
Site Address: Land Adjacent to, 132 Havant Road, Hayling Island
Proposal: Use of land for open storage comprising vehicles and scaffolding
(use class B8) and perimeter landscaping works.
Application No: APP/16/00735 Expiry Date: 19/09/2016
Applicant: Mr Ruffell
Agent: Mr Weymes Case Officer: David Eaves
Les Weymes Planning
Consultancy Ltd
Ward: Hayling West

Reason for Committee Consideration: Proposal is a departure from the adopted Development Plan

HPS Recommendation: **GRANT PERMISSION**

Executive Summary

The proposal is for open storage comprising vehicles and scaffolding (Use Class B8) and perimeter landscaping works. As the site is located in the non-urban area such uses represent a departure from the Local Plan and the application has been advertised as such.

It is recognised by the Local Planning Authority that commercial uses have been taking place where the B8 uses are proposed for some time and that the wider site has been granted a Certificate of Lawfulness for a Horse Box and associated Coachwork business.

The uses being applied for are currently operating from the land without authorisation and this application represents an opportunity to regularise the uses and to constrain them if necessary to reduce any negative impacts on neighbouring residents or the wider environment.

The uses provide storage distribution facilities for local businesses and employment at the site which is considered a benefit to the local economy.

It is recognised that the uses as currently operating are having a harmful impact on the residential amenities of nearby residents, in particular as a result of noise from the scaffolding uses. An acoustic report was therefore sought from the agent and provided during the consideration of the application. This confirmed the noise impacts on residents and made recommendations as to how these could be mitigated. As a result the scaffolding uses would need to be relocated and acoustic fencing provided. The Environmental Health Officer has confirmed that subject to conditions the proposals are now considered acceptable.

Concern has also been raised in relation to traffic impacts on Havant Road, however no objections have been received from the Councils Development Engineer (Highways) or from Traffic Management.

The application provides detailed landscaping proposals which are considered to enhance the local landscape and serve to screen the commercial activities at the site from public vantage points.

Overall it is considered that this planning application subject to the imposition of appropriate planning conditions, offers the opportunity to regularise and regulate the uses taking place on the site such that business uses can continue in the interests of the local economy whilst minimising the impacts on residents and the environment. The development is therefore considered to meet the three tests of sustainable development set out in the National Planning Policy Framework, economic, social and environmental. Planning permission is therefore recommended.

1 Site Description

- 1.1 The application site lies to the east of Havant Road and is accessed via a driveway. The red line site area comprises various elements including various compounds and areas of hardstanding and areas proposed for landscaping. The hardstanding areas/compounds are being used for various businesses including scaffolding companies, drainage vehicles/equipment, digging vehicles and car storage. The red line area forms part of a wider area of land which includes two larger buildings, stables, a mobile home, other compounds and hard standings and paddocks/fields. There are a number of TPO'd trees within the site.
- 1.2 The areas of hardstanding/compounds outside of the current application site have been granted a Certificate of Lawfulness under application reference APP/15/01234 for the provision of Horse Box and associated Coachwork business.

The following definitions were applied:

Horse box:

A lorry, van or trailer used for carrying horses

Associated Coachwork Business:

Business related to the modification, repair and maintenance of Horse boxes and associated vehicles.

2 Planning History

APP/15/01234 - Application for Certificate of Lawfulness relating to continuous use of land to rear of 132 Havant Road for the business of horsebox and coachworks, parking of vehicles, loading and unloading of vehicles and open storage for a number of companies., PART PERMITTED, 29/04/2016

05/70380/001 - Application for Certificate of Lawfulness regarding the use of a building and hard standings in relation to a Horsebox and Coachworks business., REFUSED, 04/07/2007

94/58256/000 - Cont'd use of land for keeping of horses; cont'd use of barn for storage of equipment/ stores used in connection with use of land & construction of block of 5 stables., PERMITTED, 15/09/1994

3 Proposal

- 3.1 Use of land for open storage comprising vehicles and scaffolding (use class B8) and perimeter landscaping works.
- 3.2 The open storage uses are currently operating within the area of hardstanding the subject of this application. At the time of the officers' site visit these uses comprised:

SGS (diggers and machinery)
OBF Scaffold
ANC Scaffold
SCA Scaffold
All Hours Drainage (vehicles and equipment)
Lawrence Warner Cars (car storage)

3.3 In relation to the proposed landscaping, this relates to three separate areas:

Along Havant Road Frontage (north of access)

This area of the site in the past contained a thick mature hedgerow which was removed approximately 2 years ago. The current proposal is to provide a new four row deep staggered native hedge comprising a mix of Field Maple, Hazel, Hawthorn and Blackthorn. The hedge would be interspersed with larger planted trees, Field Maple, Wild Cherry and Whitebeam.

