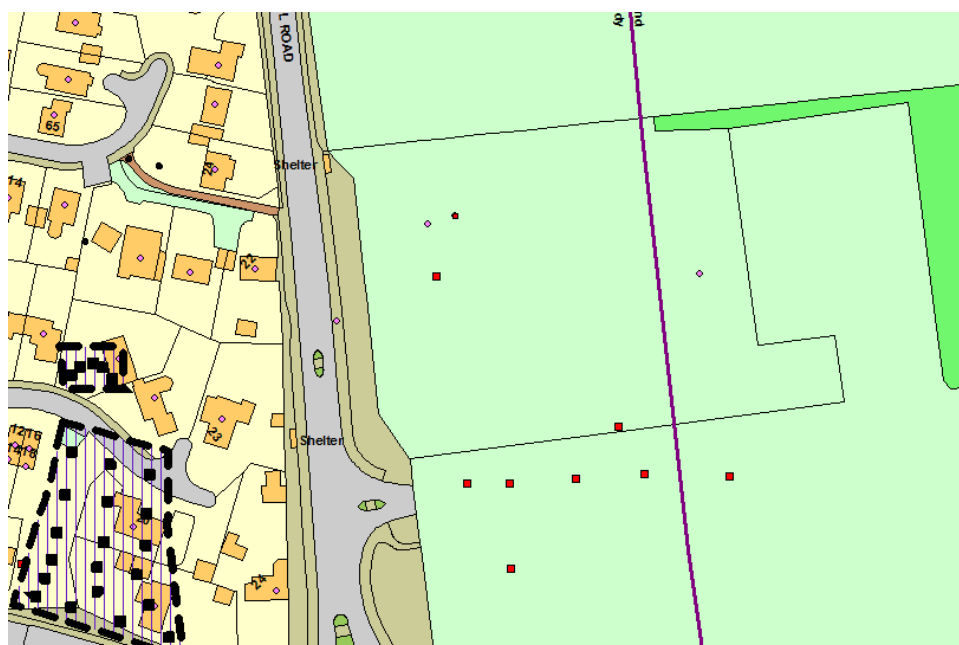


**COMMITTEE REPORT**  
**ITEM NUMBER:**

APPLICATION NO.	21/02445/AMCON
LOCATION	<b>Land On the East Side of Beacon Hill Road Ewshot Farnham GU52 8DY</b>
PROPOSAL	Removal of Condition 14 attached to Planning Permission 16/00564/OUT dated 16/05/2018 which limits the total amount of B8 floorspace to a maximum of 3,031.50 sqm or 65% of the total floorspace to be provided at the site whichever is the lesser
APPLICANT	Nigel C/O Agent
CONSULTATIONS EXPIRY	29 October 2021
APPLICATION EXPIRY	20 December 2021
WARD	Church Crookham East
RECOMMENDATION	<b>Authorise the Head of Place to GRANT permission following completion of the Deed of Variation to tie this application into the original Section 106 legal agreement relating to the site.</b>



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## BACKGROUND

This application has been referred to the Planning Committee for determination as it relates to the removal of a condition imposed at the request of the Planning Committee and a Ward Member has requested that the proposal be reported back to the Committee for determination.

### SITE:

The application site is located on the eastern side of Beacon Hill Road between its junctions with Bourley Road/Tweseldown Road to the north and Sandy Lane to the south.

The site has an area of 1.47 hectares and at present the site is being developed to provide a mixed-use commercial scheme. The site was previously largely undeveloped, although there was a car parking area at the rear of the site which was used by the adjacent former Vertu office/commercial building located to the south before that was also redeveloped to provide a mixed-use commercial and retail development. The rest of the site was laid to grass with a number of trees located within and around the site.

The site is located within the settlement area of Fleet/Church Crookham, and part of the site lies within a Flood Zone 2 and 3 location.

Surrounding development comprises the Peter Driver Sports Ground to the north, residential development on the opposite side of Beacon Hill Road to the west, the former Vertu office/commercial unit to the south, which is currently being redeveloped, with woodland beyond and Tweseldown Racecourse to the east.

