
Site Address: Former site of ICTS Limited, Solent Road, Havant
Proposal: Redevelopment of site to provide up to 948sq.m (gross internal) of Class B1c (light industry) and/or Class B2 (general industrial) and/or Class B8 use (storage and distribution) and/or Class A1 (retail), to include ancillary trade counters and Class B1a use (offices), with associated access, car parking and landscaping.
Application No: APP/16/00161 Expiry Date: 18/04/2016
Applicant: Hargreaves Properties Ltd
Agent: Miss Gunn Case Officer: Heather Lealan
 Rapleys LLP
Ward: St Faiths

Recommendation: **GRANT PERMISSION**

1 Site Description

Former site of ICTS Limited, Solent Road, Havant. The site consists the former ICTS building, (which is in the process of being demolished), and is located on the southern side of Solent Road. The site is predominantly laid to hardstanding with a mature and established evergreen hedge running alongside the western boundary, screening the site from the residential properties beyond which lie within the southernmost extremity of the Brockhampton Conservation Area. The site lies within a mixed commercial and residential area.

2 Planning History

95/56804/017 - Demolition of existing structure and erection of building for freight distribution and maintenance, and associated car and lorry parking.,

PERM,22/06/1995

94/56804/013 - Ground and first floor extensions to provide office/ storage accommodation., PERM,09/06/1994

94/56804/016 - Ground and first floor extensions to provide office and storage accommodation ancillary to use of site for industrial purposes (RESUBMISSION), PERM,19/01/1995

92/56804/002 - Change of Use to business (B1) use., PERM,30/07/1992

APP/11/00974 - Outline application for demolition of existing industrial building with ancillary showroom, offices and yard, and construction of a non-food retail store., REF,06/12/2011

APP/12/00504 - Outline Application for redevelopment of site to provide up to 948 sqm (gross internal) of Class B1c (light industry) and/or Class B2 (general industrial) and/or Class B8 use (storage and distribution), to include ancillary trade counters and Class B1a use (offices), with associated access and car parking., PERM,19/11/2012

APP/15/00965 - Reserved matters application for landscaping (Condition No. 2) of Outline Planning Permission APP/12/00504 together with discharge of conditions 3, 4, 5, 6, 7, 9, 10, 12, 15, 16, 17 and 18., PERM,02/11/2015

APP/15/01358 - Application to include Class A1 use on site. (Class B1c (light industry) and/or Class B2 (general industrial) and/or Class B8 use (storage and distribution), and Class B1a use (offices), already permitted under planning permission APP/12/00504)., UNK,

3 Proposal

Redevelopment of site to provide up to 948sq.m (gross internal) of Class B1c (light industry) and/or Class B2 (general industrial) and/or Class B8 use (storage and distribution) and/or Class A1 (retail), to include ancillary trade counters and Class B1a use (offices), with associated access, car parking and landscaping.

4 Policy Considerations

National Planning Policy Framework

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)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS20	(Transport and Access Strategy)
CS21	(Developer Requirements)
DM10	(Pollution)
DM13	(Car and Cycle Parking on Residential Development)
DM14	(Car and Cycle Parking on Development (excluding residential))
DM3	(Protection of Existing Employment and Tourism Sites)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)
DM9	(Development in the Coastal Zone)

Havant Borough Local Plan (Allocations) July 2014

HB2	(Havant and Bedhampton Employment Allocations)
AL1	(Presumption in Favour of Sustainable Development)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

Supplementary Planning Documents

Borough Design Guide

Residential Cycle and Car Parking Standards

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Tree Officer

Comments provided with regard to reserved matters application APP/15/00965 are still relevant and the submitted drainage/construction plans are acceptable with regard to protection of existing hedge/trees

Building Control

No planning comments. Structural frame to have fire resistance due to location

Comment - This is a matter for building control

Economic Development

Support the application and use of the site

Hampshire Highways

Defer comments to HBC engineers

Development Engineer

Confirmed that he is satisfied with the following approach;

Off-site parking provision within the blue line of phase1 and 2 Solent retail park.

Conditions to be applied to increase public realm enhancement for non-car users and condition type of A1 use to exclude food retail.

Traffic Management

The 19 spaces may not be sufficient without knowing final use classes.

Comment - A condition will be placed on the application regard type of A1 use and the parking areas in the ownership of the application will be included within the blue line of the application to demonstrate the level of off-site parking available.

