

NOTICE OF MEETING

Meeting: PLANNING COMMITTEE

Date and Time: WEDNESDAY, 3 MAY 2023, AT 9.00 AM*

Place: COUNCIL CHAMBER - APPLETREE COURT, BEAULIEU ROAD, LYNDHURST, SO43 7PA

Enquiries to: Email: karen.wardle@nfdc.gov.uk
Tel: 023 8028 5071

PUBLIC PARTICIPATION:

Members of the public may watch this meeting live on the [Council's website](#).

*Members of the public are entitled to speak on individual items on the public agenda in accordance with the Council's public participation scheme. To register to speak please contact Planning Administration on Tel: 023 8028 5345 or E-mail: PlanningCommitteeSpeakers@nfdc.gov.uk

Kate Ryan
Chief Executive

Appletree Court, Lyndhurst, Hampshire. SO43 7PA
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This agenda can be viewed online (<https://democracy.newforest.gov.uk>).
It can also be made available on audio tape, in Braille and large print.

AGENDA

Apologies

1. MINUTES

To confirm the minutes of the meeting held on 12 April 2023 as a correct record.

2. DECLARATIONS OF INTEREST

To note any declarations of interest made by members in connection with an agenda item. The nature of the interest must also be specified.

Members are asked to discuss any possible interests with Democratic Services prior to the meeting.

3. PLANNING APPLICATIONS FOR COMMITTEE DECISION

To determine the applications set out below:

(a) **Land at Crow Arch Lane & Crow Lane, Crow, Ringwood (Application 23/10040) (Pages 5 - 10)**

Totem sign (Application for Advertising Consent)

RECOMMENDED:

Grant Advertisement Consent

(b) **NFDC Car Park, The Furlong, Ringwood (Application 23/10003) (Pages 11 - 16)**

Installation of ultra-rapid electric vehicle charging hubs and associated infrastructure

RECOMMENDED:

Grant subject to conditions

(c) **Downlands Cottage, Martin Road, Martin (Application 22/11456) (Pages 17 - 24)**

Existing 2m high close-boarded fence to be removed and replaced with 1.5m 2-bar post, rail and wire mesh fence. Replacement of failed section of metal sheet retaining wall with new brickwork wall to match the existing Cottage brickwork

RECOMMENDED:

Grant subject to conditions

(d) **22-24 Commercial Road, Totton (Application 23/10220) (Pages 25 - 36)**

Change of use of bank (ground floor rear) to dwelling houses (2 no. 1 person studios); change use of bank offices (first floor) to dwelling houses (2 no. 1 person studio and 1 no. 1 bedroom flat)

RECOMMENDED:

Delegated Authority be given to the Service Manager Development Management to **GRANT PERMISSION** subject to:

- i) the completion of a planning obligation entered into by way of a Section 106 Agreement (or unilateral undertaking) to secure appropriate habitats mitigation contributions as set out in the officer report; and
- ii) the imposition of the conditions set out in the report

(e) **Land at Former Fawley Power Station, Fawley Road, Fawley (Application 23/10050) (Pages 37 - 48)**

Site 1: Temporary storage of wind turbine blades on site of demolished Fawley Power Station Boiler House; Site 2: Temporary storage of wind turbine blades on the site of the Fawley Power Station Control Room and the adjoining car park.

RECOMMENDED:

Grant Temporary Permission

Please note, that the planning applications listed above may be considered in a different order at the meeting.

4. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT

Please note that all planning applications give due consideration to the following matters:

Human Rights

In coming to this recommendation, consideration has been given to the rights set out in Article 8 (Right to respect for private and family life) and Article 1 of the First Protocol (Right to peaceful enjoyment of possessions) of the European Convention on Human Rights.

Equality

The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty *inter alia* when determining all planning applications. In particular the Committee must pay due regard to the need to:

- (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

To: Councillors:

Christine Ward (Chairman)
Christine Hopkins (Vice-Chairman)
Ann Bellows
Sue Bennison
Hilary Brand
Anne Corbridge
Kate Crisell
Allan Glass

Councillors:

David Hawkins
Maureen Holding
Mahmoud Kangarani
Joe Reilly
Barry Rickman
Ann Sevier
Malcolm Wade
Conservative Vacancy

Planning Committee 03 May 2023

Application Number: 23/10040 Advertisement Consent

Site: LAND AT CROW ARCH LANE & CROW LANE, CROW,
RINGWOOD BH24 3DZ

Development: Totem sign (Application for Advertising Consent)

Applicant: New Forest District Council

Agent: Boyle and Summers

Target Date: 24/04/2023

Case Officer: Jessica Cooke

Extension Date: 05/05/2023

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Visual Amenity
- 2) Highway safety

This application is to be considered by Committee due to it being an NFDC application and a contrary Town Council view.

2 SITE DESCRIPTION

The application site is located within the defined built-up area of Ringwood. It relates to an industrial estate off Crow Arch Lane that was developed in association with strategic site RING3 - Land west of Crow Lane, adjacent to Crow Arch Lane. It is known as the Platinum Jubilee business park/industrial estate which is served by Hopclover Way.

To the south of the site, a car park and care home which also form part of strategic site RING3 are currently under construction.

3 PROPOSED DEVELOPMENT

The proposal seeks Advertisement Consent to erect a totem sign for the NFDC business park displaying the directory of tenants and their respective unit numbers.

The sign is 3.7m in height and 2m in width and is blue and yellow in colour. The sign would be illuminated by a single fixed uplighter.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
20/11208 Use of Buildings B, C, D & E classes E & B8 Class	08/09/2022	Granted Subject to Conditions	Decided

17/11358 Final Phase (2/3); development comprised of a care home (Use Class C2); flexible business units (Use Class B1), 113 dwellings (Use Class C3), public open space, associated parking; landscaping; internal access arrangements and ancillary infrastructure (details of appearance landscaping, layout and scale associated with development granted by outline permission 13/11450).

26/11/2018 Granted Subject Decided to Conditions

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Policy ECON1: Employment land and development

Policy ENV3: Design quality and local distinctiveness

Local Plan Part 2: Sites and Development Management 2014

RING3: Land south of Ringwood, west of Crow Lane and adjacent to Crow Arch Lane

Supplementary Planning Guidance And Documents

SPD - Ringwood Local Distinctiveness

Relevant Advice

Chap 12: Achieving well designed places

Constraints

NFSFRA Fluvial

Planning Agreement

Flood Zone

Aerodrome Safeguarding Zone

SSSI IRZ All Consultations

Avon Catchment Area

Plan Policy Designations

Built-up Area

6 PARISH / TOWN COUNCIL COMMENTS

Ringwood Town Council

R(4) Recommend refusal. The Committee felt the totem sign was too big, high and overbearing. It questioned the necessity for lighting and was concerned about the impact of proposed illumination in terms of light pollution and the amenity of the residential properties (and proposed care home) in the proximity.

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

HCC Highways : No objection.

9 REPRESENTATIONS RECEIVED

The following is a summary of the representations received.

- Out of character with the natural surroundings, including street scene and landscape. Possibly further light pollution.
- The proposed colours of the signage are too bold added together with the proposed floodlights with an unknown run time during any given 24 hour period will pose unnecessary light pollution to properties in close proximity to the site.

For: 0

Against: 2

10 PLANNING ASSESSMENT

Principle of Development

The principle of the development is acceptable subject to relevant material considerations to advertisement applications which relate to visual amenity and highway safety.

Visual Amenity

The proposed signage is 3.7m in height and 2m in width. It is sited adjacent to an existing industrial unit which is 7.9m in height and is metal clad. The visual impact of the proposed sign within this context would be limited and the height, size and location of the sign is considered to be appropriate within its context within an industrial estate.

The other matter to consider with respect to visual amenity is the proposed external illumination of the sign. The single fixed uplighter is located to the south of the sign and points upwards towards the sign. It is a Siena 10w CCT LED floodlight in neutral white. The luminance of the sign is naturally strongest closest to the floodlight, with the luminance levels decreasing incrementally towards the edges of the sign as visible on plan P2023-0071 REV A. A planning condition is recommended to control the luminance levels to the submitted plan.

Parish and neighbour concerns were raised in respect of light pollution and impacts upon amenity of the residential properties and proposed care home in the proximity of the site. These concerns have been considered as part of the planning assessment.

The closest residential properties are located approximately 90m to the north east and 104m to the east which is not considered to cause unacceptable impacts upon residential amenities. Additionally, whilst there are some residential properties located approximately 106m to the south, the two-storey care home sits between the signage and these properties and as such, the proposal is not considered to impact upon them.

In respect of the residential care home located to the south of the site, the signage is separated by an electricity substation, landscaping and a car park to the south of the proposal. The north elevation of the care home has the closest relationship to the signage, however, it is located 26m away and serves non-habitable rooms, with only one window at first floor level (serving a hallway) and two doors at ground floor level. With regard to the bedrooms of the care home, those with potential visibility of the sign are located on the north east elevation, however, they are located between 62m to 92m away and angles would be oblique, limiting any impacts. These separation

distances, along with the substation, landscaping and car parking obstructing the views, are not considered to cause unacceptable impacts upon residential amenity of users of the care home.

Highway safety

The proposed sign is located adjacent to the Platinum Jubilee business park/industrial estate which is served by Hopclover Way. Whilst the signage is externally illuminated with a single fixed uplighter, the luminance levels are fixed. Hampshire County Council Highways Authority have raised no objection to the application with regard to public safety. As such, the proposal is considered acceptable in terms of highway safety and public safety.

11 CONCLUSION

The proposed sign is of an appropriate design, size and location within its context as part of the Platinum Jubilee Business Park and it is not considered to impact upon the amenities of residential properties by virtue of the separation distances, positioning and orientation. As such, the recommendation is for approval.

12 RECOMMENDATION

GRANT ADVERTISEMENT CONSENT

Standard Conditions

1. Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.
2. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.
3. Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.
4. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
5. No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military).

