
Site Address: 32 New Lane, Havant, PO9 2NG
Proposal: Proposed replacement fire hydrant tanks and pump house with associated works and landscaping.
Application Type: Full Planning Permission
Application No: APP/22/00895 Expiry Date: 07/12/2022
Applicant: Mr Sharland
 Havant Property Investment
 LLP
Agent: Mrs Fellows Case Officer: David Eaves
 Fellows Planning Limited
Ward: St Faiths

Recommendation: **GRANT PERMISSION**

1 Site Description

32 New Lane is the former Pfizer site currently being re-developed for a Distribution Warehouse. This proposal in particular relates to an area of the wider re-development site in the northeast corner. This area previously contained water tanks and a pump house. The proposals are for two replacement tanks and a pump house required for fire safety.

To the north are yard areas for adjacent modern industrial units, to the east a line of trees with the Portsmouth to Waterloo railway line and then residential properties beyond. To the south are a line of trees and the proposed parking area for the distribution warehouse and to the west modern industrial units.

2 Planning History

The following planning history is relevant to the consideration of this application.

APP/21/00200 - Demolition of existing buildings and redevelopment of site comprising erection of distribution warehouse (class B8) with ancillary offices and related facilities, vehicle storage deck, new access, landscaping and associated infrastructure (approved 22.10.21). Request to discharge conditions 11 and 19 (received 27.10.21). Request to discharge conditions 14, 15, 16, and 27 (received 10/12/2021). Request to discharge condition 17 (received 16.12.21). Request to discharge condition 22 and 28 (recd 13.1.22)., PERM,22/10/2021

Officer Comment: *This is the original planning permission for the wider site.*

APP/21/00783 - Application to determine whether prior approval is required for the method of demolition of buildings including slab removal and any proposed restoration. , PAYA,01/10/2021

APP/21/01244 - Variation of condition No's 4 (Operational Management Plan), 9 (Livery/Branding), 10 (Traffic Monitoring) and 28 (Employment and Skills Plan) of planning permission APP/21/00200 and the introduction of a new Community Liaison Strategy Condition. Request to discharge conditions 11, 14, 15, 16, 17, 18, 19, 22, 26 and 27 (received 27/03/2022). Request to discharge condition 12 (received 10/06/2022). Request to discharge conditions 5 and 6 (received 10/08/2022). Request to discharge condition 25 (27.09.22)., PERM,09/02/2022

Officer Comment: *This is an amended planning permission for the wider site.*

APP/22/00919 - Application for Non-material amendment to Planning Permission APP/21/00200 relating to minor revisions - mezzanine floor alterations, re-positioning of windows/vents, addition of canopies on northern and southern side, relocation of smoking shelters, installation of gates to boundary treatments and access alterations.

Officer Comment: *Current Application*

3 Proposal

Proposed replacement fire hydrant tanks and pump house with associated works and landscaping.

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

CS16 (High Quality Design)
DM10 (Pollution)

Havant Borough Local Plan (Allocations) July 2014

AL1 (Presumption in Favour of Sustainable Development)

Emsworth Neighbourhood Plan Post Examination Version 2020

N/A

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Building Control, Havant Borough Council

This site is being controlled by an Approved Inspector and these work will be associated to the building of a new structure on this site

Approved Document B should be complied with

No other comments at this time

Councillor Alex Rennie

No comments received

Councillor Imogen Payter

No comments received

Councillor Phil Munday - St Faiths

No comments received

Councillor Richard Stone

No comments received

Councillor T Pike - St Faith's

No comments received

Council's EcologistFurther Comments

A letter dated 27th October 2022 by Lizard Landscape Design and Ecology confirms that the application site is an active construction site and the proposed replacement hydrant tanks and pump house will only result in 2no. small native trees which were proposed as part of the enhancement strategy for the wider site not being able to be planted. Therefore, provided that the submitted Landscape Masterplan Strategy (drawing no. LLD2077-LAN-DWG-010) is implemented, along with the measures detailed in Section 5.0 'ASSESSMENT OF EFFECTS AND MITIGATION MEASURES' of the Ecological Impact Assessment by Lizard Landscape Design and Ecology (October 2022) (to be secured via a Planning Condition), I raise no concerns in relation to this application.