Banking and Planting to south and east side of paddocks

There are two areas of banked landscaping proposed separated by a trackway between the stables and sandschool area. The banks would be contoured with relatively shallow sides and have a maximum height of 1.5m from existing field levels. The banks would be planted with native hedging to parts of the banks with additional tree planting both as set out for the Havant Road Frontage above. The banks would be planted with meadow grasses and wildflower mix.

Southern Site Boundary

The southern site boundary is also proposed to be planted as set out for the area along the Havant Road Frontage.

4 Policy Considerations

National Planning Policy Framework 2012

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS2	(Employment)
CS20	(Transport and Access Strategy)
DM10	(Pollution)
DM12	(Mitigating the Impacts of Travel)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

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**

Landscape Team

No landscape objection in principle, but the queries below require resolution by submission of further information or by appropriate condition:

- Submitted plan of frontage planting needs to be amended to take account of frontage fencing and brick entrance feature which are set back to accommodate the visibility splay. Plans require updating to accurately identify locations of the existing boundary fencing and entrance relative to the proposed landscaping.
- Havant Road site frontage plan includes notes about mounding, presumably these are not intended.
- Substitution of Whitebeam and Wild Cherry for native oak would be preferable, but I have no other concerns regarding the proposed species mix / specification size.
- Implementation notes do include initial establishment maintenance, but there is a requirement for longer term management proposals to be incorporated.

Officer Comment:

These matters have been raised with the agent and can be dealt with by condition or revised details as appropriate.

Crime Prevention -Major Apps

No comments received.

Development Engineer (Highways)

The Highway Authority has no adverse comment to this application.

Traffic Management HBC

There are no objections to the continuing use and landscaping proposals from a Traffic Management perspective.

Hampshire Biodiversity Information Centre

Wader Brent Goose Strategy Site.

Within 50m Protected and Notable Species - Slender Thistle

Environmental Health

Final Comments

Findings of the noise report discussed with author of the noise report and clarifications made.

The results of the noise report can now be accepted and the recommendations and conclusions Mr Scrivener has made in this report i.e.

RECOMMENDATIONS

In order to achieve the required level to ensure compliance with BS 4142 : 2014 and ensure an assessment conclusion of 'Low Adverse Impact' with regards to noise, it is recommended that the proposed location for the new scaffolding storage yard be enclosed within a 3.5m high acoustic fence. This fence or screen should be solid in construction, continuous with no gaps, sealed to the ground, have a minimum surface density of 13 kg/m³ and be laid out generally as detailed in the report. The consultant recommends the use of Jakoustic Reflective Acoustic Fencing.

The noise assessment concludes that:

It can be seen from the above assessments that the proposed location has returned an assessment conclusion of Low Adverse Impact provided the specified 3.5m acoustic screen is installed.

In relation to the National Planning Policy Framework (NPPF) and Noise Policy Statement for England (NPSE) the noise assessment states:

The National Planning Policy Framework 2012 (NPPF) and assessments to the Noise Policy Statement for England 2010 (NPSE) should be made in conjunction with each other. Paragraph 123 of the National Planning Policy Framework (NPPF) states the following:

Planning policies and decisions should aim to:

avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;

mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;

recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established; and

identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.

The Noise Policy Statement for England gives various levels of effect as detailed within this report.

With the proposed screen installed generally as detailed within this report, the proposed new location for the scaffolding storage yard can be implemented within the guidelines of the aforementioned documents and ensure a conclusion of NOEL – No Observed Effect Level This is the level below which no effect can be detected. In simple terms, below this level, there is no detectable effect on health and quality of life due to the noise.