Proposed Conditions:

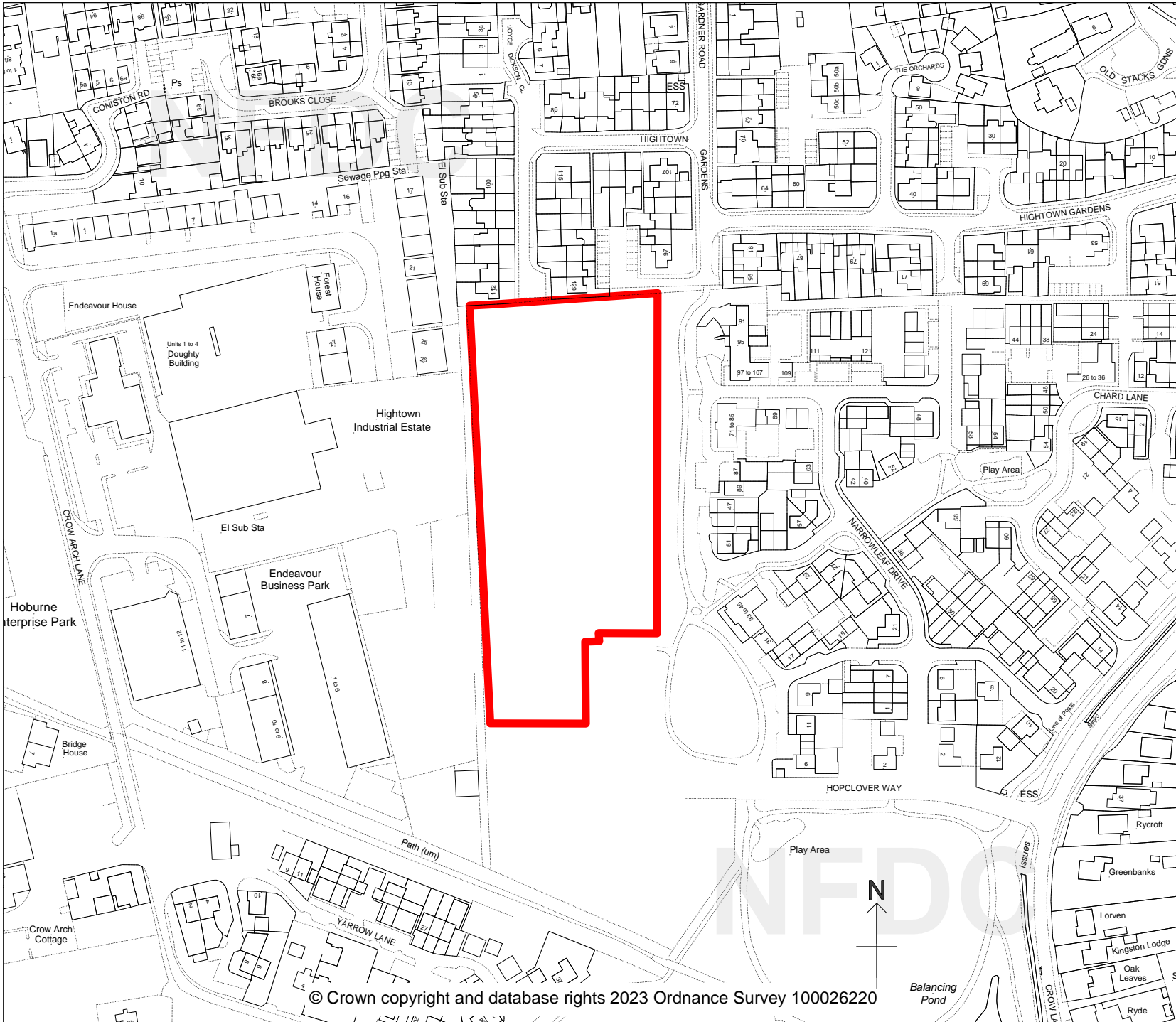
6. The luminance levels of the consented lighting shall be in accordance with the approved plan P2023-0071 REV A unless agreed otherwise in writing by the Local Authority.

Reason: To protect the amenities of the area and in the interest of highway safety in accordance with Policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

Further Information:

Jessica Cooke

Telephone: 02380285909



New Forest DISTRICT COUNCIL

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PLANNING COMMITTEE

May 2023

Land at Crow Arch Lane & Crow Lan
Crow
Ringwood
23/10040

Scale 1:2500

N.B. If printing this plan from
the internet, it will not be to
scale.

10

Planning Committee 03 May 2023

Application Number: 23/10003 Full Planning Permission

Site: NFDC CAR PARK, THE FURLONG, RINGWOOD BH24 1AT

Development: Installation of ultra-rapid electric vehicle charging hubs and associated infrastructure

Applicant: MER UK Charging Ltd

Agent: DPP Planning

Target Date: 20/03/2023

Case Officer: Jessica Cooke

Extension Date: 14/04/2023

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Principle of the development
- 2) Scale, design, materials and impact on the surrounding area
- 3) Parking provision and highway safety
- 4) Amenity Considerations

This application is to be considered by Committee as the car park is owned by New Forest District Council and there is a contrary Town Council view.

2 SITE DESCRIPTION

The application relates to an existing NFDC car park located adjacent to The Furlong in Ringwood.

The site lies adjacent to but outside of the Ringwood Conservation Area.

3 PROPOSED DEVELOPMENT

The proposal seeks planning permission for the installation of 5no. ultra-rapid Electric Vehicle charging hubs in an existing car park with associated infrastructure to facilitate 9no. electric vehicle charging spaces at the NFDC Car Park at The Furlong. A substation with associated equipment and infrastructure is proposed to the south west of the parking spaces and these would be enclosed by a 1.9m high close-boarded fence.

The charging points and infrastructure would be located close to the entrance to the car park to the north of the Ringwood Gateway building.

4 PLANNING HISTORY

No relevant planning history

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Policy STR1: Achieving sustainable development

Policy ENV3: Design quality and local distinctiveness

Policy ECON5: Retail development and other main town centre uses

Policy IMPL2: Development standards

Local Plan Part 2: Sites and Development Management 2014

DM1: Heritage and Conservation

DM4: Renewable and low carbon energy generation

Supplementary Planning Guidance And Documents

SPD - Ringwood Local Distinctiveness

Relevant Advice

NPPF Chap 12: Achieving well designed places

NPPF Chap 14: Meeting the challenge of Climate Change, Flooding and coastal change.

Constraints

SSSI IRZ Rural Residential

SSSI IRZ Water Supply

SSSI IRZ Waste

SSSI IRZ Minerals Oil and Gas

SSSI IRZ Infrastructure

SSSI IRZ Rural Non Residential

SSSI IRZ Residential

SSSI IRZ Wind and Solar Energy

Archaeological Site

Aerodrome Safeguarding Zone

Planning Agreement

Plan Area

SSSI IRZ Combustion

SSSI IRZ All Consultations

SSSI IRZ Discharges

SSSI IRZ Compost

SSSI IRZ Air Pollution

Avon Catchment Area

Conservation Area: Ringwood Conservation Area

Plan Policy Designations

Employment

Town Centre Boundary

Built-up Area

6 PARISH / TOWN COUNCIL COMMENTS

Ringwood Town Council

R(4) Recommend refusal. The Committee had no objection in principle to additional electricity hubs being installed in the car park, but it felt the location indicated was inappropriate and out of keeping and the 2.5 meter high closed-board fencing would be overbearing and visually intrusive. Regard should be given also to its proximity to the entrance of the car park. It was suggested that the northern area of the car park would be a more suitable location, where the compound would not be quite so visible.

Re-consult on amended plans:

Ringwood Town Council

R(4) Recommend refusal. The Committee repeated earlier comments as amendments to the plans do not make any difference to those already submitted. There was no objection in principle to additional electricity hubs being installed in the car park, but it felt the location indicated was inappropriate and out of keeping and the 2.5 meter high closed-board fencing would be overbearing and visually intrusive. Regard should be given also to its proximity to the entrance of the car park. It was suggested that the northern area of the car park would be a more suitable location, where the compound would not be quite so visible.

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

The Ringwood Society

It is considered that the development is large, high and visually obtrusive, especially as it is in a Conservation Area, and masks the view of the Furlong. We submit that it is in the wrong place and should be moved to a less conspicuous location and constructed to fit in with the surroundings instead of a bare wooden fence . Whilst fully endorsing more charging points we recommend that this application is refused

9 REPRESENTATIONS RECEIVED

No representations received.

10 PLANNING ASSESSMENT

Principle of Development

The proposal is sited within the defined built-up area where there is a presumption in favour of development, subject to material considerations.

The stated Key Issues, Strategic Objectives and policies, within the Local Plan provides a clear promotion and support for the use of renewable resources within sustainable limits and the reduction where possible of vehicular emissions. In addition, guidance provided by the NPPF identifies 'the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles'. Furthermore, in the light of the New Forest declaring a Climate Change emergency and its Climate Change Action Plan (February 2023), the provision of charging facilities to promote the use of electric vehicles is encouraged and as such, the proposed development is considered acceptable in principle.

Design, site layout and impact on local character and appearance of area

The proposal is sited within a large existing car park at The Furlong in Ringwood. The car park is predominantly open in character and is enclosed by a post and rail timber fence. . The proposed infrastructure and ancillary equipment would be sited north of the Ringwood Gateway building and lies adjacent to the entrance to the car parking area. Opposite the proposal lies a retail development at The Furlong, including the Waitrose car park.

When submitted, the substation and ancillary equipment was proposed to be enclosed by a 2.5m high fence. The Town Council raised an objection to the height of the fence being out of keeping with the area, overbearing and visually intrusive. Amended plans have been submitted to reduce the height of the close-boarded fence by 0.6m to 1.9m. However, the Town Council maintained their objection.

It was additionally suggested by the Town Council that the proposal was moved to an alternative location to the north of the car park where it would not be as visible.

In light of these comments, relocating the proposal to the north of the car park was explored. However, the point of connection to the electricity network is located adjacent to the current proposal, therefore delivering the equipment to the north of the site would require extensive and disruptive cabling across the car park and would subsequently result in the proposal being unviable and undeliverable.

It is accepted that the fencing enclosing the substation and infrastructure would be close to the highway and it would have some visual impact on the open character of this part of the car park. However, there is various paraphernalia and high level walls and fencing which exist in the vicinity of the application site and in association with the retail development and the visual impacts of the proposal need to be considered within this context.

Options to relocate the proposal to a less prominent part of the car park would not be viable and in addition, this relocation would make them less visible to customers. Given this and the wider considerations in respect of the sustainability benefits of the proposal, which are in line with the Council's climate agenda, the visual impact of the proposals are considered acceptable.

Conservation Area impact

The proposal lies adjacent to but outside of the Ringwood Conservation Area. The closest part of the Ringwood Conservation Area comprises retail development and Waitrose car park, whereby there is various paraphernalia such as bike shelters, high level palisade fencing and bollards.

By reason of its siting, positioning and orientation in respect of the Conservation Area, any impacts would be limited and would be considered less than substantial harm in accordance with NPPF Paragraph 202 and therefore, this harm should be weighed against the public benefits of the proposal.

On the planning balance, in accordance with the NPPF and having considered all relevant factors, it is concluded that the public benefits of the proposed electric vehicle charging points outweighs the less than substantial harm that may result to the Conservation Area by virtue of the provision of sustainable energy and transport.

