

NOTICE OF MEETING

Meeting: PLANNING COMMITTEE

Date and Time: WEDNESDAY, 11 FEBRUARY 2026, AT 9.00 AM

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

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PUBLIC INFORMATION:

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.

Members of the public are welcome to attend this meeting. The seating capacity of our Council Chamber public gallery is limited under fire regulations to 22.

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PUBLIC PARTICIPATION:

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

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AGENDA

NOTE: The Planning Committee will break for lunch around 1.00 p.m.

Apologies

1. MINUTES

To confirm the minutes of the meeting held on 14 January 2026 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) **20 Keyhaven Road, Milford on Sea, SO41 0QY (Application 25/10398) (Pages 5 - 32)**

Alterations to existing garage to facilitate a change of use to form a convenience store. Retain first floor C3 use.

RECOMMENDED:

Grant subject to conditions.

(b) **Site of Fawley Power Station, SO45 1TW (Application 25/10970) (Pages 33 - 46)**

Variation of Condition 1 of Planning Permission 24/11096 to extend the mixed use of land for haulage and B8 storage until 31st December 2027.

RECOMMENDED:

Grant Temporary Permission.

(c) **Site of Fawley Power Station, SO45 1TW (Application 25/10971) (Pages 47 - 62)**

Variation of Condition 1 of Planning Permission 24/10861 to extend the use for storage and distribution (Use Class B8) until 31st December 2027.

RECOMMENDED:

Grant Temporary Permission.

(d) **Site of Fawley Power Station, SO45 1TW (Application 25/10972) (Pages 63 - 78)**

Removal of condition 1 and Variation of condition 2 of Planning Permission 23/10050 to enable the approved temporary storage use to continue until 31st December 2027.

RECOMMENDED:

Grant Temporary Permission.

(e) **Land East of Bulls Copse Road, Marchwood Bypass, SO40 4UE (Application 25/10640) (Pages 79 - 112)**

The construction and operation of a Battery Energy Storage System (BESS) and associated infrastructure.

RECOMMENDED:

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

- i) no material comments being made following the end of advertisement period of the application as a departure to the development plan.
- ii) the imposition of the conditions set out in the report.

(f) **Land adjacent Hill View, Ringwood Road, Sopley, BH23 7BE (Application 25/10891) (Pages 113 - 134)**

Construction of dwelling.

RECOMMENDED:

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

- i) the prior completion, of a planning obligation entered into by way of a Section 106 Agreement to secure the following:
 - New Forest recreational mitigation (infrastructure and non-infrastructure), and
 - Air-quality monitoring contributions; and
- ii) The imposition of the Conditions as set out in the report and any additional / amended conditions or variation to the heads of terms as deemed necessary by the Service Manager (Development Management), having regard to the continuing Section 106 discussions to ensure consistency between the two sets of provisions:

(g) **34 Western Road, Lymington, SO41 9HL (Application 25/10844) (Pages 135 - 144)**

Conversion of 2 flats for use as a single dwelling house; extend pitched roof over existing bathroom; single-storey rear extension; fenestration alterations; replacement porch; detached garage and workshop with storage over.

RECOMMENDED:

Grant subject to conditions.

- (h) **Tall Oaks, 1 Church Mead, Lymington, SO41 8FN (Application 25/11107) (Pages 145 - 152)**

Removal or Variation of Condition 7 of Planning Permission 22/11134 to allow the garage to be used as ancillary accommodation.

RECOMMENDED:

Grant the Variation of Condition.

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

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, marriage and civil partnership, 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)
Barry Rickman (Vice-Chairman)
Jack Davies
Philip Dowd
Richard Frampton
Matthew Hartmann
David Hawkins

Councillors:

Dave Penny
Joe Reilly
Janet Richards
John Sleep
Malcolm Wade
Phil Woods

Planning Committee 11 February 2026

Application Number: 25/10398 Full Planning Permission
Site: 20 KEYHAVEN ROAD, MILFORD-ON-SEA SO41 0QY
Development: Alterations to existing garage to facilitate a change of use to form a convenience store. Retain first floor C3 use
Applicant: Harnden Homes Ltd
Agent: Pure Town Planning
Target Date: 02/07/2025
Case Officer: Vivienne Baxter
Officer Recommendation: Grant Subject to Conditions
Reason for Referral to Committee: i) Cllr Hawkins request
ii) Parish Council contrary view

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Principle of the development
- 2) Impact on the character and appearance of the Conservation Area
- 3) Impact on the residential amenities of the area
- 4) Highway matters including parking
- 5) Ecology
- 6) Contamination

2 SITE DESCRIPTION

The site lies on a corner plot within the village of Milford on Sea to the south side of Keyhaven Road. Although the site is presently vacant, it was an established petrol filling station with a fore court canopy, associated convenience store and workshops and two units of residential accommodation above. More recently, it was used temporarily for hand car washing and during this operation, a dwarf wall was erected along part of the front boundary. Vehicular access to the site is from both Keyhaven Road and Laundry Lane although the latter is a private road.

The whole site lies within the Milford on Sea Conservation Area although land to the south is outside of this designation. The former White Horse pub to the west is a listed building and has recently been converted into residential properties. To the eastern side of Laundry Lane is another listed building which is in residential use. There are further listed properties and a listed wall to the north-east of the site.

Keyhaven Road has a variety of uses and the Milford on Sea local shopping frontage is approximately 100m to the west of the site. To the rear (south) of the site is an industrial estate.

3 PROPOSED DEVELOPMENT

The proposal entails the conversion of the ground floor from a petrol station with workshop and small retail element and offices into a retail (Class E(a)) unit. There would be ten associated parking spaces (with eight for the shop including a disabled

bay and two for the existing flats), along with cycle parking and delivery and turning facilities. Cars would enter the site from the east off Laundry Lane, exiting directly onto Keyhaven Road to the west. These access points exist along with a dropped curb access to the eastern end of the Keyhaven Road frontage. Delivery vehicles would access and leave the site using the Laundry Lane access point.

The existing flats at first floor level would be refurbished as part of these proposals which also include the removal of the petrol station canopy over the fore court and the removal of an existing roof terrace to the rear of the building at second floor level.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
15/11655 Use as fuel sales; fore court car sales; hand car wash and valeting services (Retrospective)	13/05/2016	Grant Temporary Permission	Decided
15/11627 Use as 1 flat (Lawful Use Certificate for retaining an existing use or operation)	12/04/2016	Was Lawful	Decided
92/NFDC/49447 Canopy/underground storage tank/relocate pump island/alts :	15/05/1992	Granted Subject to Conditions	Decided
89/NFDC/40768 Extension to offices/shop & workshop	11/05/1989	Granted Subject to Conditions	Decided
81/NFDC/19545 Construction of a fore court canopy and an 8,000 gallon underground petrol tank.	14/07/1981	Granted	Decided
80/NFDC/17506 Alterations and addition of a store and 1st floor office accommodation and toilets.	09/10/1980	Granted Subject to Conditions	Decided
80/NFDC/17068 Addition of a flat over existing showroom (associated with business).	08/08/1980	Granted Subject to Conditions	Decided
XX/LYB/11695 Rebuilding and enlarging of existing engineering workshop.	18/11/1968	Granted Subject to Conditions	Decided
XX/LYB/09111/1 Petrol filling station.	12/08/1966	Granted	Decided
XX/LYB/09111 Garage and filling station.	03/03/1964	Granted Subject to Conditions	Decided

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Policy STR1: Achieving Sustainable Development

Policy STR3: The strategy for locating new development

Policy STR4: The settlement hierarchy

Policy ENV3: Design quality and local distinctiveness

Policy ECON2: Retention of employment sites and consideration of alternative uses

Policy ECON5: Retail development and other main town centre uses

Policy CCC1: Safe and healthy communities

Policy CCC2: Safe and sustainable travel

Local Plan Part 2: Sites and Development Management 2014

DM1: Heritage and Conservation

DM2: Nature conservation, biodiversity and geodiversity

DM16: Within town centres, outside Primary Shopping Areas and Secondary Shopping Frontages

DM19: Small local shops and public houses

Supplementary Planning Guidance And Documents

SPD - Air Quality in New Development. Adopted June 2022

SPD - Design of Waste Management Facilities in New Development

SPG - Milford-on-Sea - A Conservation Area Appraisal

SPG - Milford-on-Sea Village Design Statement

SPD - Parking Standards

Neighbourhood Plan

N/A

National Planning Policy Framework

NPPF Ch. 6 - Building a strong, competitive economy

NPPF Ch.7 - Ensuring the vitality of town centres

NPPF Ch.11 - Making effective use of land

NPPF Ch.12 - Achieving well-designed places

NPPF Ch.16 - Conserving and enhancing the historic environment

National Planning Policy Guidance

Town Centres and Retail

6 PARISH / TOWN COUNCIL COMMENTS

Milford on Sea Parish Council

The Parish Council recommends PAR 4: We recommend REFUSAL for this proposal.

The proposed redevelopment of the site at 20 Keyhaven Road raises serious concerns regarding its impact on the surrounding residential environment, local infrastructure, and community wellbeing. Located within a predominantly residential and conservation area, the proposal for a convenience store with associated parking and deliveries presents multiple planning conflicts — ranging from significant noise disruption and visual intrusion to risks to highway safety, residential amenity, and the character of the area. This representation outlines the various adverse effects of the development, referencing professional assessments, planning policy conflicts, and local conditions that collectively argue against the approval of this application.

Please find reasons for the Parish Council's recommendation for refusal below.

- Impact on residential amenity of adjacent neighbouring properties, in respect of light, visual intrusion and privacy;
- Impact on the character and appearance of the area, including Conservation area and adjacent listed buildings;

- Impact on highway safety, including matters relevant to car parking and servicing;
- Impact on Vitality and Viability of Village Centre;
- Impact on public health and safety (land contamination, air quality, hazardous substance);

Considering the documented adverse impacts on residential amenity, heritage assets, local infrastructure, and public health and safety, the Parish Council believe this proposal is wholly incompatible with both local and national planning policy and the distinct character of the area. The Milford-on-Sea Parish Council urges New Forest District Council to refuse this application.

Following re-consultation:

The introduction and conclusion stated above are repeated, as are the headings forming the objection. In addition to these concerns, the impact on ecology and protected species, with particular reference to a badger sett, is included in the revised comments.

7 COUNCILLOR COMMENTS

Cllr Hawkins: Requests the application is reported to the Planning Committee

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

Environmental Health (Contaminated Land)

No objection subject to standard contamination conditions

HCC Highways

No objection, request conditions and an informative.

This response is based on receipt of a revised site plan showing the area to be stopped up, a delivery management plan, revised tracking for motor vehicles and a road safety audit. The suggested informative requires a S278 license agreement with the Highway Authority.

Archaeologist

No objection

Conservation

Comment only

Planning Policy

No policy objection

Environmental Health (Pollution)

No objection subject to conditions relating to noise mitigation, delivery restrictions and the submission of a Construction Environmental Management Plan (CEMP)

Ecology

No objection subject to condition

9 REPRESENTATIONS RECEIVED

The following is a summary of the representations received following the initial notification.

Against: 629

The main concerns relate to highways related matters and the view that such a facility is not required or wanted in Milford on Sea.

A petition of signatures has also been received in objection to the proposal.

NEED

- village already has excellent grocery facilities
- another supermarket/Tesco isn't necessary
- there is no proven need for an additional store
- proposal would have a significant impact on existing village shops (butchers, florist, greengrocer's, bakers, newsagent, delicatessen, chemists, cafes & restaurants), undermining their viability
- One Stop stocks Tesco products
- would result in job losses to existing retail premises and then closure of shops (including the Post Office)
- economic displacement would cause irreparable damage to the commercial diversity of the village
- chain convenience stores are out of keeping with heritage of high street
- independent stores create the village atmosphere and community spirit
- proposal is not economically viable
- retail impact assessment based on out of date report
- previous hardware store didn't impact on other shops
- not enough spending capacity in the village

HIGHWAYS

- access and parking locally is already difficult, particularly in Lawn Road
- roads are congested
- Keyhaven Road is too busy and narrow for a Tesco store
- delivery trucks will be dangerous in a congested area
- pot holes will become worse
- increased traffic generation
- access to/egress from the village is difficult at present
- increased chance of accidents
- the site has limited access for deliveries and turning
- would increase difficulties for pedestrians, particularly children and the elderly
- inadequate parking provision
- excessive parking provision
- traffic congestion is increasing due to inadequate planning measures for new builds
- deliveries for existing convenience stores is bad enough
- fore court parking would increase traffic hazards
- traffic survey done in winter instead of summer
- where will staff park?
- parking will be used by industrial estate
- Lawn Road will become an overflow car park
- traffic enforcement is non-existent in Milford
- traffic will be really bad at school pick-up or drop-off time
- school children queue for their bus along Keyhaven Road
- concern for pedestrian safety, particularly vulnerable groups
- existing public parking in the village is inadequate
- Keyhaven Road will become much busier as people won't walk to the store

- the car wash caused queues
- people won't use public car parks to access Tescos
- people will overstay the parking
- car park bollards would limit pedestrian circulation space
- lazy drivers park on double yellow lines already
- Transport Statement is poor
- could impact on access to adjacent commercial premises
- site is inadequate to cater for HGVs
- drivers won't have visibility of pedestrians when leaving the site

OTHER

- would encourage youths to hang around - increased crime and anti-social behaviour
- poor air pollution from exhausts
- would set a precedent for commercialisation of the village
- drainage is compromised close to the site
- planning should support Council Tax payers
- petrol station with garage/workshop would be more beneficial
- site should be sold for social housing or used as a community space, recycle cafe, creche, gym, library, climbing centre, school, swimming pool or ice cream parlour
- the revenue the village contributes towards rates, taxes, rents and tourist spending should be considered
- noise and disturbance from delivery lorries, early and late night opening
- site is too small for shop, parking and delivery area
- there are Tesco stores in Lyndington and New Milton (as well as Aldi, Lidl, Waitrose and Marks and Spencers)
- people drive to an all hours shop
- signage would not be in keeping with the area
- proposal would make the village less safe for its residents and visitors
- existing convenience stores do not sell flowers or newspapers due to specialist shops
- would have a negative impact on the Conservation Area
- appears to be contrary to policies supporting rural communities and local businesses
- site is away from the village centre and shouldn't be allowed
- contamination issues need to be addressed
- It will not help tourists support the village
- inaccuracies in Transport Statement
- existing buildings are poor quality and should be demolished
- proposal conflicts with the Village Design Statement
- aluminium and glass shop front not suitable for a coastal village
- light pollution
- should be located at Manor Road if required
- too far for most people to walk to
- decontamination would have an adverse impact on the neighbourhood
- bad idea to locate it away from the compact village centre
- the proposal would overlook existing properties
- impact on NFDC business rates
- on site parking would encourage people to drive
- highly packaged convenience foods would increase litter
- shop would overlook existing residents
- opening hours likely to be out of step with their businesses
- jobs have already been advertised for the store
- no bus stop within 50m
- should be located elsewhere (Manor Road development/A337) if required
- couldn't find a worse site

- reduced incentive for the upkeep and maintenance of buildings and public spaces
- it would decrease footfall
- would hinder farm traffic along Keyhaven Road
- contrary to the supporting information, Laundry Lane workers have access to the convenience stores in the village 3 minutes away, the site is within easy walking distance of existing village shops
- loss of property value
- impact of works to fuel tanks on nature reserve
- the fire escape to the rear of the existing workshop needs to be maintained
- specialist shops would be replaced with tattoo parlours, vape shops, nail bars or charity shops

PETITION

A petition against the proposed development has been received. The supporting letter with the petition advises that many of the 1103 signatories have signed as they are unable to navigate online systems. It does not refer to any specific reasons for their objection.

For: 12

- would be beneficial for Lawn Road residents
- easy to walk to
- more up to date for village which is behind the times
- existing shops are too expensive and lack variety of essentials
- good for more jobs to be available
- existing shops are not accessible for wheelchairs or prams
- existing building is an eyesore
- deliveries would be by smaller vehicles rather than articulated lorries
- should have little impact on the aesthetics of The Green which has Boots, Co-op and One Stop signage
- Brockenhurst, with a smaller population to Milford, thrives with Tesco and two other convenience stores as well as independent shops
- census appears to suggest that the economy is large enough for all stores, particularly in view of new development (New Lane, Bradley Road, Manor Road)
- helpful to have on site parking
- village needs to cater for expanding population
- other shops will still get trade due to Post Office and Evri facilities
- Tesco is no threat if your customers are loyal
- will enable those who don't drive to shop in Tesco
- more choice for tourists

Neutral: 1

- cycle stands should be covered
- lighting in car park is unclear
- pedestrian route to shop is unclear
- consideration should be given to installing bollards on the pavement
- delivery times should be secured by condition

Following the receipt of amended plans at the end of 2025, further representations have been received from local residents. Those remaining in objection to the proposal have made the following additional comments:

- buildings along Keyhaven Road are now predominantly residential
- reduction in parking does not help
- amendments are cosmetic/irrelevant
- the road floods near the site
- applicant has let the site fall into disrepair

- young people are currently priced out
- villagers should have a say on what goes on in their village
- existing retailers in the village have been for sale/rent for 2 years
- travelling through the village with a boat can be slow and frustrating
- Policy officer is wrong
- impact on property values
- two shops have closed in January 2026
- if Councillors agree to the proposal they will be destroying the charm of Milford on Sea
- can't provide parking and safe pedestrian access
- damage to listed buildings through vibration

A representation in support has advised that a new Tesco Metro in New Milton has provided a lifeline for the elderly and turned a tatty site into a thriving hub. A further letter of support advises that Tesco gives a lot to local charities and deliveries to other (of their) local shops have no issues.

10 PLANNING ASSESSMENT

Principle of Development

Policy ECON2 of the Local Plan Part 1 states that employment sites that remain suitable for employment use will be retained for continued employment use wherever possible. Other uses that require planning permission will be supported provided that:

ii. For other non-employment uses, it is demonstrated that the employment site is no longer suitable or viable for continued employment use, by submission of proportionate evidence showing that:

- a. The condition of the site or building renders it unsuitable for its present or any other realistic and appropriate employment use, and it would not be viable to refurbish or redevelop the site for an alternative employment use; and/or*
- b. The site has been actively but unsuccessfully marketed for employment use on unrestricted terms fair to potential occupiers and at a realistic price, for a minimum period of twelve consecutive months prior to the date at which the planning application for an alternative use was submitted.*

And in addition to ... (ii)

iii. The alternative use would not have a significant detrimental impact on the operation of other businesses in the local area.

Whilst a retail Class E use is not defined as an employment use in paragraph 7.5 of the supporting text to this policy, the proposal would, nevertheless generate employment.

Policy ECON5 seeks to support town and village centres by applying a 'town centre first' approach in determining proposals for retail uses. This application relates to retail development and under i.a) of the policy, the proposal should be consistent with the scale and function of the settlement. In this case, Milford on Sea is designated as a main village in the Local plan Part 1 and is therefore considered an acceptable location for small to medium sized developments. The proposal represents a small scale development. As the site is outside of any town centre and local shopping frontage, clause ii of the policy also applies to this application. The relevant parts of the policy are as follows:

i. Development proposals for the Main Town Centre Uses will be favourably considered on environmentally appropriate sites in the settlements identified in

Policy STR4: The settlement hierarchy provided that:

a. The proposal is consistent with the scale and function of settlement in accordance with Policy STR4: The settlement hierarchy;...

ii. Other than as set out in Saved Policy CS21: Rural economy or in the Site Allocation Policies, development proposals for Main Town Centre Uses will only be supported in more peripheral locations within or outside defined built-up area boundaries where supported by robust evidence submitted at planning application stage to demonstrate that:

a. There is a local need and no suitable town centre or edge-of-town centre sites that are available to address that need; and

b. The location is, or will be made, accessible by a choice of transport modes including safe and convenient pedestrian and cycle access; and

c. That there would be no significant adverse impact on the vitality and viability of town centres and large villages.

Policy DM19 of the Local Plan Part 2 states that convenience stores of up to 280m² will be permitted where they provide for the day to day needs of the community which would otherwise not be provided for.

NPPF paragraphs 88 and 89 support the development of accessible local services such as shops advising that the use of previously developed land, well-related to existing settlements should be encouraged. National Planning Policy Guidance relating to town centres and retail advises that the impact test is only a requirement for proposals which exceed 2,500m². This is also reflected in paragraph 94 of the NPPF.

The site is currently considered to fall into a sui generis use, akin to an employment use at present. With regard to policy ECON2, the proposal would provide a supporting service to businesses or the workforce in the area. The submitted Planning Statement states that the site has been considered for an alternative B2 (General Industry) use to reflect those to the south within the adjoining industrial estate. However, this type of use was ruled out for the site by the applicant in view of potential harmful impacts on residential amenity and potentially the conservation area. The site has been marketed for employment use for several months prior to the submission of the application but there has been no interest. Having regard to the policy therefore, consideration has been given to the marketing that has been undertaken, the possibility of alternative employment uses and their impact on the amenities of the local area, both visual and residential. In addition to this, although the proposed retail use does not include a typical employment use as defined in paragraph 7.5 of the Local Plan (namely uses within the former B1, B2 and B8 categories), it would create employment opportunities locally. As such the justification for the loss of employment space is sufficient and therefore the proposal is considered to comply with Policy ECON2 of the Local Plan Part 2.

The application site is not in a defined town centre, nor is it within a primary or secondary shopping frontage as defined in the Local Plan. The retail use is however, a "main town centre use" for planning policy purposes and therefore policy ECON5 is relevant in terms of the proposed use and the fact that the site is in a peripheral location from the village primary shopping frontage. As such, having regard to policy ECON5, the application has been supported with a retail impact assessment. The retail impact assessment addresses the site in location to other potential available sites as well as the impact upon the vitality and viability of the nearby centre and the need for a further retail use in this location.

Section 5 of this assessment relates to a retail sequential test. In this case, whilst the site does not lie within the local shopping centre, as it is 300m from the defined frontage, it can be considered an edge-of-centre site. Other potentially sequentially preferable sites within the defined local shopping frontage have been considered although 32, High Street (the Lazy Lion) was the only site identified as being worthy of further consideration within the proximity of the application site. Having regard to the proposed use, it was considered that whilst the floor space of 32, High Street is comparable to the current site, it is spread over three floors which would not be suitable for a convenience store without significant physical intervention. No. 32, High Street is also Grade II listed which would limit such possibility for internal and external alterations. Furthermore, as a public house, the change of use of 32 High Street would also be in conflict with Local Plan Part 2 Policy DM24.

There have been several representations submitted suggesting that there is no local need for the proposal in Milford on Sea given that there is already a Co-op and One Stop convenience store together with a range of independent stores such as butcher, bakery and news agents in addition to larger supermarkets being available in nearby New Milton and Lymington. Section 6 of the retail impact assessment considers the need for a further retail outlet within this local area. It should be noted that the supporting text relating to policy ECON5 does not require a retail impact assessment for stores under 500m² GIA (gross internal area) and the National Planning Practice Guidance (NPPG) relating to town centres and retail advises that the impact test is only a requirement for proposals which exceed 2,500m² and this threshold is reflected in paragraph 94 of the NPPF. The proposal is for a GIA of 403m² with the shop floor being just 250m² and so does not meet any of these thresholds.

