

DELEGATED OFFICER REPORT

Site Address:	Wartsila 4 Marples Way, Havant, PO9 1NX		
Proposal:	Retrospective application for erection and operation of dust extraction system.		
Application Type:	Full Planning Permission		
Application No:	APP/23/00127	Expiry Date:	17/05/2023
Applicant:	Mr I Bailey		
Agent:	Ms E Pywell	Case Officer:	Kayleigh Taylor
	CBRE		
Ward:	St Faiths		

Recommendation: **GRANT PERMISSION**

1 Site Description

This application site comprises the Wartsila factory which is an industrial building located on the north side of Marples Way, Havant. The flat-roofed, two-storey unit is clad in blue-grey profiled cladding with steel-framed windows and doors. The site also comprises a car park to the western side where the flue is located. To the north of the site is a residential housing estate and to the west are fields. The fields to the west are subject to a pending outline planning application for up to 120 dwellings (ref: APP/22/00669), which members resolved to grant planning permission subject to nitrates mitigation, a completed S106 and conditions at planning committee on 13/03/2025. At the time of writing this report these matters are yet to be resolved and so no decision notice has been issued.

2 Planning History

APP/19/00121 – Refurbishment of existing warehouse and office building including redecoration of existing cladding, replacing existing windows with new and providing new glazed lobby and entrance feature to office main entrance. Alteration to external hard/soft landscaping to office entrance. Permitted 20/03/2019.

APP/18/01140 - Erection of industrial extension adjacent to existing building and new window to West elevation., Permitted,17/01/2019

APP/13/00582 - Erection of new industrial storage unit., Permitted,06/08/2013

08/57714/005 - Extension to existing building to be used for engineering and storage. , Permitted,12/11/2008

00/57714/004 - Erection of 8 metre high Flagpole to South East of building together with associated flag, Permitted,02/10/2000

99/57714/003 - 1 non-illuminated sign to east elevation, Permitted,02/08/1999

92/57714/000 - Erection of 600mm diameter microwave antenna and pole, fixed to roof of building in accordance with drawing BSG/92/0029, Permitted,21/10/1992

92/57714/001 - Extension to west elevation., Permitted,09/11/1992

2 Proposal

Retrospective application for erection and operation of dust extraction system.

Officer comment: During the course of the application the description of development was amended to 'Retention and alteration of existing dust extraction system' in response to Environmental Health comments and discussions. The description has now been reverted back to the original description following the final set of comments from the Environmental Health Officer as set out below.

4 Policy Considerations

National Planning Policy Framework 2021
Havant Borough Council Borough Design Guide SPD December 2011
Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

CS2 (Employment)
CS16 (High Quality Design)
DM10 (Pollution)

Havant Borough Local Plan (Allocations) July 2014
AL1 (Presumption in Favour of Sustainable Development)

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

5 Statutory and Non Statutory Consultations

County Minerals

No comments received

Environmental Health – Air Quality

Original comments dated 6th December 2023 (summarised by officer full comments on the file):

The principal issues are that;

- The duct outlet has been modelled as a single 'stack'. Use of model defaults would likely be tailored to a vertical, and so vertically discharging- stack (where the efflux temperature and velocity would probably translate within the model into vertical distribution), this contrasts with the photos of the installation, which shows two horizontally discharging ducts. The absence of detail within the report means that we are not capable of judging whether the modelled dispersion is remotely comparable to the dispersion behaviour in the real-world (as installed, in use).

- This notwithstanding, perhaps unsurprisingly the largest modelled uplift to particulate concentrations is at the closest modelled receptor. However, the modellers chose not to include the residential receptors closest to the flue(s) in the cohort of modelled receptors. Giving the benefit of doubt, this was perhaps done for understandable reasons (with respect to prevailing wind conditions-), however given that one of the horizontal flues discharges at the southwest corner of the Wartsila Building, at an active velocity of 13 m/s, at a height approximating to the upper floor habitable rooms of the nearby residences, that the mass of the building has been accounted for, and that the modelled receptors are on the north and east of the building, with the closest modelled receptors arguably within the 'shadow' of the Wartsila building (in contrast to the omitted dwellings at 5-13 Abrams Way)

We are not able on the basis of the submitted report to judge whether or not the model output should be reasonably taken to be representative of the worst case exposure which was the reason for raising concern about the emissions. Were we able to say that the results were representative, I would be able to agree that the results are not a cause for concern, and I could support a positive determination on emissions grounds.