Highway safety, access and parking

As a consequence of the installation of the proposed EV charging equipment and parking bays, the number of parking spaces within the location of the proposal would be reduced by 7 parking spaces from 16 parking spaces to 9 parking spaces.

The reduction in parking spaces should be balanced against the clear sustainable benefits of the provision of EV charging facilities within the car park in an accessible location.

Residential amenity

The EV charging apparatus and equipment is located within an established car park on the edge of Ringwood Town Centre and is not within close proximity to any residential properties. As such, the proposal is not anticipated to give rise to any adverse impacts on residential amenity.

11 CONCLUSION

Having regard to local and national planning policy, the proposed development is considered acceptable in principle and the provision of improved electric charging infrastructure is supported and is considered to outweigh the very minor impact upon the Conservation Area.

12 RECOMMENDATION

Grant Subject to Conditions

Proposed Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development permitted shall be carried out in accordance with the following approved plans:

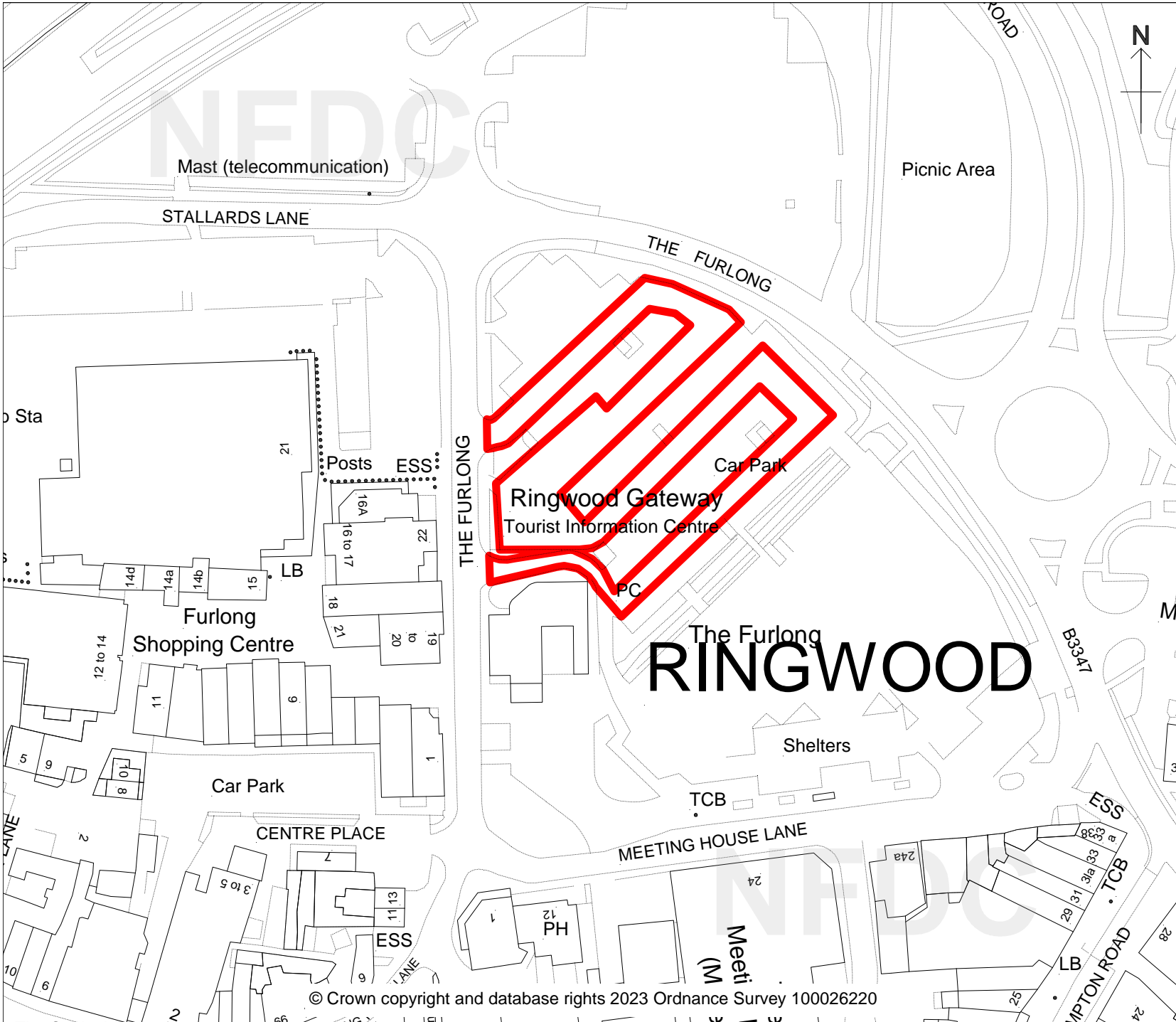
- E22-0170-P-004 REV D Elevation Plans
- E22-0170-P-006 Location Plan
- E22-0170-P-007 REV B Planning Existing Plan
- E22-0170-P-008 REV B Proposed Site Plan

Reason: To ensure satisfactory provision of the development.

Further Information:

Jessica Cooke

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New Forest
DISTRICT COUNCIL

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David Norris
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PLANNING COMMITTEE

May 2023

NFDC Car Park
The Furlong
Ringwood
23/10003

Scale 1:1250

N.B. If printing this plan from the internet, it will not be to scale.

16

Planning Committee 03 May 2023

Application Number: 22/11456 Full Planning Permission

Site: DOWNLANDS COTTAGE, MARTIN ROAD, MARTIN SP6 3LA

Development: Existing 2m high close-boarded fence to be removed and replaced with 1.5m 2-bar post, rail and wire mesh fence. Replacement of failed section of metal sheet retaining wall with new brickwork wall to match the existing Cottage brickwork.

Applicant: Mr & Mrs Shearman

Agent: Morgan Carey Architects Ltd

Target Date: 17/02/2023

Case Officer: Kate Cattermole

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Impact on the character and appearance of the AONB
- 2) Setting of the Listed Building
- 3) Trees

This application is to be considered by Committee because there is a contrary view with Martin Parish Council

2 SITE DESCRIPTION

The application site consists of a thatched grade II listed cottage, which is sited within the rural linear village of Martin. The site falls within the Martin Conservation Area and is within the Cranborne Chase Area of Outstanding Natural Beauty.

The site is currently enclosed by fencing on the rear and south eastern boundary. The rear boundary is currently a 2m high close boarded fence, which continues down part of the south eastern boundary where it joins an existing stock fence which bounds the neighbouring paddock. The north west boundary is a mixture of hedging and wire fencing, but this has been eroded by clearing works undertaken on site. The land across the site inclines to the back boundary and to the rear of the site is a play park. There are protected trees on site.

3 PROPOSED DEVELOPMENT

The proposal is to install a new 1.5m high 2 bar post and rail and wire fence. These plans have been amended during the application process from a 2m high fence on the rear boundary with a rail and mesh insert..

The boundary to the side of the cottage adjacent to the neighbouring listed building at High Bank has collapsed and therefore a retaining wall is proposed with the post rail and wire fence continuing over, but this would be set away from the side wall of High Bank.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
95/NFDC/56958 Installation of septic tank drainage system	11/07/1995	Granted	Decided

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Policy ENV3: Design quality and local distinctiveness

Policy ENV4: Landscape character and quality

Policy STR2: Protection of the countryside, Cranborne Chase Area of Outstanding Natural Beauty and the adjoining New Forest National Park

Local Plan Part 2: Sites and Development Management 2014

DM1: Heritage and Conservation

Supplementary Planning Guidance And Documents

AONB Management Plan

Constraints

Archaeological Site

Area of Outstanding Natural Beauty

Conservation Area: Martin Conservation Area

Listed Building Grade: Grade II 552.23.025

Tree Preservation Order: TPO/0010/22 / T4

Plan Policy Designations

Countryside

6 PARISH / TOWN COUNCIL COMMENTS

Martin Parish Council (COMMENT ON ORIGINAL PLANS)

Martin Parish Council at the Council meeting on 6th February agreed to recommend PAR4, which is a refusal of the application 22/11456. The Martin Parish Council feels that the 2m high post rail and wire fence are not in keeping with the properties in the surrounding area. They feel that the wire fence will take many years to become hidden by the hedge. It is also felt that the native hedge will not thrive under the sycamore tree.

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

NFDC Tree Team: No objection

Conservation: Objection

9 REPRESENTATIONS RECEIVED

None received

10 PLANNING ASSESSMENT

Principle of Development

Policy ENV3 requires new development to achieve high quality design that contributes positively to local distinctiveness, quality of life and the character and identity of the locality.

Impact on the character and appearance of the Countryside and Area of Outstanding Natural Beauty

Para 176 of the National Planning Policy Framework states that great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Beauty.

To the rear of the site is a play park and recreational area, which is between the site and Downview Road. As such this part of the area does not form part of the wider landscape of the AONB. The proposed fencing and hedging would be similar to other rear boundary treatments and as such would be appropriate to the rural character of the area.

Impact on the setting of the Listed Building and Martin Conservation Area

There is a duty imposed by Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requiring decision makers to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72(1) also requires special regard to be paid to preserving or enhancing the character or appearance of a conservation area.

The proposed fencing would be installed in conjunction with hedging, and by reason of its design and open form this would screen the fence when viewed from within the site. The Conservation Officer has objected to the amended proposal, although the principal of the proposal was considered acceptable and concerns related with the form of the fencing which in their opinion was not traditional.

Having considered these comments and taking into account the presence of the hedging (which would be secured by condition) which would screen the majority of the fencing the planning officers assessment is that the proposals would be appropriate to the setting of the Listed Building and the character and appearance of the Martin Conservation Area.

The boundary closest to the neighbouring property High Bank has collapsed, and it is proposed to reinstate this by building in a small section of retaining wall with the continuation of the fencing over it. The plans show that this wall and fence would not be attached to the neighbouring Listed Building, however the Conservation Officer has raised concerns that the foundations could interfere with the foundations of the neighbouring property. However, if during building works this was found to be the case then it would require the benefit of Listed Building consent which would allow for an assessment of the impacts on this heritage asset. An informative can be added to this effect.

Trees

Even though the Conservation area provides some protection to the trees across the site, a Tree Preservation Order was recently made on a number of trees across the site. The proposal would require new post holes within the root protection area of

existing trees and conditions are required to ensure these would be undertaken in a manner that would not adversely impact on the trees.

Residential amenity

The proposed side boundary fence would introduce a secure boundary between the application site and the neighbouring property. No comments or concerns have been raised by the neighbour and no residential amenity impacts or harm has been identified from the proposed works.

Archaeology

The application site falls within an area identified as having archaeological significance and has added importance being in close proximity to historic Listed Buildings. As such archaeological investigations would be a requirement of any ground breaking work on this site. However, taking into account the limited ground intervention associated with the current proposals it is not considered reasonable or necessary to apply an archaeology condition in this instance.