Nevertheless, in view of the two nearby towns (New Milton and Lymington) being in excess of 6km from the site, the proposal has been considered in light of the local provision in Milford on Sea which is located 108m from the site. The information provided within the retail impact assessment includes the type of shopping likely to be undertaken at the proposed store (top up shopping) together with the population size, expenditure per capita and estimations of existing turnover and capacity (size) in the two existing convenience stores which are the most comparable sites in the local shopping frontage. As the retail evidence base for the NFDC area dates back to 2010, the submission relies on a more recent household survey data on behalf of three local authorities in the area which includes survey data relating to the New Forest. The Office for National Statistics (ONS) population data for 2021 has also been used.

The data presented in Table 7 of the Retail, Sequential and Impact Assessment (RSIA) shows the estimated turnover for the existing convenience stores, (based on their floor space and sales densities taken from The Co-operative Food Financial Year 2023 Report and a news item about One Stop within 'The Grocer'), plus the proposed convenience store, (based on published average sales densities contained within the Experian Retail Planner Briefing Note 21 (February 2024)) in terms of top up shopping. Overall, this would amount to between £4,949,830 and £5,001,519 over the next five years.

The forecast for available top up convenience shopping would be between £5,816,223 and £5,843,184 over the same period, meaning that the village would have a surplus top up shopping capacity of between £866,393 and £841,665 over the next 5 years should the proposal go ahead. Further, the RSIA suggests that whilst there are a variety of other shops within the village, they have limited floor areas and offer specialised goods, therefore providing different offers to the proposal. On this basis, it is not considered that the proposal would saturate the retail options within the village.

The RSIA also states that the figures do not include the potential for the population of Milford on Sea to increase in the stated time and Members will be aware that there is an extant outline planning permission for 170 new dwellings to the north of Manor Road within the village, with the reserved matters for this site currently subject of a new planning application (Strategic Site Allocation - SS7). This forecast growth is considered to account for the surplus capacity in the village and as such, the proposal would not give rise to significant adverse impacts on the vitality and viability of the main shopping frontage in the village through a saturation or over provision of top up retail options.

Local residents have noted this potential increase in housing with some suggesting that the Manor Road site would be a preferable location for the convenience store whilst others accept that the village could support a further retail unit in view of this extant permission. The Council's Planning Policy Team has assessed the retail impact assessment and has concluded that the methodology followed in the documentation appears to be consistent and proportionate with national policy and guidance. Based on the information submitted within this assessment together with the supporting planning statement, it is considered unlikely that there would be a significant adverse impact on the vitality and viability of the Milford on Sea defined local shopping frontage as a result of the current proposal and the proposal would therefore comply with Policy ECON5 of the Local Plan Part 2.

The sales area of the development proposed is 250m², within the maximum threshold set out by Policy DM19 of the Local Plan Part 2. However, it is accepted that the village contains other convenience stores, as well as several specialist shops and as such, the proposed development would not be entirely consistent with Policy DM19 in terms of providing for day to day needs which might not otherwise be met. However, the supporting material provided by the applicant in the Planning Statement and in the RSIA is considered by the Planning Policy team to provide sufficient evidence that this proposed development would provide for the day to day needs of the community in addition to those already in operation, it is located within the community being served, and as such, there can be considered to be a need for the development, particularly in light of the future expansion of the village.

To conclude on the principle of the proposed use, it is considered that the submission has adequately demonstrated that there is little or no interest in continuing a traditional employment use at the site, that there is sufficient capacity within the village to accommodate another convenience store without significantly harming the vitality and viability of the existing shopping frontage and that it would serve the local population. As such, the proposal is considered to comply with Policies ECON2 and ECON5 parts ii.a) and ii.c) of the Local Plan Part 1 and Policy DM19 of the Local Plan Part 2.

Site layout and impact on the character and appearance of the Conservation Area

Policy ENV3 requires development to be contextually appropriate and sympathetic to its environment. Policy DM1 of the Local Plan Part 2 requires development to conserve and seek to enhance the historic environment, having regard to the importance of the heritage asset. The Conservation Areas and Listed Buildings Act 1990 places the following statutory duty on Local Planning Authorities: Section 72 sets out that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area. Chapter 16 of the NPPF refers to the historic environment with paragraph 212 relating to the consideration of the impact of a proposal on the significance of a designated heritage asset.

Conservation Area Impact

The application is supported with a Heritage Statement which identifies the nearby heritage assets (listed buildings and conservation area). Whilst there is no reference to the existing setting of these assets, reference is made to the Milford on Sea Conservation Area Appraisal which identifies the site as an opportunity for site enhancement, stating that it (the site) '*contributes very negatively to the appearance of the street*' and has '*an extremely dominant projecting canopy and an ugly premises to the rear of the fore court*'. With the removal of the canopy and refurbishment of the building including improvements to its appearance together with less clutter to the fore court, the Heritage Assessment has concluded that the proposal would result in significant benefits to the setting of the listed buildings and conservation area.

At present, the site is fenced off from the public highway and has a negative impact on the Milford on Sea Conservation Area. The proposal would refurbish the existing building on site, remove the petrol station canopy and provide a more formal fore court layout, accommodating parking, cycle stands, residential bin stores and turning facilities. One of the initial concerns raised by the Conservation Officer related to the loss of the front boundary wall. Although this wall was provided during the use of the site as a hand car wash and is not considered to have any historic merit, the proposals have been amended to address this and a wall not exceeding 600mm high is to be reinstated along much of the front boundary. This is welcomed as it provides definition between public highway and private fore court and reflects the front boundaries in the immediate area.

It is not considered that the proposal would adversely affect the character or the appearance of the Milford on Sea Conservation Area or harm the setting of nearby listed buildings. In addition, the proposal would offer an enhancement through the refurbishment of the building and its subsequent occupation, thus complying with Policy DM1 of the Local Plan Part 2.

Visual impact

The fore court of the premises has previously been used for car washing and the sale of motor vehicles where much of the frontage would be covered in cars. The proposal would provide a more formal frontage with designated parking areas, cycle parking and access/turning areas. Given the nature of the proposed use, the use of this area would be very fluid, unlike the display of vehicles for sale. The existing unsightly concrete surfacing would also be replaced with other materials, details of which can be requested through a suitably worded planning condition.

Removal of the fore court canopy would allow for the building to be read within the street scene albeit set back from the front boundary. The frontage element is presently partly rendered and partly painted brick work and as part of the proposals, the whole building would be finished in render. The workshop element to the rear which is currently clad in black sheeting would also be rendered. The existing cladding is not representative of the local area and its removal would be seen as a visual enhancement. Combined with the proposed anthracite grey aluminium framed windows and doors, it is not considered that the proposed finish of the building would be harmful to the character or appearance of the area.

Many local residents and the Parish Council have raised concern about the impact of lighting on the Conservation Area. Having regard to this, the existing openings at ground floor level to the northern and eastern elevations are to be reduced from the existing situation. This includes the loss of two windows, the removal of a door (with small window) and reduction in the existing glazed shop door size to the eastern elevation. To the northern elevation, two large glazed areas are proposed, a total glazed length of 7.7m with a 2m break between the two openings. At present, there

are two large glazed openings which extend to 8.5m with a break of just 0.7m between them. Whilst it is accepted the premises are currently vacant, a more significant level of glazing could be illuminated without the need for planning permission and there are no restrictions on current opening hours.

The current proposal would have a reduced level of glazing overall, the illumination of which could be controlled with restrictions on opening hours, thus minimising the impact of illumination on the Conservation Area. The proposal does not include any external lighting and any external advertisements would be subject of a separate advertisement consent application.

The applicant has advised that commercial waste is stored in the back of house area, collected on a daily basis by the delivery vehicles and sorted by the retailer off-site. There are therefore no requirements for external bin storage for the store and details of the appearance of the residential waste store can be provided through a suitably worded condition.

Subject to appropriate conditions, the proposal would ensure the removal of unsightly elements present within the site and would improve the appearance of the existing building and the site through substantial refurbishment. Overall, it is considered that the proposal would be sympathetic to its environment and compliant with Policy ENV3 of the Local Plan Part 1.

Furthermore, the current proposals, would also ensure the long term use of the building which in turn would add to the vitality of and help preserve the Conservation Area. The use of the site as a retail store would not be inappropriate in a conservation area when the Milford on Sea Conservation Area already has convenience stores within it. The proposal is therefore considered to have an acceptable impact on the Milford on Sea Conservation Area and that appropriate regard has been had to the other nearby heritage assets in accordance with Policy DM1 of the Local Plan Part 2 and NPPF Paragraph 212.

Residential amenity

Policy ENV3 of the Local Plan Part 1 requires development to avoid unacceptable impacts such as visual intrusion, overbearing impact, noise and light pollution on residential amenity. Policy CCC1 requires development to take remedial action to address pollution hazards which could otherwise prejudice the health and safety of communities.

Overlooking/outlook

The building currently contains two flats at first floor level, flat one comprising three ensuite bedrooms, kitchen and living/dining room and flat two comprising kitchen, utility room and WC, living/dining room, two bedrooms (one ensuite) and a storage area leading to a roof terrace at second floor level. It is proposed to refurbish these dwellings making minor internal alterations in order to provide flat 1 as a three bedroom flat with open plan kitchen, living, dining room and a bathroom and flat 2 as a three bedroom dwelling with kitchen, living room, store cupboard and bathroom. The loft hatch to the roof would be retained as a roof light with no second floor access.

These works would not involve any additional windows and most existing windows would be used for their existing lawful use. Whilst concerns, including one from the Parish Council, have been received regarding potential overlooking to adjoining properties, given the existing flats on the site, it is not considered that the proposed refurbishment of the existing dwellings would give rise to any unacceptable impacts

on the residential amenities of those living nearby, indeed the loss of the second floor roof terrace would be an improvement in this respect. The proposed retail use would not affect privacy being at ground floor level.

As the proposal would involve the removal of the existing petrol station canopy from the fore court, the outlook from main bedrooms and living rooms from the flats at first floor level would be much improved from the current situation where the canopy obscures the lower 0.3m (approximately) of these windows. This is considered a benefit of the proposal and would comply with Policy ENV3 in terms of outlook for occupants. The retail use (including frontage activity) would not have any overbearing impact on local residents as there are no permanent additions to the built form and the lawful use of the site allows for the temporary parking of vehicles.

Noise

Policy ENV3 of the Local Plan Part 1 requires development to avoid unacceptable impacts such as noise pollution on residential amenity.

The application has been supported with several noise reports relating to different aspects of the proposal (plant, deliveries and car park) together with details of sound insulation to protect the amenities of future occupants of the flats. Some of these reports were specifically requested by Environmental Health during the course of the application in order that internal noise from plant, noise associated with customer and vehicle activity and any emissions arising could be properly considered.

It should be noted that the current lawful use of the site includes 2 residential units above workshop space. Whilst one of these units was issued with a lawful development certificate in 2015, the other was subject of a much earlier planning application where no conditions were imposed in relation to noise attenuation as the ground floor at that time was in 'showroom use'. The proposal has the opportunity to improve the living conditions for those occupying either one of the existing flats and would be beneficial to residential amenity.

With regard to plant noise, the plant room would incorporate Louvre doors fitted with internal attenuators to reduce noise breakout. In addition to this, all plant and associated pipe work would be mounted on appropriately rated anti-vibration supports to minimise structure-borne noise transmission through the building. These are considered to be acceptable mitigation measures to protect future occupants from this type of noise and a condition is recommended to ensure noise levels remain within the appropriate levels during both day and night time. In addition to this, the number (no more than 6 per day, only 2 of which can be HGVs) and timings (0700-2200 Monday to Saturday and 0900-1700 Sundays and Public Holidays) of deliveries are required to be restricted through a suitably worded condition to minimise disruption to local residents.

The details provided in respect of customer noise includes reference to conversational noise from the use of mobile phones or arriving in groups as well as from vehicle movement and is based on a worst case scenario. The assessment concludes that noise levels during peak hours are comparable to the existing ambient noise climate and no significant impact is expected. It is noted that the Parish Council has raised concerns about noise levels where human behaviour plays a part, including where deliveries are involved. However, this issue has been considered by Environmental Health who have advised that a condition relating to adherence with the submitted Delivery Management Plan is recommended to any planning permission. This would restrict the number of deliveries per day and the times during which they can visit.

The sound insulation report considers the impact of refrigeration equipment and activity within the retail area as well as back of house. Although there are no detailed plans of the separation floor at this stage of the development process, the assessment states that it will be in compliance with the store's Shell Specification. The report demonstrates that adequate noise control will be achieved if the separating floor meets the minimum airborne sound insulation. It is considered appropriate to impose a condition requiring compliance with the Shell specification and the mitigation measures outlined in the report.

With regard to emissions (noise, dust, etc.) from the site during the construction period, no details have been provided other than the proposed opening hours. However, this matter can be resolved through the imposition of a condition requiring the submission of a Construction Environmental Management Plan prior to works commencing. It is considered important to restrict the timings and number of deliveries as set out in the Delivery Management Plan together with suitable restrictions on the opening hours of the retail store.

Subject to appropriate conditions relating to noise, emissions, timing restrictions and contamination, the proposal is considered to comply with Policies ENV3 and CCC1 of the Local Plan Part 1 and is not considered to give rise to unacceptable impact on residential amenity having regard to privacy, overbearing impact, and noise pollution issues.

Highway safety, access and parking

Policy CCC2 of the Local Plan Part 1 requires development to provide sufficient car and cycle parking and to provide highways measures necessary to enable the development to be accommodated in a safe and sustainable manner. Policy ENV3 of the Local Plan Part 1 also requires the integration of sufficient parking spaces so that realistic needs are met in a manner which is not prejudicial to highway safety.

An initial objection was raised by HCC Highway Authority. Discussions have been undertaken to address these concerns. During these discussions, it was ascertained that part of the site, including the existing front boundary wall and some of the area proposed to be parking spaces was part of the adopted highway, albeit having been part of the overall site for many years. In order to address this issue as well as the stated concerns, the proposed plans have been amended to identify an agreed area of land within the red site area which would be formally stopped up. This would allow the proposed layout to be implemented without obstructing the highway and it requires a separate procedure under S.247 of the Town and Country Planning Act, 1990, outside of the planning application process but one which is requested prior to the commencement of works should permission be forthcoming.

The majority of objections received, including that from the Parish Council make reference to many highway concerns, in particular those relating to existing levels of on street parking locally, the proposed lack of parking and conflict with pedestrians and the additional traffic, including delivery vehicles.

Parking

The recommended level of parking for three bedroom properties within the NFDC Parking Standards SPD is 1.9 each if provided communally. For the store element, the proposed floor space would generate a recommended parking provision of 17.8 spaces. This figure does not differentiate between customer and staff parking. The cycle parking provision for a retail store of this size would equate to 1 long stay and two short stay spaces.

The existing fore court does not have any designated parking bays marked out on it although in the past, there have been spaces indicated for MOTs to the east side of the building.

The current scheme would make provision for 2 parking spaces for the flats which is 1.8 spaces below the recommended standard. However, this offers each dwelling a designated parking space where none currently exists and this represents an improved parking arrangement.

Eight parking spaces are proposed for the retail store (including an accessible bay) which represents a shortfall of 10 spaces against the recommended standard. Principle PS13 within the Parking Standards SPD requires departures from the parking standards to be justified using a robust evidence base. The submitted Transport Statement provides evidence which demonstrates that during peak hours, the number of vehicles present is likely to be 7 and the proposed number of parking spaces to be provided would cover this peak hour flow. This evidence uses TRICS (Trip Rate Information Computer System) data and includes consideration of the length of time visits to a convenience store would take (between 5-10 minutes) and the number of trips likely (up to 32 per hour at peak times). The developer has advised that these spaces would be for customers only with reference made to staff cycling to work. The proposal includes adequate cycle parking provision for the size of the retail store.

Within the Parking Standards SPD, it is noted that 80-90% of dwellings in Milford on Sea are within 800m of the local shopping frontage with only the towns of New Milton and Ringwood together with the wider Hythe and Dibden area having fewer dwellings this close to such facilities. These locations are much larger than Milford on Sea and the location of the proposed store would bring additional dwellings within 800m distance and the possibility of more people walking to the store either from home or one of the village's main car parks which is less than 185m from the proposed store, where customers could park and undertake multiple shop visits. There is also likely potential for customers to visit the store on foot which would reduce parking requirements. Consideration is also given to the settlement hierarchy which defines Milford on Sea as a main village which by definition has access to a range of facilities including a regular public bus service.

Access

The site benefits from access points on both Keyhaven Road and Laundry Lane. These are both proposed to remain with entrance to the site being off Laundry Lane and the exit to the west off Keyhaven Road. Careful consideration has been given to the one-way system through the site and the location of the parking spaces. Plans have been provided indicating swept path movements for vehicles accessing each parking space and this demonstrates that all parking spaces are accessible without significant manoeuvring within the site. Swept path movements for the delivery vehicles have also been provided to demonstrate that the delivery zone is accessible to all vehicles required to use it, even if all parking spaces are in use.

The application is further supported with details of appropriate visibility splays which allows for a front wall of up to 600mm high, providing definition to the fore court without harming highway safety. The visibility splays are for both vehicles and pedestrians using the site and will provide safe and convenient access.

Many concerns received relate to access through the village, particularly in light of deliveries which are made to the other convenience stores in the village which seem to cause concerns on a regular basis. It is noted that the One Stop shop does not have any designated parking for either customers or deliveries and such visitors have to rely on the public highway or car parks. The Co-op has a small in/out lay by

facility - which is part of the adopted highway - which is also used for up to 3 customer parking spaces albeit the middle space can be blocked in. The current proposal would therefore appear to be the only convenience store in the village with a designated off road delivery area and parking facilities.

Traffic generation

The application has been supported with a survey recording speeds and numbers of vehicles during the last week of January 2025. Whilst it is noted that many local residents do not believe that the survey was carried out at the appropriate time of year, the Highway Authority considers that the surveys are acceptable. This is due to the surveys being carried out during a 'neutral period' in order to assess the impact during the busiest peak periods during normal operation of the highway. Holiday traffic using Keyhaven Road would occur outside of the normal peak periods when there would be likely to be less traffic on the road. The Hampshire and Isle of Wight Traffic collision data has also been provided, confirming that there have been no accidents in the immediate vicinity of the site in the last five years. This data is also acceptable to the Highway Authority.

The TRICS database has been used to establish the trip generation for the existing lawful use of the site (both vehicle repair garage and car showroom) and this indicates that the historic use could generate up to 59 two-way daily trips. The same database estimates 64 vehicle movements in the morning peak hour and 56 movements in the afternoon peak hour for the current proposal. Whilst the Highway Authority acknowledges that not all trips to the new retail store would be entirely new to the highway network, as some would be pass-by, linked or diverted trips, there would be a significant proportion of additional trips generated by the store. However, taking into account the existing traffic volumes and nature of the local network, the Highway Authority considers that the proposed development is not expected to result in a severe impact on highway operation and as such, have raised no objection to the proposal in this respect.

Conclusion

It is acknowledged that within the objections raised above, many relate to highway matters. The developer has worked with the Highway Authority to address initial concerns raised and this has resulted in the scheme demonstrating that the site can accommodate delivery vehicles without impacting on the customer parking facilities. Customers should also be able to access and leave all parking spaces without impacting on deliveries. The proposal provides residential parking facilities for the two existing flats where they have no parking at present, Whilst the overall level of parking is below the recommended standards within the Parking Standards SPD, the existing shortfalls need to be considered along with the sustainable location of the site in settlement hierarchy terms. In addition, the developer has indicated that the peak number of visitors to the site is likely to be less than the number of spaces being provided as the proposal is predominantly intended to serve the local population who could walk to the shop. It is also noted that neither existing convenience store within Milford on Sea has any access to either parking or delivery facilities.

Upon review of the amended and additional information provided during the course of the application, the Highway Authority is satisfied that the proposal is acceptable and no highway objections are raised. Conditions relating to highway matters and an informative are recommended in order to ensure compliance with Policies ENV3 and CCC2 of the Local Plan Part 1.

Ecology

Policy DM2 of the Local Plan Part 2 states that development will not be permitted

which would adversely affect species of flora or fauna which are protected. The latest objection from the Parish Council has raised concern that the proposal would harm a badger sett to the rear of a property on Keyhaven Road. The site itself does not contain suitable habitat for a badger sett to be present and it is considered unlikely that an offence would occur via damage or interference with a sett. However, there is a risk that during construction any excavations left overnight may cause a risk to badgers, as individuals may become trapped. As such, a condition is recommended to ensure that any open trenches are covered overnight, or fitted with a ramp so that if an individual badger (or other mammal) does become trapped, it is able to leave of its own accord.

The site does not presently have any habitats exceeding 25m² within its boundaries and it is therefore exempt from the mandatory biodiversity net gain.

The proposal does not give rise to any potential harmful impacts on protected species and whilst a badger sett has been referred to in the latest Parish Council objection, any concerns can be resolved through the imposition of a suitable worded condition. The proposal is therefore considered to comply with policy DM2 of the Local Plan Part 2.

Contamination

Policy CCC1 does not permit development unless it is first adequately remediated or made safe for the proposed use and local community.

As a former petrol station for over 60 years, the fore court contains several underground fuel tanks and there remains a diesel pump. Three out of the four diesel tanks have been filled with slurry with the fourth appearing to be operational. Three historical tanks are located further south, closer to the workshop and there are three petrol oil interceptors to the northwest of the site. The submitted desk top study relating to contaminated land confirms that in addition to the on site uses, including vehicle workshop, car bay and hand car wash, the site could be impacted by an off site historical launderette and the on going uses within the adjacent industrial estate.

The report concludes that the majority of impacts offer a moderate or moderate/low risk to human health, buildings and controlled waters, aside from a high impact in relation to potential asbestos within 'made ground' within the site.

The Environmental Health Officer (Contaminated Land) has considered the submitted report and agrees that further investigative works are required to confirm ground conditions, investigate and assess the contaminant linkages identified and clarify the potential for contamination to be present. The Parish Council have expressed concerns about the potential contamination on the site and have indicated they would prefer the further investigative works to be undertaken prior to any permission being issued. Whilst this is noted, it is considered that the matter can be resolved through the imposition of the standard contamination planning conditions which is normal practice in such circumstances.

11 OTHER MATTERS

Most of the concerns raised in the third part representations are addressed in the planning assessment set out above. The following comments are made on other matters that have not been included.

Several representations make reference to alternative uses which they consider would be preferable on the application site. Housing has been suggested many

times, along with uses such as a library, community space, cafe/ice cream parlour, creche, gym, swimming pool and school. Having regard to these suggested uses, it should be noted that the proposed Class E use would also allow for the provision of the cafe/ice cream parlour (Class E(b)), gym, swimming pool (Class E(d)) and creche (Class E(f)) without the need for further changes of use applications (the proposed retail use is Class E(a)). Whilst applications can be amended to address specific issues, it is not the role of the Planning Authority to suggest a different use to that proposed and the current application needs to be determined as submitted and on its merits.

One of the concerns raised locally related to the fire escape at the rear of the building. Having regard to this, it is noted that the site boundary includes a gap between the existing workshop and commercial units to the rear. There are no proposals to extend into this space and an existing window to the rear elevation is proposed to be blocked up which would make the route safer than it is at present.

Comments have been received with regard to the proposed signage for the premises. This does not form part of the current proposals and would require the submission of a separate advertisement consent application.

12 CONCLUSION / PLANNING BALANCE

The application has been supported with a series of documents and surveys to demonstrate that there is capacity for an additional convenience store within Milford on Sea. The Council's Planning Policy team has considered the information which has been provided in accordance with local and national policy and concluded that in principle, there is no objection to either the provision of a convenience store or loss of employment use on this site.