Additional information requested from the applicant.

Further comments received 15/02/2024 following additional information (summarised by officer full comments on the file):

The agent's response / updated Alkali air quality assessment report (AQA) is relatively light-touch, it clarifies some of the specific queries raised, but has also not taken the opportunity to address some of the concerns raised previously – in particular the update does not address:-

- uncertainty in the reference emission – i.e. the magnitude of expected variability in emissions rates for either the reference feedstock (e.g. during a production process), or through a range of example (anticipated) feedstocks
- the expected composition of TPM emissions (in terms of particle size range) as a function of the filter efficiency & feedstock (e.g. as %<2.5µm, 2.5-10µm, etc.)
- the triviality of difference between modelling the source as a vertical stack, in comparison to modelling it as a directional discharge (as installed), through empirical or narrative qualification of a *prima facie* statement
- the interaction between the various available health-based guidelines, and their applicability to the results in a planning context.

It is not clear whether a more appropriate ADMS module-, or an alternative modelling package might be capable of better representing the emission scenario – however **it probably is more appropriate as a first step to consider whether seeking more representative modelling would be proportionate in the first place, or whether we might be able to reach a determination based upon the uncertain, but still useful, results that we have represented in the AQA.**

I am aware that of the WHO advice is that non-trivial-, and non-threshold-, health-impacts may arise where 24hr average PM_{2.5} exposures of 15 µg/m³ or more are experienced on more than (just-) 4 days per annum. Bearing in mind that the annual average ambient background level (which excludes this development) is expected to be >10 µg/m³, this harm is the principal driver for the policy concern – i.e. the risk of a meaningful accumulation of short-term harms at the closest receptors, recognising that these are also the receptors for which the modelled impact (under the CSM implemented in ADMS) is least-likely to be representative.

This has led me to investigate the context of the latest regulatory standards (SI 96/2023), which set a long term annual average objective & population exposure reduction target for PM_{2.5}, notably omitting a short term (24hr average) exposure objective, in contrast to existing limits for PM₁₀.

Considering SI 96/2023 against the WHO guidelines, the question is how to balance the differences under the applicable planning policy (summarised below);

- DM10 *'Development that may cause pollution of ...air will only be permitted where... 1. The health ..of... nearby occupiers and residents is not put at risk.'* and;
- the principles of NPPF 2023 para. 180 e) [decisions should] *'prevent[ing]... existing development from ...being put at unacceptable risk from, or being adversely affected by, unacceptable levels of ...air, ...pollution'*

Recent advice from COMEAP (committee on the medical effects of air pollutants) and AQG (air quality expert group) is helpful in answering this question. In short, the COMEAP assessment acknowledges the likelihood of harm arising from cumulative short-term exposures, but highlights uncertainty in the magnitude of these associations and emphasises the stronger associations between adverse health outcomes and long-term average exposure.

In planning terms, given the uncertainties associated with the representativeness of modelling for short-term exposures (in the AQA), especially for the closest receptors; we must strike an appropriate balance which acknowledges the new source of particulate pollution and it's non-threshold health effects.

It is clear from the epidemiological discussion & UK regulatory framework that it would be disproportionate to object to this development outright on Air Quality grounds.

There might however be policy support for a conditional restriction on operating hours to limit exposures. Options might include;

- Limiting operational period within in any 24 hr period (to limit elevated daily mean concentrations arising on any given day, whilst enabling an operational flexibility as to the timing of production runs within any given day)
- Limiting annual operational hours only (to limit increases to annual exposures, and to limit the number of daily mean exposures >15 µg/m³; offering greater operational flexibility at the cost of reduced protection for local residents-)
- Hybrid limits – e.g. both daily & total annual operational hours, with a number of allowable exceedance days (e.g., <12hrs/day, <4380 hrs/annum, <10 days where daily operation exceed 12hrs; etc.)

