site. The principle of the development is therefore accepted and this S96a application seeks to alter door openings, provide dock levellers with associated excavation and revisions to drainage – all relating to unit 3.

6.4 The assessment below therefore relates only to the changes proposed and does not consider the principle of the original development which is already established.

(ii) Appropriateness of design and impact on the character of the area

6.5 The proposal relates to the provision of amended 2No. lorry doors and dock levellers to unit 3. This unit is located away from the site boundary and the altered openings would face into an area screened by units 1 and 2 to the west.

6.6 The changes would be within the wider industrial site and would be screened by other units. It is not considered that there would be any wider impact on the character and appearance of the area.

(iii) Effect on neighbouring properties

6.7 The changes are to a unit set off the site boundaries and beyond the site are other commercial properties. It is not considered that the proposals would have an impact on any residential properties.

(iv) Drainage

6.8 The covering letter sets out that there is:

No change to the existing drainage strategy although the proposed localised changes within the Unit 3 yard will incorporate a new linear drainage channel within the dock, which will be pumped into the existing drainage infrastructure via a new package pumping station installed within the yard.

- 6.9 The LLFA have confirmed that they have no objections to the proposals in relation to drainage.
- 6.10 The proposed changes are relatively modest and it is considered they are unlikely to lead to an adverse impact to neighbouring properties and can therefore be considered as non-material.

6 Conclusion

- 6.1 Overall, the proposed alterations to door openings, provide dock levellers with associated excavation, and revisions to drainage - all relating to Unit 3 are not considered to result in a material change to the extant planning permission and the changes are recommended for approval.

7 RECOMMENDATION:

That the Head of Place be authorised to **GRANT PERMISSION** for application APP/24/00043

(A) subject to the following conditions

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

The plans and documents listed under Condition 2 of planning permission APP/21/00405 as amended by the plans and documents as approved in non-material change permissions references APP/21/00926 and APP/22/00615 and the following revised details:

Proposed Overall Site Plan Drawing No. PL 004 Rev E
Proposed Site Plan (Part) Drawing No. PL 003 Rev C
Proposed Floor Plans Unit 3 Drawing No. PL 012 Rev B
Proposed Elevations and Sections Units 3-4 Drawing No. PL 021 Rev B
Proposed Street Scenes and Site Sections Drawing No. PL 022 Rev A

Also considered in the determination of this application:

Dock Leveller Ramp Examples

Reason: - To ensure provision of a satisfactory development.