Original Comments

Thank you for consulting me on this planning application. Review of the submitted Landscape Design Strategy reveals that a Preliminary Ecological Appraisal and Preliminary Bat Roost Assessment of the site was undertaken in December 2020. This report however which may be out of date has not been submitted in support of this planning application and is considered to be required. Therefore, I recommend that permission is not granted until the ecology report for the site is submitted and reviewed.

County Waste Management

No comments received

Southern Water

Southern Water have no objection to the above proposal.

Southern Water requires a formal application for any new connection to the public sewer to be made by the applicant or developer.

To make an application visit Southern Water's Get Connected service: developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on our website via the following link: southernwater.co.uk/developing-building/connection-charging-arrangements

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).

Website: southernwater.co.uk or by email at: SouthernWaterPlanning@southernwater.co.uk

Environment Agency

Environment Agency position

Given the substantial thickness of underlying low permeability strata beneath the site, it is highly unlikely that the activities proposed with the application will impact on the sensitive underlying confined aquifer.

As such we have no comments or condition requirements and no objection to the proposal as submitted.

Environmental Health

I have read the enclosed documentation provided by the applicant, including the noise assessment provided by Tetra Tech, dated September 2022, and can comment as follows:

The application is a proposal for a pair of replacement fire hydrants and a pump house which would be required in the case of emergencies.

It is noted from other related documentation provided, that a weekly test of the fire pumps and diesel motor system, is recommended by the supplier / manufacturer.

The acoustic consultant has concluded as follows: However, a separate assessment has been undertaken in accordance with BS8233:2014 where a noise intrusion assessment has been undertaken which considers the effects of noise with respect to sleep disturbance. In this emergency and testing scenario the criteria is marginally exceeded assuming a windows-open scenario, however still falls within the temporary guidance presented within BS 8233.

I have no objection in principle to this application, but having witnessed this type of testing in the past, I am aware that the noise generated can be invasive over a substantial distance. Therefore as it is likely the testing will take place only once per week, I would ask that the following condition be added to any positive decision notice:

Condition 1:

That the testing of the fire pumping station plant be carried out only during the working week i.e. Monday to Friday, between the hours of 09:00 to 17:00.

Reason: To minimise any adverse impact on nearby residential receptors.

Environmental Control Officer:

The application was briefly reviewed and resolved as 'no material comments to make' when I looked at APP/22/00895.

Hampshire Fire & Rescue

Description of Works:

HIWFRS understands that the project involves proposed replacement fire hydrant tanks and pump house with associated works and landscaping.

I confirm that Hampshire & IOW Fire and Rescue Service (HIWFRS) has received your application, dated 12 October 2022. The inspector named above has considered the information provided and has made the following comments:

Building Regulations: Access for Firefighting

Access and facilities for Fire Service Appliances and Firefighters should be in accordance with Approved Document B5 of the current Building Regulations.

Hampshire Act 1983 Section 12 – Access for Fire Service

Access to the proposed site should be in accordance with Hampshire Act 1983 Sect, 12 (Access to buildings within the site will be dealt with as part of the building regulations application at a later stage). Access roads to the site should be in accordance with Approved Document B5 of the current Building Regulations.

Fire and Rescue Services Act 2004

The following recommendations are advisory only and do not form part of any current legal requirement of this Authority.

Access for High-reach Appliances

High reach appliances currently operated by the HIWFRS exceed the maximum requirements given in Section 17 of the Approved Document B. When considering high rise buildings these variations should be considered as additions and incorporated as follows. Structures such as bridges, which a high-reach appliance may need to cross should have a maximum carrying capacity of 26 tonnes. Where the operation of a high reach vehicle is envisaged, a road or hard standing is required 6m wide. In addition, the road or hard standing needs to be positioned so that its nearer edge is not less than 3m from the face of the building.

Fire Protection

HIWFRS would strongly recommend that consideration is given to installation of an Automatic Water Fire Suppression Systems (AWFSS) to promote life safety and property protection within the premises.

HIWFRS is fully committed to promoting Fire Protection Systems for both business and domestic premises. Support is offered to assist all in achieving a reduction of loss of life and the impact of fire on the wider community.