### PLANNING HISTORY:

99/01001/OUT - Development for Leisure Use (Use Class D2) - Refused 12.05.2000;

00/01371/OUT - Erection of building for R and D and production with associated offices (B1, B2 and B8 use class) to be erected in three phases, full details of phase one building. (On land at Martin Lines, Beacon Hill Road, Church Crookham) - Approved 08.08.2001;

04//02546/MAJOR - Outline: application for use of previously developed land for residential purposes at more than 30 dwellings per hectare with associated roads, landscape and access - Withdrawn 24.05.2005;

06/02049/FUL - Construction of three-year temporary car park - Approved;

09/00057/MAJOR - Outline planning application for an extension of production floorspace (up to 1,150 sq.m.) and an extension of office floorspace (up to 1,530 sq.m.) and associated car parking spaces - Withdrawn;

16/00564/OUT - Outline application for commercial B1, B2, B8 development comprising 10 industrial units - Approved 16.05.2018;

16/00564/CON - Discharge of condition 6 - remediation/ mitigation measures - pursuant to 16/00564/OUT Outline application for commercial B1, B2, B8 development comprising 10 industrial units - Approved 14.09.2018;

19/00428/REM - Application for Approval of Reserved Matters relating to appearance, landscaping, layout and scale pursuant to outline Planning Permission 16/00564/OUT for

commercial B1, B2, B8 development comprising 10 industrial units - Approved 03.06.2019;

20/00032/AMCON - Variation of Condition 19 attached to Planning Permission 16/00564/OUT dated 16/05/2018 to extend the delivery hours for the development to between 06.00 - 23.00 hours Monday to Saturday and Bank Holidays and between 08.00 - 21.00 on Sundays - Refused 02.06.2020;

21/01779/AMCON - Variation of Condition 19 attached to Planning Permission 16/00564/OUT dated 16/05/2018 to extend the delivery hours for the development to between 07.00 - 22.00 hours Monday to Friday and between 08.00 - 20.00 on Saturdays, Sundays and Bank Holidays - Pending;

21/02186/CON - Approval of Condition 6 - acoustic fence - pursuant to 19/00428/REM Application for Approval of Reserved Matters relating to appearance, landscaping, layout and scale pursuant to outline Planning Permission 16/00564/OUT for commercial B1, B2, B8 development comprising 10 industrial units - Withdrawn 06.09.2021

#### PROPOSAL:

This application seeks the removal of Condition 14 attached to Planning Permission 16/00564/OUT dated 16/05/2018 which limits the total amount of B8 floorspace to a maximum of 3,031.50 sqm or 65% of the total floorspace to be provided at the site whichever is the lesser.

#### CONSULTEES RESPONSES

**Church Crookham Parish Council**

No Objection.

**Ewshot Parish Council**

No objection.

**Tree Officer (Internal)**

No arboricultural objections regarding this application.

**Hampshire County Council (Highways)**

No objection.

**Ecology Consult (Internal)**

No objection.

**Drainage (Internal)**

No comments.

**Natural England**

No objection.

**Environment Agency Thames Area**

No comments.

**Environmental Health (Internal)**

No comment to make on this planning application.

**HCC Local Lead Flood Authority**

No comments.

#### NEIGHBOUR COMMENTS

N/A

#### POLICY AND DETERMINING ISSUES

### **Hart Local Plan (Strategy & Sites) 2032 (HLP32):**

SD1 – Sustainable Development

SS1 – Spatial Strategy and Distribution of Growth

ED1 – New Employment

ED2 – Safeguarding Employment Land and Premises (B-Use Classes)

NBE5 – Managing Flood Risk

NBE9 – Design

NBE11 – Pollution

INF3 – Transport

### **Saved Policies of the Hart Local Plan 2006 (HLP06):**

GEN1 – General Policy for Development

GEN6 - Policy for Noisy/Un-neighbourly Developments

### **CONSIDERATIONS:**

Government guidance indicates that an application can be made under section 73 of the Town and Country Planning Act 1990 to vary or remove conditions associated with a planning permission. One of the uses of a section 73 application is to seek a minor material amendment, where there is a relevant condition that can be varied. The principle of the development has already been established through planning permissions 16/00564/OUT and 19/00428/REM and therefore the material considerations relate solely to the implications of the removal of the condition.

