
Site Address:	Convenient Hire Ltd, Aston Road, Waterloo, PO7 7RH		
Proposal:	Demolition of existing commercial building and erection of replacement commercial building.		
Application Type:	Full Planning Permission		
Application No:	APP/22/00421	Expiry Date:	23/06/2022
Applicant:	Mr Owen A1 Loo Hire Ltd		
Agent:	Mr McConnell McConnell Planning	Case Officer:	Tina Pickup
Ward:	Waterloo		

Recommendation: **GRANT PERMISSION**

1 Site Description

The application site relates to an existing storage, maintenance and distribution centre for portable toilets, (a B8 use), located on the western side of Aston Road at the junction with Jubilee Road. Convenient Hire gained planning permission for the change of use in 2003 and operated from the site until 2021 when current applicants, A1 Loo Hire Ltd, acquired the business and site. There are currently 11 employees based at the site.

The main building on the site is a 1950's former dairy which is raised off the ground on a substantial concrete plinth. It has a lean-to-canopy along its west elevation, as well as eaves overhang creating a 'porch' along its east elevation. It is sited at the northern end of the plot, where there is some overgrown landscaping within a verge on the northern boundary, behind a green palisade fence fronting Jubilee Road.

Vehicular access to the site is taken approximately half way along the eastern boundary, off a spur of Aston Road, which is a dead-end with no through traffic to Jubilee Road. The southern half of the site is largely open and used for the outside storage of portaloos, toilet trailers, and the vehicles used for transporting the toilets. There is an additional open sided storage area along the western boundary, where any washing down of portaloos takes place in the northern corner of this outbuilding. The 2m high green palisade fencing, which includes solid infill panels, extends along the perimeter of the Aston Road and Jubilee Road boundaries, and screens the site. The site is set at a slightly lower level than the adjacent pavement and highway.

The site is located on the edge of an established industrial area, but within a mixed area due to its siting directly opposite the residential dwellings in Jubilee Road. To the site's immediate west is a further large industrial unit that also fronts Jubilee Road and the dwellings, with access taken off Aston Road to the south. It is thought this adjacent building is about 6m high.

2 Relevant Planning History

03/55366/006 - Change of use from milk depot to storage, maintenance and distribution centre for portable toilets/security fencing. Provision of parking overnight for storage of associated vehicles together with office accommodation in connection with the business.

Permitted 19 August 2003 with 11 conditions including hours (0700 - 1800 Mon - Fri and 0900 - 1300 Saturdays, none on Sundays or BHs); Cleaning of portable toilets only take place in "under cover wash down area/pit"; no trade effluent discharged to any surface water system etc

03/55366/007 - Erection of 2m high triple point top palisade fence (green) fronting Jubilee Road and Aston Road Permitted 18/11/2003

3 Proposal

Demolition of existing commercial building and erection of replacement commercial building.

- 3.1 The proposed new building would have a smaller footprint than the existing dairy, and sited in approximately the same position, but would be from natural ground level (ie the existing raised plinth would be removed). The new building would measure 25m x 12.75m with a height to ridge of 7.4m and would include a mezzanine level providing office space. It would be constructed of vertical metal cladding in light grey above a horizontal clad plinth in darker grey. The main roller shutter doors providing access to the building are proposed in the south elevation.
- 3.2 During the course of determining this application, a parking plan has been provided, showing the provision of 8 parking spaces and 4 cycle stands around the building.

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)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS2	(Employment)
DM10	(Pollution)
DM14	(Car and Cycle Parking on Development (excluding residential))
DM3	(Protection of Existing Employment and Tourism Sites)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

Listed Building Grade: Not applicable.
Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Building Control, Havant Borough Council

- 1) No public sewers shown within 3m of the building
- 2) Fire service access appears acceptable but will depend on design of access into site
- 3) The unprotected area formed by the West elevation should be considered to ensure acceptable for proximity to site boundary - Requirement B4

Southern Water

Formal application required for a connection to the public foul sewer
Surface water should be discharged in accordance with hierarchy of Part H3 of Building Regs; and encourage reuse for new developments.
Should any new sewer be found during construction, then investigation required to ascertain ownership

Economic Development

None received

Environment Agency

None received

Environmental Health Manager

Thank you for consulting the Pollution Team on the above application. Please note these comments relate to noise and dust only.