Removal of existing unsightly elements on site, including the fore court canopy together with the refurbishment of the existing building and replacement of unsympathetic cladding offers a significant improvement to the appearance of the site which is considered to enhance the character and appearance of the Milford on Sea Conservation Area. The proposal does not give rise to unacceptable impacts on existing or future residential amenity. Conditions can be imposed to ensure compliance with noise reports and appropriate material finishes.

The applicant has worked closely with the Highway Authority to resolve the initial concerns raised and the proposal is not considered to give rise to unacceptable highway impacts in view of the ability to accommodate off street deliveries without impacting on the access to parking spaces.

The proposal makes good use of an otherwise under utilised site within the Milford on Sea Conservation Area. Whilst it is acknowledged that there has been a significant level of local interest in the proposal, many issues raised are not material planning consideration or able to be controlled under other legislation (e.g. littering and encouraging youths to hang around), others have been considered above and some refer to the possibility of alternative uses. This is not a matter to be considered as part of this application although the grant of permission for the convenience store would not preclude some of the other uses suggested by local residents.

The current proposals have to be considered against the relevant development plan policies and the national policy framework. The recommendation made is based on these taken as a whole in reaching a planning balance. There are no identified material planning considerations that would outweigh the conclusions reached. In this case overall, it is considered that the current proposals would represent a

sustainable form of development within a village context, adding to the vitality of Milford on Sea and would offer an improvement in visual terms to the street scene and this part of the Milford on Sea Conservation Area.

The recommendation for the application is therefore one of approval subject to conditions as it is considered to comply with policies ENV3, ECON5 and CCC2 of the Local Plan Part 1 and policies DM1 and DM2 of the Local Plan Part 2.

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:

23-121-100 - location plan
23-121-101D - existing plans
23-121-102G - proposed site plan
23-121-103A - proposed first floor plan
23-121-104B - proposed elevations

ADL_6436-19A - vehicle tracking for 8.4m rigid vehicle
ADL_6436-20A - visibility splays site access & Laundry Lane
ADL_6436-21A - highway extents and area to be stopped up
ADL_6436-23_1 - vehicle tracking for standard design vehicle (1 of 2)
ADL_6436-23_2 - vehicle tracking for standard design vehicle (2 of 2)

Design, Access, Planning & Heritage Statement dated March 2025
Retail, Sequential and Impact Assessment ref.R01129 dated 6 March 2025
Delivery Noise Assessment ref.93002 dated 24 March 2025
Plant Noise Guidance Report ref.93002 dated 24 March 2025
Plant and Car Park Noise Impact Assessment ref.93002 dated 22 August 2025
Sound Insulation Report ref.93002 dated 20 August 2025
Transport Statement ref.ADL/AM/6436/20A dated March 2025
Delivery Management Plan ref.ADL/AM/6436/13A dated January 2026
Groundworks Statement
Contaminated Land Desk Study Report ref.25-51582 dated April 2025

Reason: To ensure satisfactory provision of the development.

3. Prior to the application of the render, exact details of the proposed render colour 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.

4. Prior to the commencement of the development hereby permitted, full details of the proposed materials to be used in the surfacing of the site, front boundary wall and residential bin store enclosure shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be implemented in accordance with the approved details prior to the commencement of the ground floor use.

Reason: In the interests of the character and appearance of the area and in accordance with policy ENV3 of the Local Plan Part 1 and policy DM1 of the Local Plan Part 2.

5. No development shall take place, (including any works of demolition), until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved statement shall include scaled drawings illustrating the provision for:

- 1) the parking of site operatives and visitors' vehicles;
- 2) loading and unloading of plant and materials;
- 3) management of construction traffic and access routes;
- 4) storage of plant and materials used in constructing the development;
- 5) vehicle tracking demonstrating that the largest vehicles associated with the construction process can access, egress and turn within the confines of the site; and
- 6) wheel washing, preventing mud on the highway.

Reason: In the interests of highway safety and in accordance with policies ENV3 and CCC2 of the Local Plan Part 1 for the New Forest outside of the National Park.

6. Prior to the commencement of any development (including site clearance, demolition, or preparatory works), a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include, but not be limited to, the following details:

- Site Management
- Contact details of the site manager and emergency contact information.
- Hours of operation
- Environmental Controls
- Measures to control noise, dust, vibration, and odour.
- Pollution prevention measures including spill response and containment.
- Protection of watercourses and drainage systems.

- Waste and Materials Management
- Use of sustainable materials and minimisation of waste.
- Monitoring and Compliance
- Procedures for monitoring environmental impacts and compliance.
- Mechanisms for reporting and addressing complaints.

The development shall be carried out in accordance with the approved CEMP.

Reason: In the interests of the residential amenities of the area and in accordance with policies ENV3 and CCC1 of the Local Plan Part 1 for the New Forest outside of the National Park.

7. Prior to the first use or occupation of the retail use hereby permitted, the noise mitigation measures set out in the "Sound Insulation Assessment Report" prepared by Noise Solutions Ltd (Ref: 93002, dated 20 August 2025) shall be fully implemented in accordance with the recommendations contained therein. The approved measures shall thereafter be retained and maintained in accordance with the approved details for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of residential amenity and in accordance with policies ENV3 and CCC1 of the Local Plan Part 1 for the New Forest outside of the National Park.

8. The development hereby permitted shall not be occupied until the spaces shown on plan 23/121/102 rev.G for the parking of motor vehicles and cycles have been provided. The spaces shown on plan 23-121-102 rev.G for the parking of motor vehicles and cycles shall be retained and kept available for the parking of motor vehicles and cycles for the store hereby approved and existing dwellings at all times.

Reason: To ensure adequate parking provision is made in the interest of highway safety and in accordance with Policies ENV3 and CCC2 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

9. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions relating to contamination nos.10-13 have been complied with.

If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 13 relating to the reporting of unexpected contamination has been complied with in relation to that contamination.

Reason : To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can

be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CCC1 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park and Policy DM5 of the Local Plan For the New Forest District outside the National Park. (Part 2: Sites and Development Management).

10. An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with the Environment Agency's technical guidance, Land Contamination Risk Management (LCRM).

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CCC1 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park and Policy DM5 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

11. Where contamination has been identified, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures.

The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CCC1 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park and Policy DM5 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

12. Where a remediation scheme has been approved in accordance with condition 11, the approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CCC1 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park and Policy DM5 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

13. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 10, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 11, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 12.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be

carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CCC1 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park and Policy DM5 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

14. Where a remediation scheme has been approved in accordance with condition 11, a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over the period stated in the remediation scheme, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority. This must be conducted in accordance with the Environment Agency's technical guidance, Land Contamination Risk Management (LCRM).

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CCC1 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park and Policy DM4 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

15. No activity shall take place on the site in connection with the approved ground floor use other than between the hours of 0600 and 2300.

Reason: To safeguard the amenities of nearby residential properties in accordance with Policy ENV3 of the Local Plan Part 1 for the New Forest outside of the National Park.

16. All deliveries to the site should be in line with the details provided within the approved Delivery Management Plan (ref. ADL/AM/6436/13A dated January 2026), noting the size of the maximum vehicle size.

Deliveries to the site shall only be undertaken in accordance with the following provisions:

- All deliveries shall be carried out in accordance with the Delivery Management Plan set out in Section 7.9 of the Delivery Noise Assessment prepared by Noise Solutions Ltd (Ref: 93002, dated 24 March 2025), or any subsequent plan approved in writing by the Local Planning Authority,

- No more than two Heavy Goods Vehicle (HGV) deliveries shall be made to the site per calendar day. All deliveries shall be received at the designated service yard as identified in the approved site layout plan,
- Deliveries shall only take place during the following hours:
 - Monday to Saturday: 07:00 to 22:00
 - Sundays and Bank Holidays: 09:00 to 17:00

No deliveries shall take place outside these hours unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and residential amenity and in accordance with policy ENV3 of the Local Plan Part 1 for the New Forest outside of the National Park.

17. The noise mitigation measures outlined in the submitted Plant and Car Park Noise Impact Assessment undertaken by Noise Solutions Ltd (Project Reference: 93002 | Revision: 00 | Date: 22nd August 2025) shall be implemented prior to first use and thereafter adhered to at all times. These details shall include:

- the combined rating level from all plant and equipment as calculated in accordance with BS4142:2014 shall not exceed a rating level of 38dB LAr,Tr between the hours of 07:00hrs and 23:00hrs and 30dB LAr,Tr between the hours of 23:00hrs and 07:00hrs either measured or calculated at a distance of 1m from the facade of the nearest noise sensitive properties; and
- all plant, connecting ducts and pipes entering the building structure, shall be fitted with isolation mounts.

Reason: In the interests of the residential amenities of the area and in accordance with policy ENV3 of the Local Plan Part 1 for the New Forest outside of the National Park.

18. During any excavation works at the site, any trenches shall be covered over at night or fitted with a ramp.

Reason: In the interests of ecology and in accordance with Policy DM2 of the Local Plan Part 2 for the New Forest outside of the National Park.

19. The development shall be implemented in accordance with the approved highway improvement works, including the stopping up works, as shown on approved drawing ADL_6436-21A, prior to the occupation of the ground floor use. The applicant shall provide a copy of the S.247 license to the Local Planning Authority within 20 working days of receipt of the license from the Local Highway Authority.

Reason: In the interests of highway safety and in accordance with Policy CCC2 of the Local Plan Part 1 for the New Forest outside of the National Park.

20. Prior to the commencement of development, a site-specific Dust Management Scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be produced in accordance with the Institute of Air Quality Management (IAQM) 'Guidance on the assessment of dust from demolition and construction' 2014 (as amended) and be implemented, maintained and retained for the duration of the development.

Reason: In the interest of the residential amenities of the area and in accordance with policy ENV3 of the Local Plan Part 1.

Further Information:

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DISTRICT COUNCIL

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**PLANNING
COMMITTEE**

February 2026

20 Keyhaven Road
Milford on Sea

25/10398

Scale 1:500

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

Planning Committee 11 February 2026

Application Number: 25/10970 Variation / Removal of Condition
Site: SITE OF FAWLEY POWER STATION, FAWLEY ROAD,
FAWLEY SO45 1TW
Development: Variation of Condition 1 of Planning Permission 24/11096 to
extend the mixed use of land for haulage and B8 storage until
31st December 2027
Applicant: Fawley Waterside Limited
Agent: Carter Jonas
Target Date: 26/01/2026
Case Officer: Ian Rayner
Officer Recommendation: Grant Temporary Permission
Reason for Referral to Committee: Parish Council contrary view

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) The principle of development, having regard to local plan policy and the recent planning history of the site.
- 2) Transportation and highway impacts.
- 3) Noise and amenity impacts.
- 4) Landscape impacts, including impacts on the adjacent New Forest National Park.
- 5) Ecological impacts, including impacts on nearby designated sites.

2 SITE DESCRIPTION

The application site extends to 1.75 hectares and comprises part of the former Fawley Power Station site. Specifically, the application site relates to an open area of land towards the north-western corner of the former power station site, between Western Road and the former power station's western boundary with the New Forest National Park.

The site is flat and entirely hard surfaced. Access to the site would be via the main access road serving the former power station.

Other parts of the former power station site are currently being used for temporary storage purposes.

3 PROPOSED DEVELOPMENT

The application seeks to vary Condition 1 of planning permission 24/11096, which allows for a temporary haulage and B8 storage use on the site described above. Condition 1 of this permission states:

"The use hereby approved shall cease 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, it is considered that a temporary permission until the end of 2025 would deliver justified economic benefits in the short-term without prejudicing the delivery of a policy compliant scheme in the medium to long term."

The submitted variation of condition application seeks to allow the continued use of the site for haulage and B8 storage purposes for a further 2 years, until 31st December 2027.

4 RELEVANT PLANNING HISTORY

Previous proposals affecting just the application site area

4.1 Temporary mixed use of land for haulage and B8 storage (Retrospective) (24/11096) - granted temporary permission 12/2/2025

Previous proposals relating to general storage on other parts of the former Power Station site

4.2 Temporary use of land for storage and distribution (Use Class B8) (retrospective) (24/10861) - granted temporary permission 12/2/25

Previous proposals relating specifically to wind turbine storage use on other parts of the former power station site

4.3 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

4.4 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

4.5 Leading Edge Protection Building; single-storey portable cabins for welfare facilities and offices (18/10583) - granted temporary permission 30/7/18

4.6 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.

4.7 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. (23/10050) - granted temporary planning permission 3/5/23

Proposals for the demolition of the former Fawley Power Station Buildings

- 4.8 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
- 4.9 Dismantling, removal and site clearance of buildings (19/10131) (Demolition Prior Notification Application) - details not required to be approved 31/5/19
- 4.10 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

- 4.11 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) - withdrawn 12/7/24

Proposal affecting the application site and adjacent areas

- 4.12 Request for a Scoping Opinion for a Green Hydrogen Production Facility under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (25/11023) - Opinion given 19/12/25

5 PLANNING POLICY AND GUIDANCE

National Planning Policy Framework
 Planning Practice Guidance

Local Plan 2016-2036 Part One

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 STR3: The strategy for locating new development
 Policy STR4: The settlement hierarchy
 Policy STR6: Sustainable economic growth
 Policy ENV1: Mitigating the impacts of development on International Nature Conservation sites
 Policy ENV3: Design quality and local distinctiveness
 Policy ENV4: Landscape character and quality
 Policy ECON1: Employment land and development
 Policy ECON2: Retention of employment sites and consideration of alternative uses
 Policy CCC1: Safe and healthy communities
 Policy CCC2: Safe and sustainable travel
 Policy Strategic Site 4: The former Fawley Power Station

Local Plan Part Two (2014)

DM1: Heritage and Conservation

DM2: Nature conservation, biodiversity and geodiversity

DM5: Contaminated land

Fawley Neighbourhood Plan

This is currently only at Regulation 15 stage, so only carries limited weight.

6 PARISH / TOWN COUNCIL COMMENTS

Fawley Parish Council: We recommend refusal as this proposal is not in accordance with the New Forest District Local Plan 2016-2036 Part 1.

7 COUNCILLOR COMMENTS

None

8 CONSULTEE COMMENTS

HCC Highway Authority: No objection

NFDC Environmental Health (pollution): No objection subject to condition restricting operational hours

NFDC Ecology: No objection

NFDC Conservation: No objection. The proposed development will not impact upon any heritage assets.

Forestry England: No objection. Advice offered on Ancient Woodlands, existing trees and Biodiversity Net Gain.

New Forest National Park Authority: In accordance with its statutory duties, the District Council will need to consider the potential impacts of this proposal on the New Forest National Park, which is located in close proximity to the site.

9 REPRESENTATIONS RECEIVED

8 letters of objection from local residents:

- The existing temporary uses have resulted in a significant increase in HGV movements on nearby roads, which creates significant noise disturbance, vibration impacts and dust, to the detriment of residential amenities. This is exacerbated by the surface and condition of the B3053 highway.
- The local road network is inadequate to be able to accommodate the levels of HGV movements generated by the application.
- Increased dangers for pedestrians and cyclists and other road users, which is not being mitigated by infrastructure improvements for pedestrians and cyclists, and which will therefore dissuade potential trips by foot or bike.
- The various temporary planning permissions have a cumulative impact that materially compounds the impact of each individual application.
- Existing conditions restricting operational hours have not been complied with
- There are no economic benefits for local people.
- Adverse visual impacts next to National Park.
- The application needs a further Transportation Assessment.

10 PLANNING ASSESSMENT

Background to the current application

- 10.1 At the February 2025 Planning Committee, temporary planning permission was granted for the use of this site for a temporary haulage and B8 storage use. The temporary planning permission expired on 31st December 2025. In granting this temporary planning permission, it was recognised that the proposal was contrary to Policy Strategic Site 4 of the Local Plan. However, a temporary permission until the end of 2025 was considered justified on the basis that the permission would deliver short-term economic benefits without prejudicing the delivery of a policy compliant scheme in the medium to long term.
- 10.2 The current application effectively seeks to enable the temporary haulage and B8 storage use to continue for another two years until 31st December 2027.
- 10.3 When temporary planning permission was granted in February 2025, there were 3 separate occupants of the application site. The southernmost section of the site was occupied by Earlcoate Construction, who are a local construction company who have been using the site for the storage of construction plant and equipment. The northernmost section of the site was being occupied by ICS, who store air conditioning and refrigeration equipment on the site. The central section of the site was being occupied by the haulage company, JHS.
- 10.4 Following the grant of planning permission in February 2025, the haulage company, JHS, have left the site, and the space they have vacated has been largely taken up by Earlcoate Construction. ICS remain on the northern part of the site, and at the time of a site visit in November 2025, their use and activities were spilling out (without planning permission) onto adjacent areas outside of this application site.

The Principle of Development

- 10.5 As before, the application site forms part of an allocated site - where Policy Strategic Site 4 applies.
- 10.6 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 areas affected by this application should be developed either for employment related purposes or as a green buffer of public open space.
- 10.7 As before, the proposed haulage and B8 storage uses are not considered to be in accordance with the requirements and expectations of Policy Strategic Site 4. Indeed, a permanent haulage or B8 storage use would be clearly contrary to policy and would not be a proposal that could be supported at the current time.

10.8 However, the application does not seek a permanent planning permission. Instead, only a temporary planning permission is sought until the end of December 2027. As such, it needs to be considered whether a further short-term temporary planning permission (of two years) would be justified in the light of planning policy, the site's recent planning history and the scheme's environmental impacts. On this point, it is of note that Planning Practice Guidance states:

"A temporary planning permission may also be appropriate to enable the temporary use of vacant land or buildings prior to any longer-term proposals coming forward (a 'meanwhile use')."

Relevant Planning History

- 10.9 Since 2017, significant parts of the former Fawley Power Station site have been used for the storage of wind turbine blades. The first temporary planning permission (Ref: 17/10805) relating to wind turbine storage was granted in September 2017, permitting the storage of wind turbines on 12.78 hectares 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.
- 10.10 More recently, in May 2023, temporary planning permission (Ref: 23/10050) was given for a further 6.22 hectares of land at the former Fawley Power Station to be used for the storage of wind turbine blades. Temporary planning permission was granted for most of the application site area until 31st December 2025, with a shorter temporary planning permission, expiring on 31st December 2024, being granted for part of the storage area closest to the southern boundary of the site.
- 10.11 MHI Vestas, who were operating the wind turbine storage use, vacated all of the areas they were occupying early in 2025. However, the areas affected by the 2017 planning permission still have the potential to be used for wind turbine or other forms of storage up until the end of December 2027.
- 10.12 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 was a resolution to approve both applications subject to the prior completion of a Section 106 legal agreement. However, the legal agreement was never completed, and both applications were withdrawn in July 2024.
- 10.13 Since July 2024, there have been ongoing discussions with the site owners about their intentions for the wider power station site. For viability reasons, it is understood that the owners no longer intend to pursue a residential-led redevelopment of the former power station site in line with the requirements of Policy Strategic Site 4. The precise nature of any proposed redevelopment of the wider power station site should become clearer over the next few months. It is, however, known that the newly-formed company known as Fawley Green Hydrogen intend to submit a planning application for a proposed hydrogen production facility on about 4.2 hectares of the former power station site during the first quarter of 2026. This proposal has been the subject of an EIA

Scoping Opinion. It is of note that part of the area affected by the expected proposal for a hydrogen production facility overlaps with much of this application site where a further 2-year temporary planning permission is being sought.

- 10.14 Given these circumstances, there is no realistic prospect of a permanent, policy compliant development being delivered on the application site within the proposed lifetime of the current application for temporary planning permission - i.e. before 31st December 2027. As such, the proposed continued temporary use for a further 2 years would not be prejudicial to the delivery of a policy compliant development in the longer term. Any alternative proposals for more permanent development will need to be judged on their individual merits. The probability that alternative proposals are expected come forward on this land before 31st December 2027 is not considered reason to refuse the temporary development that is now proposed. As such, the proposed 2-year temporary planning permission is considered to be acceptable in principle. It would also be in line with temporary planning permissions 17/10805 and 17/11724 which also expire on 31st December 2027.

Economic and Employment considerations

- 10.15 The active use of the application site for the proposed storage use supports two existing businesses. As an application for temporary planning permission, the proposal will provide short term benefits to the local economy, supporting economic growth and productivity. This would be consistent with the objectives of Policy STR6 of the Local Plan.

Highway safety, access and parking

- 10.16 The transportation impacts of the proposed development need to be assessed in the light of Paragraph 116 of the NPPF, which indicates that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios. Policy ENV3 of the Local Plan, meanwhile, requires development to be laid out in a way that is safe to access.
- 10.17 The previous application 24/10861 was accompanied by a detailed Transport Statement, which considered the combined transportation impacts of a storage and haulage use on this site alongside a separate proposed temporary storage use elsewhere on the former power station site (Planning Application 24/10861).
- 10.18 On the basis of this transport assessment, the Highway Authority concluded that the transportation impact associated with the proposed development was acceptable. This view was accepted by the Local Planning Authority.
- 10.19 As noted above, since last February, the company JHS have vacated the site. Of the three companies who were occupying the site, JHS had much the greatest transportation impact in terms of the numbers and times of HGV movements. JHS also, on occasion, operated outside of the permitted hours of operation (as identified by third party representations). The vacation of this business from the site has meant that a previously identified breach of operational hours has ceased. The other two companies occupying the site (Earlcoate Construction and ICS) generate significantly fewer transportation movements than was the case with JHS, even with their increased coverage

of the site. On many days, it is understood they generate no traffic movements at all. Of course, an alternative user could come onto the site who could generate a greater number of movements than the current two occupants of this land. However, even if this were to be the case, it is not considered that this would be harmful from a highway safety perspective, noting the overall size of the site (which forms only a relatively small part of the overall former power station site), and noting the Highway Authority have raised no objection to the application.

- 10.20 It should be noted that a new Transportation Assessment has been submitted in connection with application 25/10972. This assesses transportation movements associated with the whole of the former power station site, and its findings are considered more fully in the reports for that application and application 25/10971.
- 10.21 Overall, based on the conclusions above and the advice of Paragraph 116 of the NPPF, it is considered that the proposal is consistent with planning policies that relate to highway safety.

Noise and amenity impacts

- 10.22 Noise and amenity impacts must be considered in the light of Policy ENV3 of the Local Plan, which requires development to avoid unacceptable effects by reason of noise pollution or other adverse impacts on local character or residential amenity.
- 10.23 The nearest residential properties to the proposed storage and haulage area are about 370 metres away on the site's western side. Visually, there is no line of sight between the proposed storage and haulage uses and any residential dwelling. As such, it is not considered the proposed storage and haulage uses would have any adverse visual impact upon residential amenities. The proposed storage use does generate some noise and so this is potentially a greater concern, albeit that noise on the site itself is remote from residential properties.
- 10.24 The previous application for temporary planning permission was supported by a detailed noise assessment report, which considered noise impacts on the nearest noise sensitive receptors. Based on national guidance, the noise assessment report concluded that noise levels in and around the nearest noise sensitive properties fall within the criteria for acceptable noise levels. This conclusion was accepted by the Council's Environmental Health Officer.
- 10.25 A greater concern was previously raised in respect of noise from HGV movements. There was some evidence that the company JHS were generating significant HGV movements early in the morning and outside of normal working hours. To address this concern, a condition was duly imposed on the temporary planning permission, restricting working hours and use of the site to 6am to 6pm Monday to Friday, 7am to Noon on Saturday and not at all on Sunday. As set out above, it is understood that JHS struggled to comply with this condition, which led to them vacating the site. There is no substantive evidence that either of the two current occupants (Earlcoate Construction and ICS) are generating significant or harmful noise disturbance as a result of HGV movements. The Council's Environmental Health Officer has raised no objection to the application subject to maintaining the previous restriction on hours of operation. Subject to such a condition, it is therefore considered that continued use of the site for the proposed storage and haulage use would not have a material adverse

impact on the amenities of nearby residential dwellings, even taking into account possible changes of occupant.