Alternatively, the LPA could take the view that the anticipated harms are- (with reference to the applicable epidemiological advice and structure of the UK statutory limits-) 'acceptable harms', for which (under the applicable planning policy-) the small group of the closest residential receptors are not entitled to protection. There is of course precedent for this approach in similar contexts within the permitted development rules and building regulations, and it is notable that the NPPF para. 180 e) includes the term 'unacceptable-' (risk/levels).

I see this as a policy decision which would necessarily fall to the development management service. To my reading, based upon the evidence submitted in support of this application; both alternative approaches have some policy support (i.e. a conditional restriction to protect nearby residents, or to determine the application unconditionally on the basis of the balance of harms vs. benefits). Arguably the wording of the existing local policy is stronger than the national, but it is probably appropriate to read the DM10 reference to 'risk' as being aligned with the concept of 'unacceptable risk'.

It is probably also worth highlighting that monitoring and enforcement difficulties associated with a restriction might render any conditional restriction largely symbolic, and this might weigh on the approach chosen. Similarly, the content of the 2023 Air Quality Strategy (and its implicit principles-) are probably relevant, insofar as it's emphasis on control of large scale emissions, appliance emission limits, and enforcement of *existing* air quality controls – notably not advocating for reduction of emissions from activities or processes that fall outside of these controls.

Whilst I have some misgivings about over-reliance upon the (accuracy & representativeness of the-) modelling output presented in the AQA, and the uncertainty in terms of the reference emission level; I am not sufficiently convinced of the likely magnitude of harm as to feel comfortable to make a specific recommendation purely on health grounds. Some consideration of the wider benefits of the development is appropriate.

Further comments received 17/07/2024 following submission of further information after meetings with the applicant and Environmental Health Officer to seek further clarity, where it was understood that the flue would be operational 24/7 (summarised by officer full comments on the file):

I have now found opportunity to review the revised Alkali Environmental Air Quality Assessment, Ref: AQ1047 05/04/2024 ('the 2024 AQA').

The report is an update of previous versions, and so supersedes previously submitted documents ('the 2023 AQA'). The purpose of the update is to action the Council's request for consideration of the discharge emission as a directional source, as built. However, opportunity has also been taken to update the model against 2024 background pollutant concentration estimates, and to present a refined operational hours modelled scenario in addition to the very conservative 24/7/365 scenario previously presented.

The results of the revised assessment have substantially revised-up the process contribution under all scenario's. Broadly as expected, considering the plant emission as a horizontal jet source returns less-favourable estimates than does the vertical emission scenario's. This is expected to be compounded-, rather than mitigated-, by building effects that could not be accounted for in the model.

No existing/in-force statutory limits are breached as a result of the addition of development emissions. The same is likely to be true in 2028, when the interim target is to be met, although at this time exposure at the nearest receptor is expected to be around 92% of the target level, with the process contributing around 7.5% of the total pollutant exposure at the worst affected location (modelled). This contribution could in principle be reduced to around 5% through modification of the existing installation to discharge vertically.

The limit value which applies in 2040 is more challenging, with overall (PEC) compliance being less certain, and with the development process contributing a more significant proportion to local exposures. It should be borne in mind that the 2040 limit value is still double the current health-based guideline, above which it cannot be said that we can expect no harm to be likely to arise.

For the policy reasons, I believe there to be support for seeking to secure an optimisation of the existing emission to reduce exposures.

Considering all of the available mitigation options (tertiary abatement, upgrading filtration, modifying the plant exhaust, or limiting operational hours in various ways), it is considered that modification of the exhaust stack to discharge vertically would probably represent the best balance – it is a passive measure that once complete requires no further management or monitoring, is unlikely to pose any planning enforcement issues, and is likely to represent reduced-cost relative to other physical abatement solutions.

Whether this needs to be sought ahead of determination, or whether it may be secured as condition of a positive determination will be a planning judgement. I would be able to support a positive determination under either approach.

Final comments received 21/05/2025 based on amended plans and information demonstrating a vertical flue:

I have now found opportunity to review the revised Alkali Environmental Air Quality Assessment, Ref: AQ1047v5 20/05/2025 ('the 2025 AQA').