Landscape Team

No adverse landscape comments

Planning Policy

Acceptable subject to suitable conditions restricting A1 uses (non-food) and improvements to public realm for non-car users within the blue line plan enclosing Solent Retail Park.

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: 13

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: None

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) Retail and employment issues
- (iii) Effect of development on the character of the area
- (iv) Effect on the amenity of neighbouring properties
- (v) Highway issues
- (vi) Environmental considerations
- (vii) Developer Contributions

(i) Principle of development

- 7.2 The application site lies within the built up area of Havant, to the west of the main town centre boundary, and in an area characterised by a range of commercial development together with the spur of residential properties along Brockhampton Lane. The site comprises previously developed employment land. Previous application for this site sought the clearance of the existing structures and the provision of a modern building with car parking and access provision for B1, B2, B8 uses with ancillary trade counters. This application accords with the previously approved site layout and general appearance of the proposed building but seeks to extend the range of permitted uses to include A1.
- 7.3 In general terms, such redevelopment of an existing urban site is in accordance with Policy CS17 of the Local Plan, and the application can be seen as an economic development proposal which is expressly encouraged by the NPPF and the Council's strategic policies to promote economic growth in the Borough. However, consideration must be given to the land use principles involved in this case, and these are explored below.

(ii) Retail and employment issues

- 7.4 The application site lies outside of the existing town centre boundary. Consequently the application falls to be determined as a proposal for a town centre retail use, comprising comparison floorspace, in an edge of centre location and in such circumstances the NPPF contains clear policy guidance whereby a sequential test should be applied for retail uses to secure their location in town centres wherever possible, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre, with the need for flexibility on issues such as format and scale. Assessments are required of the impact of such proposals on town centre vitality and viability.
- 7.5 The application is supported by a Sequential Assessment which concluded that there are no sequentially better sites in either Havant Town Centre or Leigh Park District Centre. After assessing the impact on the vitality and viability on the Town Centre, the essential conclusions that can be drawn from this and other recent retail permission with the Solent Retail Park area are:

(i) the Primary Shopping Area of Havant should be regarded not only as the traditional primary and secondary retail frontages in the historic town centre, but should also be regarded as now including the more recent, larger format premises at Solent Retail Park and Tesco, which lie directly adjacent to the application site and which therefore provide the site with a high degree of connectivity to the Primary Shopping Area;

(ii) in terms of connectivity to the traditional town centre, this application site is linked to the wider Solent retail park as it falls within the same ownership, as demonstrated by the submitted blue line plan. The wider site makes provision for a signage zone across the site and directions to the town centre.

(iii) The level of parking proposed is appropriate; given the land uses and occupiers envisaged, and the sites relationship to the wider retail park and that the sites redevelopment will deliver sustainable economic development, to the benefit of the Borough.

(iv) in terms of retail impact on the existing town centre, it is recommended that a

condition to limit the type of uses to bulky goods be applied

- 7.6 The site is identified as part of a wider employment site, BD16, within the adopted allocations plan. Policy BD16 identifies that the site is within walking distance of Havant Bus Service and Train Station. The policy include provision for development of showrooms with trade counters and it is considered that the following condition will ensure that this site will accord with this provision,

Use Class A1 floorspace within this development shall only be used for the sale of DIY products (including materials and accessories) and home improvement, gardening and outdoor activities, furniture including hard and soft furnishings and fabrics, carpets and floor coverings, motor vehicles and cycles, electrical goods, office equipment and supplies; in each case to include associated products and ancillary items and accessories, unless otherwise agreed with the Local Planning Authority.

The policy states that it must be demonstrated that these facilities cannot be accommodated with Havant Town Centre and to this regard an acceptable sequential test has been submitted that demonstrated that there are no sequentially better sites in Leigh Park or Havant Town Centre

(iii) Effect of development on the character of the area

- 7.7 The effect of the development on the character of the area has been considered during outline application APP/12/00504, the building form and general design remain the same. The application proposes a modern contemporary structure and the overall site layout is considered to be legible to visitors and will regularise the architectural and landscaping treatment of this part of Solent Road.
- 7.8 The detailed layout and design of the site is considered to appropriately acknowledge the adjoining land uses.
- 7.9 The layout of the car park incorporates adequate provision for landscaping to soften the hard surfaced character of this part of the development, and also allows for lighting and cycle parking as appropriate within the layout.