We have no objections to the proposal however, we would welcome more information about any external plant which may be installed as part of the redevelopment, including air handling units etc., which may give rise to problems at nearby residential properties. Where external plant is to be installed then it is likely that a BS4142 noise assessment will be required.

In terms of noise and dust from the demolition and construction we recommend a CEMP condition be attached in order to control hours/days of work, no bonfires, and measures for dust control.

Hampshire Highways

Due to the scale of the proposal and that there is no change to the vehicular access, HCC's standing advice should be referred to in the first instance. As a result, the Highway Authority will not provide detailed comments on this planning application. For more information on standing advice please use the following link: www.hants.gov.uk/transport/developers/consultation

Portsmouth Water Company

Site Setting:

The site is located within the Source Protection Zone 1c (SPZ1c) for an essential Public Water Supply Source. SPZ1c relates to subsurface activity only, where the Chalk aquifer is confined and may be impacted by deep drilling activities. Subterranean activities such as deep drainage solutions and/or piling may pose a risk to groundwater quality at the local public water supply source. The confined aquifer is of high sensitivity and consequently all measures to prevent pollution during and post construction are required in order to safeguard the local public water supply

Our Position

The Catchment Management Team have no adverse comments to make in regard to this application in its current form.

This is because the proposed Surface Water Drainage method is to the existing main sewer, and only shallow foundations are being proposed within this application.

Subsequently there are no subterranean activities being proposed that may penetrate the Clay and impact the confined principal Chalk aquifer.

However due to the sensitivity of the groundwater environment and the Brownfield nature of the site, we would wish to be consulted on any amendments to the final design and plans for the site.

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: 18

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 0

Comment	Officer Comment
None received	

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) Highways and parking
- (v) Drainage matters

(i) Principle of development

- 7.2 The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria. As a replacement industrial building the site would continue to be used for employment purposes and would make the site fit for purpose, and allow for a more efficient business operation. This accords with policies CS2 and DM3 and paragraph 81 of the NPPF which sets out that planning decisions "should help create the conditions in which businesses can invest, expand and invest."
- 7.3 The existing portaloos storage and distribution operating from the site is a lawful use, and controlled via extant conditions on 03/55366/006. This current application is for the replacement of the main building on the site only, and does not seek to vary the use in any way. However, to maintain control of the business operation, it will be necessary to repeat, and update as necessary, the relevant conditions on 03/55366/006 eg hours of operation, no trade effluent discharged to any surface water system etc.

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

- 7.4 The proposed replacement industrial building would be of typical metal clad appearance that is found elsewhere on the industrial estate to the south, west and east. At 7.4m high, from natural ground level, it would be higher than both the existing and the adjacent industrial unit, which is thought to be about 6m high. It would however maintain the existing separations to the side and northern boundaries and therefore be set back in the Jubilee Road street scene terms, compared to the adjacent unit. The existing boundary fencing and landscaped verge and a tree between the application site and the adjacent unit, helps to soften this corner and screen the site and activity from the houses opposite. This separation and screening would avoid the building appearing overbearing or enclosing to users of the adjacent highway.
- 7.5 It is acknowledged that the scale of existing buildings fronting Jubilee Road is two storey and this replacement building would be at least 1m higher. The length (25m) and width (12.75m) of the proposed building are however modest compared to the footprint of the adjacent unit which is some 79m long. It is the narrower width that would front Jubilee Road and the houses opposite, which are some 33m away. When viewing from the east, the majority of the building would be seen against the backdrop of the larger scaled unit behind, but project slightly higher. When viewing from the west, the set back behind the adjacent unit, and visual separation from being a corner site with the space provided from the junction, is such that the building would not be overly dominant.
- 7.6 On balance it is considered that the proposed siting, with separation to the boundaries and dwellings opposite, and presence of 2m high solid palisade boundary fencing, would help to mitigate the visual impact and appearance of the proposed building with additional height. Overall it is considered that the proposed industrial building is deemed appropriate in context to the site and its surroundings, and is therefore considered to be acceptable, meeting the requirements of Policy CS16 of the HBLP (Core strategy). It is considered that the scheme would not result in an adverse impact on the visual amenity of the locality.

