
Site Address:	Units 7, 8 and 9 Kenwood Business Park, New Lane, Havant, PO9 2NT		
Proposal:	Retention of storage and loading canopies around entrances to Warehouse Units 7, 8 & 9 until 31 December 2015.		
Application No:	APP/13/00917	Expiry Date:	07/11/2013
Applicant:	Syncron Automotive (UK) Ltd	Team:	Team 1
Agent:	Weston Allison Wright	Case Officer:	Heather Lealan
Ward:	St Faiths		

Recommendation: **GRANT TEMPORARY PERMISSION**

1 Site Description

- 1.1 Kenwood Business Park comprises approx 20,785 square metres of accommodation. The units subject of this application are units 7, 8 and 9. These units are used for warehousing and distribution of vehicle parts.
- 1.2 Canopies have been constructed to the rear of these units to extend the available floor space to allow for the temporary storage of pallets and storage boxes before they are taken away for re-use.
- 1.3 To the east of the site directly adjacent to the canopy structures is Fourth Avenue and a number of residential properties back onto the site. The closest dwellings are in excess of 30m away from the canopies.

2 Planning History

2953 (series) -

the use of land at New Lane, Havant for industrial development
Permitted April 1954 - No hours of working/ sound conditions were attached to the original permission or any later planning permission on this site.
(14051 series, 23102 series, 54846 series are all additional to the original planning permission)

APP/11/00187

Retention of storage and loading canopies around entrances to warehouse units 7, 8 & 9 for a period of 24 months - permitted for a temporary period; this permission has since lapsed.

3 Proposal

- 3.1 Retention of storage and loading canopies around entrances to Warehouse Units 7, 8 & 9 until 31 December 2015.
- 3.2 The canopies are not fixed to the units or to the ground. The footings comprise interlinked concrete blocks each weighing 2.4 tons which stand on the existing yard surface. The external elevations of the original units remain unaltered.

4 Policy Considerations

National Policies

The National Planning Policy Framework 2012

Havant Borough Local Plan (Core Strategy) 2011

CS16 (High Quality Design)

CS2 (Employment)

DM10 (Pollution)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Environmental Health

I have no objection to the application provided the Noise Management Plan in Appendix 1 is fully implemented and a satisfactory implementation date (within a reasonably short period) is inserted where left blank in the submission.

Comment - The Noise Management Plan has already been implemented as confirmed by email from agent 6 November

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: 46

Number of site notices: One

Statutory advertisement: Not applicable.

Number of representations received: 1

Summary:

- 6.1 Since the erection of the canopies high increase in noise from reversing of forklift trucks, loading and unloading, people shouting instructions and general vehicle movements on site day and night. Drivers of lorries often run their diesel engines all night as the drivers sleep in the cabs and the vibration and low pitch of the large engines running for hours on end impacts neighbouring residential occupiers amenities. **Comment:** These are matters for site management and not under direct consideration of this planning application, as the use of the yard for servicing cannot be prevented. Furthermore it should be noted that the representation has been received from residents in Eastern Road, whose property does not lie adjacent to the canopies in question (the canopies instead face properties in Fourth Avenue, from which no objections have been received to this application).

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) Effect on residential amenity
- (iii) Effect on the character and appearance of area

(i) Principle of development

7.2 It is considered that this proposal is acceptable in principle. The units are located in an established industrial business park and the enhancement of the existing units to meet the business needs of the occupiers is in accordance with the general objectives of local plan policy CS2.

7.3 The canopies are a temporary structure and as such are not constructed in a manner that would be sufficient for a permanent structure. The application for their retention is expressly requested until 31 December 2015 only. It is considered any planning consent should condition this period; this will allow for the appearance of the canopies and the effectiveness of the noise management plan to be assessed.

(ii) Effect on residential amenity

7.4 With regard to the previous planning application six neighbour objections were raised with regard to the noise, smells and fumes of the operation associated with the use of the canopies. This revised application has received one letter of objection. Recently the applicants have undertaken a meeting with the adjoining neighbours and opened up a communication channel for their concerns to be addressed. This should allow for improved management of the site; as some of the issues that the neighbours previously had concerns about, and indeed the current objection letter refers to, are more general site management issues, although some noise emissions are specific to the unloading and loading within the canopies. Environmental Health Officers (EHO) have been involved in a number of meetings both off and on site with the applicants and the case officer in regard to improving the issue of noise. The EHO has requested that a Noise Management Plan be submitted, and in this regard a plan has been submitted with the application and deemed acceptable by the EHO who then raised no objection to the planning application on the grounds that the measures proposed within the Noise Management Plan were conditioned to be implemented; the agent has confirmed that it already has been. Furthermore, it is not considered that the application could be refused on the grounds of noise and smells from general activity on this established industrial site. Further complaints regarding staff shouting and general noise within the site are not a consideration of this planning application, but would be an Environmental Health issue regarding the future general management of the site.

7.5 Residents have also raised objection to the hours of operation within the site. However, no hours of working were conditioned on the initial planning permission for the site and therefore it is not possible now to restrict the operation of the general site. However, as part of the noise management plan the applicant has stated that the site is operational from 06:00 to 23:00 on Monday to Friday, and, although the operation of the site cannot be conditioned, it is considered appropriate to condition the deliveries to the new canopies to the hours as listed within the noise management plan.

(iii) Effect on the character and appearance of area

7.6 The appearance of the canopies is in keeping with the general industrial nature of the

business park. The canopies are visible from the adjacent residential properties but then so are the established units of the business park. To this regard, it is considered that the appearance of the canopies are not visually detrimental to the outlook of nearby residential properties given their immediate context and siting as part of a business park.

8 Conclusion

- 8.1 It is considered that the retention of the canopies is acceptable if the use of the canopies is in accordance with the submitted noise management plan. It is not considered that the construction of the canopies is acceptable for a permanent structure and to this regard it is recommended that temporary planning permission is permitted for a period until 31 December 2015, as requested by the applicants, subject to planning conditions.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **GRANT TEMPORARY PERMISSION** for application APP/13/00917 subject to the following conditions:

- 1 This permission shall be for a limited period expiring on 31 December 2015, on or before which date the canopies shall be permanently removed from the site unless the prior written consent of the Local Planning Authority has been obtained in writing for a further period.
Reason: The canopies are of a type not considered suitable for permanent retention and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework, March 2012.
- 2 The retention and use of the storage and loading canopies hereby permitted shall be carried out strictly in accordance with the submitted Noise Management Plan, specifications and written particulars for which permission is hereby granted or which are subsequently submitted to, and approved by, the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.
Reason: To safeguard the amenities of occupiers of the adjacent residential dwellings and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework, March 2012.
- 3 The deliveries to the canopies hereby permitted shall not commence before 06:00 hours or continue after 23:00 hours on Monday to Saturday or at any time on Sunday or any recognised Public Holiday.
Reason: To protect the amenities of nearby residential 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, March 2012.
- 4 The development hereby permitted shall be carried out in accordance with the following approved plans:

Design and Access Statement including Appendix A, Noise Management Plan received 12 September 2013

Business Impact Report prepared August 2013 received 12 September 2013

OS Site Plan License number 100020449 received 12 September 2013

Plans & Elevations Existing & Proposed drwg.no 3023/001 rev. N received 12 September 2013

Reason: - To ensure provision of a satisfactory development.