The report is in the form of an update of previous versions, produced on the same basis, and largely representing a revision of the modelling to reflect an emission scenario that matches the revised proposals – namely a taller stack with rainguard cowl. In principle, the format of the report supersedes previously submitted documents ('2023 AQA's' & 'the 2024 AQA'), however, arguably all reports are relevant in their own right because they represent the design & assessment process which has resulted in the current revised application.

It is worth noting that the authors have not substantively engaged with the Councils rationale for its initial objections, nor the purpose of the revised assessment. It is implicit that the authors either have not understood, or do not accept the Councils interpretation of policy & epidemiological guidance. As previously, the conclusions are made on a narrow basis, representing the central estimate of total particulate emissions (TPM) as PM10 only, with output compared with screening values relevant to the Permitting Regime, rather than planning (which, being health-based, are stricter). The report's conclusion makes no specific comment about the relative merit of the scenario(/configuration-) modelled in the revised report against those contained within preceding versions, concluding only that the impact is expected to be 'insignificant'. The basis for this conclusion is considered to be overly narrow and made against guidance which does not address the health-focus of National Planning Policy.

To derive the required output from the report, it has been necessary use it's basic 'process contribution' (PC) output to make an independent assessment which re-frames the comparisons to from PM10 to PM2.5 metrics, and additionally, to compare them to previously modelled scenario's on an equivalent basis.

Notwithstanding the text of the report, is helpful to outline the assessment/response steps that have brought us to this point;

- 2023 (commissioning) emissions monitoring report showed a high direct emission of total particulate matter (TPM), of up to >50x the short-term exposure limit, despite being post-mitigation (measured after passing through 1µm nominal filtration unit). Concerns flagged due to proximity of existing residential property; modelling emission was requested.
- For practical reasons linked to the model selected, the 2023 AQA modelled the emission in a configuration which doesn't match the installation, concluding a negligible impact. Concerns were raised about uncertainty & representativity of the selected base emission, and the un-representativeness of modelled scenario relative to the built installation. Update requested.
- The 2024 presented 4 scenario's which aimed to represent the 'as built' configuration by inference. The model was not capable of concurrently representing the installation and accounting for the influence of the building on dispersion, instead considering each independently. The report did not address uncertainty or representativeness of the base emission. The council's concluded that the horizontal configuration resulted in materially poorer air quality for the nearest sensitive receptors relative to the 2023 AQA scenario (vertical stack), and sought mitigation. After discussion, it was concluded that the most proportionate response would be to re-configure the stack to vertical orientation, to provide an emission dispersal pattern more closely aligned with that modelled in the 2023 AQA, which yielded significantly more favourable results.
- In January 2025 the applicant submitted proposals for an elevated, vertical stack configuration. Upon review, it was noted that the design included a cowl, and concerns were raised over whether the real-world emissions dispersal would approximate that presented in the 2023 AQA, given that the cowl would likely interfere with efflux velocity & plume lift.
- The 2025 AQA was submitted in February, presenting a modelling scenario which included the influence of i) an increased stack height ii) the cowl, and iii) the building effects (concurrently). The discussion was not updated to reflect the purpose of the report.

As in previous versions, in producing the 2025 AQA, the authors have taken the opportunity to update the model baseline conditions to reflect the recently re-based (DEFRA produced-) background pollutant concentration estimates. These estimates have been revised downwards since the last issue, by a significant margin. This has two effects; it reduces the overall total predicted environmental concentration (PEC), and also increases the proportional contribution of the process to the emissions experienced by nearby residents. The 2017 IAQM industry guidance makes a significance judgement which accounts for both factors.

The authors refer only to Environment Agency H.1 guidance (relevant to permitting), and to statutory air quality assessment levels, omitting consideration of National Air Quality Strategy (NAQS) targets, or health-based guidelines. On this basis, the report concludes that emissions in the configuration currently proposed are 'not significant'. This is consistent with prior report conclusions, and not addressing the relative merits of the proposed configuration/scenario against the 'as built' configuration.