11 CONCLUSION

For the reasons given above, it is considered that the proposed development is acceptable and accords with the Government advice contained with the National Planning Policy Framework (2021) and other Local Plan policies. Permission is therefore recommended.

12 OTHER MATTERS

Martin Parish Council comments

The objection received from Martin Parish Council relates to the proposal as originally submitted, which involved retaining the existing framework of the 2m high fence on the rear boundary with a rail and mesh insert. The next meeting of the Parish Council is later in May, and taking into account the improvements to the overall design of the proposed rear fence coupled with the reduction in height it is considered that this would address their concerns.

13 RECOMMENDATION

Grant Subject to Conditions

Proposed Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development permitted shall be carried out in accordance with the following approved plans:
- 6384 Tree report as deposited with the Local Planning Authority on 22 December 2022
 - 02A Existing Topographical survey as deposited with the Local Planning Authority on 22 December 2022
 - 21171-D03B Amended Design & Access Statement as deposited with the Local Planning Authority on 22 March 2023
 - 21171-01D Location & Block Plan as deposited with the Local Planning Authority on 22 March 2023
 - 21171.03 E Proposed Site & Elevations Plan as deposited with the Local Planning Authority on 23 March 2023
 - 21171.15 A Retaining wall details as deposited with the Local Planning Authority on 23 March 2023

Reason: To ensure satisfactory provision of the development.

3. No development, demolition or site clearance shall take place until a method statement detailing the removal of existing boundary fencing and installation of new fencing, including preparatory works for landscaping within the RPA of retained trees in accordance with BS5837:2012 Trees in relation to design, demolition and construction – Recommendations of has been submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with these approved details.

Reason: To protect the said trees in the interests of the visual amenities and character of the locality, in accordance with Policies ENV3 and ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

4. No development shall take place until a scheme of landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall include:
- (a) the existing trees and shrubs which have been agreed to be retained;
 - (b) a specification for new planting, to include a hedge as shown on plan 21171.03E (species, size, spacing and location);
 - (c) a method and programme for its implementation and the means to provide for its future maintenance.

No development shall take place unless these details have been approved and then only in accordance with those approved details.

Reason: To ensure the appearance and setting of the development is satisfactory and to comply with Policies ENV3 and ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

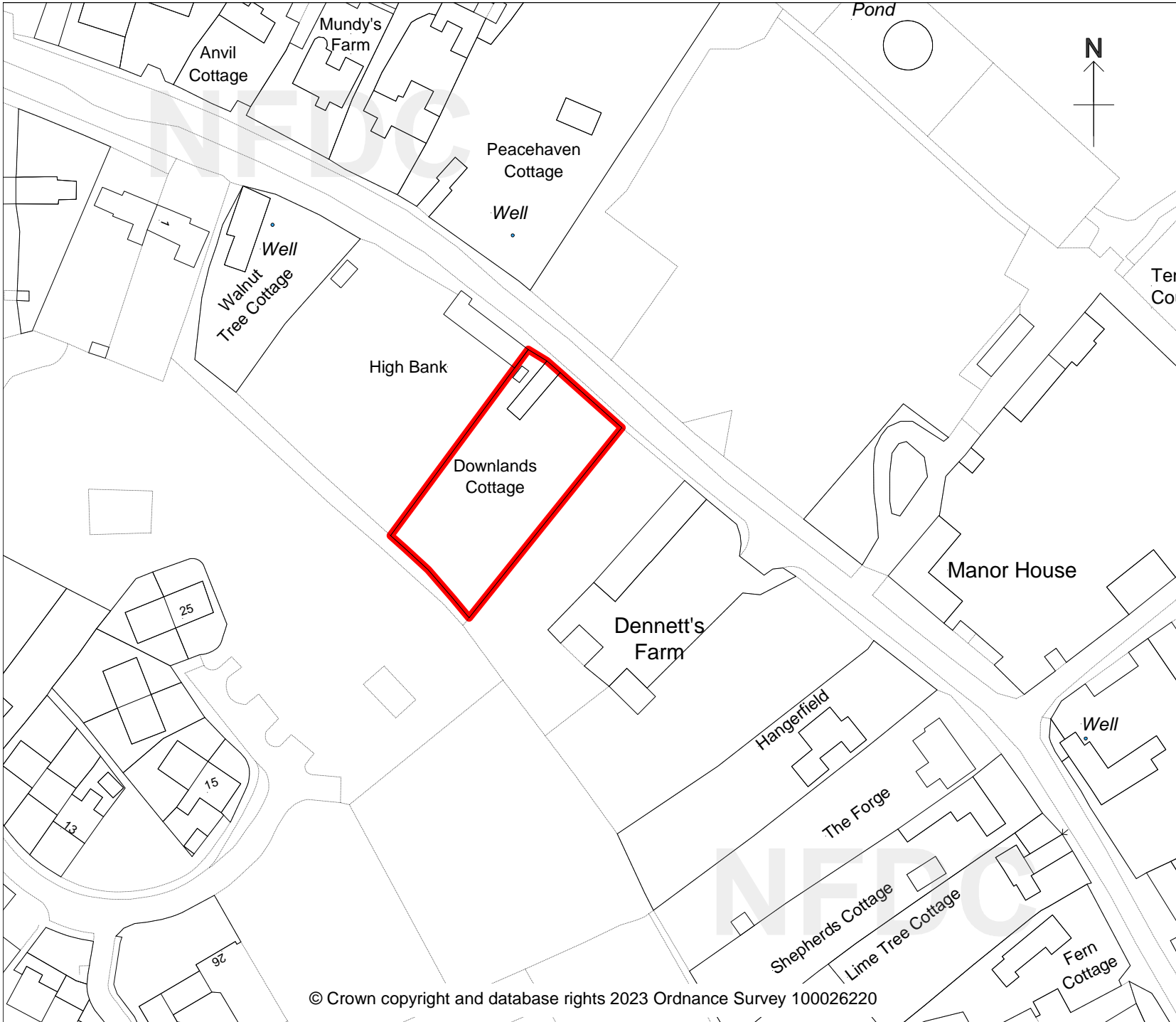
5. Before development commences, samples or exact details of the bricks to be used for the retaining wall shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved details.

Reason: To ensure an acceptable appearance of the building in accordance with Policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

Further Information:

Kate Cattermole

Telephone: 023 8028 5446



23



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DISTRICT COUNCIL

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Lyndhurst
SO43 7PA

PLANNING COMMITTEE

May 2023

Downlands Cottage
Martin Road
Martin
22 11456

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Planning Committee 03 May 2023

Application Number: 23/10220 Full Planning Permission

Site: 22-24 COMMERCIAL ROAD, TOTTON SO40 3BY

Development: Change of use of bank (ground floor rear) to dwelling houses (2 no. 1 person studios); change use of bank offices (first floor) to dwelling houses (2 no. 1 person studio and 1 no. 1 bedroom flat)

Applicant: Mr Toor

Agent: Abay Architecture

Target Date: 27/04/2023

Case Officer: Warren Simmonds

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Principle of the proposed development
- 2) Design, materials and impact on the surrounding area
- 3) Amenity
- 4) Flood risk
- 5) Access and parking provision
- 6) Air quality
- 7) Ecology and BNG
- 8) Habitats mitigation

This application is to be considered by Committee because of the recommendation of refusal received from Totton and Eling Town Council.

2 SITE DESCRIPTION

The application relates to a two-storey mid-terrace building (a former High Street bank premises - now vacant) and includes ancillary office space at first floor level. The building has a commercial shopfront with pedestrian access at the front and a small enclosed rear yard area, also with pedestrian access. There is no vehicular access or parking.

3 PROPOSED DEVELOPMENT

The application proposes the reduction of the ground floor commercial unit and the conversion of the remaining ground and first floor areas of the building to provide 5 x one bedroom flats, with associated minor external alterations.

The proposal was first submitted to the local planning authority under the GPDO prior approval procedure - Class MA *commercial, business and service uses to dwellinghouses* (22/11289 refers). However, the specifics of the proposal exceeded that which could be considered under the procedure and a planning application was required.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
22/11289 Change use of bank (ground floor rear) to dwelling houses (2 no. 1 person studios); change use of bank offices (first floor) to dwelling houses (2 no. 1 person studio and 1 no. 1 bedroom flat) (Prior Approval Application)	23/12/2022	Prior Approval refused	Decided
18/10977 Re-locate ATM & surround; re-glaze shop front; internal layout alterations	14/09/2018	Granted Subject to Conditions	Decided
06/87499 2.1 metre high security fence at rear	28/04/2006	Refused	Decided
04/83148 Alterations to shopfront	22/12/2004	Granted Subject to Conditions	Decided

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Policy ECON1: Employment land and development
Policy ECON2: Retention of employment sites and consideration of alternative uses
Policy ECON6: Primary, secondary and local shopping frontages
Policy ENV1: Mitigating the impacts of development on International Nature Conservation sites
Policy ENV2: The South West Hampshire Green Belt
Policy ENV3: Design quality and local distinctiveness
Policy HOU1: Housing type, size, tenure and choice
Policy IMPL1: Developer Contributions
Policy IMPL2: Development standards
Policy STR1: Achieving Sustainable Development
Policy STR5: Meeting our housing needs
Policy STR8: Community services, Infrastructure and facilities
Policy CCC1: Safe and healthy communities

Local Plan Part 2: Sites and Development Management 2014

DM2: Nature conservation, biodiversity and geodiversity
DM14: Primary Shopping Frontage

Supplementary Planning Guidance And Documents

SPD - Air Quality in New Development. Adopted June 2022
SPD - Parking Standards
Ecology and Biodiversity Net Gain – Interim Advice and Information Note (July 2021)

Relevant Advice

Chap 14: Meeting the challenge of climate change, flooding and coastal change
Chap 12: Achieving well designed places

Constraints

NFSFRA Fluvial

Plan Policy Designations

Built-up Area
Primary Shopping Area
Town Centre Boundary
Primary Shopping Frontage

6 TOWN COUNCIL COMMENTS

Totton & Eling Town Council: We recommend REFUSAL, for the reasons listed.

Following the refusal of the previous prior approval application, the positive amendments are the improved layout of the commercial unit with the addition of storage and staff facilities.

The first-floor studio flats benefit from roof lights, improving the amount of natural light to habitable areas.

The main area of concern is the ground floor studio flats having only one window on the front elevation. Enlarging the existing windows is not sufficient to improve the amount of natural light to serve the entire plot.

The addition of internal bicycle storage areas to each plot is unacceptable and has interfered with the layout, making it more disjointed.