Condition 14 of planning permission 16/00564/OUT states that:

14 The total amount of Use Class B8 floorspace to be provided on site shall be limited to a maximum of 3,031.5 square metres or 65% of the total floorspace to be provided at the site, whichever is the lesser.

#### **REASON:**

To accord with the terms of the application, to limit any potential impact on neighbouring amenity and to satisfy policy GEN1 of the Hart District Local Plan (Replacement) 1996-2006 and First Alterations to the Hart District Local Plan (Replacement) 1996-2006.

The condition was added at the request of the Planning Committee during the consideration of the case at their meeting held on 18th January 2018.

Use Class B8 covers storage and distribution uses.

The planning permission for the site allows for a mix of Class B1 (office, research and development and light industrial), B2 (general industrial) and B8 (storage and distribution) uses.

As a result of changes to the Use Classes Order in 2020 Use Class B1 has been replaced by Use Class E which covers commercial, business and service uses and relates to use as a shop, for the sale of food and drink mostly consumed on the premises, financial services, professional services and any other services which it would be appropriate to provide in a commercial locality, medical services, non-residential creche, day centre or nursery, and office, research and development and light industrial uses.

## Principle of the Development:

Paragraph 81 of the National Planning Policy Framework (NPPF) states that:

'Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential'.

Paragraph 84 of the NPPF goes on to add that: 'Planning policies and decisions should enable: a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings....'

Policy ED2 of the adopted Local Plan confirms that:

'2. Locally Important Employment: To contribute towards meeting the future economic growth needs of the District, the following sites are designated as Locally Important Employment Sites and will be given protection against loss to non-B-class employment uses by protecting them for B class uses: ...

xix. Beacon Hill Road, Church Crookham...'

With regard to Locally Important Employment Sites the reasoned justification for policy ED2 states:

'Other employment sites in the District play an important role in servicing the local economy. These smaller employment sites provide important business locations and in some instances provide a location for valuable bad neighbour activities. 'Bad neighbour' uses are those uses or industrial processes which may cause nuisance by reason of noise, vibration, smell and fumes. They include uses which are visually unattractive such as those involving large areas of open storage.'

In support of the application the applicants have provided a Planning Statement, along with a supporting statement prepared by a Director of Hurst Warne, Chartered Surveyors and Commercial Property Consultants and an Addendum to the original Transport Statement.

The Planning Statement indicates that:

'The Reserved Matters application on this site, which was granted in June 2019, provides the details in terms of the size and distribution of the units within this new employment site.

As set out in the 19/00428/REM application the 10 units would be split between 3 buildings with the furthest building located on the eastern boundary. The building to the rear of the site would contain 5 units of 298m<sup>2</sup>, 358m<sup>2</sup> and 236m<sup>2</sup> (x 3). The building to the middle of the site would contain 3 units of 569m<sup>2</sup>, 501m<sup>2</sup> and 689m<sup>2</sup>. The building closest to Beacon Hill Road would contain 2 units at 805m<sup>2</sup> and 1,194m<sup>2</sup> each.

As set out in the introduction our client is applying to delete Condition 14 attached to the Outline application, which currently places unnecessary restrictions to the level of B8 floorspace which can be delivered on this locally important employment site.'

In respect of the marketing process for the site the Planning Statement indicates that:

'Hurst Warne have been marketing the site since the original planning consent was granted and they have received interest from companies/businesses whose uses fall across the B1, B2, or B8 use class sectors. To support this application the applicant has asked Hurst Warne to provide a summary of the marketing constraints associated with the B8 restriction. This summary is submitted alongside this application.