Landscape and visual impact

- 10.26 Policy ENV3 of the Local Plan requires development to be sympathetic to its environment and context, respecting and enhancing local distinctiveness, character and identity; and to avoid unacceptable effects by reason of visual intrusion. Policy ENV4, meanwhile, seeks to successfully integrate new development into the local landscape context. The Levelling-Up and Regeneration Act 2023 is also of relevance to this application in terms of there being an active duty on Local Planning Authorities to seek to further the purposes of National Parks. This Act's provisions should be considered alongside Policy STR2 of the Local Plan, which requires great weight to be given to ensuring the character, quality and scenic beauty of the New Forest National Park is protected and enhanced.
- 10.27 In this case, the proposed storage area has limited visibility from public viewpoints outside of the application site. The area can be seen from the main entrance to the former power station site, but it is seen as just one small part of a backdrop of industrial and storage activity. The vehicles and items currently being stored on the land are not of any great height (the highest features being double-stacked containers). Given the storage uses on other parts of the former power station, the continued presence of overhead pylons and the massive electricity substation buildings to the east, the proposed storage use has limited landscape impact.
- 10.28 The proposed storage area is adjacent to the former power station's western boundary and therefore lies immediately adjacent to the New Forest National Park. There is an area of mature ancient woodland known as Chambers Copse along this part of the former station's boundary, and this woodland (which has no public access) provides effective screening of the site from wider or more distant viewpoints within the National Park. As such, it is not considered that the proposal is harmful to the special qualities of the New Forest National Park or prejudicial to furthering the purposes of the National Park.
- 10.29 It should be recognised that an uncontrolled storage use (in terms of height) would have a potential adverse impact on the special qualities of the National Park. Therefore, a condition restricting the height of stored items is deemed appropriate. Were a more permanent application being proposed, it would also be appropriate to consider the provision of additional landscaping to mitigate the development's visual impact. However, due to the short-term temporary nature of the proposed development, it is considered that it would be disproportionate to require additional landscape planting in association with the proposal.

Heritage Impact

- 10.30 The impact of the proposal on the setting of nearby heritage assets was previously assessed within a Heritage Statement that was submitted in support of the previous application. The nearest heritage asset to the application site is Badminton Farm, a Grade II Listed Building that is situated about 370 metres to the west of the application site. Given this significant degree of separation and the lack of any intervisibility between the application site and any heritage assets, it is considered that there would be no adverse impact on the setting of heritage assets. The proposal is therefore duly

considered to comply with heritage related provisions in the NPPF, as well as policy DM1 of the Local Plan.

Ecology

- 10.31 Policy STR1 of the Local Plan expects all new development to avoid wherever possible (and mitigate where necessary) direct and indirect impacts of development on the New Forest and Solent International Nature Conservation sites.
- 10.32 In this case, this part of the former power station is almost 500 metres away from protected coastal habitats, comprising the Solent and Southampton Water Special Protection Area and Ramar Site, the Solent Maritime Special Area for Conservation, as well as the Hythe to Calshot Marshes Site of Special Scientific Interest. It is not considered that the proposed use would have any significant adverse impact (or likely significant effects) on these designated sites.
- 10.33 The area of land where storage is proposed is generally of low ecological interest. Chambers Copse to the west of the site is of ecological interest, but the proposed storage and haulage use is able to operate without adversely affecting this area of ancient woodland. It is of note that the Council's ecologist has raised no objection to the application.
- 10.34 In terms of Biodiversity Net Gain (BNG), the proposal would not impact on priority habitat. Nor would it 'impact' upon more than 25 square metres of non-priority habitat (by decreasing biodiversity value), noting the proposal would simply maintain the site's status quo. In addition, the previous application was applied for retrospectively, and this proposal does not change the ecological baseline. As such, it is considered the proposal would be exempt from the national BNG requirement.

11 OTHER MATTERS

When visiting the site in November 2025, it was noted that palisade fencing in excess of 2 metres in height has been erected around the land occupied by Earlcoate Construction. This unauthorised fencing is not a matter for consideration as part of this application; nor is ICS's unauthorised use of land outside of the application site. These matters will need to be addressed and resolved outside the scope of this application.

12 CONCLUSION / PLANNING BALANCE

The temporary use of this application site for a haulage and B8 storage use was previously granted planning permission in February 2025 until 31st December 2025.

As a permanent use, a continued B8 Storage and haulage use would be contrary to Policy Strategic Site 4 of the Local Plan and would not be justified.

However, a short-term temporary permission until the end of 2027 would continue to deliver short-term economic benefits and would in principle be justified whilst more long-term proposals for the wider power station site are being prepared and brought forward. The proposed temporary use would also accord, in principle, with Planning Practice Guidance as set out in Paragraph 10.8 above.

The transportation, environmental and amenity impacts of the proposed use have been carefully considered. The proposed use does generate some HGV and traffic

movements on the local road network, but the level of traffic generated is not considered to be of a significance that would be harmful to the safety and capacity of the local highway network or to require mitigation.

Furthermore, provided use of the site does not begin before 6am on weekdays and is further restricted at weekends, then the proposed uses are not considered to result in traffic movements that would have unacceptable amenity impacts, whilst noise on the site itself arising from the proposed use would be within acceptable limits.

The landscape impact of the proposal would be relatively short term and would be acceptable given the existing context, subject to conditions. Ecological impacts would also be acceptable.

As such, based on the fact that permission is only sought until the end of 2027 (which would then align with the longest existing temporary planning permissions elsewhere on the power station site), it is considered that the proposal would be in accordance with policies STR1, STR6, ENV3, CCC1 and DM1 of the Local Plan, as well as the NPPF. Accordingly, subject to conditions, it is recommended that temporary planning permission be granted until the end of 2027.

13 RECOMMENDATION

Grant Temporary Permission

Proposed Conditions:

1. The use hereby approved shall cease on or before 31st December 2027.

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, it is considered that a temporary permission until the end of 2027 would deliver justified economic benefits in the short-term without prejudicing the delivery of a policy compliant scheme in the medium to long term.

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

Site Location Plan
Site A - NFNP-NM-315.02 rev D
1485-L017 rev B.

Reason: To ensure satisfactory provision of the development.

3. No activity shall take place on the site in connection with the approved use(s) other than between the hours of 6am to 6pm Monday to Fridays and 7am to 12pm(noon) on Saturday, not including recognised bank and public holidays.

Reason: To safeguard the amenities of nearby residential properties in accordance with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

4. Any containers or portacabins stored on the land shall be stacked no more than 2 containers / portacabins high, and nothing stored or kept on the land shall exceed 6 metres in height above existing ground levels.

Reason: In the interests of visual amenity and to safeguard the special qualities of the nearby New Forest National Park.

Further Information:

Ian Rayner

Telephone: 023 8028 5449

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Planning Committee 11 February 2026

Application Number: 25/10971 Variation / Removal of Condition
Site: SITE OF FAWLEY POWER STATION, FAWLEY ROAD,
FAWLEY SO45 1TW
Development: Variation of Condition 1 of Planning Permission 24/10861 to
extend the use for storage and distribution (Use Class B8)
until 31st December 2027
Applicant: Fawley Waterside Limited
Agent: Carter Jonas
Target Date: 27/01/2026
Case Officer: Ian Rayner
Officer Recommendation: Grant Temporary Permission
**Reason for Referral
to Committee:** Parish Council contrary view

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) The principle of development, having regard to local plan policy and the recent planning history of the site.
- 2) Transportation and highway impacts.
- 3) Noise and amenity impacts.
- 4) Landscape impacts, including impacts on the adjacent New Forest National Park.
- 5) Ecological impacts, including impacts on nearby designated sites.
- 6) Flood Risk

2 SITE DESCRIPTION

The application site extends to 9.05 hectares and comprises parts of the former Fawley Power Station site. Specifically, the application site covers the large basement area of the former power station turbine hall, as well as adjacent areas outside of this basement - particularly those areas to the south and west of the basement, where the application site extends close to the wider site's boundary with the New Forest National Park.

Access to the site would be via the main access road serving the former power station.

Other adjacent parts of the former power station site are currently being used for open storage.

3 PROPOSED DEVELOPMENT

The application seeks to vary Condition 1 of planning permission 24/10861, which allows for a temporary storage and distribution use (Use Class B8) on the site described above. Condition 1 of this permission states:

"The use hereby approved shall cease 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, it is considered that a temporary permission until the end of 2025 would deliver justified economic benefits in the short-term without prejudicing the delivery of a policy compliant scheme in the medium to long term."

The submitted variation of condition application seeks to allow the continued use of the site for storage and distribution purposes (Use Class B8) for a further 2 years, until 31st December 2027.

4 PLANNING HISTORY

Previous proposals affecting just the application site area

- 4.1 Temporary use of land for storage and distribution (Use Class B8) (retrospective) (24/10861) - granted temporary permission 12/2/25

Previous proposals relating to general storage on other parts of the former Power Station site

- 4.2 Temporary mixed use of land for haulage and B8 storage (Retrospective) (24/11096) - granted temporary permission 12/2/2025

Previous proposals relating specifically to wind turbine storage use on other parts of the former power station site

- 4.3 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
- 4.4 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
- 4.5 Leading Edge Protection Building; single-storey portable cabins for welfare facilities and offices (18/10583) - granted temporary permission 30/7/18
- 4.6 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.
- 4.7 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. (23/10050) - granted temporary planning permission 3/5/23

Proposals for the demolition of the Fawley Power Station Buildings

- 4.8 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

- 4.9 Dismantling, removal and site clearance of buildings (19/10131) (Demolition Prior Notification Application) - details not required to be approved 31/5/19
- 4.10 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

- 4.11 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) - withdrawn 12/7/24

5 PLANNING POLICY AND GUIDANCE

National Planning Policy Framework
Planning Practice Guidance

Local Plan 2016-2036 Part One

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 STR3: The strategy for locating new development
Policy STR4: The settlement hierarchy
Policy STR6: Sustainable economic growth
Policy ENV1: Mitigating the impacts of development on International Nature Conservation sites
Policy ENV3: Design quality and local distinctiveness
Policy ENV4: Landscape character and quality
Policy ECON1: Employment land and development
Policy ECON2: Retention of employment sites and consideration of alternative uses
Policy CCC1: Safe and healthy communities
Policy CCC2: Safe and sustainable travel
Policy Strategic Site 4: The former Fawley Power Station

Local Plan Part Two (2014)

DM1: Heritage and Conservation
DM2: Nature conservation, biodiversity and geodiversity
DM5: Contaminated land

Fawley Neighbourhood Plan

This is currently only at Regulation 15 stage, so only carries limited weight.

6 PARISH / TOWN COUNCIL COMMENTS

Fawley Parish Council: We recommend refusal as this proposal is not in accordance with the New Forest District Local Plan 2016-2036 Part 1.

7 COUNCILLOR COMMENTS

None

8 CONSULTEE COMMENTS

HCC Highway Authority: No objection

Environment Agency: No objection. The Flood Risk Assessment demonstrates that the flood risk to the majority of the site is above the design flood level and that the site is therefore at a low risk of flooding.

NFDC Environmental Health (pollution): No objection subject to condition restricting operational hours

NFDC Ecology: No objection subject to condition. No dusk emergence surveys have been undertaken on the underground tunnels. While the ecologist considers the likelihood of bats using these areas to be low, they have recommended that further surveys are conducted in 2026. Until there is further assessment either confirming the presence or absence or roosting bats, it is requested that condition 6 of the previous permission be retained requiring a minimum 5 metre buffer.

NFDC Conservation: No objection. The proposed development will not impact upon any heritage assets.

Forestry England: No objection. Advice offered on Ancient Woodlands, existing trees and Biodiversity Net Gain.

New Forest National Park Authority: In accordance with its statutory duties, the District Council will need to consider the potential impacts of this proposal on the New Forest National Park, which is located in close proximity to the site.

9 REPRESENTATIONS RECEIVED

8 letters of objection from local residents:

- The existing temporary uses have resulted in a significant increase in HGV movements on nearby roads, which creates significant noise disturbance, vibration impacts and dust, to the detriment of residential amenities. This is exacerbated by the surface and condition of the B3053 highway.
- The local road network is inadequate to be able to accommodate the levels of HGV movements generated by the application.
- Increased dangers for pedestrians and cyclists and other road users, which is not being mitigated by infrastructure improvements for pedestrians and cyclists, and which will therefore dissuade potential trips by foot or bike.
- The various temporary planning permissions have a cumulative impact that materially compounds the impact of each individual application.
- Existing conditions restricting operational hours have not been complied with.
- There are no economic benefits for local people.
- Adverse visual impacts next to National Park.

- The application needs a further Transportation Assessment.

10 PLANNING ASSESSMENT

Background to the current application

- 10.1 At the February 2025 Planning Committee, temporary planning permission was granted for the use of this site for a temporary B8 storage and distribution use. The temporary planning permission expired on 31st December 2025. In granting this temporary planning permission, it was recognised that the proposal was contrary to Policy Strategic Site 4 of the Local Plan. However, a temporary permission until the end of 2025 was considered justified on the basis that the permission would deliver short-term economic benefits without prejudicing the delivery of a policy compliant scheme in the medium to long term.
- 10.2 The current application effectively seeks to enable the temporary B8 storage and distribution use to continue for another two years until 31st December 2027.
- 10.3 When temporary planning permission was granted in February 2025, there were two separate occupants of the application site. The more significant storage and distribution use was being carried out by SJG, a local company based in Marchwood, who have a contract importing electric vans from China. It is understood they moved onto the former power station site early in 2024, after losing their storage yard in Marchwood. Vans are brought into the site in shipping containers and are then moved out of the shipping containers and stored on the site until they have been sold, when they are driven away. The second occupant of the site was Snoozebox, who have been using the north-western corner of the turbine hall basement, which they have been renting since September 2023. They principally store containers that are used as mobile accommodation units for large construction projects and events.
- 10.4 Since February 2025, the site has continued to be occupied by the same two businesses. Snoozebox appear to be occupying the site in a very low-key manner with only occasional use of the site. SJG's activities are more significant, but it appears that the intensity of activity can vary considerably. When the site was visited in mid-November 2025, there was no activity being carried out on the site at all. However, it is understood there was then much more significant activity in December associated with the shipment of new vehicles into Southampton port from China.

The Principle of Development

- 10.5 As before, the application site forms part of an allocated site - where Policy Strategic Site 4 applies.
- 10.6 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 areas affected by this application should be developed primarily for residential purposes.

- 10.7 As before, the proposed B8 storage and distribution use is not considered to be in accordance with the requirements and expectations of Policy Strategic Site 4. Indeed, a permanent B8 storage and distribution use would be clearly contrary to policy and would not be a proposal that could be supported at the current time.
- 10.8 However, the application does not seek a permanent planning permission. Instead, only a temporary planning permission is sought until the end of December 2027. As such, it needs to be considered whether a further short-term temporary planning permission (of two years) would be justified in the light of planning policy, the site's recent planning history and the scheme's environmental impacts. On this point, it is of note that Planning Practice Guidance states:

"A temporary planning permission may also be appropriate to enable the temporary use of vacant land or buildings prior to any longer-term proposals coming forward (a 'meanwhile use')."

Relevant Planning History

- 10.9 Since 2017, significant parts of the former Fawley Power Station site have been used for the storage of wind turbine blades. The first temporary planning permission (Ref: 17/10805) relating to wind turbine storage was granted in September 2017, permitting the storage of wind turbines on 12.78 hectares 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.
- 10.10 More recently, in May 2023, temporary planning permission (Ref: 23/10050) was given for a further 6.22 hectares of land at the former Fawley Power Station to be used for the storage of wind turbine blades. Temporary planning permission was granted for most of that application site area until 31st December 2025, with a shorter temporary planning permission, expiring on 31st December 2024, being granted for part of the storage area closest to the southern boundary of the site. It should be noted that there is some overlap between the area of this May 2023 application site and the area to which this application (25/10971) relates. Specifically, most of the area of this application site (25/10971) outside of the turbine hall basement extending to the south and west side of the turbine hall basement was also subject to Planning Permission 23/10050 and is therefore also subject to the separate application to allow the continued temporary use of the areas affected by that permission (application 25/10972).
- 10.11 MHI Vestas, who were operating the wind turbine storage use, vacated all of the areas they were occupying early in 2025. However, the areas affected by the 2017 planning permission still have the potential to be used for wind turbine or other forms of storage up until the end of December 2027.
- 10.12 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 was a resolution to approve both

applications subject to the prior completion of a Section 106 legal agreement. However, the legal agreement was never completed, and both applications were withdrawn in July 2024.

- 10.13 Since July 2024, there have been ongoing discussions with the site owners about their intentions for the wider power station site. For viability reasons, it is understood that the owners no longer intend to pursue a residential-led redevelopment of the former power station site in line with the requirements of Policy Strategic Site 4. The precise nature of any proposed redevelopment of the wider power station site should become clearer over the next few months. It is, however, known that the newly-formed company known as Fawley Green Hydrogen intend to submit a planning application for a proposed hydrogen production facility on about 4.2 hectares of the former power station site during the first quarter of 2026. This proposal has been the subject of an EIA Scoping Opinion.
- 10.14 Given these circumstances, there is no realistic prospect of a permanent, policy compliant development being delivered on the application site within the proposed lifetime of the current application for temporary planning permission - i.e. before 31st December 2027. As such, the proposed continued temporary use for a further two years would not be prejudicial to the delivery of a policy compliant development in the longer term. Any alternative proposals for more permanent development will need to be judged on their individual merits. As such, the proposed two-year temporary planning permission is considered to be acceptable in principle. It would also be in line with temporary planning permissions 17/10805 and 17/11724 which also expire on 31st December 2027.

Economic and Employment considerations

- 10.15 The active use of the application site for the proposed storage use supports two existing businesses. As an application for temporary planning permission, the proposal will provide short term benefits to the local economy, supporting economic growth and productivity. This would be consistent with the objectives of Policy STR6 of the Local Plan.

Highway safety, access and parking

- 10.16 The transportation impacts of the proposed development need to be assessed in the light of Paragraph 116 of the NPPF, which indicates that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios. Policy ENV3 of the Local Plan, meanwhile, requires development to be laid out in a way that is safe to access.
- 10.17 The previous application 24/10861 was accompanied by a detailed Transport Statement, which considered the combined transportation impacts of a storage and distribution use on this site alongside a separate proposed temporary storage use elsewhere on the former power station site (Planning Application 24/11096). On the basis of this transport assessment, the Highway Authority concluded that the transportation impact associated with the proposed development was acceptable. This view was accepted by the Local Planning Authority.

- 10.18 The related application 25/10972 is accompanied by a new detailed Transport Assessment, which has been the subject of consultation with the Highway Authority. The Transport Assessment considers how much traffic is currently being generated by all development on the Fawley Power Station Site.
- 10.19 The submitted Transport Statement notes that a permanent automatic traffic counter has been installed on the Northern Access Road that serves the whole of the former power station site, and this allows traffic flows into and out of the site to be accurately monitored, including by vehicle category. Thus, it has been possible for the applicant to provide full details of traffic movements using the Northern Access Road for four recent weeks from 1st to 28th November 2025. During the five weekdays, there were an average of 211 two-way traffic movements (covering both inbound and outbound movements) each day, of which 89 movements per day entailed heavy vehicle movements. There were some daily fluctuations during this period, however, such that on the quietest weekday (6th November) there were just over 100 two-way traffic movements, whilst on the busiest day (26th November), there were over 300 two-way movements. At weekends, meanwhile, traffic movements were very much lower, averaging just 19 two-way movements each day with just one or two heavy vehicle movements each day.
- 10.20 The submitted transport assessment also includes details of the times of traffic movements during the day. There is no significant peak, albeit that traffic movements build up from 6am onwards and are greatest during the middle part of the day, with traffic movements dropping off significantly after 5pm.
- 10.21 The Highway Authority has undertaken a TRICS Assessment, which corroborates the data provided by the applicant. The Highway Authority have carefully considered the applicant's transport assessment and are satisfied that the volume of traffic that would be generated by the proposed temporary developments on the former power station site would not be harmful to highway safety or the operations of the wider road network. Officers do not consider there is any reason to disagree with the Highway Authority's assessment.
- 10.22 It is noted that concerns have been raised about impacts on pedestrians and cyclists, which is not being mitigated through new infrastructure. The Highway Authority have raised no concerns from a highway safety perspective. And because of the temporary nature of this proposed development, it would be disproportionate to require permanent new infrastructure to be provided to mitigate the development's impact on pedestrians and cyclists.
- 10.23 Overall, based on the conclusions above and the advice of Paragraph 116 of the NPPF, it is considered that the proposal is consistent with planning policies that relate to highway safety.

Noise and amenity impacts

- 10.24 Noise and amenity impacts must be considered in the light of Policy ENV3 of the Local Plan, which requires development to avoid unacceptable effects by reason of noise pollution or other adverse impacts on local character or residential amenity.

- 10.25 The nearest residential properties to the proposed storage area are in Ower Lane. The nearest property is approximately 100 metres away from the area where the B8 storage use is proposed. Visually, it is not considered the proposed storage use would have any adverse visual impact upon residential amenities in view of this degree of separation. The proposed storage use does generate some noise and so this is potentially a greater concern. However, the most significant on-site noise is from movements of containers / vehicles within the turbine hall basement, which due to its depth, is a very effective noise buffer.
- 10.26 The previous application was supported by a detailed noise assessment report, which considered noise impacts on the nearest noise sensitive receptors (including those in Ower Lane). Based on national guidance, the noise assessment report concluded that noise levels in and around the nearest noise sensitive properties fall within the criteria for acceptable noise levels. The Council's Environmental Health Officer reviewed the submitted noise assessment and was satisfied that it follows appropriate guidance and that its findings were reliable. As such, in terms of operational noise, whilst there may be some impact on nearby properties in Ower Lane, this would not be significant and would be within established guidelines.
- 10.27 The Council's Environmental Health Officer has suggested that hours of use be restricted to protect residential amenities. The previous temporary planning permission duly included a condition restricting operational hours to 7am to 5pm Monday to Friday. This contrasts slightly with the restriction on operational hours for the land subject to temporary planning permission 24/11096, where slightly longer operational hours of 6am to 6pm weekdays and 7am to 12pm on Saturdays were permitted. Meanwhile, temporary planning permission 23/10050 had no restriction on operational hours at all. In the interests of consistency, it is now considered that all 3 of the current applications for a temporary storage use should be subject to a similar condition in terms of restricting operational hours. It is considered that restricting operational hours to 6am to 6pm Monday to Friday and 7am to 12pm on Saturdays would strike an appropriate balance between supporting the needs of the local economy and protecting residential amenities. The Council's Environmental Health Officer has no objection to permitting this modest extension of operational hours on this particular application site.
- 10.28 It is recognised that local residents continue to raise concerns about the impact of traffic noise arising from the development on local roads. However, the transport statement submitted in connection with Planning application 25/10972 shows how there has been a dramatic fall in the number of HGV movements using the Northern Access Road before 6am since 2024, reflecting the company JHS's vacation of part of the wider power station site. Of course, there are still some noise impacts associated with traffic movements from the development during less sensitive daytime hours. However, these impacts are not considered unreasonable or the basis of a sustainable reason to refuse planning permission.
- 10.29 Overall, provided that operational hours are restricted as set out above, it is considered the development's impact on residential amenities would be in accordance with the provisions of Policy ENV3 of the Local Plan.