The Environmental Health Officer asks for the above to be conditioned as such i.e the relocation of the scaffold yards to the rear of the site and the erection of suitable acoustic fencing in the positions indicated to meet the consultants recommendation as requested in **Condition 2** (in recommendation below); and also the following conditions to be added:

1. Lighting restrictions
2. Ensure that all the necessary mitigation measures as recommended in the submitted acoustic assessment are implemented.
3. No bonfires/burning of trade waste.

Officer Comment: *Conditions are recommended in relation to points 1 & 2. The regulation of bonfires is a matter appropriately addressed under Environmental Health regulations and an Informative is therefore recommended in relation to this matter.*

Previous Comments:

Further to our recent site visit together with the applicant and his agent, I can advise as follows:

In light of the number of objections related to noise nuisance allegedly caused in the

main by the scaffolding business, the applicant has advised that he is happy to look at relocating this specific business type to the rear of the property, adjacent to the existing workshop structure. He has further intimated he will also undertake to erect relevant fencing to mitigate potential noise issues that might arise from this particular business type, & if necessary ensure that a start & finish time restriction is implemented with regard to this. From what I have ascertained there are currently two scaffold businesses operating from an area on the southern boundary of the portion of the land demarcated for this application.

Whilst these proposed measures might resolve the alleged noise issues, there is also the chance that they may not, which potentially could mean further mitigation measures would need to be considered. There is also the potential for a 'noisier' type storage business to occupy the site at a future time.

As the loading and unloading of scaffold poles and associated items can be a noisy operation, it is recommended that an acoustic assessment be provided for the purposes of this application. This will determine if the current activities, including the scaffolding businesses, related to this portion of the property not covered by the Certificate of lawfulness, are presenting, or have the potential to present, noise levels which could have an adverse effect on the closest residential receptors. If such an effect is found to exist, I would expect the consultant to propose specific mitigation measures that would require implementation to resolve this issue. It could also assist future prospective tenants to understand their remit with regard to noise mitigation.

If the Planning authority are of a mind to view this application in a positive light, I would ask that the following conditions be added to any decision notice:

1. Lighting Restrictions
2. Acoustic Assessment.

Informative requested regarding burning of waste.

Southern Water

Southern Water would have no objections to the proposals.

Plan of sewer records provided showing the approximate position of public foul sewers within the site. No storage or tree planting is allowed within 3m of the 300mm foul sewer and 3.5m of the 525mm foul sewer.

Reference should be made to Southern Water publication "A Guide to /Tree Planting near water mains and sewers" with regards to any landscaping proposals.

Officer Comment: Records available to the Council would indicate that the positions of the sewers do not prejudice the landscape proposals included in the application.

Planning Policy

Principle of Development

The site falls outside the urban area boundary as defined by policy AL2 of the HBLP (Allocations). The land is defined as non-urban. Core Strategy policy CS17 seeks to concentrate development within the urban areas.

Although the supporting text to policy AL2 recognises that there are established development outside the urban areas on Hayling Island, development and expansion of these is limited to proposals which would enhance tourist facilities.

As the development is located in a non-urban area and is not affected by policies which would exceptionally allow development, it is considered that the principle of

development in this location is contrary to the development plan.

Other Considerations

It is acknowledged that historically, the site has been used for various storage purposes. This has resulted in amenity issues and uses which are not compatible with the non-urban setting. In seeking to formalise the use, there may be an opportunity to regularise activities on this site, using conditions to define storage areas and hours of use. While the proposal is contrary to adopted policy, it is accepted that there may be wider benefits in supporting and regularizing the uses on this site.

Officer Comment: *The application has been publicised as a Departure to the Local Plan.*

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: 16

Number of site notices: 2

Statutory advertisement: 12/08/2016

Number of representations received: 10 objections received with 12 names.

Summary:

Noise

If permission given this will increase noise pollution and distress experienced by adjacent residents.

Complaints about noise made since 1990's in relation to businesses sometimes twelve hours/day and seven days/week.

Noise ranges from hammering and banging, clanking of scaffolding poles, loud bangs and dropping of poles, cutting, sawing, dogs barking, drilling etc.

Manoeuvring of heavy vehicles and reversing beepers. Shouting.

Working day starts as early as 7am and finishing as late as 7pm Monday-Sunday some weeks.

Car alarms at various times of night.

Often woken in night with heavy vehicles reversing into property in pitch black at 2.30am.