In Hurst Warne's discussions with prospective occupiers the B8 restriction has been raised on numerous occasions as a concern by potential buyers or tenants.

Where they have offered a sale of a unit there has been concern by buyers that they will not be able to secure lending or incur debt to buy the unit as the lenders resist as a matter of course lending where there are onerous use restrictions imposed on the asset which could lead to voiding of occupancy and default on loan payments. Similarly, where they have offered lease terms there has been concerns from tenants and their advisors that the leaseholder is likely in the future to find it a problem in passing on their lease to another company when the B8 Use restrictions are still imposed.

Hurst Warne also have material concerns about how this B8 floorspace limit can be managed going forward as different occupiers move in and out of the scheme in the future.

Consequently, present market resistance is only likely to increase on relets or resales where there is risk adversity to any prospect that flexible use of units is constricted by the use class to which other units in the development are being put which may exceed the planning condition limit.

The current B8 floorspace limit of 65% moreover appears to be an arbitrary figure, which demonstrably is impacting on the successful letting/ sales of the units and the ability to attract new employers to what will be a high-quality scheme and an important local employment site.'

The application site is located within a Locally Important Employment Site as identified by policy ED2 of the HLP32. This policy indicates that, in order to contribute towards meeting the future economic growth needs of the District, such sites will be given protection against loss to non-B-class employment uses by protecting them for B-class uses. However, the policy does not differentiate between Use Class B1 (now Use Class E), B2 and B8 uses.

It should also be noted that the Council's 2016 Economic Land Review identified that, in terms of the industrial and warehousing sector, in quantitative terms, the Functional Economic Area (FEA) had only just enough vacant land available to meet the requirements identified at that time and this is likely to remain the case.

As such, it is considered that the principle of the removal of the condition would not conflict with relevant development plan policy requirements.

However, given the recent changes to the Use Classes Order which allow for a greater range of commercial, business and service uses to be undertaken under Use Class E without the need for planning permission, it is considered that it would be necessary to now restrict the types of use that could be carried out to those covered by Use Class E g) only, namely use as i) an office, ii) for the research and development of products and processes, or iii) for any industrial process which can be carried out in any residential area without causing detriment to the amenity of the area.

### Impact on Neighbouring Amenity:

The reason the condition was imposed was principally to address the concern about large distribution lorries using the site and potentially at all times of the day.

The primary impacts of removal of the condition would be likely to be in respect of potential noise generation and traffic movements, including Heavy Goods Vehicles.

The proposed removal of the condition has been considered by both the Council's Environmental Health Officer and by Hampshire County Council - Highways and neither has raised any objections to the removal of the condition.

In general terms, it is not considered that the removal of the condition would result in greater noise generation than previously deemed acceptable as part of the consented scheme. There is nothing to indicate that B8 storage and distribution activities would generate any greater noise than B2 general industrial activities and in fact noise generation is likely to be less.

Traffic generation is therefore considered to be the main consideration in the determination of this application.

The application has been accompanied by a Transport Assessment Addendum. This concludes that:

5.1 The Transport Assessment Addendum has been prepared in support of a S73 planning application to remove Condition 14 of Outline planning consent 16/00564/OUT, which restricted the quantum of the site that could be occupied by B8 commercial warehousing land use. No changes to the site layout or site access are proposed as part of this application.

5.2 In order to assess the potential change in vehicle and OGV traffic that could be associated with the removal of the condition, a TRICS assessment has been undertaken to compare the quantum and make up of 'permitted' trips against the 'potential' trips that could be associated with the site if the full 5,122 sqm quantum were available for B8 commercial warehousing use.

5.3 The TRICS net impact assessment indicates that if all of the site was to be used for B8 commercial warehousing use, there could be a significant reduction in overall vehicle movements to and from the site during the AM and PM peak hours. In addition to this, there could also be a reduction in overall Passenger Car Units (PCU) movements in the AM peak with no material change to the number of overall PCU movements in the PM peak hour.