(iv) Effect on the amenity of neighbouring properties

- 7.10 The development site is bounded by commercial development, in the form of retail and employment premises, on its southern, eastern and part northern frontages, and the direct impact of the development here is likely to be felt in terms of its general character (discussed at (iii) above) and highway/traffic generation alone (discussed at (v) below). To the west of the site lie the residential properties at Nos. 6 - 26 Brockhampton Lane, with a further spur of residential properties (No.27 onwards) to the south west on the other side of Solent Road. Both sets of properties lie within the Brockhampton Conservation Area, and the impact on the amenity of these properties in conservation and residential amenity terms needs to be taken into account in determining the application.
- 7.11 The impact of the new building was established as acceptable under outline planning consent APP/12/00504. The new building is sited an acceptable distance (c. 16m) from the rear of the nearest residential properties (Nos.27-39 Brockhampton Lane) therefore the siting of the new building is such that it is unlikely to appear overbearing. The retention of the evergreen hedge along the western boundary of the site to a minimum of 4m and a maximum of 6m will assist to soften the impact of the

development.

(v) Highway issues

- 7.12 The application is supported by a Transport Note which assesses the transport implications of the development in terms of its impact on the local highway network, the access arrangements to the site, and the parking and servicing provision.
- 7.13 As identified within the allocation plan the development site is located in a sustainable area with regular public transport services to the town centre and wider Havant area. The site is also located near to Solent Retail Park and Tesco's. The Transport Note identifies that, using the car parking standards as set out in the SPD, the development would require 47 spaces. Whilst this provision of 19 spaces is below the minimum parking requirements, consideration has been given to the accessibility of the site by sustainable modes of transport, and its proximity to the town centre and the retail parks located on Solent Park. The SPD notes that car parking provision can be reduced where a site is located less than 800m from the centre of the town and where the site lies within the town centre boundaries. The site is located within a sustainable area close to the town centre and within a 500m walking distance of public transport services. A blue line has been submitted that identifies land within the applicant's ownership which demonstrate that the site is part of a wider retail provision that will likely provide linked trips with the adjacent units.
- 7.14 It is considered that it is appropriate to require public realm enhancement for non-car users within the blue line of the site given the reliance of the Transport Note of the sustainable location of the site to public transport networks and the town centre. Whilst it is within walking distance, this distance is still such that facilities for seating and further cycle hoops within the retail park will make the development more acceptable in terms of accessibility and sustainability.
- 7.15 The revised access arrangements have been determined as acceptable within the previously permitted outline application for the site, and agreed through a S278 Agreement with Hampshire County Council.

(vi) Environmental considerations

- 7.16 The application is accompanied by a number of technical reports which address the implications of the development for dust mitigation, air quality and land contamination issues. The Council's Environmental Health officers have examined the submitted information and have concluded that the development is acceptable in these terms subject.

(vii) Developer Contributions

- 7.17 The proposal is subject to financial contributions relating to the Community Infrastructure Levy (CIL) if an A1 use is implemented as the site lies outside of the Town Centre. There cannot be CIL relief for existing buildings and the previous building within the site has been demolished as the previously permitted 2012 scheme was going to commence. The necessary CIL forms have been completed by the applicant .

8 Conclusion

- 8.1 This application for the redevelopment of the site represents a significant economic development proposal which, in the context of existing Local Plan policies and the Allocations Plan, can be supported.. The design and layout of the new building is appropriate, having regard to adjoining built forms and land uses. Environmental considerations have been appropriately addressed through the provision of a number of specialist reports.
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9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/16/00161 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 Compulsary Purchase Act 2004.
- 2 Any proposal relating to the installation and operation of potential noise creation equipment (manufacturing plant, refrigeration units, air conditioning, extract ventilation equipment and so forth) shall be agreed and approved in writing by the Local Planning Authority prior to any such development taking place.

N.B. Noise resulting from the use of any/all plant, machinery or equipment shall not exceed a level of 5dB(A) below the existing background level (or 10dB(A) below if there is a particular tonal quality) when measured according to British Standard BS4142-1997.