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

Environment Agency: No response received

Ecologist: I have no objections to the proposals from an ecological perspective.

9 REPRESENTATIONS RECEIVED

No third party representations were received

10 PLANNING ASSESSMENT

Principle of Development

The application relates to a building that is located within the built-up area of Totton, where development is acceptable in principle subject to accordance with relevant local plan policies and local and national planning policy guidance.

Retention of the ground floor commercial use

The subject building was last used as a commercial bank (a Class E use) and is within the designated Primary Shopping frontage and Primary Shopping area. As such, local plan policy ECON6 (Primary, secondary and local shopping frontages) is relevant to the proposal.

Policy ECON6 seeks to resist proposals for the change of ground floor shopping and professional services premises (now use Class E). The current application accords with the provisions of ECON6 by retaining the existing shopfront and a meaningful area (approx. 72 sq.m) of ground floor Class A floorspace with associated WC, kitchenette and internal store.

In retaining a ground floor commercial unit within the Primary Shopping Frontage of the town, the proposal is considered accordant with the provisions of Policy ECON6 and can be considered acceptable in principle.

Housing Land Supply

The Council cannot demonstrate a five-year supply of deliverable housing land. In such circumstances the NPPF (para 11d) indicates that the tilted balance is engaged, whereby in applying the presumption in favour of sustainable development even greater weight should be accorded in the overall planning balance to the provision of new housing (and affordable housing).

Whilst the current proposal is for a relatively modest level of housing provision, officers are mindful that the NPPF tilted balance does constitute a material planning consideration in the determination of the proposal.

Design, site layout and impact on local character and appearance of area

The proposal makes very limited external alterations:

- The existing ground floor shop frontage and first floor fenestration are unaltered
- The metal louvre shutters over the rear door and windows are to be removed, and openings are provided with domestic style doors and windows
- Four rooflight windows (two on each side) are inserted into the existing side facing roofslopes

By reason of the very limited external alterations proposed, the development is considered acceptable in terms of its design and impact on the character of the surrounding area.

Amenity considerations

Careful consideration has been given to the amenity and living conditions of occupiers of the proposed residential units in terms of space and the availability of natural daylight to habitable rooms.

The floor area of each of the proposed residential units exceeds the minimum standards set out within government guidance (Statutory guidance Technical housing standards – nationally described space standard, published 27th March 2015) which prescribes a minimum floor area of 37 sq.m for single occupancy dwellings with a shower instead of a bathroom.

Generally, the layout of the proposed residential units is considered to be appropriate and acceptable in terms of occupier amenity.

Provision of natural light

The Town Council has raised a concern that the ground floor studio flats, having only one window on their front elevation, would not be sufficiently provided with natural light.

These concerns appear to be based on the criteria set out within the GPDO prior approval procedure and are not therefore directly relevant to the consideration of a full planning application. However, when the proposal is considered in the context of the 'natural light' criteria in the GPDO, it is important to make the distinction that the natural light requirement applies to "habitable rooms" only. There is no single legal definition of "habitable room", as its use and meaning is subject to context. Normally, for planning purposes, habitable rooms would include bedrooms and lounges but not kitchens or bathrooms.

The current planning application differs (and is improved in terms of the provision of natural light to the accommodation proposed) by the addition of rooflight windows within the side facing roof slopes, by the rearrangement of the internal accommodation layout (putting habitable areas towards the areas best provided with natural light) and by the enlargement of casement windows and the incorporation of glazed access doors to the two ground floor studio units. These amendments are considered to provide better and adequate levels of natural light.

Additionally, the application is accompanied by an Internal Daylight and Sunlight Study (Base Energy Services Ltd, January 2023) which has assessed the levels of natural light which would be achieved in each of the five proposed flats. The Internal Daylight and Sunlight Study concludes that all habitable rooms assessed would meet or exceed the minimum requirements for natural light in accordance with BRE guidelines. The proposed development is therefore considered acceptable in terms of the provision of natural light to habitable areas and in terms of the amenity of future occupiers in general.

In these respects the proposed development is considered to be in accordance with the provisions of policy ENV3 of the adopted local plan.

Flood risk

Whilst the application site is not within Environment Agency Flood Zones 2 or 3, a significant part of the footprint of the subject building is within NFSFRA Fluvial Flood Zone 2 (which post dates the EA Flood maps and is therefore the most up to date flood map source). The application site is therefore at risk of flooding. However, as this is a change of use application without new or additional built form, the Environment Agency sequential test is not relevant.

The applicant has submitted a Flood Risk Assessment (RIDA, February 2023) for the proposed development which concludes that subject to the proposed mitigation measures, the site can be developed in a manner that will be safe in terms of flood risk for its design life and will not increase the flood risk elsewhere.

In these respects, the proposal is considered accordant with the provisions of local plan policy CCC1 and the aims and objectives of the NPPF.

Highway safety, access and parking

The application site is located very centrally within Totton Town centre, with very good access to a broad range of local facilities and services, as well as good public transport links to other areas.

The application site has no vehicular access, and no car parking provision is available. The application is submitted as a 'zero parking' proposal.

The Council's Parking Standards SPD (Adopted 6 April 2022) includes a provision under Principle PS1 regarding residential development within the Main Town Centre locations of Fordingbridge, Hythe, Lymington, New Milton, Ringwood and Totton, whereby a reduced car parking provision will be acceptable subject to the site being well served by existing public and active modes of travel. Proposals in these Main Town Centre locations will be assessed on a site by site basis, with account taken of the layout and design of the development.

Taking into consideration the highly sustainable town centre location of the proposed residential units, together with the provision of internal cycle storage for each, the zero provision for the parking of cars is considered acceptable in this case.

The Town Council has raised a concern with respect to the proposed internal cycle storage provision for each of the residential units. The Council's Parking Standards SPD sets out at Principle PS8 that:

'Cycle parking should be provided on-site using at least the minimum standards set out for residential and non-residential development.

It should be provided in convenient, sheltered, safe and secure locations, both at home and at other destinations such as places of work, education and other community establishments.'

The cycle parking standards for one-bed dwellings are 1 cycle parking space per unit.

The proposed development meets the Council's cycle parking criteria and is considered acceptable in that respect.

Air quality

The Council's 'Air Quality in New Development' Supplementary Planning Document (SPD) was adopted on 1 June 2022. To make development acceptable the Council will expect mitigation measures to be implemented by the applicant to reduce emissions to air from all proposed development.

The SPD provides guidance on when an Air Quality Assessment will be needed to support a planning application and what the assessment needs to address. It also confirms when an Air Quality Statement is required. Where necessary to enable development to take place, appropriate mitigation measures will be required, and the document contains suggested mitigation measures.

In the case of an application for less than 10 dwellings, an Air Quality Statement rather than an Air Quality Assessment will be required. The Air Quality Statement should include a Statement confirming 3 mitigation measures to be implemented as part of the development from the list detailed in Appendix 1. In this case, an Air Quality Statement can be required to be submitted via a planning condition.

Habitat Mitigation

a) Managing Recreational Impact

In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment has been carried out as to whether granting permission would adversely affect the integrity of the New Forest and Solent Coast European sites, in view of those sites' conservation objectives.

The Assessment concludes that the proposed development would, in combination with other developments, have an adverse effect due to the recreational impacts on the European sites, but that the adverse impacts would be avoided if the planning permission were to mitigate its impact in accordance with the Council's Mitigation Strategy or mitigation to at least an equivalent effect. In this case, an appropriate mitigation contribution can be secured through a S106 legal agreement or unilateral undertaking.

b) Nitrate neutrality and impact on the Solent SPA and SACs

There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. Natural England have now raised this with the Council and other Councils bordering the Solent catchment area and have raised objections to any new application which includes an element of new residential overnight accommodation unless nitrate neutrality can be achieved or adequate and effective mitigation is in place prior to any new dwelling being occupied.

To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites.

The Council has a policy in its Local Plan, which seeks to safeguard against any adverse impact and that suitable mitigation is in place to avoid any harmful impact on sites of importance for nature conservation. An Appropriate Assessment as required by Regulation 63 of the Habitat Regulations has been carried out, which concludes that the proposed project would have an adverse effect due to the additional nitrate load on the Solent catchment.

As the Competent Authority, NFDC consider that there needs to be a mitigation project to provide this development with a nitrate budget. For this reason, a Grampian style Condition can be imposed and a further Appropriate Assessment carried out on discharge of this condition.

Managing Air Quality

Since July 2020 the Council is required to ensure that impacts on international nature conservation sites are adequately mitigated in respect of traffic-related nitrogen air pollution (including NO_x, nitrogen deposition and ammonia). Given the uncertainties in present data, a contribution is required to undertake ongoing monitoring of the effects of traffic emissions on sensitive locations.

A monitoring strategy will be implemented to provide the earliest possible indication that the forms of nitrogen pollution discussed (including ammonia concentrations) are beginning to affect vegetation, so that, if necessary, measures can be taken to mitigate the impact and prevent an adverse effect on the integrity of the SAC habitats from occurring.

A financial contribution is required towards monitoring and, if necessary (based on future monitoring outcomes), managing or mitigating air quality effects within the New Forest SPA, SAC and Ramsar site. An appropriate contribution can be secured through a S106 legal agreement or unilateral undertaking.

Developer Contributions

As part of the development, the following will be secured via a Section 106 agreement:

- Infrastructure contribution of £16,005
- Non-infrastructure contribution of £2,335
- Bird Aware Solent contribution of £2,215
- Air quality monitoring contribution of £515

As part of the development, subject to any relief being granted the following amount Community Infrastructure Levy will be payable:

Type	Proposed Floorspace (sq/m)	Existing Floorspace (sq/m)	Net Floorspace (sq/m)	Chargeable Floorspace (sq/m)	Rate	Total
Dwelling houses	246	246	0	0	£80/sqm	£0.00 *
Shops	72	72	0	0	No charge	£0.00 *

Subtotal:	£0.00
Relief:	£0.00
Total Payable:	£0.00

11 CONCLUSION

The proposed development is considered acceptable in principle and would accord with the provisions of local planning policies and local and national planning policy guidance.

12 RECOMMENDATION

Delegated Authority be given to the Service Manager Development Management to **GRANT PERMISSION** subject to:

- i) the completion of a planning obligation entered into by way of a Section 106 Agreement (or unilateral undertaking) to secure appropriate habitats mitigation contributions as set out in the officer report, and
- ii) the imposition of the conditions set out below.

Proposed Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development permitted shall be carried out in accordance with the following approved plans:

1356-P-006 PROPOSED ELEVATIONS
1356-P-003 PROPOSED FLOOR PLANS
1356-P-004 PROPOSED ROOF PLAN
1356-P-001 SITE LOCATION & BLOCK PLAN
INTERNAL DAYLIGHT & SUNLIGHT STUDY REV 0
NOISE ASSESSMENT REPORT
FLOOD RISK ASSESSMENT

Reason: To ensure satisfactory provision of the development.