5.4 In terms of Other Goods Vehicles (OGVs, larger delivery vehicles) the TRICS assessment indicates that there could be an overall limited increase in larger vehicle movements if the full site were to be used for B8 use. However, this would be limited to approximately one additional OGV movement every 10 minutes during the morning and evening peak hours.

5.5 It should also be noted that the increase in OGVs set out in this Addendum is based on the full 5,122 sqm being used for B8 commercial warehousing which is unlikely. As such, the overall increase in OGV peak hour movements is in practice, likely to be lower than set out in this report.

5.6 Given that the use of the full site for B8 warehousing could reduce the overall number of peak hour vehicle movements to and from the site, and that the increase in larger OGVs

would be limited to approximately one additional movement every ten minutes during the AM and PM peak hours, it is clear that the residual level of impact associated with the potential for an increased quantum of the site to be used for B8 warehousing cannot be considered severe in the context of the NPPF.

5.7 In conclusion, having due regard to the NPPF, this Addendum has clearly demonstrated that if the site were to be wholly occupied by B8 use classes, the impact of this traffic would not be severe. For this reason, it is considered that there are no highways or transport related reasons to object to this planning application.

This Addendum has been reviewed by Hampshire County Council - Highways and they have raised no objection to the application in highway safety or traffic generation terms.

It should also be noted that, even if condition 14 were to be removed, other controls would remain in place to restrict the size of individual Use Class B8 units within the development (condition 15 - No single unit to be provided on the site for Use Class B8 purposes shall exceed a total floorspace area of 1,500 square metres) and Heavy Goods Vehicle movements (condition 19 - Heavy Goods Vehicles, ie. those over 7.5 tonnes gross weight, carrying deliveries to or dispatches from the units on the development site shall only access or egress the site between the hours of 08:00 to 18:00 hours Monday to Friday, 08:00 and 16:00 hours on Saturdays and at no time on Sundays and Bank Holidays).

In summary, the submitted Addendum to the Transport Assessment for the site indicates that whilst HGV movements as a result of the removal of the condition would be expected to increase from 3 in the AM Peak and 1 in the PM Peak to 9 in the AM Peak and 9 in the PM Peak, the total number of vehicle movements would actually be likely to decrease from 61 in the AM Peak and 40 in the PM Peak to 27 in the AM Peak and 29 in the PM Peak if the development were all to be used for Use Class B8 purposes.

As such, it is not considered that the removal of the condition would give rise to unacceptable changes to the traffic generated by the development or that the proposal would be likely to give rise to any adverse impact on neighbouring residential amenity. The proposal would, therefore, comply with the requirements of saved policy GEN1 of the HLP06 and policy INF3 of the HLP32.

## **CONCLUSION**

The proposed removal of the condition restricting the total amount of Use Class B8 floorspace in the mixed-use development is considered to be acceptable and in accordance with current Government guidance, including paragraph 81 of the NPPF which states that:

'Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential'.

Paragraph 83 of the NPPF further states that:

'Planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of



knowledge and data-driven, creative or high technology industries, and for storage and distribution operations at a variety of scales and in suitably accessible locations'.

The removal of the condition would be likely to result in an increase in the total number of heavy goods vehicle movements to and from the site if all of the floorspace were to be used for storage and distribution purposes, but the level of increase would not be significant and would be associated with a more significant overall decrease in the total number of vehicle movements generated. Conditions would remain in place to restrict the hours when heavy goods vehicles could access and egress the site. No objections to the removal of the condition have been raised by either the Council's Environmental Health Officer or the local highway authority, Hampshire County Council.

As such, it is not considered that the removal of the condition would result in any significant adverse impact on residential amenity due to noise generation or traffic movements.

At a time when the Government is looking to increase flexibility for business uses (through changes to the General Permitted Development Order (GDPO)) and to assist with supporting businesses in a post covid economy the restrictions to this use class could be considered to be overly onerous, and could have an impact on the viability and letting/sales potential of the individual units which could be potentially significant on the completion of the scheme and the delivery of jobs, as argued by the applicants.