History

Address has evolved into particularly noisy mini industrial estate.

Concern re planning history and lack of enforcement.

Uses exceed Certificate of lawfulness limitations.

Complained about noise and pollution from site since 2004.

Long lost all natural beauty of the site which used to be pretty fields with trees and natural habitat.

Concern over appearance of site with horseboxes, broken down vehicles, scrap vehicles, dumped waste, skips, empty drums.

Loss of hedgerow and replacement by ugly fencing, replacement hedge has not happened.

Industrial park allowed to accumulate by stealth.

General

Activities carried out with little or no consideration for local residents.
Smoke from bonfires.
Lorry park totally unacceptable.
Total loss of enjoyment of our property.
Impact on health with noise exacerbating all symptoms and aggravating condition.
Concern that permission will be pushed beyond limits envisaged.
Horse boxes parked on public highway.

Scaffolding Use

Keeping and moving of scaffolding poles particularly noisy.
Noise and light pollution from scaffolding business.
Noise late at night and early morning.
Noise levels significantly increased since scaffold contractor moved on site.
Additional lorry movements generated by scaffold contractor both mornings and evenings.
Noise created dreadful over last 8 years, in last two years since scaffold business arrived it has been unbearable.
Scaffolding use only in approximately last two years.
Regular crashing and banging as scaffold is thrown onto lorries and racks a disturbance that can last 12 hours/day preventing family's full enjoyment of our property, particularly garden as racks only some 150 yards away.

Area/Policy

Activities unsuitable for residential area.
Business should move to more suitable industrial site.
Object in principle to industrial activity on site without planning permission as it is defined as agricultural land part of important countryside as protected by Natural Environment and Rural Communities Act 2016 and supported by HBC Core Strategy CS11.
Also important "functionally linked" land to Langstone Harbour SPA/Ramsar site prior to recent industrialization.
View from our house that of car sales business, an industrial site in the middle of town not a residential semi-rural area with views of fields.

Landscaping

Applaud landscaping attempts in application but don't believe they will suitably screen and attenuate the activities proposed.
Proposed landscaping acceptable.

Traffic

Traffic issues of large lorries disrupting traffic on main road while turning and reversing into site.
Noise of lorries, reversing horns and crashing of gates.
Traffic fumes

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) Employment/business matters
- (v) Highway matters
- (vi) Ecological impacts
- (vii) Flood risk

- (viii) Trees/landscaping
- (ix) Other matters

(i) Principle of development

- 7.2 The application site is situated outside the urban area boundary as defined in the Development Plan and the land is therefore non-urban. Core Strategy policy CS17 seeks to concentrate development within the urban area.
- 7.3 The supporting text to policy AL2 recognises that there is established development outside urban areas on Hayling Island, however development and expansion of these is limited to proposals which would enhance tourist facilities. As the development is located in a non-urban area and is not affected by policies which would exceptionally allow development, it is considered that the principle of development in this location is contrary to the development plan. As such the planning application has been advertised as a departure to the Local Plan.
- 7.4 Notwithstanding this it is necessary for the Local Planning Authority to consider whether there are any site/case specific issues that would nevertheless justify an exception to land use policies being taken.
- 7.5 It is considered that the history of the application site and its surroundings is an important consideration in this case. It is clear that land to the rear of 132 Havant Road has been used for a considerable period of time for the applicant's Horse Box and associate Coachwork business and a Certificate of Lawfulness was granted in April 2016 for this use on part of the applicant's land to the north, east and west of the current application site for the B8 storage use. This certificate means that the Horse Box and associated Coachwork business is exempt from planning enforcement action by the Council in relation to the uses taking place.
- 7.6 It should be noted that the areas now proposed for B8 use were excluded from the Certificate of Lawfulness, the reason for this was set out in the officers report in relation to the Certificate which stated:

The whole site has not been in continuous use over the 10 year period for the above purpose (Horse Box and Coachwork Business) however as other non-associated uses have taken place on part of the site. Therefore these areas are to be excluded from the Certificate of Lawfulness.

The B8 areas currently applied for had in the past been used for the Horse Box and associated Coachwork business, however, the more recent introduction of other business uses to these areas meant that the Certificate of Lawfulness could not be granted for the whole site. This is because any use needs to be continuous for a ten year period back from the date of the application.