I have used the results presented in the report to undertake an IAQM significance assessment against a variety of available air quality assessment levels (AQAL's); selecting the 2028 NAQS Interim target level for PM2.5 for comparison to the predicted Annual Average level, and the 2021 WHO Air Quality Guidelines for comparison to 24-Hour mean exposure estimates.

I would highlight that the comparisons made represent a PM2.5 emissions 'best-case' exposure, insofar as the base emission representativeness and uncertainty issues have not been addressed, and because the reported PC output which is derived from the 90.41th percentile of the annual distribution (appropriate to PM10) rather than the 98.9th percentile (which would be appropriate for comparisons to PM2.5 AQAL's). Uncertainty & representativeness in the base emission produce an error both directions (+/-, not quantified/quantifiable in all aspects), whereas the modelling bias is directional; the 98.9th percentile of the annual distribution represents a greater estimated PC than the 90.41th percentile of the same distribution, which is the reported PC presented for the PM10 comparison). Given this, the identified health impacts should be regarded as 'at least' (all other factors being equal), given that we are not able to quantify the difference between the respective (90.41 & 98.9 %'ile-) PC estimates.

In terms of results, it is clear that the proposed amendment (increased height, with cowl) would not produce the hoped-for benefit over the extant configuration. All metrics produce worse results for the closest receptors, albeit that minor improvements are noted for more distant receptors which arise from the altered dispersion pattern.

Accounting for the revised estimates of the background concentrations, the proposed reconfiguration would result in potentially >25% of the total short term air pollution exposure being directly attributable to the process contribution (under the 75hr/wk scenario) for the closest sensitive receptors (generally, the South side of Longcroft Way, notwithstanding the outline consent understood to be pending under APP/22/00669). This compares to ~20% under the extant configuration, and ~2% under the equivalent 2023 AQA scenario (vertical stack, without cowl).

The reasons for seeking mitigation remain broadly applicable, insofar as there is no 'zero risk' level for particulate emissions, the extant specification & configuration of the outlet would appear capable of making a material contribution to local exposures, and reconfiguration would appear capable of materially improving exposures relative to the 'as built' installation. However, it is appropriate to consider the revised overall (annual) exposure levels, which are now expected to be reduced following the recent re-basing of the background estimates (which our own air quality reporting had identified appeared to be warranted on the basis of measurements taken within the region).

Considering this, the following points are noted;

- Using the same method of comparison as presented in the 2025 AQA for PM10, re-based to PM2.5 using available data, predicts a PEC which is 89% of the AQAL. This means that in a typical year, some days are expected where the 24hr average exceeds the WHO AQG, but not necessarily more than the permitted number (4 days)
- Revising down the annual average PEC changes the derived IAQM significance level for Annual Average exposures from the previous judgement of 'moderate adverse' to 'slight adverse' for the more realistic 75hr/wk scenario (remains elevated for the 24/7/365 'sensitivity' scenario, as you might expect)

- Extant/'as built', long-term risks to occupants as a result of the proposed development are now estimated to be +2.7% for all non-accidental mortality (relative to a background risk comprising 'all other causes + the additional contribution from air pollution at the WHO AQG level', a non-zero level that is implicitly accepted to be reasonable).
- Additional short-term risks on the same basis are estimated to be +1.2% - notably having a proportionately lower influence, relevant because the proportional process contribution is greatest over the 24hr averaging-period.
- The revised background exposure estimates now fall below the level at which the statutory reduction targets apply, i.e. our baseline is now judged to be 'good' against statutory metrics, and;
- Following discussions with my noise & nuisance related colleagues, it is now apparent that a re-configuration of the stack to vertical orientation would worsen noise disturbance to the nearest residential receptors, having a negative health effect in opposition to any health benefits that could be achieved from reducing exposure to air pollutants (assuming for the moment that a configuration were feasible to achieve the distribution represented by the 2023 AQA scenario, notwithstanding that it is implicit that the applicant doesn't think this is possible)

Given the key points noted above, it is reasonable to conclude that the IAQM-2017-judged health impact for the nearest residential receptors is likely to be 'slight-moderate' adverse (accounting for quantifiable uncertainty & representativeness) if the installation is used for 75hrs/week. The impact judgement would be reduced ('negligible-slight') if operated for a shorter duration, and 'moderate' if used longer duration use occurs.