As such, it is considered that the proposed removal of the condition would be acceptable and would not conflict with any development plan policy requirements, subject to amendment of the original condition 12 to restrict the specific type of Use Class E activities that could be carried out from the site to those covered by Use Class E g) to retain a degree of control over the nature of uses that could be undertaken on this Locally Important Employment Site.

Approval, subject to the imposition of other appropriate conditions imposed on the original Outline planning permission for the site, is therefore recommended.

**RECOMMENDATION – That the Planning authorise the Head of Place to GRANT planning permission subject to the prior completion of a Deed of Variation to the Section 106 legal agreement entered into at the Outline planning permission stage to ensure that this application is tied into the requirements of that agreement and subject to the following planning conditions:**

## **CONDITIONS**

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

Drawings:

2260 30 Rev E; HA207 D01; HA208-3M-001 Rev A and HA208-3M-002 Rev A

Documents: Transport Assessment, Preliminary Ecological Appraisal, Drainage Strategy Report, Phase I and Phase II Geo-Environmental Assessment, Flood Risk Assessment, Planning, Design & Access Statement, Energy Statement - Commercial, Arboricultural Impact Assessment

except as superseded or replaced by the following drawing numbers and documents approved as part of the Reserved Matters planning application reference number 19/00428/REM:

**Drawings:**

737/01 Rev B (Detailed Landscape Proposals); 2260 (Site Layout For B1c, B2 & B8 Use); 2260 02 (Site Layout For B1c, B2 & B8 Use); 2260 03 (General Arrangement Units 1 and 2); 2260 04 (General Arrangement Units 3 to 5); 2260 05 (General Arrangement Units 6 to 10); HA207 D01 (Location Plan).

**Documents:**

Construction Method Statement Rev A (Harmonix Construction); Crime Prevention Statement (DLP Planning) (February 2019); Drainage Strategy (Matrix Transport Planning and Infrastructure) (February 2019); Indicative Bin and Bike Store Photograph; Indicative Cantilever Sliding Gate Photograph; Landscape Report (Draffin Associates) (737/HDC/LA/26.1.19); Lighting Scheme Rev B (Carnell Warren Associates) (05/04/2019); Planning, Design and Access Statement (DLP Planning) (February 2019); Sustainability Appraisal (DLP Planning) (February 2019); Updated Preliminary Ecological Appraisal (Southern Ecological Solutions) (26/11/2018); Updated Energy Statement - Commercial Rev 1 (Energy Evaluation) (LM051218-180) (27th December 2018).

**REASON:**

To ensure that the development is carried out in accordance with the approved plans and particulars.

- 2 The development permitted by this planning permission shall be carried out in accordance with the submitted Flood Risk Assessment (FRA) reference: Beacon Hill Road - Flood Risk Assessment dated 4th August 2017 undertaken by Ramboll Environ and the following mitigation measures detailed within the FRA:

1. All built footprint to be located in flood zone 1 as shown in drawing reference: Site Layout for B1c, B2 & B8 use - Drawing Number 30 - Revision E dated 2017
2. There shall be no raising of existing ground levels on that part of the site located within flood zones 2 and 3

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

**REASON:**

This condition is sought in accordance with paragraph 167 of the National Planning Policy Framework (2021) to prevent flooding elsewhere by ensuring that the flow of flood water is not impeded, and the proposed development does not cause a loss of flood plain storage and to satisfy policy NBE5 of the Hart Local Plan (Strategy & Sites) 2032.

- 3 The development hereby approved shall be carried out in accordance with the mitigation and enhancement measures detailed in the approved Preliminary Ecological Appraisal document, prepared by Southern Ecological Solutions, and dated January 2016. This would include the carrying out of further survey work, in respect of rare flora, breeding birds and common reptiles, and a preconstruction survey for badgers, before any development commences on site.

**REASON:**

In order to protect and enhance the nature conservation and biodiversity value of the site, in accordance with policy NBE4 of the Hart Local Plan (Strategy & Sites) 2032.