Landscape and visual impact

- 10.30 Policy ENV3 of the Local Plan requires development to be sympathetic to its

environment and context, respecting and enhancing local distinctiveness, character and identity; and to avoid unacceptable effects by reason of visual intrusion. Policy ENV4, meanwhile, seeks to successfully integrate new development into the local landscape context. The Levelling-Up and Regeneration Act 2023 is also of relevance to this application in terms of there being an active duty on Local Planning Authorities to seek to further the purposes of National Parks. This Act's provisions should be considered alongside Policy STR2 of the Local Plan, which requires great weight to be given to ensuring the character, quality and scenic beauty of the New Forest National Park is protected and enhanced.

- 10.31 In terms of its visual impact, the proposed storage area can be split into those areas inside the former turbine hall basement and those areas outside. The turbine hall basement is quite deep, extending significantly below adjacent ground levels. When considering the previous application for temporary permission (24/10861), it was recognised that due to its depth, the storage of items in the turbine hall basement would not have a significant visual impact outside of the site, provided any containers are not stacked more than 5 containers high. It coming to this view, it was noted that where containers are stacked in the basement, the bottom 3 containers are set wholly below the rim of the basement, whilst part of the fourth and all of any fifth container protrude above the rim of the basement. When visiting the site in November 2025, the maximum container height observed was four containers high.
- 10.32 Outside of the basement, the proposed storage use mainly comprises of white vans that are being stored in long parallel rows. These are not tall vehicles, so given the context of other storage activities and the relic power station paraphernalia, it is not considered they have a significant visual impact. The applicant's agent has also previously sought the flexibility to be able to store single height containers in some areas outside of the turbine hall basement.
- 10.33 The proposed storage of vans can be seen from adjacent areas within the New Forest National Park, most notably from the public footpath that runs close to the southern boundary of the former power station. However, due to their height, the vans are not visually dominant and assimilate into the existing industrialised landscape of the former power station site without adversely affecting the special qualities of the New Forest National Park. This is particularly the case in view of the fact that the proposed storage use would only be temporary. Were a more permanent use proposed, then one might reasonably expect some landscape screening to be introduced, but as the use is only proposed until the end of 2027, such landscape screening would not be a proportionate requirement.
- 10.34 Overall, in view of the temporary nature of the proposal and the location and type of storage being undertaken, it is considered the proposed uses have an acceptable visual and landscape impact that is consistent with policies ENV3 and ENV4 of the Local Plan. However, were a B8 storage use to operate other than is currently the case, then the impact may not be so acceptable. As before, therefore, even on a temporary basis, it is considered the continued visual impact of the development would only be acceptable if conditions are imposed that limit where containers / non-vehicles are stored, as well as restricting the height of any container storage within the basement. With such a condition, it is not considered the proposal would be unacceptably harmful to the special qualities of the New Forest National Park or prejudicial to furthering the purposes of the National Park. The applicant

has provided a new plan to which such a condition can be related.

Heritage Impact

- 10.35 Parts of the proposed storage areas are visible from the Grade II Listed Building at Ower Farm (within the National Park). The impact of the proposal on the setting of this building and other nearby heritage assets at Badminton Farm and Calshot Spit were previously assessed within a Heritage Statement that was submitted in support of the previous application. The proposed storage use would be a reasonably generous distance away from Ower Farm (about 250 metres away), and even further from other heritage assets. Given this degree of separation, the existing industrial context and the limited height of the proposed storage, it is considered that there would be no adverse impact on the setting of heritage assets. The proposal is therefore considered to comply with heritage related provisions in the NPPF, as well as policy DM1 of the Local Plan.

Ecology

- 10.36 Policy STR1 of the Local Plan expects all new development to avoid wherever possible (and mitigate where necessary) direct and indirect impacts of development on the New Forest and Solent International Nature Conservation sites.
- 10.37 In this case, the site is relatively close to protected coastal habitats (less than 200 metres away at the closest point) including the Solent and Southampton Water Special Protection Area and Ramar Site, the Solent Maritime Special Area for Conservation, as well as the Hythe to Calshot Marshes Site of Special Scientific Interest. It was previously concluded that the proposed use would have no significant adverse impact (or likely significant effects) on these designated sites. There is considered no reason to conclude differently now. The temporary nature of the proposed use would also naturally limit any potential impacts.
- 10.38 Whilst the area of land where storage is proposed is generally of low ecological interest, a concern was previously identified in that some of the holes and crevices in the turbine hall basement could have the potential to support roosting bats, although no direct evidence of roosting bats was found. As an interim measure, the previous ecology report suggested that there be a 5 metre buffer between the walls of the basement and any stored containers so that any stored items do not obstruct access to potential roosting holes. This recommendation was supported by the Council's own ecologist, and a condition was duly imposed requiring containers to be set back 5 metres from the walls of the turbine hall basement unless otherwise agreed following appropriate ecological justification.
- 10.39 The application now submitted is accompanied by an Ecological Assessment which summarises survey work undertaken during 2025. The statement concludes that the likelihood of bats using the basement edge is very low, but advises that further survey work will be undertaken in 2026 to confirm this situation. Having regard to the comments of the Council's ecologist, it is considered that until this further survey work is undertaken and the results are clear, there is still a need to impose the previously imposed condition requiring stored items within the basement to be set back 5 metres from the walls of the basement. With such a condition, it is considered the proposal would have an acceptable impact on protected species in accordance with

policies STR1, ENV1 and DM2 of the Local Plan. (It is recognised that this condition is not being fully complied with at present.)

- 10.40 In terms of Biodiversity Net Gain (BNG), the proposal would not impact on priority habitat. Nor would it 'impact' upon more than 25 square metres of non-priority habitat (by decreasing biodiversity value), noting the proposal would simply maintain the site's status quo. In addition, the previous application was applied for retrospectively, and this proposal does not change the ecological baseline. As such, it is considered the proposal would be exempt from the national BNG requirement.

Flood Risk

- 10.41 The majority of the application site is in Flood Zone 1, so is at low risk of flooding. However, very small parts of the site, close to the southern boundary of the site or to the north of the turbine hall basement, fall within either Flood Zones 2 or 3. The application is accompanied by a Flood Risk Assessment (FRA), which has been the subject of consultation with the Environment Agency. They have confirmed that the FRA demonstrates that the flood risk to the majority of the site is above the design flood level and is therefore at a low risk of flooding.
- 10.42 The Environment Agency have highlighted that because the turbine hall basement is below ground level, this area is a potential concern in an extreme flood risk event. They advise the applicant to consider an emergency plan. The previous application was accompanied by a Flood Warning and Evacuation Plan, and an acceptable updated plan has been submitted with this application. Adherence to this plan can reasonably be secured by condition.

11 OTHER MATTERS

N/A

12 CONCLUSION / PLANNING BALANCE

The temporary use of this application site for a B8 storage and distribution use was previously granted planning permission in February 2025 until 31st December 2025.

As a permanent use, the proposed B8 Storage use would be contrary to Policy Strategic Site 4 of the Local Plan and would not be justified.

However, a short-term temporary permission until the end of 2027 would deliver short-term economic benefits and would in principle be justified whilst more long-term proposals for the wider power station site are being prepared and brought forward. The proposed temporary use would also accord, in principle, with Planning Practice Guidance as set out in Paragraph 10.8 above.

The transportation, environmental and amenity impacts of the proposed use have been carefully considered. The proposed use does generate additional HGV and traffic movements on the local road network, but the level of additional traffic generated is not considered to be of a significance that would be harmful to the safety and capacity of the local highway network or to require mitigation. As the proposed use would not operate before 6am or at weekends outside of Saturday mornings (and can be controlled as such), the proposed use is not considered to result in traffic movements that would have unacceptable amenity impacts, whilst noise on the site itself arising from the proposed use would be within acceptable

limits.

The landscape impact of the proposal would be short term and would be acceptable given the existing context, subject to conditions. Ecological impacts could also be reasonably mitigated through conditions.

As such, based on the fact that permission is only sought until the end of 2027, (which would then align with the longest existing temporary planning permissions elsewhere on the power station site), it is considered that the proposal would be in accordance with policies STR1, STR6, ENV3, CCC1 and DM1 of the Local Plan. Accordingly, subject to conditions, it is recommended that temporary planning permission be granted until the end of 2027.

13 RECOMMENDATION

Grant Temporary Permission

Proposed Conditions:

1. The use hereby approved shall cease on or before 31st December 2027.

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, it is considered that a temporary permission until the end of 2027 would deliver justified economic benefits in the short-term without prejudicing the delivery of a policy compliant scheme in the medium to long term.

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

Site Location Plan Site B
NFNP-NM-315.01 rev C
1485-L018 rev C

Reason: To ensure satisfactory provision of the development.

3. No activity shall take place on the site in connection with the approved use(s) other than between the hours of 6am to 6pm Monday to Fridays and 7am to 12pm (noon) on Saturday, not including recognised bank and public holidays.

Reason: To safeguard the amenities of nearby residential properties in accordance with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

4. There shall be no storage of containers on those parts of the site annotated (with purple hatching) as having no containers on Drawing 1485-L018 rev C.

In addition to this, any containers stored on those parts of the site that are annotated as single stacked (coloured orange) on Drawing 1485-L018 rev C shall be single height only and shall not be stacked, whilst any containers stored within the area annotated as quintuple stacked (coloured pink) on Drawing 1485-L018 rev C shall not be stacked more than 5 containers high.

Reason: In the interests of visual amenity and to safeguard the special qualities of the nearby New Forest National Park.

5. Storage outside of the former turbine hall basement within the area hatched purple on Drawing 1485-L018 rev C shall be restricted to either the storage of vehicles or wind turbine blades.

Reason: In the interests of visual amenity and to safeguard the special qualities of the nearby New Forest National Park.

6. All containers and items stored within the turbine hall basement as coloured pink on Drawing 1485-L018 rev C shall be sited so as to be at least 5 metres away from the edge of the turbine hall basement unless otherwise agreed in writing with the Local Planning Authority following the submission of evidence from a professional ecologist to demonstrate that siting within 5 metres of the edge of the turbine hall basement can take place without adversely affecting protected bat species.

Reason: To ensure the approved development does not harm protected bat species.

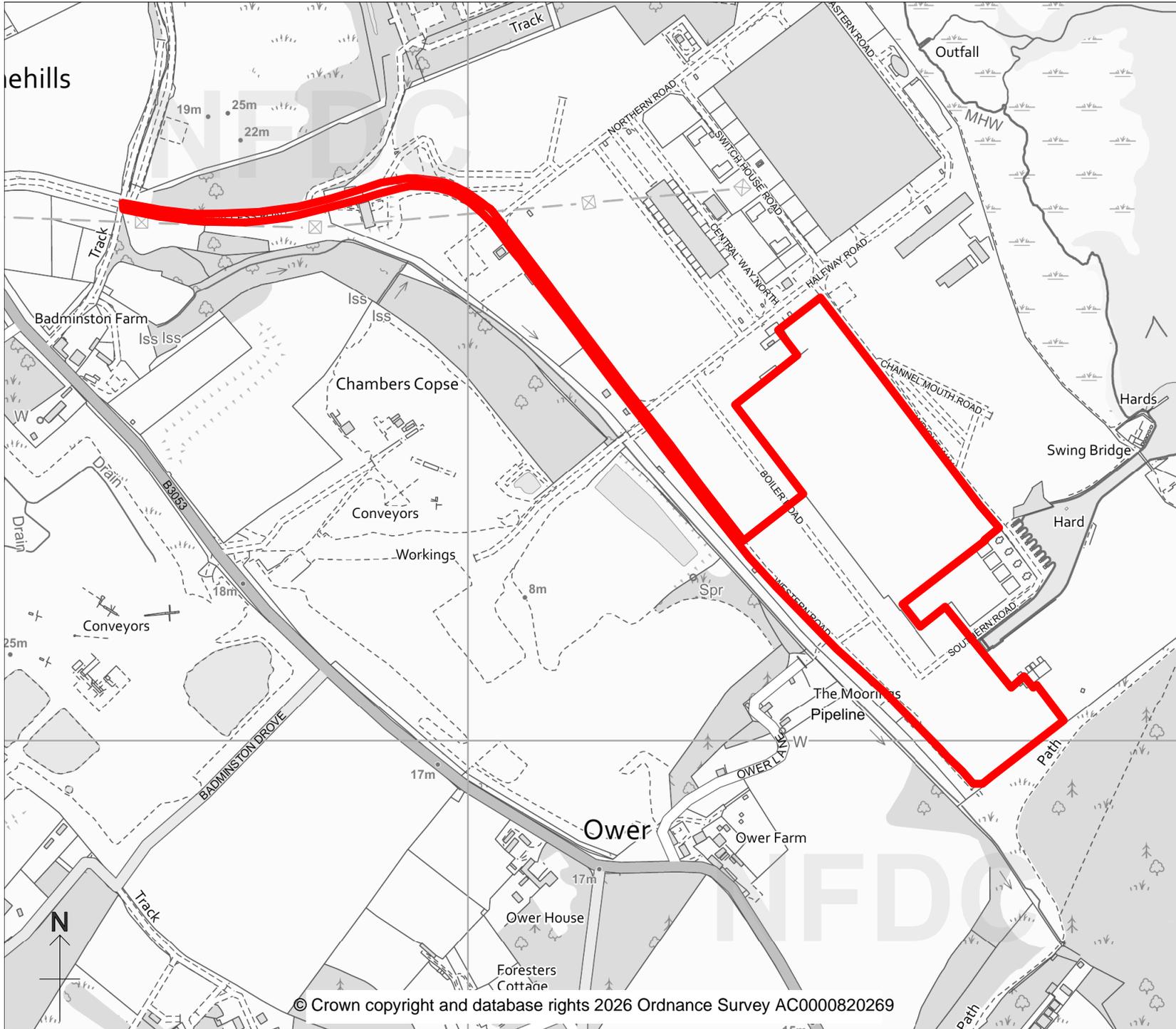
7. The use hereby approved shall only be occupied and take place in accordance with the submitted SLR Emergency Flood Response Plan, dated 28th January 2026 (SLR Project No. 416.066708.00001 rev 01).

Reason: To ensure the flood risk associated with the development is acceptably minimised.

Further Information:

Ian Rayner

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New Forest

DISTRICT COUNCIL

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PLANNING COMMITTEE

February 2026

Site of Fawley Power Station
 Fawley

25/10971

Scale 1:6000

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

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Planning Committee 11 February 2026

Application Number: 25/10972 Variation / Removal of Condition
Site: SITE OF FAWLEY POWER STATION, FAWLEY ROAD,
FAWLEY SO45 1TW
Development: Removal of condition 1 and Variation of condition 2 of
Planning Permission 23/10050 to enable the approved
temporary storage use to continue until 31st December 2027
Applicant: Fawley Waterside Limited
Agent: Carter Jonas
Target Date: 29/01/2026
Case Officer: Ian Rayner
Officer Recommendation: Grant Temporary Permission
Reason for Referral to Committee: Parish Council contrary view

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) The principle of development, having regard to local plan policy and the recent planning history of the site.
- 2) Transportation and highway impacts.
- 3) Noise and amenity impacts.
- 4) Landscape impacts, including impacts on the adjacent New Forest National Park.
- 5) Ecological impacts, including impacts on nearby designated sites.
- 6) Flood Risk

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 former control tower building.

3 PROPOSED DEVELOPMENT

The application seeks to remove Condition 1 of planning permission 23/10050 and to vary Condition 2 of the same planning permission, which allows for the temporary storage of wind turbines on the site described above. Condition 1 of this permission states:

"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."

Condition 2 states:

"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."

The submitted removal / variation of condition application effectively seeks to allow the continued use of all areas of the site for storage purposes for a further 2 years, until 31st December 2027.

4 PLANNING HISTORY

Previous proposals relating to just the application site

- 4.1 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. (23/10050) - granted temporary planning permission 3/5/23

Previous proposals relating to general storage on other parts of the former Power Station site

- 4.2 Temporary use of land for storage and distribution (Use Class B8) (retrospective) (24/10861) - granted temporary permission 12/2/25
- 4.3 Temporary mixed use of land for haulage and B8 storage (Retrospective) (24/11096) - granted temporary permission 12/2/2025

Previous proposals relating specifically to wind turbine storage use on other parts of the former power station site

- 4.4 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

- 4.5 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
- 4.6 Leading Edge Protection Building; single-storey portable cabins for welfare facilities and offices (18/10583) - granted temporary permission 30/7/18
- 4.7 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.

Proposals for the demolition of the Fawley Power Station Buildings

- 4.8 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
- 4.9 Dismantling, removal and site clearance of buildings (19/10131) (Demolition Prior Notification Application) - details not required to be approved 31/5/19
- 4.10 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

- 4.11 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

National Planning Policy Framework
Planning Practice Guidance

Local Plan 2016-2036 Part One

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 STR3: The strategy for locating new development
Policy STR4: The settlement hierarchy
Policy STR6: Sustainable economic growth
Policy ENV1: Mitigating the impacts of development on International Nature

Conservation sites
Policy ENV3: Design quality and local distinctiveness
Policy ENV4: Landscape character and quality
Policy ECON1: Employment land and development
Policy ECON2: Retention of employment sites and consideration of alternative uses
Policy CCC1: Safe and healthy communities
Policy CCC2: Safe and sustainable travel
Policy Strategic Site 4: The former Fawley Power Station

Local Plan Part Two (2014)

DM1: Heritage and Conservation
DM2: Nature conservation, biodiversity and geodiversity
DM5: Contaminated land

Fawley Neighbourhood Plan

This is currently only at Regulation 15 stage, so only carries limited weight.

6 PARISH / TOWN COUNCIL COMMENTS

Fawley Parish Council: We recommend refusal as this proposal is not in accordance with the New Forest District Local Plan 2016-2036 Part 1.

7 COUNCILLOR COMMENTS

None

8 CONSULTEE COMMENTS

HCC Highway Authority: No objection - It is considered that the volume of trips likely to be generated by the proposed development is not expected to have a material impact on the operation of the road network or on road safety.

Environment Agency: No objection. The Flood Risk Assessment demonstrates that the flood risk to the majority of the site is above the design flood level and that the site is therefore at a low risk of flooding.

NFDC Environmental Health (pollution): No objection subject to condition restricting operational hours

NFDC Ecology: No objection

NFDC Conservation: No objection. The proposed development will not impact upon any heritage assets.

Forestry England: No objection. Advice offered on Ancient Woodlands, existing trees and Biodiversity Net Gain.

New Forest National Park Authority: In accordance with its statutory duties, the District Council will need to consider the potential impacts of this proposal on the New Forest National Park, which is located in close proximity to the site.

9 REPRESENTATIONS RECEIVED

5 letters of objection from local residents:

- The proposal will result in more HGV movements on local roads, creating excessive noise disturbance, to the detriment of residential amenities.
- The road network is not suitable to accommodate the level of traffic generated by the development.
- The proposal will result in a degradation of the highway to the detriment of highway safety.
- Increased litter on highway verges.
- Traffic surveys details have been provided, and it is considered that these are showing there are regular HGV movements on the B3053 associated with the former power station site.
- Adverse visual impacts next to designated sites and the National Park.
- No proven economic benefits for local people.

10 PLANNING ASSESSMENT

Background to the current application

- 10.1 In May 2023, temporary planning permission was granted for the use of this site for the temporary storage of wind turbine blades (Ref: 23/10050). For the majority of the application site area, the temporary planning permission expired on 31st December 2025, although for a small part of the site close to the site's southern boundary, the temporary planning permission expired on 31st December 2024 (a part of the site, which at the time of granting planning permission was expected to be redeveloped earlier than other parts of the site). In granting this temporary planning permission, it was recognised that the proposal was contrary to Policy Strategic Site 4 of the Local Plan. However, a temporary permission was considered justified on the basis that the permission would deliver short-term economic benefits, supporting a company making off-shore wind turbines, without prejudicing the delivery of a policy compliant scheme in the medium to long term.
- 10.2 The current application effectively seeks to enable the temporary permission granted in 2023 to continue for another two years until 31st December 2027.
- 10.3 Site circumstances have changed since May 2023. The original application was presented as being for the storage of wind turbines. However, MHI Vestas, who were the original occupants of this site and who were using this area and other parts of the former power station site for wind turbine storage, vacated the site early in 2025. Indeed, they had already vacated most of the area covered by this application site during the previous year. The May 2023 temporary planning permission did not expressly limit the approved storage use to wind turbine storage, meaning it would have been possible under this permission to have used the application site for more general storage purposes subject to complying with other conditions of the planning permission.
- 10.4 In February 2025, temporary planning permission was granted under application 24/10861 to use areas of the former Fawley Power Station site for B8 storage and distribution purposes. There is some overlap between the areas covered by this February 2025 Planning Permission and Planning Permission 23/10050. Thus, just over half the larger area of this application site (to the south and west of the application site) is also covered by planning permission 24/10861. It is mainly just the northern sections of the larger area and the whole of the smaller area to the east of the turbine hall that are not also subject to planning permission 24/10861. On those areas, where the two permissions overlap, the land is currently occupied by SJG, who are

using the land for the storage of white vans (as described more fully in the assessment for application 25/10971). On those areas where there is no overlap between the two permissions, the northernmost section of the larger area is now being used by Churchill Retirement homes, who are storing plant and some vehicles, and particularly parts of cranes. There is then a 1 hectare area between this storage area and the SJG storage area which is currently vacant, as is the whole of the smaller area to the east of the turbine hall basement. Thus, 2.01 hectares of the 6.21 hectare application site are currently unoccupied.

- 10.5 In assessing this latest application, it needs to be assessed on the basis that the land could be used for any type of storage falling under Use Class B8 and not just for the storage of wind turbine blades.

The Principle of Development

- 10.6 As in 2023, the application site forms part of an allocated site - where Policy Strategic Site 4 applies.
- 10.7 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 areas affected by this application should be developed primarily for residential purposes.
- 10.8 As before, the proposed storage (and distribution) use is not considered to be in accordance with the requirements and expectations of Policy Strategic Site 4. Indeed, a permanent B8 storage and distribution use would be clearly contrary to policy and would not be a proposal that could be supported at the current time.
- 10.9 However, the application does not seek a permanent planning permission. Instead, only a temporary planning permission is sought until the end of December 2027. As such, it needs to be considered whether a further short-term temporary planning permission (of two years) would be justified in the light of planning policy, the site's recent planning history and the scheme's environmental impacts. On this point, it is of note that Planning Practice Guidance states:

"A temporary planning permission may also be appropriate to enable the temporary use of vacant land or buildings prior to any longer-term proposals coming forward (a 'meanwhile use')."

Relevant Planning History

- 10.10 Since 2017, significant parts of the former Fawley Power Station site have been used for the storage of wind turbine blades. The first temporary planning permission (Ref: 17/10805) relating to wind turbine storage was granted in September 2017, permitting the storage of wind turbines on 12.78 hectares 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.