- 7.7 Notwithstanding this conclusion it is evident that uses have been taking place on the site for a considerable period of time either as part of the Horsebox and Coachwork Business or for the more recent B8 businesses now applied for.
- 7.8 The use of the site has resulted in amenity impacts for nearby residents, these appear to have resulted from both the lawful use established by the Certificate and from the more recent B8 uses and in particular the scaffold uses. In the light of the planning history of the site and the already authorised uses, it is considered that the current application represents an opportunity to address many of the amenity impacts of the site and its operations. In this regard the agent and officers in the Planning and Environmental Health teams have identified a number of measures that can be taken to regularise the activities taking place on the site, provide physical measures to reduce the impacts of the uses and

impose conditions in relation to the operation of the site. These are considered further below. In conclusion whilst the proposal is contrary to adopted land use policy it is considered that there are wider benefits in supporting and regularizing the uses on site. The development is considered to meet the requirements of the NPPF securing a balance between the economic/social benefits of employment whilst mitigating the environmental issues the use gives rise to.

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

- 7.9 The parts of the site proposed for B8 use are (with the exception of a small area to the north of the access) located within the heart of the wider site and mainly surrounded by the Horsebox and Coachworks area. The landscape is however relatively flat and open in the locality and the application includes significant new landscaping proposals.
- 7.10 It is considered that the provision of a hedge and trees to the Havant Road frontage and landscaped and planted banks to the edge of the B8/Horsebox and Coachworks area will significantly screen the uses on the site from the public frontage to Havant Road. In addition hedge and tree planting is proposed to the southern boundary to reduce views across fields from the south.
- 7.11 The proposal now includes the provision of a 3.5m high acoustic fence within the site adjacent to repositioned scaffolding areas. Whilst a fence of this height is unusual, in the context of the wider site and given its siting away from external boundaries, this feature is acceptable in visual terms. Given the history of the site and the proposed landscaping measures it is considered that the uses would be well screened once planting becomes established and the impact on the character and appearance of the area would be limited and acceptable. This would represent an environmental benefit over the current situation whereby the lawful Horsebox and Coachworks uses are not screened to any significant degree.

(iii) Impact upon residential amenity

- 7.12 It is recognised that the wider use of the site has resulted in impacts on the residential amenities of nearby residents. This has resulted from a number of issues associated with the uses and activities on the site. The current application relates to only certain areas of the wider site and B8 uses are proposed. The Horsebox and Coachworks operation is not part of this application and has been granted a Certificate of Lawfulness.
- 7.13 Part 6 of this report sets out the concerns expressed in relation to the proposals and it is noted in particular that the scaffold uses on site have caused noise and disturbance to residents.
- 7.14 As part of the consideration of the application and in relation to previous concerns officers from the Planning and Environmental Health teams have visited the site on a number of occasions. An Industrial Noise Impact Assessment has been submitted in association with the application and this has been assessed by Environmental Health Officers.
- 7.15 The noise assessment carried out surveys of the noise associated with the uses applied for and identified concerns with the site as currently operating. As a result recommendations were made within the noise assessment to relocate the scaffolding uses further from residential properties and to provide acoustic fencing:

In order to achieve the required level to ensure compliance with BS 4142 : 2014 and ensure an assessment conclusion of 'Low Adverse Impact' with regards to noise, it is recommended that the proposed location for the new scaffolding storage yard be enclosed within a 3.5m high acoustic fence. This fence or screen should be solid in construction, continuous with no gaps, sealed to the ground, have a

minimum surface density of 13 kg/m³.