3. None of the residential units of the development hereby permitted shall be occupied until:

(i) A water efficiency calculation in accordance with the Government's National Calculation Methodology for assessing water efficiency in new dwellings has been undertaken which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to, and approved in writing by, the Local Planning Authority; all measures necessary to meet the agreed waste water efficiency calculation must be installed before first occupation and retained thereafter; and

(ii) A mitigation package addressing the additional nutrient input arising from the development has been submitted to, and approved in writing by, the Local Planning Authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European Sites by the development when fully occupied and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites; and

(iii) The mitigation package shall include a timetable for implementation and measures for retention and maintenance of that mitigation package, which shall thereafter be implemented.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation for is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017.

4. Before development commences, an Air Quality Statement setting out a minimum of three mitigation measures (as detailed within Appendix 1 of the Council's Air Quality Assessments in New Development Supplementary Planning Document (SPD) shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in full accordance with the agreed air quality mitigation measures.

Reason: In the interests of amenity and public health, in accordance with the provisions of the Council's Air Quality Assessments in New Development SPD.

5. The development hereby approved shall be carried out in full accordance with the flood protection and mitigation measures set out at Section 6.3 within the submitted Flood Risk Assessment (RIDA, February 2023).

Reason: To mitigate the risks and potential impacts of flooding.

Further Information:

Warren Simmonds

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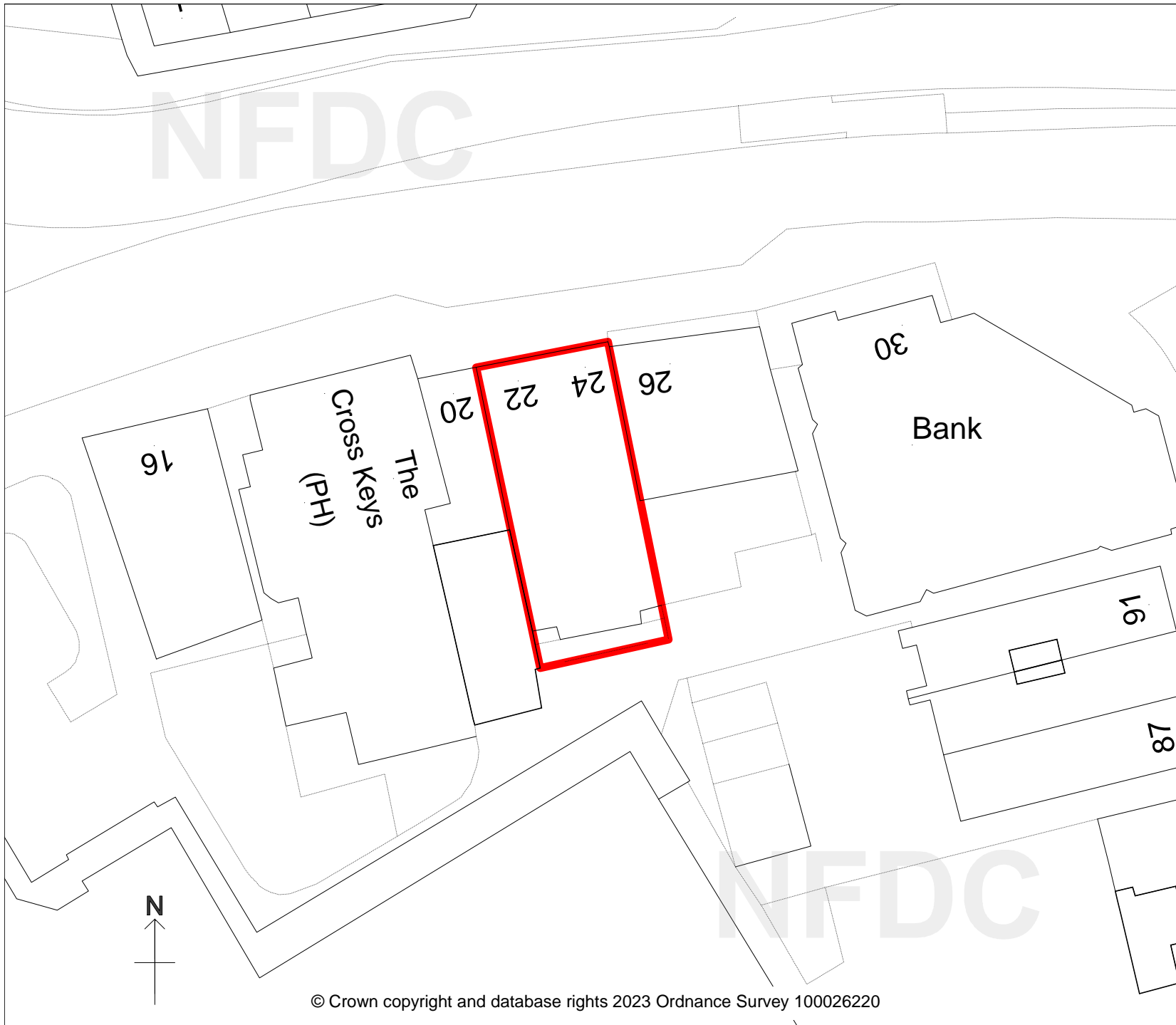
PLANNING COMMITTEE

May 2023

22-24 Commercial Road
Totton
SO40 3BY
23/10220

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Planning Committee 03 May 2023

Application Number: 23/10050 Full Planning Permission

Site: Land at FORMER FAWLEY POWER STATION, FAWLEY ROAD,
FAWLEY SO45 1TW

Development: Site 1: Temporary storage of wind turbine blades on site of
demolished Fawley Power Station Boiler House; Site 2:
Temporary storage of wind turbine blades on the site of the
Fawley Power Station Control Room and the adjoining car park.

Applicant: Fawley Waterside Ltd

Agent: Adams Infrastructure Planning Ltd.

Target Date: 18/04/2023

Case Officer: Ian Rayner

Extension Date: 05/05/2023

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) The principle of development
- 2) Whether the development is justified in the light of Policy Strategic Site 4 and the existing proposals for the redevelopment of the Former Power Station
- 3) Landscape and visual impacts, including impacts on the National Park and the setting of nearby Listed Buildings
- 4) Impacts on residential amenities
- 5) Flood Risk
- 6) Ecology

This application is to be considered by Committee because the application is not in accordance with Policy - specifically Policy Strategic Site 4 of the Local Plan.

2 SITE DESCRIPTION

The application relates to 6.22 hectares of the former Fawley Power Station, and encompasses 2 distinct areas. The first and larger area, measuring 5.21 hectares, is set on the western side of the former power station site and extends over parts of the now demolished power station buildings, including the site of the former chimney. This larger area also extends southwards of the former power station buildings to a point that is fairly close to the power station's southern boundary with the New Forest National Park. The second smaller area, measuring 1.01 hectares, is set to the east side of the main power station buildings, and includes the site of the control tower building which was still in situ at the time of the Case Officer site visit (in late January 2023), but which has since been the subject of demolition activity.

3 PROPOSED DEVELOPMENT

The application seeks to store wind turbine blades on the 2 areas in question for a temporary period, expiring on 31st December 2025. The wind turbine blades are 80 metres in length and 6 metres in width (at their widest point).

Wind turbine storage already takes place on adjoining parts of the power station site - specifically on 3 distinct areas covering a total area of 12.78 hectares. The existing areas where wind turbine storage currently takes place were permitted pursuant to a temporary planning permission granted in September 2017 (17/10805) which allows wind turbine storage to take place until 31st December 2027.

4 PLANNING HISTORY

Previous proposals relating to wind turbine storage use

- 4.1 2 steel portal framed industrial buildings (Use Class B2); mobile portable cabin; use of land for storage of wind turbine blades (B8); temporary permission sought for 10 years (17/10805) - granted temporary permission 8/9/2017
- 4.2 Variation of Condition 2 of planning permission 17/10805 to allow amended plan numbers entailing the addition of buttresses and associated alterations to the approved blade painting facility building (17/11724) - granted temporary permission 19/2/2018
- 4.3 Leading Edge Protection Building; single-storey portable cabins for welfare facilities and offices (18/10583) - granted temporary permission 30/7/18
- 4.4 EIA Screening Opinions in respect of the above 3 proposals (17/10237), (17/11752), (18/10586) - Opinions given in 2017 and 2018 that EIA not required.
- 4.5 Temporary Open Storage of Wind Turbine blades at Fawley Quarry (New Forest National Park application 21/00098) - granted temporary permission by the National Park Authority 5/5/21

Proposals for the demolition of the Fawley Power Station Buildings

- 4.6 Dismantling and removal of external structures including tanks, ductwork and bunds (18/11048) (Demolition Prior Notification Application) - details not required to be approved 28/8/18
- 4.7 Dismantling, removal and site clearance of buildings (19/10131) (Demolition Prior Notification Application) - details not required to be approved 31/5/19
- 4.8 Dismantling, removal and site clearance of buildings at Fawley Power Station and remediation of the site (19/10138) (Approval under Regulations 73 and 75 of The Conservation of Habitats and Species Regulations 2010) - granted 31/5/19

Proposal for the redevelopment of Fawley Power Station

- 4.9 Land within the New Forest District Council comprising the demolition of ancillary power station buildings and provision of 1,380 new homes, 95,300 square metres of new commercial, civic and employment space (Use Classes A1, A2, A3, A4, B1, B2, B8, C1, C3, D1 and D2), enlargement of the dock

and creation of a canal within part of the turbine hall basement, refurbishment of the remainder of the turbine hall basement to create up to 2,100 space car park, surface car parking, a boat stack, public open space, Suitable Alternative Natural Greenspace, primary access road through the site, flood defences/sea wall, raising site level, hard and soft landscaping, associated infrastructure and engineering works (19/10581) (Outline Application with details only of Access) - decision pending

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Strategic Site 4: The former Fawley Power Station
Policy CCC1: Safe and healthy communities
Policy ECON1: Employment land and development
Policy ENV3: Design quality and local distinctiveness
Policy ENV4: Landscape character and quality
Policy STR1: Achieving Sustainable Development
Policy STR2: Protection of the countryside, Cranborne Chase Area of Outstanding Natural Beauty and the adjoining New Forest National Park
Policy STR6: Sustainable economic growth

6 PARISH / TOWN COUNCIL COMMENTS

Fawley Parish Council: Recommend permission

7 COUNCILLOR COMMENTS

None

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

HCC Highways: No objection

Natural England: No objection

Environment Agency: No objection

Environmental Health (contaminated land): No concerns

Environmental Health (pollution): No objection subject to condition

National Grid Company: The proposal does not affect National Grid Assets

New Forest National Park Authority: No objection on the basis that the proposal is for a temporary period only and provided that it does not prejudice the delivery of planning applications NFDC reference: 19/10581 and NPA reference: 19/00365.