- 4 The development hereby approved shall be carried out in accordance with the recommendations detailed in the approved Arboricultural Impact Assessment document, prepared by Southern Ecological Solutions, and dated 20th March 2016 (including the accompanying Tree Survey Plan (drawing number 1, dated 18.11.15) and Tree Survey & Protection Plan (drawing number 1, dated 21.03.2016)).

REASON:

To limit the impact of the development on the existing trees on site, in accordance with saved policy CON8 of the Hart Local Plan 2006.

- 5 The development shall be carried out in accordance with the contaminated land details approved under planning application reference number 16/00654/CON on 14th September 2018, along with the later approved details in respect of passive ground gas protection measures, utility supply pipes protection and asbestos management and a summary or 'validation report' should be provided upon final completion of the development.

REASON:

To ensure the provision of a development that does not put users of the development at risk, in accordance with policy NBE11 of the Hart Local Plan (Strategy & Sites) 2032.

- 6 The development shall be completed in accordance with the Lighting Scheme Rev B (Carnell Warren Associates) (05/04/2019) approved under planning permission 19/00428/REM.

REASON:

In the interests of neighbouring amenity and protecting the ecological value of the site, in accordance with policies NBE4 and NBE11 of the Hart Local Plan (Strategy & Sites) 2032 and saved policy GEN1 of the Hart Local Plan 2006.

- 7 The development shall be carried out in accordance with the approved Construction Method Statement Rev A (Harmonix Construction).

REASON:

To protect the amenities of occupiers of nearby properties and to satisfy policy NBE11 of the Hart Local Plan (Strategy & Sites) 2032 and saved policy GEN1 of the Hart Local Plan 2006.

- 8 No sound reproduction equipment, conveying messages, music, or other sound by voice, or otherwise which is audible outside the premises shall be installed on the site without the prior written consent of the Local Planning Authority.

REASON:

To protect the amenities of occupiers of nearby properties and to satisfy policy NBE11 of the Hart Local Plan (Strategy & Sites) 2032.

- 9 Prior to first occupation of any part of the development full details of on-site cycle parking provision shall be submitted to and approved, in writing, by the Local Planning Authority.

Once approved the cycle parking facilities should be provided in accordance with the approved details prior to first occupation of any part of the development.

Reason:

In the interest of encouraging sustainable transportation and to accord with policy INF3 of the Hart Local Plan (Strategy & Sites) 2032.

- 10 Nothing shall be manufactured, assembled, altered, repaired or stored outside of the buildings to be provided on the site.

REASON:

To protect the amenities of the area and to satisfy policy NBE11 of the Hart Local Plan (Strategy & Sites) 2032 and saved policy GEN1 of the Hart Local Plan 2006.

- 11 Notwithstanding the provisions of the Town and Country Planning General Development Order 2015 (as amended) (or any Order revoking or re-enacting that Order with or without modifications) no alterations, extensions or hard standings permitted by Classes F, G, H and J of Part 7 of the Second Schedule of the Order shall be carried out.

REASON:

To protect the amenities of the area and to satisfy saved policy GEN1 of the Hart Local Plan 2006.

- 12 In accordance with Class V of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 this premises can be used for a use falling within either Class E g) or Class B2, or Class B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended).

REASON:

To accord with the terms of the submitted application and to allow for flexibility in planning whilst ensuring adequate car parking is made available.

- 13 No single unit to be provided on the site for Use Class B8 purposes shall exceed a total floorspace area of 1,500 square metres.

REASON:

To accord with the terms of the application, to limit any potential impact on neighbouring amenity and to satisfy policy GEN1 of the Hart Local Plan 2006.

- 14 No unit on the development hereby approved shall be brought into use until all audible alarms to all loading/docking bays, doors and vehicles kept on site, including fork-lift trucks, and all vehicles taking deliveries to or dispatches from premises which require audible alarms, have been fitted with broadband (white noise) alarms or broadband (white noise) reversing alarms respectively, full details of which shall have been submitted to the Local Planning Authority for approval, in writing, before the unit is first occupied. The approved details shall be implemented and maintained on existing and replacement loading/docking bays, doors and vehicles unless the Local Planning Authority gives written consent to any variation.