Testing of Fire Safety Systems

HIWFRS strongly recommends that, upon commissioning, all fire safety systems are fully justified, fully tested and shown to be working as designed. Thereafter, their effectiveness should be reconfirmed periodically throughout their working lifecycles.

Fire-fighting and the Environment

Should a serious unsuppressed fire occur on the premises, the water environment may become polluted with 'fire water run-off' that may include foam. The Service will liaise with the Environment Agency at any incident where they are in attendance and under certain circumstances, where there is a serious risk to the environment, a 'controlled burn' may take place. This of course could lead to the total loss of the building and its contents.

Premises' occupiers have a duty to prevent and mitigate damage to the water environment from 'fire water run off' and other spillages.

Hampshire Highways

The Highway Authority notes that the proposed pump house is located in the north eastern corner of the site and does not impact on the layout or alignment of the access road, nor the car parking facilities. No objection is therefore raised to the proposed development.

Landscape Team, Havant Borough Council

From a landscape perspective we have no adverse comments, recommend to condition hard and soft landscaping.

Local Lead Flood Authority HCC

As this application relates to a site which is a commercial application less than 1 hectare in size and less than 1000m² floor space, we would consider this as a minor application and outside of our remit. However, please direct the applicant to our website

<https://www.hants.gov.uk/landplanningandenvironment/environment/flooding/planning> for further information on recommended surface water drainage techniques.

If you specifically need our advice on this application, please contact us. A fee may be charged for this service depending on the complexity of the site.

Also, please note that if the proposals include works to an ordinary watercourse, under the Land Drainage Act 1991, as amended by the Flood and Water Management Act 2010, prior consent of the Lead Local Flood Authority is required for this work. This consent is required as a separate permission to planning. Details can be found <https://www.hants.gov.uk/landplanningandenvironment/environment/flooding/changewatercourse>

Network Rail

Network Rail is the statutory undertaker for maintaining and operating railway infrastructure of England, Scotland and Wales. As statutory undertaker, NR is under license from the Department for Transport (DfT) and Transport Scotland (TS) and regulated by the Office of Rail and Road (ORR) to maintain and enhance the operational railway and its assets, ensuring the provision of a safe operational railway.

Due to the close proximity of the proposed development to Network Rail's land and the operational railway, Network Rail requests the applicant / developer engages Network Rail's Asset Protection and Optimisation (ASPRO) team prior to works commencing. This will allow our ASPRO team to review the details of the proposal to ensure that the works can be completed without any risk to the operational railway.

The applicant / developer may be required to enter into an Asset Protection Agreement to get the required resource and expertise on-board to enable approval of detailed works.

To start the process with our Asset Protection team, the applicant / developer should use the Asset Protection Customer Experience (ACE) system found on Network Rail's Asset Protection website (<https://www.networkrail.co.uk/running-the-railway/looking-after-the-railway/asset-protection-and-optimisation/>). This website also provides more information about our Asset Protection team and the services they offer.

Where applicable, the applicant must also follow the attached Asset Protection informatives. The informatives are issued to all development within close proximity to the railway (compliance with the informatives does not remove the need to engage with our ASPRO team).

Portsmouth Water Company

Further Comments

Portsmouth Water have reviewed the application and associated documents for APP/22/00895 and have no concerns regarding impacts to groundwater quality. Therefore, we do not recommend any planning conditions to be included on the planning permission.

Linesearch:

Please find attached the plan(s) showing the approximate position of water mains at the requested location.

Service connections are not shown but it should be assumed that all premises are supplied from the water distribution network. Other connections not related to properties, such as field supplies, may also exist so we would suggest a visual/CAT scan/Ground Radar survey is undertaken prior to any hand or mechanical excavation.

Safe digging practices in accordance with HSE publication HSG47 "Avoiding Danger from Underground Services" must be used to verify and establish the actual position of the mains, pipes, services and other apparatus on site before any mechanical plant is used. This documentation is available at <http://www.hse.gov.uk/pubns/priced/hsg47.pdf>

Copies of guidance notes: Working near distribution apparatus and Guidance for working near or over a Trunk Water Main are enclosed. Please read carefully as the conditions will apply to any work you undertake in the vicinity of Portsmouth Water assets.

It is important to ensure that a copy of the above guidance is provided to those undertaking any work which may affect our apparatus.