- 7.16 A plan has now been submitted showing the relocated scaffolding area and acoustic fencing. Subject to appropriate conditions these measures should significantly reduce noise impacts from the scaffolding use to an appropriate level. This would require the relocation of less noisy car storage or other uses to the area currently occupied by the scaffolding businesses. A planning condition to restrict uses to different areas of the site is recommended and these requirements are being discussed with the agent.
- 7.17 An hours/days of use condition is being investigated with the agent and members will be updated in relation to any progress made (although it should be recognised that the Horsebox and Coachworks use is not constrained in hours or days of operation). In addition a condition is recommended in relation to lighting. Matters relating to bonfires are a matter for Environmental Health consideration and a planning condition would not be appropriate. An informative in relation to bonfires is therefore proposed.
- 7.18 Concern has been raised in relation to vehicles operating within the site, however, it is not considered that conditions can be applied to these matters particularly given the lawful uses on site and the difficulty in differentiating between vehicles accessing different uses. Furthermore no objections have been received in relation to the longstanding use of the site from either the Development Engineer or Traffic Management Teams.
- 7.19 The current proposals for landscaping are also considered to provide good screening in relation to both the lawful uses on site and those subject to this planning application and are seen as a positive planning gain.
- 7.20 Overall, it is considered that subject to planning conditions the uses the subject of this application can be operated without harmful impacts to residential amenities that would justify a reason for planning refusal.

Employment/business matters

- 7.21 The agent has reported that the businesses the subject to this application employ on average 30 persons. It is recognised that the site provides an opportunity for the operation of a number of businesses for storage at the site. These mostly operate away from the site during the day although it is clear from site visits that the scaffolding uses in particular often have employees on site. The Councils policies support businesses and employment opportunities in the Borough subject to other development management criteria.

Highway Matters

- 7.22 The site's access leads onto the busy Havant Road and concern has been raised by third parties in relation to vehicles entering and leaving the site. Whilst the busy nature of Havant Road is fully appreciated it is noted that no objection to the proposals have been made by the Development Engineer (Highways) or the Traffic Management team. It is not considered that a highway objection in relation to the proposals could be substantiated.

Ecological Impacts

- 7.23 The site is hardsurfaced and has been used for commercial purposes for some time. It is clear that waders and Brent Geese would not have used the commercial site. Whilst the site is close to protected sites within Langstone Harbour, given the uses already taking place and the relatively enclosed nature of the site that the uses are taking place on, it is not considered that there are likely to be any significant impacts on ecological sites or protected species.

Flood risk

- 7.24 The site is located in flood zones 2/3 which are areas of high flood risk. The uses however relate to storage and distribution and are not increasing residential or other vulnerable uses within the flood risk area. The proposals are therefore considered acceptable in flood risk terms.

Trees/Landscaping

- 7.25 There are a number of trees within the site subject to TPO's, however, given that the site is already hardsurfaced it is not considered that the proposed uses are likely to result in increased impacts on the existing trees.
- 7.26 The proposed landscaping including banks, hedges and trees is considered appropriate and will help to assimilate both the existing lawful and proposed uses into the relatively flat and open landscape. It is considered appropriate to attach a landscaping condition. The agent will be contacted further to secure amendments to the tree species proposed and to secure initial establishment maintenance. Subject to this the proposals would constitute an enhancement to the character and appearance of the area and help to screen the site from public vantage points.

8 Conclusion

- 8.1 In conclusion, whilst the proposal represents a departure from the Local Plan it is recognised that this application presents an opportunity to regularise uses already taking place on a site that has been used for a number of years for commercial uses. It is considered that the site is relatively self contained visually and public views are relatively limited. This can be further enhanced by securing landscaping which has been offered as part of this planning application. The uses taking place help to allow the operation of local businesses and provide some employment on and off site.
- 8.2 It is recognised that the uses taking place on the site and in particular the scaffold uses have resulted in impacts to neighbours as evidenced in both the acoustic report and in third party representations. These impacts therefore need to be addressed as far as possible if planning permission can be recommended. The acoustic report provides recommendations including the relocation of the scaffolding uses and the erection of a 3.5m acoustic fence. The report and recommendations are considered acceptable by Environmental Health officers. Amended plans have been provided by the agent to show the relocation of the scaffolding uses and the position of the acoustic fence. The development is therefore considered to meet the three tests of sustainable development set out in the National Planning Policy Framework, economic, social and environmental. Subject to appropriate conditions it is considered that the impacts of the uses can be sufficiently mitigated in relation to neighbours amenities to enable planning permission to be recommended.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/16/00735 subject to the following conditions, and any others that are considered necessary (subject to such changes as the Head of Planning may determine):

- 1 Within three months of the date of this permission the scaffolding related uses currently taking place on the site shall be relocated to the area to the rear (east) of the site as shown on site plan drawing License Number 100030848

dated 20th January 2017. The scaffolding related uses shall not take place anywhere on the site excepting within the designated area as enclosed to the west and part south by the line of acoustic fencing.