9 REPRESENTATIONS RECEIVED

None

10 PLANNING ASSESSMENT

Principle of Development

- 10.1 The application site forms part of an allocated site - where Policy Strategic Site 4 applies.
- 10.2 Policy Strategic Site 4 seeks a comprehensive redevelopment of the former Fawley Power Station site for a residential-led mixed use scheme and public open space - comprising around 1380 new homes, up to 10,000 square metres of ancillary community, retail, leisure and service uses, some office uses and a marina within the central and southern parts of the site, and around 10 hectares of business and industrial uses on the northern part of the site. The policy is accompanied by a Concept Masterplan which indicates that the 2 areas affected by this application should be developed primarily for residential purposes.
- 10.3 The proposed storage of wind turbines on the 2 new areas in question is not considered to be in accordance with the requirements and expectations of Policy Strategic Site 4. Indeed, the permanent siting of wind turbines on this site would be clearly contrary to policy and would not be a proposal that could be supported.
- 10.4 The key consideration is whether in the light of policy and other considerations, a short term temporary permission (less than 3 years) would be justified.

Site History

- 10.5 In considering the justification for this application, it is first necessary to have an understanding of the recent planning history of the Fawley Power Station site.
- 10.6 As noted above, a temporary planning permission (Ref: 17/10805) was granted in September 2017 for the storage of wind turbines on 3 distinct areas of the former power station site for a period of 10 years, expiring on 31st December 2027. Under this temporary planning permission, approval was also given for a couple of temporary buildings, including one where the turbines are painted. These buildings and some associated portable cabins were subsequently the subject of separate temporary planning permissions in 2018, again expiring on 31st December 2027.
- 10.7 The reason for only giving 10 year temporary permissions previously was because:

"This is the basis on which planning permission has been applied for, and the Local Planning Authority would wish to review the impact of a longer term use / development in the light of the site's sensitive location adjacent to the New Forest National Park, and to ensure compliance with policies CS2 and CS3 of the Core Strategy for New Forest District outside of the National Park."

It is important to note that at the time the 2017 and 2018 temporary planning permissions were granted, there was no site specific planning policy affecting the former power station site. The permissions predated the New Forest District Local Plan Part (2016-2036) Part One: Planning Strategy that was adopted in July 2020, and consequently, the requirements of Policy Strategic Site 4 did not apply. The previous 10 year temporary planning permissions

- were all considered to be in accordance with the policies that did apply at the time the permissions were granted.
- 10.8 The 2017/2018 temporary planning permissions have been implemented, and the approved wind turbine storage use that commenced in 2018 continues to take place on 12.78 hectares of open land to the north and east side of the now largely demolished power station buildings.
- 10.9 In May 2019, an outline planning application was submitted for the redevelopment of the power station site with 1380 dwellings and significant new areas of employment / commercial floorspace. A related outline planning application for 120 dwellings and infrastructure was submitted to the New Forest National Park Authority. The applications (collectively relating to a development known as Fawley Waterside) were considered by the respective planning committees in July 2020, and there is a resolution to approve both applications subject to the prior completion of a Section 106 legal agreement. At the time of writing, this legal agreement has not yet been completed, although it is anticipated that completion will take place very soon, at which point the outline planning permissions can be granted.
- 10.10 The outline planning applications to redevelop the power station site are accompanied by an illustrative phasing plan that proposes 8 main phases of development. The first phase would be various civil engineering and infrastructure works, including the provision of a new canal and an extended dock. The second phase of development (and the first with buildings on it) is proposed to take place to the south side of the extended dock and would provide roughly 220 dwellings and 12,420 square metres of non-residential floorspace. Other phases would follow. Precise timelines for delivering the redevelopment proposals are not currently clear. What is clear, however, is that the initial projected timescales for implementing the early phases of development have slipped, and it will be some time yet before development pursuant to the outline planning applications could be lawfully commenced.

The need for the proposed development

- 10.11 Vestas Wind Systems A/S (Vestas) manufacture wind turbine blades on the Isle of Wight and since 2018 have transported blades to the power station site by barge for painting and storage. The blades are then shipped out for eventual erection at offshore wind farms around the UK coast.
- 10.12 Blades are currently being manufactured for use at the Seagreen wind farm in the North Sea. An additional storage area is needed for these blades. Vestas has a strong demand for its wind turbines for the period from Q2 2023 through to the end of 2024.
- 10.13 Until the end of December 2022, an area of land was being used within the adjacent Fawley Quarry (within the New Forest National Park) for the storage of blades. However, a temporary planning permission granted by the New Forest National Park Authority for this storage use has now expired, meaning the storage use within the quarry land has now ceased, with a consequent recent reduction in storage capacity. Previously, additional land within the power station site was not available, which is why a temporary planning permission had been sought from the National Park Authority to store blades within Fawley Quarry. Now, however, with the demolition of the main power station structures, there is available land within the power station site where the 'lost' storage area could be provided, at least in the short term. The proposed new storage areas would thus ensure that there continues to be

adequate space for blade storage following the vacation of the storage facility in Fawley Quarry.

- 10.14 The agent for this application also advises that Fawley Waterside Ltd (the applicant) is seeking to bring forward other development on land within the power station, known as the Northern Quarter, where Vestas currently store wind turbines. There may therefore be a need at some point (possibly in 2024) to shift Vestas from parts of the 'Northern Quarter' to make that land available for other employment uses. The additional storage capacity is also seen as providing some flexibility for 'Lift and Shift' of the blades to enable site preparation and delivery of the Fawley Waterside proposals in the period to December 2025.
- 10.15 It is considered that the applicant/agent has clearly explained why additional land for wind turbine storage is needed at this time. The provision of additional wind turbine storage areas would clearly deliver economic benefits by providing additional capacity and flexibility for Vestas in the short term. The proposal would also have environmental benefits insofar as the provision of an area to store wind turbines before they are installed can be said to support objectives for reducing climate change impacts. These points are considered to weigh materially in favour of the proposed development.

Impact on the delivery of Policy Strategic Site 4

- 10.16 Clearly, if a temporary planning permission were to be granted for this proposal, it would mean that development pursuant to the outline planning applications could not necessarily commence on the areas subject to this application until 1st January 2026. So, this proposal, if granted, does have the potential to delay the delivery of a development that meets the objectives of Policy Strategic Site 4.
- 10.17 Looking more closely at the areas where wind turbine storage is now proposed, the smaller area on the eastern side of the former power station buildings is an area that immediately abuts one of the main existing wind turbine storage areas. It is an area that forms part of Phase 5 of the Fawley Waterside development and is not an area that is programmed for early development. Indeed, it is not an area expected to come forward for development before the end of December 2025. As such, permitting wind turbine storage on this area until the end of December 2025 is not considered to prejudice the delivery of the Fawley Waterside development and/or a development that meets the objectives of Policy Strategic Site 4.
- 10.18 The larger area where wind turbine storage is now proposed extends over areas that form part of Phases 2, 3 and 4 of the Fawley Waterside development. Whilst these are earlier phases, it is likely to be some time yet (as alluded to above) before these phases of development are ready to be commenced. 3 indicative early phasing plans have been submitted with this application, which suggest that the initial development focus will be to provide the new southern access road serving the Fawley Waterside development, as well as elements of green infrastructure. Works on the new canal and extended dock and other key infrastructure (such as flood defences) would follow, and Phase 2 would follow on from this. In the light of this projected phasing and given the need for various reserved matters applications as well as various applications to discharge planning conditions, it is considered that Phases 3 and 4 of the Fawley Waterside development are not now likely to come forward until after 2025. In these circumstances, provision of wind turbine storage on these Phase 3 and 4 areas until the end of 2025 is not

considered prejudicial to the delivery of the Fawley Waterside development and/or a development that meets the objectives of Policy Strategic Site 4.

10.19 For the relatively small area of proposed wind turbine storage on Phase 2 of the proposed Fawley Waterside development, it is considered that a slightly more cautionary approach is justified. This area could potentially be ready for development at some point in 2025, and it is important that the delivery of such development is not unduly delayed because of a temporary use. Therefore, for the areas of proposed wind turbine storage use within Phase 2 of the Fawley Waterside development, it is considered that only a shorter term temporary use ending in 2024 would ensure that the delivery of the Fawley Waterside development is not unduly prejudiced.

10.20 Overall, therefore, it is considered that the objectives of Policy Strategic Site 4 would not be unacceptably compromised by permitting an economically and environmentally beneficial temporary wind turbine storage use on the additional areas proposed, providing the use is only permitted until the end of 2025 and in the case of the Fawley Waterside Phase 2 area until the end of 2024.

Design, visual and landscape impact

10.21 In terms of its visual impact, the proposed wind turbine storage areas would be seen as a simple extension of the existing wind turbine storage areas on land that was until recently covered by the significant power station structures. Given this context, the landscape impact of the proposed development is considered to be acceptable, particularly given the temporary nature of the proposal.

10.22 The proposed wind turbine storage areas could be seen from adjacent areas within the New Forest National Park, perhaps most notably from the public footpath that runs close to the southern boundary of the former power station. However, laid horizontally the ground, the wind turbines would not be visually dominant and would assimilate into the existing industrialised landscape of the former power station site without adversely affecting the special qualities of the New Forest National Park. The impact would, of course, only be temporary.

10.23 The proposed wind turbine storage areas would also be visible from the Grade II Listed Building at Ower Farm (within the National Park). The impact on the setting of this building is briefly assessed in the details supporting the application. The wind turbine storage use would be a reasonably generous distance away from Ower Farm (about 250 metres away), and given the existing industrial context and the limited height of the stored wind turbines, the proposal is not considered to adversely affect the setting of Ower Farm or indeed any other heritage asset.

Highway safety, access and parking

10.24 As the wind turbines would be transported to the site by barge, the proposal would have no material implications for highway safety.

Residential amenity

10.25 The nearest residential properties to the proposed wind turbine storage area are in Ower Lane. The nearest property is approximately 100 metres away from the area where wind turbines would be stored. Whilst stored, the wind

turbines would have no material impact upon residential amenities. However, the movement of the wind turbines to and from their stored position would generate some noise. Such noise needs to be viewed in the context of the existing noise environment and recent and ongoing demolition works.