Please note Portsmouth water has no responsibility for any underground drainage or sewerage infrastructure. Enquires regarding these assets should be directed to the relevant authority/company.

Property Management (formerly County Estates Department) Hampshire County Council

No comments received.

Southern Electric (Linesearch)

We have sent you the plans of our network records within the area requested. You will shortly receive responses each of the following; any High Voltage Mains cables and Low Voltage Mains cables.

Attached to this email is the 'Guide to Interpreting' which includes the legends for the plans on pages 7-9.

If a Service Cable is not shown on our maps sent, and you require the Cable to be Traced, please contact the General Enquiries Department on 0800 048 3516 (option 3) or via email, ge@ssen.co.uk

If you need further information on our network in this area or a quotation for any required works, please contact the Connections & Engineering Department on 0800 048 3516 or via email, connections@sse.com

Southern Gas (Linesearch)

Please find an extract from our mains records for your proposed work area, any SGN assets are described in the map legend. On some occasions blank maps may be sent to you, this is due to your proposed work being in a no gas area but within our operational boundaries.

This mains record only shows the pipes owned by SGN in our role as a Licensed Gas Transporter (GT). Please note that privately owned gas pipes or pipes owned by other GTs may be present in this area and information regarding those pipes needs to be requested from the owners. If we know of any other pipes in the area we will note them on the plans as a shaded area and/or a series of x's.

The information shown on this plan is given without obligation or warranty and the accuracy cannot be guaranteed. Service pipes, valves, siphons, stub connections etc. are not shown but their presence should be anticipated. Your attention is drawn to the information and disclaimer on these plans. The information included on the plan is only valid for 28 days.

On the mains record you may see the low/medium/intermediate pressure gas main near your site. There should be no mechanical excavations taking place above or within 0.5m of a low/medium pressure system or above or within 3.0m of an intermediate pressure system. You should, where required confirm the position using hand dug trial holes.

A colour copy of these plans and the gas safety advice booklet enclosed should be passed to the senior person on site in order to prevent damage to our plant and potential direct or consequential costs to your organisation.

Safe digging practices in accordance with HSE publication HSG47 "Avoiding Danger from Underground Services" must be used to verify and establish the actual position of the mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all relevant people (direct labour or contractors) working for you on or near gas pipes.

It must be stressed that both direct and consequential damage to gas plant can be dangerous for your employees and the general public and repairs to any such damage will incur a charge to you or the organisation carrying out work on your behalf. Your works should be carried out in such a manner that we are able to gain access to our apparatus throughout the duration of your operations.

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: 64

Number of site notices: One

Statutory advertisement: Not applicable.

Number of representations received: 1

Comment	Officer Comment
I support the position of the ecology team i.e. permission should not be granted until the bat roost assessment has been updated. I have seen bats flying at dusk in summer, over my back garden, adjacent to the site.	Please see part (iv) of this report. The Council's Ecologist now raises no objection to the proposals.

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) Impact upon residential amenity
- (iv) Ecological Impacts

- (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. In this case the proposal is related to the warehouse/distribution centre and is understood to be needed in relation to fire risk. As the area is within an ecological area approved under the earlier consents the impact on ecology is assessed further below.

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

The proposal would result in the provision of two fire hydrants and a pump house. These would be two round tanks and a rectangular pump house. The tanks would be approx. 3.7m high to the main roof and a small valve access cover and ball float valve above. There would also be a ladder leading to the roof. The pump house would have a maximum height of approximately 3.2m. They would be finished in dark grey. To the east of the site is a line of trees outside the application site. It is considered that the proposed development would have a limited and acceptable impact on the character and appearance of the area.

(iii) Impact upon residential amenity

In relation to the impact on residential amenity, the nearest residential properties are located to the east of the railway line in Nutwick Road. These properties are located approximately 40m from the proposed development structures. There are considered to be two main issues in relation to impacts on neighbours, the physical impact of the structures and potential noise issues from the operation of the pump.

In terms of the visual impact given the relatively low height of the structures and the distance to the nearest residents (beyond the railway line) it is not considered that there would be any unacceptable impacts in terms of mass and bulk or overbearing.