The applicant's implicit position that it is not possible to achieve a vertical orientation without means of preventing rain ingress (which may compromise the filtration plant) is accepted. The modelling submitted alongside the noise assessment undertaken by my colleague shows that re-orienting the stack with such protection will be detrimental to exposures to both noise and air pollutants, relative to the existing.

The IAQM 2017 procedure for judging significance provides improved support for tilting the planning balance in favour of the commercial interest without requirement for further, more costly & less proportionate mitigation options, notwithstanding the interest of the existing & future residents. See my prior comments (our Ref: CONS/24/00218, 15/02/2024) for a more detailed policy discussion on balancing harms with development benefits, and on available mitigation options.

On the basis of the above, I would now withdraw my objection to the approval of the retrospective application as extant, without modification (i.e. rejecting the proposed amendments).

These comments are-, and the withdrawal of my prior objection is- made without prejudice to more specific noise comments which are expected to be offered by Environmental Health under separate cover. It is understood that a boundary noise condition is under consideration for the protection of existing residents, and in particular, the future residents of the Kingscroft Farm development which won't benefit from the shielding effect of the building, as the residents of Longcroft do.

As a footnote, I would highlight that approval of this application (APP/23/00127) may have some implications for the design &/or layout at the reserved matters stage for the outline APP/22/00669 consent (Kingscroft Farm). Whilst the same argument for planning balance could be applied to future residents as to the existing in respect of air quality, the 'slight adverse' health impact nevertheless translates to a material and quantifiable harm. Health-based NPPF policy would apply to the reserved matters application, and the opportunity would exist at the Kingscroft Farm site to design-in a better health outcome than the one implied by the illustrative masterplan for that site. This would apply to a greater extent with respect to noise, and it would be expected that the (Kingscroft) development would seek to design out unnecessary exposures – e.g. by set-back of units from the eastern boundary to reduce exposure to air pollutants, or to implement design features to mitigate noise exposure (e.g. orientation & internal layout of the building, aspect of amenity space, orientation of balconies, and/or to upgrade the specification of glazing, etc.).

In the interests of clarity, there will be no air quality grounds sufficient to refuse the outline quantum – it will be a development-quality issue only.

Environmental Protection – Noise

Original Comments received 23rd March 2023:

Please accept this email as confirmation that we recommend refusal of this application on noise grounds, as the applicant has not demonstrated that the noise will not have a significant adverse effect on nearby residential receptors. Any future application should be submitted with a British Standard 4142:2014+A1:2019 noise report, with specific focus on any low frequency and tonal noise.

Comments following submission of a noise report received 16th October 2023:

I have reviewed the supporting noise report submitted by the applicant. Residential properties to the north of the site off Abrams Way appears to be the potential worst affected area designated as location 4 and 5 in the report. The BS4142 rating applied minimum penalty for tonality. I do not consider this level of penalty under BS4142 is sufficient giving the nature of the noise generating process under investigation. Also, I do consider that a further penalty for intermittency and impulsivity be applied to derive a representative rating level. Once further calculation has been made about the relevant penalties, the applicant should state what further measures to be put in place to reduce noise, especially with possible low frequency component from the dust extraction process.

Based on the above, the application is not supported until a revised noise report is submitted and approved by the Pollution Team.

Comments received 29th November 2023 following the submission of further information:

I have now reviewed the further details as submitted by the applicant following my consultation response dated 16th October 2023. Based on information provided, I have no further objection with respect to the above application.

Comments received 21/05/2025 following consultation and discussions with the Environmental Health Pollution Officer:

We have some reservations regarding the reliability of the findings in the noise impact assessment conducted by EEUK Ltd.

That said, we have no objections to the principle of the development. However, due to the lack of detailed information in the application—specifically concerning aspects such as the hours of operation, the character of sound generated, screening attenuation, and radiation characteristics—we strongly recommend that the following condition be imposed on any consent granted:

Condition 1: Noise emitted from the dust extraction system shall be controlled to at least 5 dB(A) below the lowest representative existing background sound level, when assessed in accordance with BS 4142:2014+A1:2019, at the curtilage of any residential or other noise-sensitive property. This criterion applies to the total contribution of noise from all elements of the system during any given period.