Reason: In the interests of protecting local residents from unreasonable noise levels which would be detrimental to the residential character of the area, and having due regard to Policy DM10 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework.
- 3 Unless otherwise agreed in writing with the Local Planning Authority deliveries of goods in connection with the Class B1, B2, B8 and/or A1 uses hereby approved shall only be taken and/or dispatched from the site between the hours of 07:00 hours – 21:00 hours Monday to Saturday and 10:00 hours – 17:00 hours on Sundays and recognised public Holidays.
Reason: In the interest of the amenities of occupiers of nearby residential properties and having due regard to Policy DM10 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework.
- 4 The landscaping works shown on the approved plans [ref. 148-100 101 P revA] shall be carried out in accordance with the approved details and in accordance with any timing / phasing arrangements agreed, or during the first planting season after completion of the development, 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, unless the Local Planning Authority gives its consent in writing to any variation.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs and having due regard to policies CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 The car parking, cycle provision, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be 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 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, the total amount of floorspace in the building hereby approved shall not at any time exceed the amount shown for the building on the approved drawings.

Reason: To safeguard the adequacy of the associated vehicular parking provision and having due regard to policy DM13 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework.

- 7 There shall be no external lighting on the site other than as hereby approved.

Reason: To safeguard the amenities of the locality and in the interests of traffic safety and having due regard to policies CS16 and DM10 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework.

- 8 With the exception of waste materials stored within the designated waste container area, no article of any description shall be manufactured, assembled, altered, repaired or stored outside the building hereby approved.

Reason: In the interests of the amenity of the area and having due regard to policies CS16 and DM10 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and National Planning Policy Framework, March 2012.

- 9 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no additional windows / doors or other openings shall be constructed within the west elevation without the prior written approval of the Local Planning Authority.

Reason: In the interests of the amenities of the occupiers of nearby properties and having due regard to policy CS16 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and National Planning Policy Framework, March 2012.

- 10 Notwithstanding the provisions of any of the foregoing conditions, the hedging along the entirety of the western boundary as shown coloured green on the site plan hereby approved shall be retained and managed at a height of not less than 4m and not more than 6m, unless an alternative scheme of screen planting is first agreed with the Local Planning Authority. The hedge shall be protected from damage for the duration of the works on the site by the erection of a 1.2m minimum height chestnut paling fence to BS 1722 Part 4 standard securely mounted on 1.2 m minimum height timber posts driven firmly into the ground. Any parts of hedge removed without the Local Planning Authority's consent or which die or become, in the opinion of the Local Planning Authority, seriously diseased or otherwise damaged within five years following contractual practical completion of the approved development shall be replaced as soon as is reasonably practicable and, in any case, by not later than the end of the first available planting season, with plants of such size and species and in such positions as may be agreed with the Local Planning Authority.

Reason: To safeguard the amenities of the locality and occupiers of adjoining properties, and having due regard to policies CS11 and CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and National Planning Policy Framework, March 2012.

- 11 Use Class A1 floorspace within this development shall only be used for the sale of DIY products (including materials and accessories) and home improvement, gardening and outdoor activities, furniture including hard and soft furnishings and fabrics, carpets and floor coverings, motor vehicles and cycles, electrical goods, office equipment and supplies; in each case to include associated products and ancillary items and accessories, unless otherwise agreed with the Local Planning Authority.

Reason: In the interests of the viability and vitality of Havant town centre in particular and to secure the adequacy of car parking to serve the new development and having due regard to policies CS4 and DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 12 No part of the development shall be first occupied until details of public realm improvements for non car users within the application site and/or the adjoining site as shown within the application blue line have been submitted to and approved in writing by the Local Planning Authority. The approved public realm improvements shall be installed prior to first occupation unless otherwise agreed in writing with the Local Planning Authority and shall thereafter be retained.

Reason: In the interests of highway safety and the viability and vitality of Havant town centre in particular and having due regard to policies DM13 and CS4 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

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

Site Location Plan Drwg.No 148-100-102 P received 12 February 2016
Solent Park Whole Site Plan P02 rev J received 15 April 2016
Hard and Soft Landscaping Plan Drwg.No 148-100-101 P rev a (revised)
received 15 April 2016

Additional Plan - External Works Details Drwg.No 146-300-109 rev C received
12 February 2016

Drainage Plan Drwg.No 148-100-105 P received 12 February 2016

Elevations and Section including Materials Specification Drwg.No 148-100-300
received 12 February 2016

Dust Assessment and Mitigation Measures received 12 February 2016

Reason: - To ensure provision of a satisfactory development.