(iii) Impact upon residential amenity

- 7.7 The use operating from the site will not change as a result of this development. The existing outbuilding along the western boundary of the site would remain. Most of the activity takes place in this southern yard, away from the dwellings in Jubilee Road, and the proposed roller shutter doors with main access to the building in the southern elevation, would continue with that operational management. The supporting information indicates that the proposal will not lead to an intensification of use of the site, and employment will remain at its current level. It should however result in a tidying up of the site, with more of the portaloos and trailer blocks being able to fit inside the new building for maintenance and storage.
- 7.8 The 2003 permission restricted any cleaning and washing out of portable toilets to within a defined covered area at the southern end of the existing building, adjacent a drain with suitable drainage. However the washing out and cleaning of the toilets actually takes place within the northern end of the outbuilding on the western boundary, to the same drain, and this function would remain in this position. The agent has confirmed that the toilets are emptied at the location they are used, and no effluent disposal takes place on the application site. Only some cleaning and maintenance takes place at the site, with the cleaning in the existing outbuilding and any maintenance in the new building ie not in the open yard area. This will continue to contain any odours or noise associated with the use to within the building and structures on the site. Hours of operation were also controlled in the 2003 permission to between 0700 and 1800 Monday to Friday; and 0900 and 1300 on Saturdays. These conditions should be repeated (& updated accordingly) to ensure the continued protection of neighbouring amenity they offer.
- 7.9 The building itself would have some windows facing the dwellings in Jubilee Road, but these would serve supporting office areas and not the main warehouse. With a separation distance of 33m any noise and disturbance from open windows should be negligible. The site layout and parking plan indicates that staff and visitor parking would be located around the boundaries of the site where adjacent the building, which would entail a one-way, single carriageway, drive route around the building. This however would not be new activity around the building - it was apparent at the site visit that there is existing hard surfacing around the building enabling trailers and portaloos to be moved and stored around this north and western side of the building. Any noise and disturbance from the use of the internal access route and parking near the edges of the site, would be no more intrusive than the maneuvering of portaloos and trailers in the same areas; and would be visually tidier.
- 7.10 Environmental health have noted the potential for noise and dust from the demolition and construction process. Given the significant raised concrete plinth that will have to be broken up and removed from the site, and the proximity of residential dwellings, then these concerns are considered valid, albeit short term during the construction process only. Any adverse impacts can be mitigated with appropriate conditions concerning hours of demolition/works and dust control.
- 7.11 Overall, it is considered that the proposed replacement commercial building, with conditions to maintain control of the existing use of the use, will not have any adverse impact on the amenities of the occupiers of properties immediately opposite the application site, meeting the requirements of Policies CS16 and DM10 of the HBLP (Core Strategy). It is noted no letters of objection were received with respect to the scheme.

(iv) Highways and parking

- 7.12 The access arrangements to the site remain unaltered, and having a purpose built unit with roller shutter in the south elevation will ease movements of portalos and trailers within the site. The use is not changing or intensifying and therefore the proposal will have no adverse impact on the highway network in terms of trip generation or highway safety.
- 7.13 Parking has been provided on site in accordance with the adopted Parking SPD i.e. 148sqm of office floor space triggers the need for 5 spaces; and 252sqm of warehouse floor space triggers the need for 3 spaces. The correct 8 spaces, one of which is a disabled space, together with 4 cycle stands, are shown on the plans. Therefore there is no objection to the highways and parking arrangements, which comply with policies CS16 and DM14 of the HBLP (Core Strategy).