A suitably robust background sound level should be used in assessment when the plant may operate. The assessment must include valid predictions and valid assessment of any acoustic features.

Reason: To protect the amenity and quality of life of residents in the local area from undue noise disturbance.

Given that this condition will remain in place indefinitely, it will ensure that the applicant is obligated to maintain the system and prevent any material increase in noise output over time.

Comments received 25/03/2026 following submission of a further noise report:

The 24 Acoustics document entitled 'Wartsila Defence, Havant | Plant Noise Assessment | Report Reference: R11534-1 Rev 0' (dated 17th March 2026) has been reviewed. I am satisfied that the report, methodology and findings are reliable. The report concludes that the noise rating level from the assessed plant is calculated to be 8dB below the measured background noise level at the nearest sensitive receptors. The following condition is therefore recommended, should permission be granted.

Plant noise rating limit

The cumulative rating level (L_{Ar},Tr) of noise emitted from all plant and equipment associated with the development shall be at least 5 dB below the background sound level measured at the nearest noise sensitive receptor, or at an agreed representative location, when assessed in accordance with BS 4142:2014+A1:2019.

With reference to the background sound level of 50 dB LA90 reported in 24 Acoustics Report R11534 1 Rev 0, the cumulative rating level shall not exceed 45 dB L_{Ar},Tr at the assessment location.

During the daytime period (07:00–23:00), the cumulative rating level shall be determined over a reference time interval of 1 hour. During the night time period (23:00–07:00), the cumulative rating level shall be determined over a reference time interval of 15 minutes.

Measurements or calculations shall be undertaken in free field conditions at the boundary of the nearest noise sensitive receptor or an agreed representative location

Reason: to protect residential amenity

Officer comment: The applicant submitted a further noise report as they didn't agree with the condition previously recommended by Environmental Health. The applicant has agreed to the revised condition.

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: 30

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 0

Comment	Officer Comment
No comments 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 and pollution
- (iv) BNG

(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. The site is located on an established industrial estate, policy CS2 of the Havant Borough Local Plan (Core Strategy) 2011 says that planning permission will be granted where developments promote existing and potential business clusters and sectors particularly advanced manufacturing and marine businesses. Wärtsilä is an international company and describes itself as a global leader in innovative technologies and lifecycle solutions for the marine and energy markets. The application form states that Wärtsilä Defence Solutions produces marine seals and bearings. As such, in principle development that supports the business operations would comply with policy CS2 of the Havant Borough Local Plan (Core Strategy) 2011.

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

7.3 The dust extraction and filtration system is located to the rear of the building and faces the gated parking and loading area to the rear. It is largely screened from public vantage points by the existing building and existing landscaping along the side and rear boundaries.

- 7.4 The design and appearance of the dust extraction system is considered to be appropriate within its context to the main building and would not result in an adverse impact on the visual amenity of the area thereby compliant with the requirements of Policy CS16 of the HBLP (Core Strategy).