- 10.26 The application is accompanied by a Noise Impact Assessment - the same assessment that accompanied the 2017 planning application. The Council's environmental health officer is satisfied that any noise impact on nearby residential properties could be satisfactorily dealt with by reimposing one of the conditions of the 2017 planning permission that restricts noise levels. As such, provided this condition is imposed, it is not considered the proposed use would cause harm to residential amenities. It is of note that the area is one which has been subject to significant demolition activity over the past few years, and is expected to be subject to significant construction activity in the years to come, so against this context, the noise associated with the proposed temporary use would not be materially harmful.

Flood Risk

- 10.27 The application is accompanied by a Flood Risk Assessment that confirms that the eastern part of the application site is within an area at risk of tidal flooding (flood zones 2 and 3). The Flood Risk Assessment includes a consideration of the Sequential and Exception tests as well as a Flood Warning and Evacuation Plan.
- 10.28 The Environment Agency have confirmed that they have no objection to the proposal. The development would be classified as 'less vulnerable', and so the flood risk associated with the development is considered to be acceptable. It is considered that because the proposal relates to the use of land rather than operational development, that the Sequential Test does not need to be applied. The Flood Warning and Evacuation Plan is considered appropriate.

Ecology

- 10.29 The areas where wind turbine storage is proposed are areas of hardstanding and areas where buildings formerly stood. They have little in the way of ecological value. Wind turbine storage on these areas would not have any direct impact on ecological interests.
- 10.30 The wind turbines that would be stored would be transported to and from the site across and adjacent to sensitive coastal habitats that are designated for their ecological interest. However, it is to be noted that the proposal is not expected to result in a material increase in barge movements to and from the site.
- 10.31 Natural England have highlighted the site's proximity to the Solent and Southampton Water Special Protection Area and Ramar Site, and the Solent Maritime Special Area for Conservation, as well as the Hythe to Calshot Marshes Site of Special Scientific Interest. However, due to the lack of construction works and the fact that the proposed wind turbine storage areas are set a little distance away from the designated sites (materially further away than one of the main existing storage areas) they are satisfied that conditions imposed on the previous temporary planning permissions do not need to be reapplied. Overall, in view of the approved uses that currently take place on the power station site and the specific locations where wind turbine storage use is now proposed, it is not considered the proposal would have a

discernible additional impact or a significant effect on designated sites.

Environmental Impact Assessment

10.32 The application proposal is considered to be Schedule 2 development under the Environmental Impact Assessment Regulations. An EIA Screening Opinion has been undertaken which concludes that the proposal is not EIA development.

11 CONCLUSION

The proposed temporary storage of wind turbines would be contrary to policy because the proposed use does not accord with the strategic site allocation for the former Fawley Power Station site (Policy Strategic Site 4).

However, adjacent areas of the former power station site are already used for the temporary storage and painting of wind turbines, a use that has been in existence since 2018 and which has permission to continue until the end of 2027.

The delivery of a policy compliant development on the former power station site - one that accords with Policy Strategic Site 4 - is still some way off being something that can be commenced, noting that the outline planning application for redevelopment has yet to be issued, and noting as well that there will be other approvals needed before development can be commenced, all of which will take time.

In the interim, it is felt that an economically and environmentally beneficial temporary use, supporting an existing site user, could take place without adversely prejudicing the delivery of a policy compliant scheme in the longer term. A small part of the application site where a policy compliant development may be in a position to come forward during 2025 is considered only appropriate for a temporary use expiring at the end of 2024. However, for the majority of the site, it is considered a temporary planning permission could reasonably be given for the proposed use until the end of the requested period - i.e. 31st December 2025.

The proposed use could take place without adversely affecting the landscape character of the wider area, including the special qualities of the New Forest National Park. The proposal would also have an acceptable impact on residential amenities and ecological and heritage interests.

As such, the application is recommended for a temporary permission, reflecting the conditions below.

12 OTHER CONSIDERATIONS

In coming to this recommendation, consideration has been given to the rights set out in Article 8 (Right to respect for private and family life) and Article 1 of the First Protocol (Right to peaceful enjoyment of possessions) of the European Convention on Human Rights. Whilst it is recognised that there may be an interference with these rights and the rights of other third parties, such interference has to be balanced with the like rights of the applicant to develop the land in the way proposed. In this case it is considered that the protection of the rights and freedoms of the applicant outweigh any possible interference that may result to any third party.

13 RECOMMENDATION

Grant Temporary Permission

Proposed Conditions:

1. The use hereby approved shall cease on that part of the application site outlined in yellow on illustrative drawings L-603 and L-604 on or before 31st December 2024.

Reason: The application site forms part of a Strategic Site allocation that is expected to be developed in accordance with Policy Strategic Site 4 of the New Forest District Local Plan 2016-2036 Part 1. The proposed development would not be in accordance with this policy. However, specifically for those parts of the site outlined in yellow on illustrative drawings L-603 and L-604, it is considered that a temporary permission until the end of 2024, but not beyond, would deliver justified economic and environmental benefits in the short-term without prejudicing the delivery of a policy compliant scheme in the medium to long term.

2. The use hereby approved shall cease on all of those parts of the application site that are not outlined in yellow on illustrative drawings L-603 and L-604 on or before 31st December 2025.

Reason: The application site forms part of a Strategic Site allocation that is expected to be developed in accordance with Policy Strategic Site 4 of the New Forest District Local Plan 2016-2036 Part 1. The proposed development would not be in accordance with this policy. However, for the majority of the application site, excepting those parts of the site outlined in yellow on illustrative drawings L-603 and L-604, it is considered that a temporary permission until the end of 2025 would deliver justified economic and environmental benefits in the short-term without prejudicing the delivery of a policy compliant scheme in the medium to long term.

3. The development permitted shall be carried out in accordance with the following approved plans: 1:5000 Location Plan, 1:5000 Block Plan

Reason: To ensure satisfactory provision of the development.

4. The combined noise rating level of noise from the development hereby permitted shall not exceed +0dB above the background level (LA90) at 3.5m from the facade of any noise sensitive premises in accordance with BS4142:2014.

Reason: To ensure that the proposal does not result in levels of noise disturbance that would be detrimental to residential amenities and to comply with Policy CS2 of the Core Strategy for New Forest District outside of the National Park.

5. No external lighting shall be installed in connection with the development hereby approved unless details of that lighting have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the visual amenities of the area including the adjacent New Forest National Park in accordance with Policies CS2 and CS3 of the Core Strategy for New Forest District outside of the National Park.

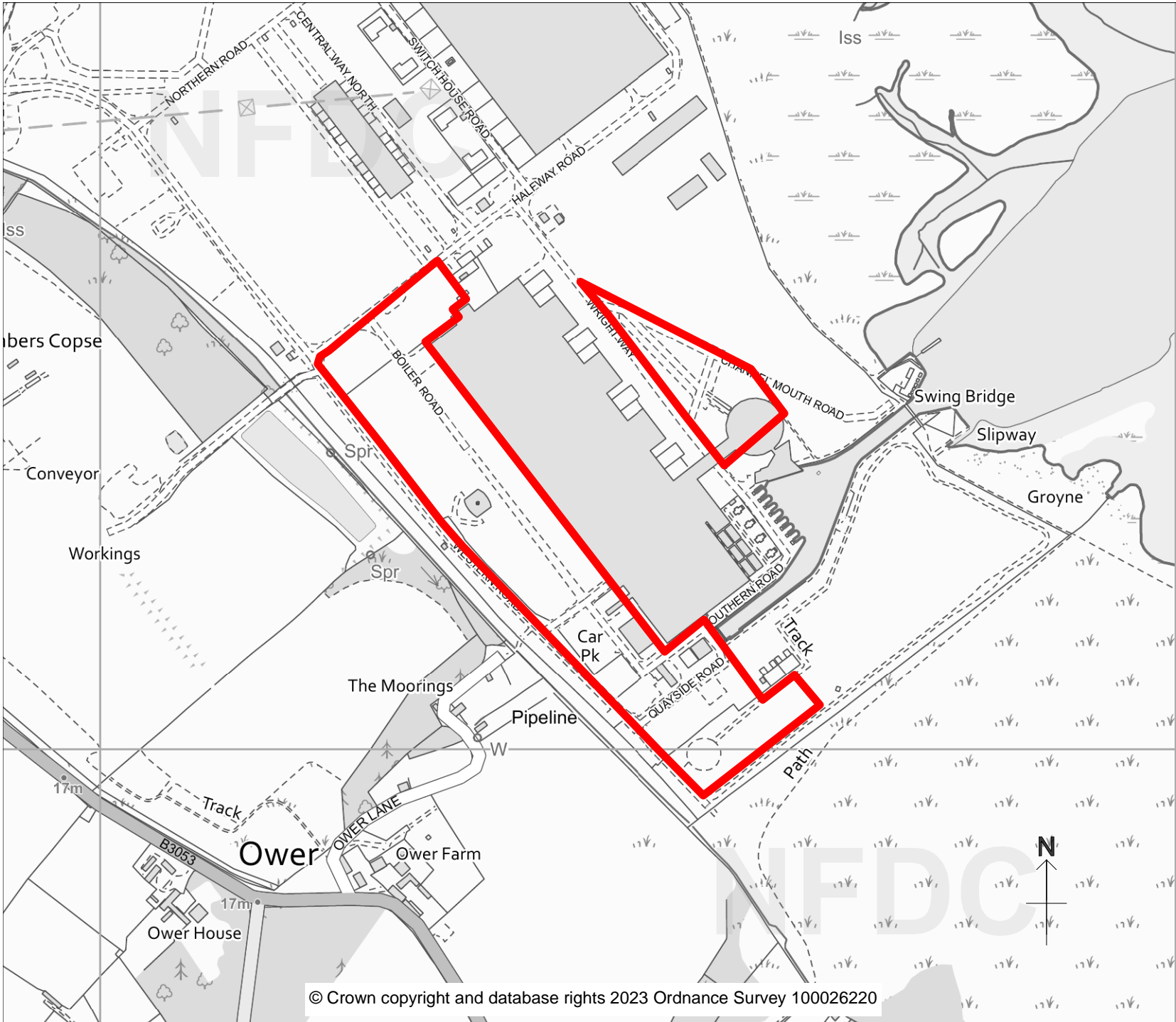
6. The application site shall only be occupied for the use hereby approved if the measures within the Flood Warning and Evacuation Plan (Appendix 3 of the Adams Infrastructure Flood Risk Assessment) are adhered to at all times.

Reason: To ensure that the flood risk associated with the development is acceptably minimised in accordance with Policy CCC1 of the New Forest District Local Plan 2016-2036 Part 1.

Further Information:

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New Forest

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PLANNING COMMITTEE

May 2023

Land of Former Fawley Power Station
 Fawley Road
 Fawley
 23/10050

Scale 1:5000

N.B. If printing this plan from the internet, it will not be to scale.