(v) Drainage matters

- 7.14 The 2003 application considered in detail the potential effects of waste water/surface water etc from the use and its potential for pollution and imposed several regulatory conditions. As a proposal for a new building, not the use, then any relevant drainage matters from the construction of the building would be covered by Building Regulations. Neither Southern Water or Portsmouth Water have objected to the proposal, and it is considered that most of the previous drainage conditions are unnecessary to be repeated.

8 Conclusion

- 8.1 The replacement commercial building would enable an existing business to operate more efficiently from the site. There is national policy support for such development that supports businesses and local policy also supports the continued employment use of the site. It is considered that the proposed building, albeit higher than adjacent buildings, would not lead to any adverse effects on the character of the area or neighbouring amenity. With conditions maintaining control of the site, the development is recommended for permission.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/22/00421 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:

Location and Block Plan - Drawing Number 22-037/PL/01C
Proposed Floor Plans - Drawing Number 22-037/PL/05C
Proposed Elevations - Drawing Number 22-037/PL/06C
Covering Letter by McConnell Planning dated 21st April 2022
Ecological Impact Assessment by ACD Environmental dated 25/08/22

Reason: To ensure provision of a satisfactory development.

- 3 The hereby approved building shall be constructed at existing ground level as indicated on Drawing number 22-037/PL/06 Rev C. Any variation to this, or use of raised slab, shall first be agreed in writing with the Local Planning Authority with the submission of proposed finished floor levels relative to adjacent site levels.

Reason: To minimise overall height, in the interests of the visual amenity of the character of the area and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 The external materials used shall be as indicated on the submitted forms and hereby approved plans, or shall match, in type, colour and texture, those of the existing building so far as practicable.

Reason: In the interests of the amenities of the area and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 The hereby approved car parking, cycle stands and access arrangements shown on Drawing number 22-037/PL/05 Rev C shall be provided, marked out, and made fully available for use prior to the development being first brought into use and shall be retained thereafter for their intended purpose.

Reason: In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 6 Activity at the site in connection with the lawful use as a storage and distribution, B8 use, shall only take place between the hours of 0700 - 1800 Mondays to Fridays; and 0900 - 1300 on Saturdays, and not at all on Sundays or any Bank Holiday, except for the collection and delivery of vehicles which may occur outside of these times.

Reason: To protect the amenities of nearby residential properties and having due regard to policy DM10 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 7 Cleaning and washing of the portable toilets shall only take place within the existing outbuilding on the site adjacent the western boundary, or within the hereby approved new building on the site, and not in the open.

Reason: In the interests of the amenities of the nearby residential properties, and having due regard to policies DM10 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 8 No sewage or trade effluent (including vehicle/plant wash or vehicle/plant steam cleaning effluent), shall be discharged to any surface water drainage system.

Reason: To prevent pollution of the water environment, and having due regard to policies DM10 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 9 During the demolition and construction stage of development, no works or ancillary operations associated with any demolition, excavation, clearance and construction works at the site, which are audible at the site boundary, shall take place on any Sunday or Bank / Public Holiday, nor on any other day except between the following times: Monday to Friday: 08.00 - 18.00 and Saturday: 08.00 - 13.00. In addition appropriate measures such as regular hosing down, to control any dust emanating from the site during demolition and construction, shall be undertaken.

Reason: To protect the amenities of nearby residential properties and having due regard to policy DM10 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 10 No externally visible or audible plant, machinery or structures required for operational reasons, ventilation or filtration purposes shall be installed at the premises until and unless details of the external appearance and acoustic performance of the same have been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of neighbouring properties and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.