- 10.11 As noted above, MHI Vestas, who were operating the wind turbine storage use, vacated all of the areas they were occupying early in 2025. However, the areas affected by the 2017 planning permission still have the potential to be used for wind turbine or other forms of storage up until the end of December 2027.
- 10.12 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 was a resolution to approve both applications subject to the prior completion of a Section 106 legal agreement. However, the legal agreement was never completed, and both applications were withdrawn in July 2024.
- 10.13 Since July 2024, there have been ongoing discussions with the site owners about their intentions for the wider power station site. For viability reasons, it is understood that the owners no longer intend to pursue a residential-led redevelopment of the former power station site in line with the requirements of Policy Strategic Site 4. The precise nature of any proposed redevelopment of the wider power station site should become clearer over the next few months. It is, however, known that the newly-formed company known as Fawley Green Hydrogen intend to submit a planning application for a proposed hydrogen production facility on about 4.2 hectares of the former power station site during the first quarter of 2026. This proposal has been the subject of an EIA Scoping Opinion.
- 10.14 Given these circumstances, there is no realistic prospect of a permanent, policy compliant development being delivered on the application site within the proposed lifetime of the current application for temporary planning permission - i.e. before 31st December 2027. As such, the proposed continued temporary use for a further two years would not be prejudicial to the delivery of a policy compliant development in the longer term. Any alternative proposals for more permanent development will need to be judged on their individual merits. The possibility that alternative proposals may come forward on this land before 31st December 2027 is not considered reason to refuse the temporary development that is now proposed. As such, the proposed two-year temporary planning permission is considered to be acceptable in principle. It would also be in line with temporary planning permissions 17/10805 and 17/11724 which also expire on 31st December 2027.

Economic and Employment considerations

- 10.15 The active use of the application site for the proposed storage use supports two existing businesses and has the potential to support additional businesses on those areas that are not currently occupied. As an application for temporary planning permission, the proposal will provide continued short term benefits to the local economy, supporting economic growth and productivity. This would be consistent with the objectives of Policy STR6 of the Local Plan.

Highway safety, access and parking

- 10.16 The transportation impacts of the proposed development need to be assessed in the light of Paragraph 116 of the NPPF, which indicates that

development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios. Policy ENV3 of the Local Plan, meanwhile, requires development to be laid out in a way that is safe to access.

- 10.17 From a transportation perspective, application 23/10500 was assessed on the basis that the use (namely the storage of wind turbine blades) would be largely dependent on transportation by water, with no significant transportation movements being generated by land. As the proposal would now effectively be for a more general open storage use, the application must now be assessed on the basis that transportation movements associated with the development would be primarily by land.
- 10.18 The application is accompanied by a detailed Transport Assessment, which has been the subject of consultation with the Highway Authority. The Transport Assessment considers how much traffic is currently being generated by all development on the Fawley Power Station Site and assesses how much this would be likely to increase if this application site were fully occupied and used to its full potential.
- 10.19 The submitted Transport Statement notes that a permanent automatic traffic counter has been installed on the Northern Access Road that serves the whole of the former power station site, and this allows traffic flows into and out of the site to be accurately monitored, including by vehicle category. Thus, it has been possible for the applicant to provide full details of traffic movements using the Northern Access Road for four recent weeks from 1st to 28th November 2025. During the five weekdays, there were an average of 211 two-way traffic movements (covering both inbound and outbound movements) each day, of which 89 movements per day entailed heavy vehicle movements. There were some daily fluctuations during this period, however, such that on the quietest weekday (6th November) there were just over 100 two-way traffic movements, whilst on the busiest day (26th November), there were over 300 two-way movements. At weekends, meanwhile, traffic movements were very much lower, averaging just 19 two-way movements each day with just one or two heavy vehicle movements each day.
- 10.20 The submitted transport assessment also includes details of the times of traffic movements during the day. There is no significant peak, albeit that traffic movements build up from 6am onwards and are greatest during the middle part of the day, with traffic movements dropping off significantly after 5pm.
- 10.21 In terms of this application, the Transport Statement predicts that if the site were to be used to its full potential (i.e. the unoccupied areas were put to use), two-way traffic movements for all vehicles would increase by an average of 36 per weekday, of which 14 movements per day would be heavy vehicle movements.
- 10.22 The Highway Authority has undertaken a TRICS Assessment, which corroborates the data provided by the applicant. The Highway Authority have carefully considered the applicant's transport assessment and are satisfied that the volume of traffic that would be generated by this proposed development would not be harmful to highway safety or the operations of the wider road network. They have reached this conclusion based on the impact

of this proposed development not just in isolation but as part of the transportation impacts of the overall former power station site. Officers do not consider there is any reason to disagree with the Highway Authority's assessment.

- 10.23 Overall, based on the conclusions above and the advice of Paragraph 116 of the NPPF, it is considered that the proposal is consistent with planning policies that relate to highway safety.

Noise and amenity impacts

- 10.24 Noise and amenity impacts must be considered in the light of Policy ENV3 of the Local Plan, which requires development to avoid unacceptable effects by reason of noise pollution or other adverse impacts on local character or residential amenity.
- 10.25 The nearest residential properties to the proposed storage area are in Ower Lane. The nearest property is approximately 100 metres away from the area where the B8 storage use is proposed. Visually, it is not considered the proposed storage use would have any adverse visual impact upon residential amenities in view of this degree of separation. The proposed storage use does generate some noise and so this is potentially a greater concern.
- 10.26 A previous application (Ref: 24/10861) was supported by a detailed noise assessment report, which considered noise impacts on the nearest noise sensitive receptors (including those in Ower Lane). Based on national guidance, the noise assessment report concluded that noise levels in and around the nearest noise sensitive properties fall within the criteria for acceptable noise levels. The Council's Environmental Health Officer reviewed the submitted noise assessment and was satisfied that it follows appropriate guidance and that its findings were reliable. This application site does include additional areas not covered by application 24/10861, but those areas are further away from dwellings than the nearest parts covered by application 24/10861. Therefore, it is not considered that the continued proposed storage use on these areas would give rise to additional harmful noise impacts. Overall, in terms of operational noise, whilst there may be some impact on nearby properties in Ower Lane, this would not be significant and would be within established guidelines.
- 10.27 The Council's Environmental Health Officer has suggested that hours of use be restricted to protect residential amenities. The previous temporary planning permission did not actually include any condition restricting operational hours, but it did include a condition restricting noise levels. In the interests of consistency, it is now considered that all 3 of the current applications for a temporary storage use should be subject to a similar condition in terms of restricting operational hours. It is considered that restricting operational hours to 6am to 6pm Monday to Friday and 7am to 12pm on Saturdays would strike an appropriate balance between supporting the needs of the local economy and protecting residential amenities. The Council's Environmental Health Officer has no objection to permitting this particular application on this basis. And with such a condition and to ensure consistency, a wider condition controlling noise levels from the development is no longer considered necessary (and has not been sought by the Council's Environmental Health Officer).
- 10.28 It is recognised that local residents continue to raise concerns about the impact of traffic noise arising from the development on local roads.

However, the transport statement submitted in connection with this Planning application shows how there has been a dramatic fall in the number of HGV movements using the Northern Access Road before 6am since 2024, reflecting the company JHS's vacation of part of the wider power station site. Of course, there are still some noise impacts associated with traffic movements from the development during less sensitive daytime hours. However, these impacts are not considered unreasonable or the basis of a sustainable reason to refuse planning permission.

- 10.29 Overall, provided that operational hours are restricted as set out above, it is considered the development's impact on residential amenities would be in accordance with the provisions of Policy ENV3 of the Local Plan.

Landscape and visual impact

10.30 Policy ENV3 of the Local Plan requires development to be sympathetic to its environment and context, respecting and enhancing local distinctiveness, character and identity; and to avoid unacceptable effects by reason of visual intrusion. Policy ENV4, meanwhile, seeks to successfully integrate new development into the local landscape context. The Levelling-Up and Regeneration Act 2023 is also of relevance to this application in terms of there being an active duty on Local Planning Authorities to seek to further the purposes of National Parks. This Act's provisions should be considered alongside Policy STR2 of the Local Plan, which requires great weight to be given to ensuring the character, quality and scenic beauty of the New Forest National Park is protected and enhanced.

10.31 The existing storage use being operated by SJG (outside of the basement area covered by application 25/10971) mainly comprises of white vans that are being stored in long parallel rows. These are not tall vehicles, so given the context of other storage activities and the relic power station paraphernalia, it is not considered they have a significant visual impact.

10.32 The existing storage of vans can be seen from adjacent areas within the New Forest National Park, most notably from the public footpath that runs close to the southern boundary of the former power station. However, due to their height, the vans are not visually dominant and assimilate into the existing industrialised landscape of the former power station site without adversely affecting the special qualities of the New Forest National Park. This is particularly the case in view of the fact that the proposed storage use would only be temporary. Were a more permanent use proposed, then one might reasonably expect some landscape screening to be introduced, but as the use is only proposed until the end of 2027, such landscape screening would not be a proportionate requirement.

10.33 The existing storage use being operated by Churchill Retirement Ltd is set away from the more sensitive boundaries of the former power station. The storage here contains parts of cranes, vehicles and single height containers. Because of its height and location, the existing storage here is not considered to be harmful to visual amenities of the wider area or the special qualities of the New Forest National Park. At the time of the site visit in November 2025, there was a full height crane on the land. This is considered to constitute operational development that falls outside of the scope of this application. The applicants are aware of the Local Planning Authority's position. And knowing that there are concerns in relation to its visual impact, they have advised the Local Planning Authority that the crane is due to be removed imminently.

- 10.34 The currently vacant areas of the application site are set away from some of the former power station site's more sensitive boundaries. Nevertheless, any storage on the vacant eastern site parcel could be seen from a public footpath within the National Park that runs along the eastern edge of the former power station. The applicants have submitted a plan indicating that any container storage on these vacant areas would be single-storey only. On this basis, any storage use on these currently vacant areas should have an acceptable visual impact and should not have a harmful impact on the special qualities of the New Forest National Park, taking into account existing structures, permitted uses and the degree of separation to the National Park boundary.
- 10.35 Overall, in view of the temporary nature of the proposal and the location and type of storage being undertaken, it is considered the proposed uses have an acceptable visual and landscape impact that is consistent with policies ENV3 and ENV4 of the Local Plan. However, were a B8 storage use to operate other than is currently the case or has been suggested, then the impact may not be so acceptable. Therefore, even on a temporary basis, it is considered the visual impact of the development would only be acceptable if conditions are imposed that limit where containers / non-vehicles are stored. With such a condition, it is not considered the proposal would be unacceptably harmful to the special qualities of the New Forest National Park or prejudicial to furthering the purposes of the National Park. The applicant has provided an appropriate plan to which such a condition can be related.

Heritage Impact

- 10.36 Parts of the proposed storage areas are visible from the Grade II Listed Building at Ower Farm (within the National Park). The proposed storage use would be a reasonably generous distance away from Ower Farm (about 250 metres away), and even further from other heritage assets. Given this degree of separation, the existing industrial context and the limited height of the proposed storage, it is considered that there would be no adverse impact on the setting of heritage assets. The proposal is therefore considered to comply with heritage related provisions in the NPPF, as well as policy DM1 of the Local Plan.

Ecology

- 10.37 Policy STR1 of the Local Plan expects all new development to avoid wherever possible (and mitigate where necessary) direct and indirect impacts of development on the New Forest and Solent International Nature Conservation sites.
- 10.38 In this case, the site is relatively close to protected coastal habitats (about 70-80 metres away along the nearest boundary) including the Solent and Southampton Water Special Protection Area and Ramar Site, the Solent Maritime Special Area for Conservation, as well as the Hythe to Calshot Marshes Site of Special Scientific Interest. Natural England were consulted on this application but have not commented. However, they raised no objection to the previous application. As this application does not entail construction works and as the proposed storage areas are set back from the designated sites (being materially further away from the designated sites than areas where storage can currently take place pursuant to the existing temporary permissions that expire in December 2027), it is not considered the proposal would have a discernible additional impact or a

significant effect on designated sites. It was previously concluded that the proposed use would have no significant adverse impact (or likely significant effects) on these designated sites, and there is considered no reason to conclude differently now. The temporary nature of the proposed use would also naturally limit any potential impacts.

- 10.39 In terms of Biodiversity Net Gain (BNG), the proposal would not impact on priority habitat. Nor would it 'impact' upon more than 25 square metres of non-priority habitat (by decreasing biodiversity value), noting the proposal would simply maintain the site's status quo. In addition, this proposal does not change the ecological baseline. As such, it is considered the proposal would be exempt from the national BNG requirement.

Flood Risk

- 10.40 The majority of the application site is in Flood Zone 1, so is at low risk of flooding. However, very small parts of the site, close to the southern boundary of the site or to the north of the turbine hall basement, fall within either Flood Zones 2 or 3. The application is accompanied by a Flood Risk Assessment (FRA), which has been the subject of consultation with the Environment Agency. They have confirmed that the FRA demonstrates that the flood risk to the majority of the site is above the design flood level and is therefore at a low risk of flooding.

- 10.41 The Environment Agency have advised the applicant to consider a flood emergency plan. The previous application was accompanied by a Flood Warning and Evacuation Plan, and an acceptable updated plan has been submitted with this application. Adherence to this plan can reasonably be secured by condition.

11 OTHER MATTERS

N/A

12 CONCLUSION / PLANNING BALANCE

The temporary use of this application site for the storage of wind turbine blades (a B8 storage and distribution use) was previously granted planning permission in May 2023 until (for most of the site) the end of December 2025.

As a permanent use, the proposed storage use (which could be a general B8 storage and distribution use rather than a use solely for the storage of wind turbine blades) would be contrary to Policy Strategic Site 4 of the Local Plan and would not be justified.

However, a short-term temporary permission until the end of 2027 would deliver short-term economic benefits and would in principle be justified whilst more long-term proposals for the wider power station site are being prepared and brought forward. The proposed temporary use would also accord, in principle, with Planning Practice Guidance as set out in Paragraph 10.9 above.

The transportation, environmental and amenity impacts of the proposed use have been carefully considered. The proposed use does generate additional HGV and traffic movements on the local road network, but the level of additional traffic generated is not considered to be of a significance that would be harmful to the safety and capacity of the local highway network or to require mitigation. As the proposed use would not operate before 6am or at weekends outside of Saturday

mornings (and can be controlled as such), the proposed use is not considered to result in traffic movements that would have unacceptable amenity impacts, whilst noise on the site itself arising from the proposed use would be within acceptable limits.

The landscape impact of the proposal would be short term and would be acceptable given the existing context, subject to conditions. Ecological impacts could also be reasonably mitigated through conditions.

As such, based on the fact that permission is only sought until the end of 2027, (which would then align with the longest existing temporary planning permissions elsewhere on the power station site), it is considered that the proposal would be in accordance with policies STR1, STR6, ENV3, CCC1 and DM1 of the Local Plan. Accordingly, subject to conditions, it is recommended that temporary planning permission be granted until the end of 2027.

13 RECOMMENDATION

Grant Temporary Permission

Proposed Conditions:

1. The use hereby approved shall cease on or before 31st December 2027.

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, it is considered that a temporary permission until the end of 2027 would deliver justified economic benefits in the short-term without prejudicing the delivery of a policy compliant scheme in the medium to long term.

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

1:5000 Location Plan
1485-L019 rev B

Reason: To ensure satisfactory provision of the development.

3. No activity shall take place on the site in connection with the approved use(s) other than between the hours of 6am to 6pm Monday to Fridays and 7am to 12pm(noon) on Saturday, not including recognised bank and public holidays.

Reason: To safeguard the amenities of nearby residential properties in accordance with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

4. There shall be no storage of containers on those parts of the site annotated (with purple hatching) as having no containers on Drawing 1485-L019 rev B. In addition to this, any containers stored on those parts of the site that are annotated as single stacked (coloured orange) on Drawing 1485-L019 rev B shall be single height only and shall not be stacked.

Reason: In the interests of visual amenity and to safeguard the special qualities of the nearby New Forest National Park.

5. Storage within the area hatched purple on Drawing 1485-L019 rev B shall be restricted to either the storage of vehicles or wind turbine blades.

Reason: In the interests of visual amenity and to safeguard the special qualities of the nearby New Forest National Park.

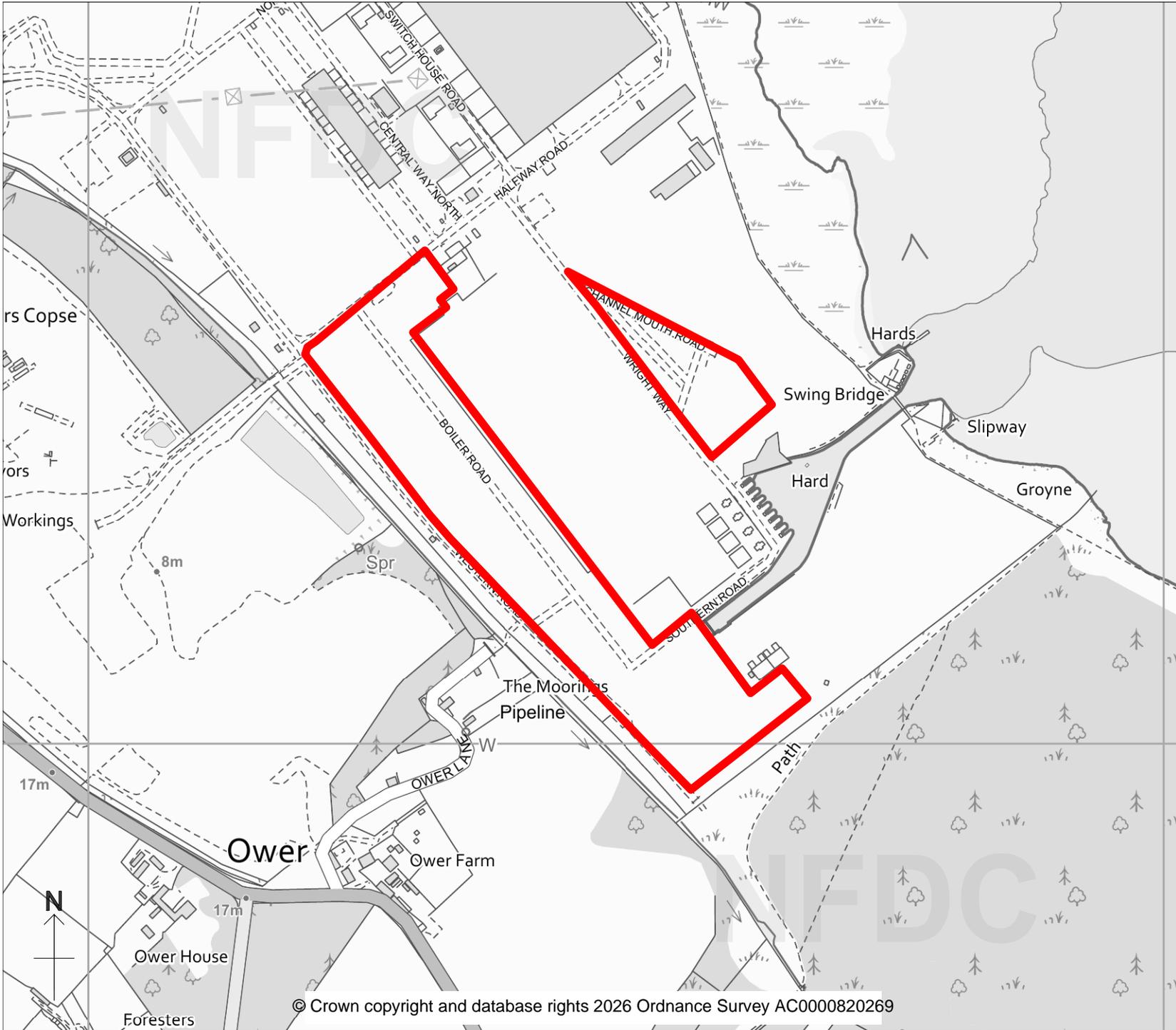
6. The use hereby approved shall only be occupied and take place in accordance with the submitted SLR Emergency Flood Response Plan, dated 28th January 2026 (SLR Project No. 416.066708.00001 rev 01).

Reason: To ensure the flood risk associated with the development is acceptably minimised.

Further Information:

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PLANNING COMMITTEE

February 2026

Site of Fawley Power Station
Fawley

25/10972

Scale 1:5000

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

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Planning Committee 11 February 2026

Application Number:	25/10640 Full Planning Permission
Site:	LAND EAST OF BULLS COPSE ROAD, MARCHWOOD BYPASS, MARCHWOOD, TOTTON SO40 4UE
Development:	The construction and operation of a Battery Energy Storage System (BESS) and associated infrastructure.
Applicant:	Sky UK Developments Ltd
Agent:	Clive Fagg Planning
Target Date:	09/10/2025
Case Officer:	Judith Garrity
Officer Recommendation:	Service Manager - Grant
Reason for Referral to Committee:	Delegated Authority be given to the Service Manager Development Management to Grant Permission

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Principle of Development
- 2) Design, site layout and impact on local character and appearance of area
- 3) Landscape impact and trees
- 4) Highway safety, access and parking
- 5) Residential amenity
- 6) Ecology, On Site Biodiversity and protected species
- 7) Other environmental impacts

2 SITE DESCRIPTION

The site is 1.6 ha in size and is located to the east of Bulls Copse Road in Totton. Access to the site is from the Marchwood Bypass A326 on the spur road from the roundabout with the Totton Bypass A35. Hounsdow Business Park is located opposite and to the east of the site. To the north is a water pumping station and railway line.

The site is existing open countryside used as a field for grazing horses with the adjacent area being largely agricultural. The site is at a higher level than the road but is screened by an embankment of mature trees and vegetation. There is an Ancient and semi-natural Woodland (Plantation on Ancient Woodland Sites (PAWS)) running along the southeastern boundary of the site with Marchwood Bypass and adjacent to the proposed access. There are a limited number of mature trees within the application site.

The site boundary is located approximately 300m from the nearest residential properties at Sunnyfields Farm to the north, and Trotts Farm and Holly Cottage (on Trotts Lane) 625m to the east.

The site is located approximately 300 metres from the boundary of the New Forest National Park.

3 PROPOSED DEVELOPMENT

The proposal is for the construction of a Battery Energy Storage System (BESS) and associated infrastructure for a 30-year temporary period which represents the operational lifespan of the BESS. The BESS would connect to the high voltage overhead line at the pylon and a Grid Supply Point located at Bury Brickfield Park located to the northwest of the site.

The development of energy storage facilities such as this allows the local grid network to operate more efficiently by taking excess energy, storing it in batteries, and releasing it into the network when the grid needs it at times of peak demand. As such, the proposed development would help support the energy security of businesses and households in the New Forest.

The overall planning application site is 1.6 ha in size, but the site compound itself would be 0.5ha in size and would be located to the north of the field.

The proposed Battery Energy Storage System (BESS) would comprise the installation of the following:

- 24 no. modular battery units;
- 12 no. transformer/inverter units;
- 8 no. fire water storage tanks;
- 1 no. 33kV DNO (Distribution Network Operator) substation compound;
- 1 no. substation;
- 1 no. DNO substation;
- 1 no. site supply transformer;
- 1 no. switchroom;
- 1 no. welfare office; and
- 1 no spare parts container.

Each battery container and transformer would be 2.9 m high x 6.1m long and 2.4m wide finished in light grey. A single transformer would serve each pair of battery containers. The spare parts container would be 2.6 m high x 6.1m long and 2.4m wide. Each fire water storage tank would have a capacity of 25,000 litres, with a diameter of 2.7 m and be 4.6m high. The sub-station would be 15.5 m long x 3m high and 4m wide and finished in holly green. The DNO substation would be 4.0 m high x 7m long and 3.5m wide finished in light grey. There would also be a 33 kV DNO substation compound located towards the front of the site, with structures and cables extending a maximum of approximately 7m in height.

The compound area would comprise a semi-permeable gravel surface enclosed by 2.0 m high security fences and gates. There would be 34 floodlights on 2m high columns in addition to 5 no. CCTV cameras on 3.5m high poles.

A new widened access would be provided off the A326 Marchwood Bypass on the southern site boundary. Two car parking spaces would be provided within the compound on the site.