REASON:

To ensure the satisfactory development of the site and to protect the amenity of occupiers of adjacent properties from noise and disturbance and to satisfy policy NBE11 of the Hart Local Plan (Strategy & Sites) 2032.

- 15 All fixed plant or equipment, including air handling plant, fans and compressors, used

in conjunction with any of the Use Class E g), B2 or B8 units or buildings within the development, shall be installed in accordance with a scheme to be agreed to be agreed in writing with the Local Planning Authority. The scheme shall demonstrate that the cumulative noise levels generated by all fixed plant and equipment installed at all of the Use Class E, B2 and B8 units or buildings, as rated in accordance with the assessment procedures detailed in BS4142:2014 'Method for Rating Industrial and Commercial Sound', do not exceed the existing background daytime and night time background noise levels (LA90,T) at the nearest noise sensitive premises.

Any sound attenuation measures shall be provided in accordance with the approved details prior to the plant or equipment first being brought into use and shall be retained thereafter in the approved form unless the prior written agreement of the Local Planning Authority is obtained for any variation to the approved details.

**REASON:**

To ensure the satisfactory development of the site and to protect the amenity of occupiers of adjacent properties from noise and disturbance and to satisfy policy NBE11 of the Hart Local Plan (Strategy & Sites) 2032.

- 16 Electric hook up points shall be provided for all refrigerated vehicles awaiting loading or departure in order to maintain the operation of the refrigeration plant whilst on site, without the need to run the vehicle engine.

**REASON:**

To ensure the satisfactory development of the site and to protect the amenity of occupiers of adjacent properties from noise and disturbance and to satisfy policy NBE11 of the Hart Local Plan (Strategy & Sites) 2032.

- 17 Heavy Goods Vehicles, ie. those over 7.5 tonnes gross weight, carrying deliveries to or dispatches from the units on the development site shall only access or egress the site between the hours of 08:00 to 18:00 hours Monday to Friday, 08:00 and 16:00 hours on Saturdays and at no time on Sundays and Bank Holidays.

**REASON:**

To ensure the satisfactory development of the site and to protect the amenity of occupiers of adjacent properties from noise and disturbance and to satisfy policy NBE11 of the Hart Local Plan (Strategy & Sites) 2032.

**INFORMATIVES**

- 1 The Council works positively and proactively on development proposals to deliver sustainable development in accordance with the NPPF. In this instance: The applicant was advised of the necessary information needed to process the application and once received, the application was acceptable and no further engagement with the applicant was required.
- 2 The applicant is advised to make sure that the works hereby approved are carried out with due care and consideration to the amenities of adjacent properties and users of any nearby public highway or other rights of way. It is good practice to ensure that works audible at the boundary of the site are limited to be carried out between 8am and 6pm Monday to Friday, 8am and 12 noon on Saturdays with no working on Sunday and Bank Holidays. The storage of materials and parking of operative's vehicles should be normally arranged on site.

- 3 The applicant's attention is drawn to the email received from Southern Gas Networks - Plant Location Team, dated 28th June 2016, and the accompanying plan and guidance relating to the gas pipeline running close to the northern boundary of the application site. Safe digging practices, in accordance with HSE publication HSG47 'Avoiding Danger from Underground Services' must be used to verify and establish the actual position of mains, pipes, services and other apparatus on the site before any mechanical plant is used. It is the applicant's responsibility to ensure that this information is provided to all relevant people (direct labour and contractors) working for them on or near gas plant. This email can be viewed on the Council's public access website.
- 4 Hart District Council has declared a Climate Emergency. This recognises the need to take urgent action to reduce both the emissions of the Council's own activities as a service provider but also those of the wider district. The applicant is encouraged to explore all opportunities for implementing the development approved by this permission in a way that minimises impact on climate change.