(iii) Impact upon residential amenity and pollution

- 7.5 To the north of the application site is a residential housing development - this is sited approximately 35 metres away from the siting of the flue. There would be no impact by way of overbearing impact, loss of light or loss of privacy. However, the development has been considered in detail by the Environmental Protection team in relation to noise and air quality impacts.
- 7.6 The Council's Environmental Health Officer has been involved in numerous meetings with the applicant and additional information has been submitted during the course of the application, to seek more precise modelling and to consider the impacts of an alternative configuration to what has been installed. Full consultation responses are provided earlier in this report. The Council's Environmental Health Officer has subsequently withdrawn their objection and is satisfied with the flue as already installed, on air quality grounds. It is considered that the impact on neighbouring residents would be 'slight-moderate' adverse (accounting for quantifiable uncertainty & representativeness) if the installation is used for 75hrs/week. The impact judgement would be reduced ('negligible-slight') if operated for a shorter duration, and 'moderate' if used longer duration use occurs. In coming to their conclusion to withdraw their objection the Council's Environmental Health Officer has had regards to the uncertainties in the modelling and balancing the harm against the economic benefits of the proposal.
- 7.7 The operating hours stipulated in the Air Quality Assessment by Alkali Environmental (ref: AQ1047 dated 05 April 2024) are from 7am to 10pm, 5 days a week. It is considered reasonable to impose a condition restricting operating hours to 75 hours a week to ensure that there would be no greater than 'slight-moderate' adverse impact on neighbouring residents.
- 7.8 Further information has been submitted during the course of the application with regards to noise. The Council's Environmental Health Team has recommended a condition to ensure that noise remains 5 dB below the background sound level measured at the nearest noise sensitive receptor as defined in the in 24 Acoustics Report R11534 1 Rev 0, in order to safeguard the amenities of the nearest occupiers.
- 7.9 In light of this, it is not considered that the development would have a significant adverse impact upon the amenities of neighbouring properties in accordance with CS16 and DM10 of the Havant Borough Core Strategy (2011).

(iv) BNG

- 7.10 This application is exempt from BNG as it was submitted prior to the introduction of BNG legislation.

8 **Conclusion**

- 8.1 The development is acceptable in principle and would not harm the character of the area. The environmental health impacts of the development have been carefully considered during the course of the application, and it is concluded that there would be no material harm to amenities of neighbouring occupiers by way of noise disturbance. In terms of air quality, the Council's Environmental Health Officer has removed their objection following a rigorous consideration of the emissions modelling and exploring alternative configurations and is satisfied that the flue as currently built would not result in more than a 'slight-moderate' adverse impact on neighbouring residents. In terms of the benefits of the proposal, it supports an existing advanced manufacturing and marine business and therefore there are economic benefits of the proposal. The proposal is therefore on balance considered to be acceptable and is recommended for approval, subject to conditions.

9 **RECOMMENDATION**

That the Interim Head of Planning be authorised to GRANT PERMISSION for application APP/23/00127

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

Location Plan

Air Quality Assessment Alkali Environmental AQ1047 05 April 2024

Alkali Environmental Emissions Monitoring Report 26 January 2023

Alkali Environmental response to Jon Drivers consultation comments received 25 July 2024

Building Layout Plan HSO No. 5052 Rev: A

Commissioning Report & Test of Local Exhaust Ventilation (LEV) WWC 08/12/2022

Specification Sheet - HV – High Velocity Cyclone 1800 – WWC

Noise report prepared by 24 Acoustics Report R11534 1 Rev 0

Reason: To ensure provision of a satisfactory development and to ensure the amenities of neighbouring buildings are not detrimentally impacted by any noise, fumes or odour levels, and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 2 The cumulative rating level (L_Ar, Tr) of noise emitted from all plant and equipment associated with the development shall be at least 5 dB below the background sound level measured at the nearest noise sensitive receptor, or at an agreed representative location, when assessed in accordance with BS 4142:2014+A1:2019. With reference to the background sound level of 50 dB LA90 reported in 24 Acoustics Report R11534 1 Rev 0, the cumulative rating level shall not exceed 45 dB L_Ar, Tr at the assessment location.
- During the daytime period (07:00–23:00), the cumulative rating level shall be determined over a reference time interval of 1 hour. During the night time period (23:00–07:00), the cumulative rating level shall be determined over a reference time interval of 15 minutes.
- Measurements or calculations shall be undertaken in free field conditions at the boundary of the nearest noise sensitive receptor or an agreed representative location

Reason: To protect residential amenity in accordance with policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) (2011) and the National Planning Policy Framework.

- 3** The flue, hereby permitted, shall not be operated more than 75 hours a week, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of air quality in accordance with policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) (2011) and the National Planning Policy Framework.

Informatives

1. In accordance with paragraphs 38-50 of the NPPF Havant Borough Council (HBC) takes a positive and proactive approach and works with applicants/agents on development proposals in a manner focused on solutions by:

Offering a pre-application advice service, and

Updating you of any issues that may arise in the processing of your application and where possible suggesting solutions, and,

In this instance:

You were updated about issues after the initial site visit.