As part of this application the scheme has been Screened under the Environmental Impact Assessment (EIA) Regulations as the proposals would fall within Schedule 2 of the EIA Regulations. The proposals were considered to fall within development type 2.3 of Schedule 2. This covers Energy and Industrial installations for the production of electricity, steam and hot water. The Screening Opinion adopted on 25th July 2025 concluded that this was not an EIA development.

The applicant's agent has raised the issue around uncertainty about the date of connection to the grid as a result of changes that have been made by the Government and National Energy System Operator. This would have implications for the date of commencement of development and as such a request has been made that the time period for commencement of the development is extended to 10-years rather than the standard commencement period of 3-years. The justification put forward for this request is considered in the planning assessment below.

4 PLANNING HISTORY

None relevant

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

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 STR3: The strategy for locating new development.

Policy STR8: Community services, Infrastructure and facilities

Policy ENV1: Mitigating the impacts of development on International Nature Conservation sites.

Policy ENV4: Landscape character and quality

Local Plan Part 2: Sites and Development Management 2014

DM2: Nature conservation, biodiversity and geodiversity

DM3: Mitigation of impacts on European nature conservation sites

DM4: Renewable and low carbon energy generation

DM22: Employment development in the countryside

CS21: Rural economy (saved policy)

Supplementary Planning Guidance And Documents

SPD - Air Quality in New Development.

SPD - Climate Change

SPD - Parking Standards

Neighbourhood Plan

N/A

National Planning Policy Framework 2024

NPPF Ch. 6 - Building a strong, competitive economy.

NPPF Ch.10 - Supporting high quality communications.

NPPF Ch.14 - Meeting the challenge of climate change, flooding and coastal change.

NPPF Ch.15 - Conserving and enhancing the natural environment.

National Policy Statement

National Overarching National Policy Statement for Energy (EN-1)

National Policy Statement for Renewable Energy Infrastructure (EN-3)

National Planning Policy Guidance

Plan Policy Designations

Countryside

6 PARISH / TOWN COUNCIL COMMENTS

Totton & Eling Town Council

The Town Council raise no objection.

The proposal is a positive use of the site to achieve more sustainable energy solutions.

RECOMMENDATION PAR1: We recommend PERMISSION, for the reasons listed, but would accept the decision reached by the District Council's Officers under their delegated powers.

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

Environmental Health (Contaminated Land) No concerns

The site is open space with a railway running along the north of the site since 1924, however there are no records of any contaminative activities on the site or within the vicinity.

Environmental Health (Pollution) No objection.

The submitted noise impact assessment, Construction Traffic Management Plan and Environmental Lighting Impact Assessment Report have been considered and there is no objection subject to conditions relating to noise levels, a CEMP, and development to be undertaken in accordance with the submitted CTMP and lighting impact assessments.

Ecology: No objection.

The updated Ecological Assessment refers to the Ancient Woodland (PAWS). Direct impacts on the woodland would be avoided by implementing a 15m buffer zone for construction activities, however the proposed access route is within the 15m buffer zone which will result in the permanent loss of habitat. However, these habitats are of low value and do not contain notable ancient woodland indicator species and are not of functional importance to the woodland. Further information has been submitted to confirm that alternative layouts to avoid impacts on the existing woodland have been considered. However, constraints from underground pipes/cables mean alternatives are unviable. The layout submitted is the only viable option and minimises encroachment into the woodland buffer zone as much as possible. Conditions are recommended to secure the provision of ecological enhancements, a Construction Environmental Management plan (CEMP) and the submission of updated ecological reports due to the extended commencement period proposed.

Trees: No objection

The revised tree report now recognises the PAWS status of the woodland and its buffer. It also recognises T9 as an Ancient/Veteran tree and provides a 20m buffer. Section 9 of the tree report sets out the issues of the PAWS and T9. In principle, the proposal of the screw piled upgraded access and extended buffer of T9 to 20m are acceptable. The loss of trees to accommodate the proposal and the replacement

planting, and the tree protection measures including the site monitoring and reporting are acceptable. A planning condition directly cross referencing to the tree report and plan is required to secure these tree protection measures.

Landscape: Comment.

The landscaping scheme should include trees in better locations, of a more substantial size, and a broader range of species. However, these matters can be addressed by a landscaping condition.

Conservation: Comment

Consultation not required

HCC Lead Local Flood Authority: No objection.

The additional information submitted demonstrates that there are existing ditch networks boarding the site that would be considered acceptable discharge points if infiltration was not viable. No objection is raised subject to conditions relating to submission of a surface water drainage scheme and details of long-term maintenance.

HCC Highways: No objection.

A traffic survey has been undertaken, and the required visibility splays can be provided at the access. No objection is raised subject to conditions relating to the provision of visibility splays and access widening to accommodate the proposed vehicle tracking.

Forestry England Comment.

Do not provide an opinion supporting or objecting to planning applications. Instead, FE provide advice on the potential impact that proposed developments could have on trees and woodland. In this case guidance is provided on Ancient woodlands, ancient trees and veteran trees which are irreplaceable habitats. Paragraph 193(c) of the NPPF sets out that development resulting in the loss or deterioration of irreplaceable habitats should be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists.

New Forest National Park Authority Comment.

The site is located some distance from the boundary of the National Park, with an intervening block of woodland. Given the nature of the proposed development, it is not considered that it would affect the landscape or special qualities of the National Park.

Natural England: No objection.

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites. Natural England's generic advice on other natural environment issues is set out in Annex A to their response.

Hampshire Fire and Rescue Services: Comment.

A detailed Battery Safety Management Plan and Emergency Response Plan is required and can be secured by a planning condition. HFRS comment that the site layout needs to include a perimeter access road to allow access to the whole site from multiple directions as the lack of such provision may hamper the ability of attending fire crews to engage in firefighting activities on-site. It is noted that for BESS sites there are very few fire safety regulations that will apply once planning permission is granted and so is therefore important to ensure all safety matters are identified and secured as part of the planning process.

NatureSpace: Comment

The proposed development would present a low risk to great crested newts and/or their habitats. An informative note is recommended.

National Grid Company Transmission Assets: Comment

There are no National Grid Electricity Transmission assets affected in this area.

HSE: Comment

Do not advise against granting planning permission. Refer to Marchwood Power Line crossing the site.

Marchwood Power: Comment

Marchwood Power own and operate the High-Pressure Natural Gas Pipeline within relative proximity to the planned Battery Storage Facility location. Many assessments including Pre and Post Pipeline Protection testing (Cathodic Protection) will be required before any works are undertaken (chargeable to the developer). If works encroach the 3m wayleave of the Pipeline - including crossing the Pipeline with any machinery - a legally binding crossing deed will be required. The developer should make contact with Marchwood Power regarding these matters.

SGN: No objection.

Although SGN has a high-pressure gas pipeline in the vicinity of the site, the safety and integrity of these high-pressure assets will not be affected by the proposal based on the information submitted.

SSEN: No objection.

Works are in close proximity to overhead lines electricity lines therefore further detail of distance is required. An Overhead line (OHL) plan has subsequently submitted showing the location of overhead lines and SSEN have no objections after reviewing the plans.

The New Forest Verderers: No response received.

9 REPRESENTATIONS RECEIVED

No representations received.

10 PLANNING ASSESSMENT

Introduction

One of the remedies to the climate crisis is to reach net zero carbon emissions as soon as possible and the Government has set very challenging targets to reach net zero. It is acknowledged by national policy that electrical storage capacity is required to support the growth of renewable energy generation to meet the Government's 2050 net zero target. The National Overarching National Policy Statement for Energy (EN-1) states that "*Storage has a key role to play in achieving net zero and providing flexibility to the energy system...*". Battery energy storage system facilities (BESS) support the provision of increased renewable energy generation nationally and assist in meeting energy security challenges.

Principle of Development

Policy STR1 of Local Plan Part 1 Planning Strategy relates to achieving sustainable development. All new developments are expected to make a positive social,

economic and environmental contribution to community and business life in the area. Most development needs should be met within settlement boundaries in a manner that is appropriate and proportionate to the nature and size of the settlement.

The site is located within the countryside where restrictive policies on development apply. Policy STR3 relates to the strategy for locating new development and sets out that outside of the built-up area the primary objectives are to conserve and enhance the countryside and natural environment. The policy states *"Development will generally be restricted unless the development proposed is appropriate in a rural setting in accordance with Saved Policy CS21: Rural economy"*.

Policy CS21 Rural economy of the Core Strategy (saved policy) identifies that the strategy for the rural economy is to:

- (a) encourage agricultural, horticultural and forestry enterprises and farm diversification projects where this would be consistent with maintaining and enhancing the environment, and contribute to local distinctiveness;*
- (b) keep existing employment sites, and encourage improvements and redevelopments that will help maintain and enhance the environment, and contribute to local distinctiveness;*
- (c) allow small-scale built development for employment purposes in rural settlements (CS9, Level 3 settlements);*
- (d) support local business development through the conversion of existing buildings, with particular encouragement of enterprises that have little adverse environmental impacts (e.g. design/research activities);*
- (e) support the local delivery of services and the retention of local shops and pubs;*
- (f) work with the New Forest National Park Authority and other neighbouring authorities to protect essential back-up grazing land to support commoning; and*
- (g) allow developments essential to support a rural workforce, including agricultural workers dwellings and rural community facilities*

Policy STR3 restricts development unless the proposals are appropriate in a rural setting, and as such the criteria of saved Policy CS21 need to be considered. In making an assessment of the current proposals against Policy CS21, the scheme (a) would not be an agricultural, horticultural and forestry enterprises or a farm diversification project (b) does not relate to an existing employment site (c) is not for employment purposes, and (d) does not support local business as it does not entail the conversion of existing buildings. All the other policy criteria are not relevant.

As such it is concluded that the current proposals would not comply with Policy STR3 or Policy CS21 and would therefore need to be considered as a departure from the development plan.

Policy DM22 of the Local Plan Part 2 relates to employment development in the countryside. However, as the proposals are not for an employment use and do not relate to existing buildings Policy DM22 is not relevant.

Policy DM4 of the Local Plan Part 2 relates to Renewable and low carbon energy generation. The policy set out that the benefits associated with development proposals relating to renewable energy schemes will be given significant weight, provided that they avoid unacceptable impacts on:

- (i) land uses, including all nature conservation designations (with particular regard to any impacts on international designations within, or near to, the Plan area) and heritage assets, including the setting of heritage assets;*
- (ii) the immediate and wider landscape, giving particular importance to impacts on the New Forest National Park and the Cranborne Chase and West Wiltshire Downs AONB;*

(iii) residential amenity both during and after construction; and
(iv) the road network.

However, although the application site is located outside of the built up area and within the designated countryside, the benefits of the proposals should be given significant weight in accordance with Policy DM4, and subject to consideration of the impacts identified in (i) - (iv) of that policy. Although Policy DM4 of the Local Plan Part 2 was adopted in 2014, it remains part of the development plan and as such is a relevant material consideration.

Although it is acknowledged that these proposals represent a departure from local development plan, in making a planning judgment on the principle of the development, the wider national policy context is also an important material consideration.

The principle of the proposed development is strongly supported and encouraged by national policy in the NPPF 2024. NPPF Chapter 6. 'Building a strong, competitive economy' Paragraph 85 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.

NPPF Chapter 14 relates to "Meeting the challenge of climate change, flooding and coastal change" and is particularly relevant to renewable energy proposals. Paragraph 161 encourages the increased use and supply of renewable and low carbon energy. The Framework sets out that the planning system should support the transition to net zero by 2050 and that it should support renewable and low carbon energy schemes and their associated infrastructure.

NPPF Paragraph 166 states that in determining planning applications, local planning authorities should expect new development to:

a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and
b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

NPPF Paragraph 168 states that, when determining planning applications for all forms of renewable and low carbon energy developments and their associated infrastructure, applicants are not required to demonstrate the overall need for renewable or low carbon energy. Significant weight should be given to the benefits associated with renewable and low carbon energy generation and the proposal's contribution to a net zero future.

Furthermore, the National Policy Statement for Energy (EN-1) states, that electricity storage *"has a key role to play in achieving net zero and providing flexibility to the energy system..."* (Paragraph 3.3.25), and EN-1 goes on to state that *"Storage is needed to reduce the costs of the electricity system and increase reliability by storing surplus electricity in times of low demand to provide electricity when demand is higher"* (Paragraph 3.3.26).

The Clean Power 2030 Action Plan (CP30AP): "A new era of clean electricity" was published by the Department for Energy Security and Net Zero (DESNZ) in December 2024. The CP30AP states that the Government *is 'accepting government's central role in steering the creation of this new energy system, setting our expectations for the 2030 capacities of key technologies at national and regional level.'*

The Action Plan sets out that successful delivery will require rapid deployment of new clean energy capacity across the whole of the UK, reflecting the shared renewable ambitions of the UK, Scottish and Welsh Governments. These factors are acknowledged to have significant weight.

The emphasis in the NPPF and National Policy statements is clear in its ambition and strongly encourages the delivery of this type of infrastructure. It acknowledges the positive benefits associated with renewable energy generation and the key role played by battery storage facilities in providing flexibility in the energy supply. The planning assessment of the current proposals needs to be made within this national policy context.

This type of energy storage infrastructure project is further encouraged given the declaration of a climate emergency by NFDC, reflected in the NFDC Climate Change SPD. This SPD provides guidance for the planning policies contained in the Local Plan Part One and clarifies how developers should address climate change in planning applications, in order to meet Local Plan policies, in particular for Policy STR1 and Policy ENV3.

Overall, a balanced view needs to be taken within the local and national policy context that is set out above. National policy strongly encourages low carbon energy projects in meeting climate change challenges and striving to achieve carbon Net Zero by 2050

Officers acknowledge that the applicant is seeking to provide an important piece of energy infrastructure for the region. However, a BESS facility is not a typical planning land use or type of development. As such the District Council has not planned for this type of development through a criteria-based planning policy or site allocation. Furthermore, consideration of restrictions on identified grid capacity and the need to identify sites of a certain size and characteristics are important factors that add justification for the selection of the application site for the proposed BESS use.

As such, significant weight that must be given to the benefits associated with renewable and low carbon energy generation, and the proposal's contribution to a net zero future, as set out in national policy. This demonstrates that there is a clear unmet need for the type of energy storage facility that the proposed BESS would deliver.

As such these benefits are considered to outweigh the harm that would result from conflict with local plan policy, and as such the principle of the development is considered to be acceptable in this instance.

Impact on New Forest National Park

Local Plan Policy STR2 seeks to protect the countryside and the adjoining New Forest National Park and its setting. Section 245 of the Levelling-up and Regeneration Act 2023 (LURA) requires Local Planning Authorities to seek to further the statutory purposes of Protected Landscapes including National Parks in respect of decision-making in planning applications. The statutory purposes of National Parks are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage of the areas designated; and
- To promote opportunities for the understanding and enjoyment of the special qualities of those areas by the public.

Impacts on the immediate and wider landscape of the adjoining New Forest National Park need to be considered. The proposed development is located some distance outside of the boundary of the National Park. The built form is low level and set back from the road beyond a large mature woodland.

Having regard to the Council's duty to seek to further conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park and to promote opportunities for the understanding and enjoyment of its special qualities, by reason of its siting relative to the boundary of the National Park, and its limited height, any impact would be negligible. In respect of the second test, the proposal is for an infrastructure project located outside of the National Park boundary and so it does not provide opportunity to promote opportunities for the enjoyment of the National Park.

The New Forest National Park Authority have been consulted on the application and comment that the site is located some distance from the boundary of the National Park, with an intervening block of woodland. Given the nature of the proposed development, it is not considered that it would affect the landscape or special qualities of the National Park. As such, the proposal is not considered to have an adverse impact on the New Forest National Park and so would accord with Policy STR2 and the duties set out in Section 245 of LURA (2023).

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

Local Plan Policy ENV3 (Design quality and local distinctiveness) requires that all development should achieve high quality design that contributes positively to local distinctiveness, quality of life and enhances the character and identity of the locality. In particular, development should be:

- *Functional: well, connected to surrounding uses, and logically laid out so that different elements work well together in a manner that is safe to access, easy to navigate, convenient to use and that makes effective use of both developed land and open spaces;*
- *Appropriate: sympathetic to its environment and context, respecting and enhancing local distinctiveness, character and identity; and*
- *Attractive: visually appealing and enjoyable to be in.*

The proposed battery containers, transformer units, spare parts container and larger sub station would all be flat roof structures of no more than 3 m high, They would be coloured grey and be set back a minimum of approx. 65m from road. The smaller sub-station, which is closer to the front of the site, it would also be flat roofed but would be 4m high and coloured green. It would be set back approximately 48m from the road. The widened access and removal of trees to facilitate the development would increase the visibility of the site from public vantage points. However, all of these proposed structures would be of a modest scale, and their proposed colours (light grey or green) would assist to make them appear recessive against their backdrop and appropriate within their context.

Although the fire water storage tanks would be 4.6m high they would be located behind the retained ancient woodland and so not easily visible from outside of the site.

The 33 kV DNO substation compound would be the most prominent element on the site due to its location towards the front of the site, with structures and cables extending a max of approximately 7m in height. However, it would be set back within the site and despite the widened access would be screened by existing retained trees making its visual impact acceptable.

As such, overall, the development is considered to result in limited visual impact, which is not considered to be out of character, harmful or significant within its setting. As such the development would comply with Policy ENV3 of the Local Plan Part 1 and the NPPF.

Residential amenity

Policy ENV3 of the NFDC Local Plan Part 1 requires the impact on the residential amenity of existing and future occupiers to be taken into consideration in making planning decisions. NPPF Paragraph 135, subparagraph (f) states development should promote health and wellbeing, with a high standard of amenity for existing and future users.

The site is located in the countryside and so it is not densely populated. The site boundary is within 300m of the nearest residential properties at Sunnyfields Farm to the north, and Trotts Farm and Holly Cottage (on Trotts Lane) are 625m to the east. There are nearby employment uses at Hounslow Business Park which is located opposite and to the east of the site.

Noise

A Noise Impact Assessment (NIA) has been submitted with the planning application. The NIA includes a review of the existing background sound levels and predictions of the noise impact using modelled data at the nearest noise sensitive receptors. Environmental Health has been consulted and has commented that the NIA has appropriately considered the impact of the proposed development in accordance with relevant acoustic standards as well as low frequency noise capable of being generated from the proposed plant and equipment.

The noise impacts are considered below:

Construction Impacts

There will be some limited noise and disturbance to the amenity of nearby neighbours during the construction period of 12 months although this would be a relatively short-term impact and these impacts can be mitigated. A Construction Traffic Management Plan (CTMP) and Addendum have been submitted with the application. This part of the submission provides sufficient information in relation to the control of amenity impacts arising from the construction of the development. The CTMP specifies the likely hours of construction would be between 08:00 and 18:00 in winter (October - March) and 08:00 and 20:00 (April - September). On Saturday work would be between 08:00 and 13:00 with no work taking place on Sunday or bank holidays.

Whilst it is noted that the proposed site working hours during the summer months would exceed those typically recommended by Environmental Health, given the locality of the site these would appear to be acceptable in this instance. A planning condition is however recommended to ensure adherence to the CTMP.

Operational impacts:

Once operational, the proposed development would be relatively quiet, with noise being limited to electrical transmission equipment and so, given its context it is unlikely that any adverse impacts relating to noise and vibration would result.

The NIA considers that noise impact both during the daytime and at night is predicted to be significantly below existing background sound levels, accordingly the risk of adverse impact is considered to be low. It is further noted that the NIA adopts a highly conservative scenario in which all plant is assumed to operate continuously at full

capacity during the quietest part of the night, despite actual operation being expected only for short periods during peak demand - which typically does not occur overnight. Internal noise levels within nearby dwellings are also expected to remain well below guideline thresholds and are likely to be imperceptible in most conditions.

It is noted that the conclusions of the NIA are based on the plant specification outlined and utilise integrated rooftop silencers on the battery containers. With this design, no noise fencing or acoustic barriers around the compound are considered necessary to comply with the identified noise limits. However, if alternative plant were to be selected it will be essential that the overall site design remains compliant with the noise limits established in the NIA. Therefore, a condition is required to ensure specified plant noise levels which are indicative of a low adverse impact are achieved at nearby receptors.

Lighting

Security lighting, consisting of 34 flood lighting units mounted 2m from ground level, are proposed which would be used at night. An Environmental Lighting Impact Assessment Report has been submitted which outlines that the proposed lighting will not exceed the recommended limitations given in the ILP Guidance Notes for an Environmental Zone E2 location. A condition is however recommended to secure this.

As such the impacts on residential amenity are considered to be acceptable and would accord with Policy ENV3 of the Local Plan Part 1.

Highway safety, access and parking

Policy CCC2 of the Local Plan seeks to provide sufficient car and cycle parking for developments. Policy ENV3 seeks to create streets and spaces that are safe and easy to navigate and to ensure that sufficient parking is provided without detriment to the character of the area or highway safety.

Access:

Access to the site is from the Marchwood Bypass A326 on the spur road from roundabout with the Totton Bypass A35. Buses run northbound approximately every 20 minutes. There is a bus stop near the site entrance and a central pedestrian refuge.

HCC Highways have been consulted on this planning application. HCC Highways raised initial concerns relating to visibility and vehicle tracking. Further information has been submitted to address these matters as an addendum to the submitted Construction Traffic Management Plan (CTMP). This CTMP proposes measures for managing construction access, an updated visibility assessment and a swept path tracking assessment. Additional traffic surveys were undertaken for seven consecutive days to the north and south of the access. These surveys were carried out during neutral traffic conditions and school term time in order to ensure that an accurate reflection of traffic flows in the vicinity of the site were obtained.

Based on the surveyed speeds (85th% speed of 46.5mph Northbound and 45.7mph Southbound) the visibility requirements are 2.4m x 126m to the south, and 2.4m x 129.8m to the north. A revised drawing to demonstrate how these visibility splays could be achieved has been submitted. HCC Highway Authority are satisfied with the provided visibility drawings, and it is further noted that any obstruction above 600mm within the visibility splays will be removed. A planning condition is required to ensure the provision of these visibility splays prior the commencement of the development and their retention thereafter.

A Construction Traffic Management Plan (CTMP) has been submitted which advises there would be 207 vehicle movements during the first 24 weeks of construction. Based on the use of a 5.5 day working week, this would equate to an average of 8.6 vehicles leaving the site per week. Accepting that deliveries would not be constant, the CTMP states that there would be no more than 5 vehicles leaving and entering the site per day. Construction vehicles leaving the site would have clear visibility both north and south and would be travelling slowly. There is existing signage to ensure vehicles leaving the site only turn left (south).

The applicant has now provided a revised tracking drawing demonstrating how a 12.0m HGV could enter and exit the site shown for both left out and left in. These tracking movements are now within the red line boundary of the planning application site and are considered acceptable to the Highway Authority.

Works will need to be undertaken to widen the access hard surfaced area accordingly and this need to be completed as the first operation prior to construction of the BESS on the site. These works need to be implemented via a S278 agreement with HCC as Local Highway Authority. However, the original layout plan showed the hard surfaced area of the existing site access on these tracking drawings to significantly smaller than the hard surfaced area required to encompass the vehicle tracking movements. A planning condition for the submission of further details of the required access widening, to enable the vehicle tracking movements shown on the tracking drawing to be provided before the development commences on the site was recommended.

However, a plan to show this widened access on the site layout plan has subsequently been submitted and this plan is acceptable to HCC Highways. The implementation of the access widening prior to other work to implement the planning permission can be subject of a planning condition.

Parking:

Construction:

Construction of the development will be undertaken over a temporary period of approx. 12 months. The submitted CTMP indicates that the construction workforce is anticipated to be 20 each day.