Reason: In the interests of the amenities of residential properties beyond the site, to mitigate noise emanating from the scaffolding use and having due regard to policies CS16 and DM10 of Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework and the Noise Policy Statement for England.

- 2 Within three months of the date of this permission a 3.5m high acoustic fence of the specification set out in Sound Advice Acoustics Ltd Industrial Noise Impact Assessment Report Ref SA-4697-1 dated 9th December 2016 shall be erected as shown on site plan drawing License Number 100030848 dated 20th January 2017 unless otherwise agreed in writing by the Local Planning Authority. The acoustic fencing shall thereafter be maintained and retained in accordance with the above details.

Reason: In the interests of the amenities of residential properties beyond the site, to mitigate noise emanating from the scaffolding use and having due regard to policies CS16 and DM10 of Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework and the Noise Policy Statement for England.

- 3 The uses hereby approved under use class B8 (Storage and Distribution) shall not be open for business, receipt or dispatch of vehicles/equipment excepting between the hours of 07.30 hours and 20.00 hours.

Reason: In the interests of the amenities of residential properties beyond the site, to mitigate noise emanating from the site and having due regard to policies CS16 and DM10 of Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework and the Noise Policy Statement for England.

- 4 The storage of scaffolding and associated materials shall not take place over 3.5m in height.

Reason: In the interests of the character and visual amenities of the area, to mitigate noise emanating from the scaffolding use and having due regard to policies CS16 and DM10 of Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework and the Noise Policy Statement for England.

- 5 The landscaping works including banking and planting shown on the approved plans:

Screening Proposals Drawing No 1015-5300
Landscaping Proposals Southern Boundary Drawing No. 1015-5300
Planting Plan Drawing No. 082/5400

Shall be carried out in accordance with the approved details as amended within three months of the date of this consent unless otherwise agreed in writing by the Local Planning Authority. The banking shall be formed of inert subsoil and topsoil only. Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

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

- 6 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, (as amended) and any Town and Country Planning (General Permitted Development) Order, the premises shall only be used as for storage and distribution of:

Vehicles and equipment relating to Scaffolding;
Vehicles and equipment relating to Drainage Operations;
Vehicles and equipment relating to Hydraulics Operations;
Car parking.

and for no other purposes within Class B8 of the above Use Classes Order unless otherwise agreed in writing by the Local Planning Authority.

In addition, no retail trade shall take place at the site.

Reason: To accord with the terms of the application in the interests of limiting vehicle movements and limiting noise to nearby residents and to prevent unacceptable impacts on local roads having due regard to policies CS16, CS20, DM8 and DM12 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 7 No floodlighting or other form of external lighting scheme shall be installed unless it has been approved by the Local Planning Authority. Such details shall include, Location, height, type and direction of light sources and intensity of illumination. Any lighting scheme agreed in writing by the Local Planning Authority shall not thereafter be altered without prior consent other than for routine maintenance, which does not change its details.

Reason: To protect the occupants of nearby residential properties from light disturbance / pollution having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 8 Within three months of the permission hereby granted all the necessary mitigation measures as recommended in the submitted acoustic assessment, shall be completed. All elements shall thereafter be adhered to unless otherwise agreed to by the Local Planning Authority.

Reason: To protect the occupants of nearby residential properties from noise and / or vibration nuisance having due regard to policies CS16 and DM10 of the Havant Borough Local Plan 2011 and the National Planning Policy Framework.

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

Site Location Plan dated 25th July 2016 OS License No. 100030848
Planting Plan Drawing No 082/5400
Landscaping Proposals Southern Boundary Drawing no. 1015-5301
Screening Proposals Drawing No. 1015-5300
Site Location Plan Scaffold Storage relocated dated 20th January 2017 OS License No. 100030848
Industrial Noise Impact Assessment Sound Advice Acoustics Ltd Report Ref: SA-4697-1

Reason: - To ensure provision of a satisfactory development.

Appendices:

Appendix A	Location Plan
Appendix B	Applicants Location Plan
Appendix C1	Screening Proposals Plan
Appendix C2	Screening Proposals Plan
Appendix D	Relocation of Scaffold Storage, Acoustic Fencing