In relation to noise, the application has been submitted with a noise assessment. This states:

As the fire hydrants and pump house are considered emergency plant, they are only likely to be in use for testing or emergencies and therefore are not considered to be an intrinsic part of the overall sound emanating from the premises and therefore fall outside the typical scope of BS4142. However, a separate assessment has been undertaken in accordance with BS8233:2014, where a noise intrusion assessment has been undertaken for the night-time L_{Amax} scenario, which considers the effects of noise with specific respect to sleep disturbance.

It continues:

The assessment presented in the tables above show that internal night-time L_{Amax} noise levels from proposed fire hydrants and the pump house with closed windows, would all be below the relevant noise intrusion criteria at all receptors and below the Lowest Observable Adverse Effect Level. With windows open, predicted noise level receptors at Nutwick Road to the east of the site, have the potential to slightly exceed the relevant guidance. However, given the emergency and temporary nature of this sound source and that this scenario is only likely to occur for very short periods of time through a year, this slight exceedance is considered to be of a negligible significance in accordance with Note 3 of BS8233:2014 which states these levels are based on annual average data and do not have to be achieved in all circumstances. This would include very temporary and emergency events.

Furthermore, Note 7 within BS8233:2014 states that where development is necessary or desirable, despite external noise levels above WHO guidelines, the internal target levels may be relaxed by up to 5 dB and reasonable internal conditions still achieved.

The application has been considered by the Council's Environmental Health Officers who whilst raising no objection note that noise from testing can be invasive and therefore require a condition on the timing of testing during weekday working hours only. This condition is recommended.

(iv) Ecological Impacts

In terms of Ecological Impacts, the previous applications for the warehouse/distribution use included this area of land as an ecological area. Notwithstanding the proposals the majority of the area remains available for ecological mitigation. The application includes an updated Ecological Impact Assessment and landscape masterplan. The area would continue to provide new planting, log pile refuge and hedgehog box, and native tree and understory planting.

The Council's Ecologist has confirmed that they have no objection to the proposal subject to condition.

8 Conclusion

- 8.1 The proposal is considered acceptable and is recommended for approval subject to appropriate conditions.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/22/00895 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 Hydrant Boundary Location Plan
7379-SMR-00-ZZ-DR-A-2301-S4-P1
Proposed Hydrant Boundary 7379-SMR-00-ZZ-DR-A-2302-S4-P3
Proposed Hydrant and Pump House Elevations
7379-SMR-00-ZZ-DR-A-2303-S4-P1
Landscape Masterplan Strategy Drawing No. LLD2077-LAN-DWG-010 Rev 09
Landscape Design Strategy Project Ref LLD2177-LAN-REP-001 Rev 07
Noise Assessment A118298 Rev 5 September 2022
Fire Pump Operation & Technical Data Manual
Ecological Impact Assessment LLD2177 Rev 04 dated 27th October 2022
Letter Lizard Landscape Design and Ecology LLD2174/ECO/GS dated 27th October 2022

Proposed replacement fire hydrant tanks and pump house with associated works and landscaping Fellows Planning Ltd 5th December 2022

Reason: To ensure provision of a satisfactory development.

- 3 Any testing of the fire pumping station plant shall only be carried out during the following times:

Monday to Friday between the hours of 09:00 to 17:00hours;
and at no other times including any Bank Holiday.

Reason: To minimise any adverse impact on nearby residential receptors having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 The landscaping works shown on the approved plans Drawing No. LLD2077-LAN-DWG-010 Rev 09 and detailed in Landscape Design Strategy Lizard Design and Ecology LLD2177-LAN-REP-001 Rev 07 shall be carried out in accordance with the approved details and in accordance with any timing / phasing arrangements approved or within the first planting season following final installation of the Fire Hydrant Tanks and Pump House, whichever is the sooner. Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 The development hereby permitted shall proceed in strict accordance with the ecological mitigation, compensation and enhancement measures detailed within the Ecological Impact Assessment LLD2177 Rev 04 dated 27th October 2022 and as shown in the Landscape Masterplan Strategy Drawing No. LD2177-LAN-DWG-010 Rev 09, unless otherwise agreed in writing by the Local Planning Authority. All ecological measures shall be implemented and installed in accordance with ecologists instructions and retained in a location and condition suited to their intended function.

Reason: To protect and enhance biodiversity in accordance with the NERC Act 2006, the National Planning Policy Framework, Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.