A temporary construction compound will be created adjacent to the site entrance which will allow for the parking of construction vehicles, for lorry turning and will also provide a set down area during construction. All delivery vehicles will be able to enter the site and unload within the compound area. There will be no queuing, parking or unloading on the highway. The temporary construction compound is only required for the duration of construction period and will be removed on completion of the construction period. As such this compound has not been included within the red line boundary as it is considered to be permitted development.

Operation:

Once operational the site will be remotely managed with only occasional staff maintenance visits. Two car parking spaces would be provided on the site, and this would meet with requirements.

Overall, the proposals would comply with Policy ENV3 and CCC2 of the Local Plan Part 1.

Landscape and trees

Policy ENV4 of the Local Plan Part 1 seeks to retain and/or enhance landscape features through sensitive design, mitigation and enhancement measures.

Landscape:

A Landscape Visual Assessment (LVA) has been submitted, and a landscape mitigation plan shows new tree and native planting within the site. The new access will require the removal of 8 trees however 16 replacement trees are proposed to be planted within the site. There is an existing mixed shrub and tree hedgerow along the northern boundary of the site which would be retained.

The Landscape officer has been consulted and comments that the removal of trees to create the required visibility splays and the vehicular access to the site would open up views of the existing electricity pylon which is not currently noticeable. The originally proposed soft landscape proposal was not considered to mitigate this increased visibility of the site from the road or other visual receptors. Further information and a revised landscape proposal have been submitted to address the comment made.

Trees of a more substantial size, a broader range of species and in better locations would be preferable although it is acknowledged that there are significant constraints on the site due to above and below ground utility infrastructure. The existing mature trees would be retained, and additional landscaping would assist to further mitigate the visual impact of the development from the road when viewed through the trees.

It is considered appropriate to agree the details of the landscaping scheme by planning condition which will require the submission of details of the proposed planting including sizes and species as well as on-going management and maintenance arrangements.

As such, subject to this condition, the proposals would comply with Policy ENV3 and ENV4 of the Local Plan Part 1 and no landscape objection is raised.

Trees:

There is an Ancient semi-natural Woodland and Ancient Replanted Woodland (Plantation on Ancient Woodland Sites PAWS) located along the southeastern boundary of the site and adjacent to the proposed access.

The Forestry Commission practice guide defines PAWS as '*Ancient woodland site which has been converted to a plantation dominated by non-native broadleaved and conifer species*'

Ancient woodlands, ancient trees and veteran trees are irreplaceable habitats. Paragraph 193(c) of the NPPF sets out that development resulting in the loss or deterioration of irreplaceable habitats should be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists.

The Forestry Commission have been consulted and commented that they do not provide an opinion supporting or objecting to planning applications. Instead, they provide advice on the potential impact that proposed developments could have on trees and woodland. In this case guidance is provided on Ancient woodlands, ancient trees and veteran trees and that they are irreplaceable habitats.

NPPG also provides guidance on how to consider these designations, as well as Ancient and Veteran trees. An assessment guide is provided on making planning decisions in line with the NPPF. Matters to consider are:

- conserving and enhancing biodiversity
- avoiding and reducing the level of impact of the proposed development on ancient woodland and ancient and veteran trees.

Planning permission should be refused if development results in the loss or deterioration of ancient woodland, ancient trees and veteran trees unless both of the following applies:

- there are wholly exceptional reasons;
- there is a suitable compensation strategy in place (this must not be a part of considerations of wholly exceptional reasons) - in accordance with the guidance in paragraphs 33 and 34 of the planning practice guidance and decisions are made in line with paragraph 193 (c) of the NPPF.

The revised tree report now recognises the PAWS status of the woodland located along the south eastern boundary of the site and its required 15m buffer zone. It also recognises T9 as an Ancient/Veteran tree and provides for a 20m buffer around it. The revised site layout plan and oak tree protection plan indicate that the hardstanding of the compound is now outside of this 20m buffer which exceeds the standard 17m Root Protection Area requirement for ancient trees. The revised tree report also provides details of the Root Protection Suspended Track Plan and a cross-section plan through this track to show its construction.

In principle, the proposal for the screw piled upgraded access and extended buffer of T9 to 20m are acceptable in tree terms. The loss of trees to accommodate the proposal and the replacement planting is also accepted. The tree protection measures, including the site monitoring and reporting are acceptable. A planning condition to ensure works are undertaken in accordance with the revised tree report and tree protection plan is recommended.

Subject to conditions, in tree terms the proposals would be in accordance Policy ENV3 and ENV4 of the Local Plan Part 1, and Paragraph 193 (c) of the NPPF.

Ecology and On-Site Biodiversity and protected species

Policy DM2 of the Local Plan Part Two seeks to conserve nature and enhance biodiversity. The policy states that the Council will use planning conditions to provide mitigation and where appropriate, enhancement measures.

As set out above, the site is located adjacent to both Ancient Semi-Natural Woodland and Ancient Replanted Woodland (Plantation on Ancient Woodland Sites PAWS), which are located on the southern boundary. The implementation of a 15m buffer zone between construction activities and the ancient woodland is required not only to protect trees located within the woodland but to protect the integrity of soils and prevent woodland edge effects, which can degrade the woodland ecological character.

There were initial ecological concerns expressed about direct and indirect impacts from construction. The originally submitted Ecological Impact Assessment (August 2025) did not make reference to the ancient woodland habitat, outside of the SINCS. The Ecological Impact Assessment was updated in October 2025 with reference to the ancient woodland. The report stated that direct impacts during construction would be avoided as root protection measures would be employed. The NFDC Ecologist

was satisfied that direct impacts on the woodland itself would be avoided during construction, and due to the nature of the proposals impacts during operation are unlikely.

The current proposals entail an access route within the 15m buffer zone which would result in the permanent loss of some semi natural habitat. There were ecological concerns about the reduction of the amount of semi-natural habitats next to ancient woodland that provide important dispersal and feeding habitat for woodland species and these concerns were not addressed by the revised Ecological Impact Assessment (October 2025).

Additional comments were requested from the ecological consultant on the status of the habitats within the buffer zone and the impacts of these losses. In line with the mitigation hierarchy impacts should always be avoided first and strong justification is therefore required for the current layout to satisfy compliance with the NPPF and local policies.

A further updated Ecological Assessment (dated November 2025) was submitted in December 2025. This document address earlier comments relating to tree inclusion within the BNG baseline and the provision of enhancement measures.

Whilst the proposed access route is located within the 15m PAWS buffer zone and would result in the permanent loss of semi natural habitat, additional details have been provided about the current status of habitats present within this woodland buffer zone. The habitats which would be lost are of low value and do not contain notable ancient woodland indicator species. It is therefore considered that those habitats that would be lost within the buffer zone are not of functional importance to the woodland.

The NPPF has a requirement to apply the mitigation hierarchy and local policy protections for ancient woodland and associated habitats. Further information has been submitted to confirm that alternative layouts to avoid impacts on the existing woodland have been considered. However, constraints from underground pipes and cables mean alternatives are unviable. The layout submitted is the only viable option and minimises encroachment into the woodland buffer zone as much as possible and therefore is considered to be acceptable in this instance.

Designated Sites

The site is located within proximity to the following statutory designated sites:

- Solent & Southampton Water Ramsar and SPA;
- Solent Maritime SAC;
- Eling and Bury Marshes SSSI;
- Fletchwood Meadows SSSI; and
- New Forest SPA & SAC.

In addition, a total of 24 non-statutory designated sites, SINC and cSINC, were identified in the desktop study. No impacts are anticipated on the surrounding statutory designated sites however impacts on the non-statutory designated is considered likely during the construction phase. A Construction Environmental Management Plan (CEMP) is however recommended to be submitted as a pre-commencement condition.

Habitats

The site has been assessed as largely horse grazed modified grassland with a small area of other neutral grassland with patches of bramble scrub and mixed scrub.

- *BNG*

The statutory metric has been completed by a suitably qualified ecologist, the calculation states that there will be a net gain in 3.28 habitat units, or 93.95%. There were some matters of update and clarification required in this respect of the baseline to include the individual trees, a commentary on the tree losses, and justification for the selection of lowland acid grassland habitat.

A revised Biodiversity Impact Calculation (dated November 2025) was submitted in December 2025 and the NFDC Ecologist is satisfied that the captures the existing baseline assessment.

- *Significance*

There are a number of potentially significant on-site habitats. A Biodiversity Net Gain Plan/ Habitat Management and Monitoring Plan (HMMP) is therefore required. The maintenance and monitoring of these habitats in line with the HMMP should be secured by planning condition for a period of 30 years.

- *Ecological Enhancements*

The Ecological Assessment states that ecological enhancements are included in relation to bats and reptiles and details have now been now provided. The provision of ecological enhancements should be secured via the Ecological Enhancement Schedule Condition.

Species

- *Amphibians including Great Crested Newt*

-

No breeding habitat was recorded on site while a single off-site pond was subject to an eDNA survey, which returned a negative result for great crested newt. The habitats are considered sub-optimal for amphibians and therefore no impacts are anticipated and the NFDC Ecologist is satisfied with this conclusion.

- *Badger*

-

No direct evidence of badger was recorded on site however suitable foraging habitat is present. Should any potential evidence of badger be identified prior to development, or during construction a suitably qualified ecologist should be contacted to advise on next steps.

- *Bats*

The site has been assessed to contain suitable habitat for foraging and commuting bats while the adjacent woodland has the potential to support roosting habitat. The recommendation for a sensitive lighting plan is welcome, in particular recommendations for the creation of dark corridors around the boundaries of the site (in particular woodland). On review of the Environmental Lighting Impact Assessment Report, the NFDC Ecologist is satisfied that these recommendations have been followed, and development is unlikely to cause an adverse effect on bats.

- *Birds*

Suitable habitat for nesting birds is present within the site. Woody vegetation removal should be undertaken outside of the nesting bird period (March to August, inclusive). This recommendation is welcomed.

- *Hazel Dormouse*

The majority of the site has been assessed as being unsuitable for hazel dormouse however the woodland that forms the southern boundary is considered suitable. The submitted documents set out that removal of scrub is to be undertaken under the supervision of an Ecological Clerk of Works (ECoW). These works will be undertaken over winter when dormouse is in hibernation, and this will also avoid the bird nesting period. This recommendation is welcomed and details should be secured within the CEMP to be submitted by planning condition.

- *Reptiles*

There are limited habitats on site that are considered suitable for reptiles. The majority of suitable habitat is recorded around the peripheries. Given the limited suitable habitat for reptiles no further surveys have been undertaken. However, the site should continue to be grazed to prevent development of suitable habitat for the species. If this does not occur further surveys and mitigation measures may be required.

The agent has requested to extend the commencement period for the development. This has implications for the timespan of ecological reports which usually remain valid for a 12–18-month period. Whilst the current reports and ecological baseline is adequately captured, reports over 18 months old are required to be updated. Given the potential time delay between determination and commencement of development a pre-commencement condition is required for an updating ecological walkover survey to be undertaken, if the existing ecology baseline is more than 18 months old.

Overall, subject to conditions, in ecological terms the proposals would be in accordance Policy DM2 of the Local Plan Part 2 and Paragraph 193 (c) of the NPPF.

Drainage

Policy CCC1 seeks to ensure that development should not result in pollution or hazards which prejudice the health of communities. Furthermore, the policy requires development to mitigate impacts or risks from development on community health and safety.

The site is located in Flood Risk Zone 1 which has the lowest risk from flooding. The Environment Agency have therefore not been consulted on this planning application.

Environment Agency's risk of flooding from surface water map presented in the submitted FRA indicates that the proposed development site has a very low risk of surface water flooding. The submitted FRA and Drainage Strategy has assessed drainage capacity based on Design 1:100-year rainfall event + 25% climate change allowance.

HCC Lead Local Flood Authority have been consulted and initially raised concerns relating to the lack of groundwater monitoring or an alternative drainage option for the site. The alternative drainage option is required so that infiltration testing can be conditioned.

Further drainage information has been submitted to address these matters. The Applicant's drainage consultant has undertaken a site survey and identified two potential discharge points in a Drainage Site Walkover. It is proposed that if infiltration rates are insufficient, the existing drainage ditches shown on the submitted drainage walkover plan would be reinstated and the flow rates and potential capacity modelled.

The additional information provided demonstrates that there are existing ditch networks bordering the site which would be considered acceptable discharge points if infiltration was not viable. It is understood from the walkover plan that the southern / eastern watercourse is bounding the site boundary, and it is likely that the applicant has a level of riparian responsibility in relation to these features. HCC LLFA recommend that maintenance is undertaken regardless of the final drainage strategy as required under the Land Drainage Act.

Given the site levels and proximity to these watercourses, there is sufficient confidence that there is an alternative viable drainage option and on this basis HCC LLFA are satisfied that further information in relation to the surface water drainage scheme for the site can be secured by a planning condition.

In addition, details of the long-term maintenance arrangements for the surface water drainage system are required to be provided by a planning condition.

As such, subject to conditions the proposals are considered to comply with Policy CCC1 of the Local Plan Part 1 and the NPPF.

Other environmental impacts:

Local Plan Policy ENV3 (Design quality and local distinctiveness) criterion (ii) sets out that new development will be required to avoid unacceptable effects by reason of visual intrusion or overbearing impact, overlooking, shading, noise and light pollution or other adverse impacts on local character or residential amenity.

Local Plan Policy CCC1 (Safe and healthy communities) criterion (i) sets out that development should not result in pollution or hazards which prejudice the health and safety of communities and their environments including air quality and the water environment. Criterion (iv)(c) sets out that on contaminated, polluted or unstable land unless it is first adequately remediated or otherwise made safe for the proposed use and for the local community prior to occupation vulnerable development will not be permitted. The Council has also adopted an Air Quality in New Development SPD.

Air Quality and Dust

The NFDC Air Quality SPD sets out criteria to determine whether an air quality statement or detailed air quality assessment is required. The document also details what should be included within each document and appropriate mitigation measures to reduce emissions.

An Air Quality Statement (AQA) has been submitted that sets out the principle mitigation measures proposed to address any air quality impacts. A qualitative assessment of air quality impacts during the construction phase has been undertaken and evaluated using methodology detailed in the IAQM guidance document.

Dust is likely to be generated during the construction phase of the development. The submitted AQA and CTMP set out how dust impacts would be managed and mitigated during the construction period. The Proposed Development would lead to a negligible risk for dust during demolition and low risk with dust from construction and

earthworks. Given the low level of risk, no mitigation measures beyond those required by legislation are required.

However, a pre-commencement planning condition is recommended for a Construction Environmental Management Plan (CEMP) to include air quality and dust mitigation matters.

Contaminated Land:

Local Plan Policy DM5 sets out that where development is proposed on a site that is known or suspected to be contaminated, a detailed site assessment will be required to establish the nature and extent of the contamination.

Inappropriate management of contamination may have a significant impact for the environment and human health and, therefore, must be managed appropriately.

Environmental Heath (contaminated land) has been consulted and comment that an Envirocheck Report: Datasheet has been submitted with the application which details environmental data information within 1000 metres of the application site.

This information, along with information held by the Council show the site as open space with a railway running along the north of the site since 1924, however there are no records of any contaminative activities on the site or within the vicinity.

As such there are no contaminated land issues that need further assessment.

Health and Safety Matters

Gas pipelines:

Policy CCC1 (iii) requires that development within the safeguarding area of a military explosives storage area or within the consultation zones of a hazardous industrial site or pipelines will be restricted or managed either in accordance with Health and Safety Executive guidelines, or in consultation with the Secretary of State for Defence, as applicable.

The site is located within the Inner and Middle zone of the Gas HSE Consultation Zone for Marchwood Power and Intermediate and Medium Pressure consultation Zones for SGN Pipeline consultations. There is a SGN pipeline located towards the north west and north east boundaries of the site.

Appropriate consultations have been undertaken as part of the planning application process.

The HSE do not advise on safety grounds against granting planning permission in this case. However, it is noted that there is a major hazard pipeline that is owned and operated by Marchwood Power located within the planning application site.

Marchwood Power have been consulted on the application and comment that many assessments including Pre and Post Pipeline Protection assessments will be required before any works are undertaken. If works encroach the 3m wayleave of the Pipeline including crossing the Pipeline with any machinery, a legally binding crossing deed will be required. The applicant is aware of these requirements. The submitted plans indicate a 9 m easement, and the developer will engage further with Marchwood Power separately from the planning application process.

SGN have commented that although there is a high-pressure gas pipeline within the site, the safety and integrity of high-pressure assets will not be affected by the proposal based on the information submitted.

SSEN have commented that the proposed works are in close proximity to overhead lines electricity lines and requested further detail of distance is required. An Overhead line (OHL) plan has subsequently submitted showing the location of overhead lines. SSEN have no objections after reviewing the plans.

Fire Safety:

Hampshire & Isle of Wight Fire and Rescue Service (HIWFRS) comment that there are very few fire safety regulations that apply to BESS sites once planning permission is granted. It is therefore important to ensure all safety matters are identified and secured as part of the planning process. Initial consultation comments requested further information and clarification relating water supplies and management; spacing and separation; active fire protection systems; battery chemistry and details of testing. The agent has responded to advise that further discussions with HWFRS have been undertaken with respect to the matters raised and further information and clarification provided to HWFRS.

An Outline Battery Safety Management Plan has been submitted, however it is appropriate for full details of the Battery Safety Management Plan to be secured by a planning condition.

Community Engagement

NPPF Para 42 emphasises the importance of engaging with the local community, stakeholders and statutory and non-statutory consultees before submitting a planning application.

NFDC published a Statement of Community Involvement (SCI) in February 2024 which sets out how NFDC involve the community and stakeholders in the preparation and review of planning policy documents and the consideration of planning applications.

The agent has confirmed that community engagement has been undertaken, and a website set up about these proposals. A list of local groups including the Ward Councillor and Parish Council who were contacted has been provided.

The website provides details of the project and requests ideas for how community benefit funds could be spent in this area. The website also lists various community benefit fund ideas that have been implemented in previous projects and could be used again here.

In October 2025 there had been 169 visitors to the site, 88 unique visitors. One community benefit suggestion had been made to support activities that promote walking, cycling, green public transportation and electric vehicle infrastructure. This suggestion will be considered by the applicant in the future should permission be granted. However, such community benefits are not considered necessary to make the development acceptable in planning terms and are not, therefore, secured by planning obligation as part of this permission.

The above measures demonstrate that appropriate local community engagement has been undertaken prior to the submission of the planning application in accordance with the NFDC SCI and the NPPF.

Developer Contributions

N/A

11 OTHER MATTERS

Grid connection and period for commencement:

The Proposed Development BESS could only occur where it falls within the catchment area of a grid connection point which has capacity. The location of the proposed development has been selected to be in close proximity to a viable Grid Supply Point (GSP) with capacity which has been identified. It is proposed to connect to the high voltage overhead line at the pylon located at Bury Brickfield Park. A preliminary design for the grid connection has been prepared by Scottish and Southern Electricity (SSE), the Distribution Network Operator (DNO).

This element of the project would be undertaken by the DNO using their permitted development rights and so the electrical connection from the site to the network are not been included within this planning application.

When the planning application was submitted in July 2025 an extended 10-year period for commencement - rather than the standard commencement period of 3-years - was requested in order to allow time for a grid connection to be established.

NPPG Para 025 states that while the standard commencement time period is 3 years other periods can be imposed. This guidance states that *“A longer time period may be justified for very complex projects where there is evidence that 3 years is not long enough to allow all the necessary preparations to be completed before development can start”*

The agent has confirmed that the request for 10-year commencement period is due to the Grid Reform process currently underway with the National Energy System Operator (NESO). The formal connection date will not be known until the NESO assessment is completed. This assessment was due to be completed in January 2026 (at the earliest) and was expected to confirm either a 2030 or 2035 connection date.

Information was released by NESO in December 2025 in relation to Grid Reform outcomes, but this was very limited, and no formal offers of connection dates were issued. In addition, the current network is unable to accommodate connections until network reinforcement works are completed. The connection offers are now due to be issued between the end of quarter 1 to quarter 3 of 2026 with a large number of projects likely to be in the 2031-35 connection period due to the network reinforcement requirements by NESO. It is unlikely that a formal connection date for these proposals will be confirmed until at least mid-2026. It is therefore anticipated that the connection will be possible between 2031-35 but based on reinforcement works required at Nursling grid supply point it is likely to be towards the end of this period.

Once a connection date is offered and accepted, it will require the developer to meet this date or the connection would be lost. Construction will need to commence well in advance of the confirmed connection date, and this construction period is anticipated to be 12 months. The uncertainties about the date of connection as set out above seek to justify the request made for a 10-year period for commencement of the development.

Based on the above information, in the absence of confirmation of the connection date and to allow for a 2035 connection to be made, an 8-year commencement period is considered to be justified in this instance

12 CONCLUSION / PLANNING BALANCE

In accordance with the National Overarching National Policy Statement for Energy, the NPPF and the NFDC Climate Change SPD significant weight must be placed on the need for proposals that reduce carbon emissions and strive to achieve carbon net zero by 2050. The Government has set challenging targets to reach net zero and has stated, in EN-1, that *“Storage has a key role to play in achieving net zero and providing flexibility to the energy system...”*.

The development of renewable energy projects and battery storage facilities in particular, are strongly supported and encouraged by NPPF and other national policy documents which emphasise the benefits of BESS proposals to meeting wider climate change objectives. It is recognised in these policies that battery storage has a key role to play in achieving net zero and providing flexibility to the energy system. Battery energy storage system facilities (BESS) support the provision of increased renewable energy generation nationally and assist in meeting energy security challenges.

The planning statement sets out the case for the proposals, the site selection process and the benefits of the proposals within the national policy context. These needs be set against the impact of the development within the countryside and the departure from local plan policy.

Consideration needs to be given as to whether the benefits of the scheme outweigh the identified conflict with Policy STR3 of the Local Plan Part 1 and saved Policy CS21 of the Core Strategy. Officers acknowledge that the application seeks to provide an important piece of energy infrastructure. A BESS facility is not a typical planning land use or type of development. As such the District Council has not planned for this type of development through a criteria-based planning policy or site allocation.

Justification for any departure is a matter of planning judgement based on the planning balance. Taking all of these material considerations, and the significant weight which must be given to the need for the BESS, the planning balance concludes that when carefully considering all the issues, a departure from development plan policy can be justified in this instance for a period of 30 years and as such the principle of the development is accepted.

The scheme has been designed to ensure that the impact of the scheme on the Ancient woodland (PAWS) along the southern boundary of the site and adjacent to the access would be minimised. The semi-natural habitat to be lost in the 15 m buffer zone are of low value and does not contain notable species which are of functional importance to the woodland. In addition, there are no other viable layouts that could be delivered given other constraints on the site. As such, this can be justified in this instance and as such the proposals would be in accordance with Policy DM2 of the Local Plan Part 2 and NPPF Para 193 (c).

Ecological interests on the site would be safeguarded and appropriate ecological enhancement secured along with BNG. Although there would be some tree loss, important protected trees on the site would be retained and protected. Tree planting and associated landscaping would be undertaken.

The visual impact of the development would be acceptable when considered within the context of the character of the area during the 30-year lifetime of the development.

Associated dust and noise would primarily be limited to during the construction period. Any impact on residential amenity would be minimal and can be effectively mitigated, and hours of construction can be limited. The required mitigation can be secured by planning conditions.

Highway safety would not be prejudiced by the proposed development, and all other health and safety issues have been addressed.

When the planning application was submitted in July 2025 an extended period for commencement of 10 years was requested as it was not known whether the formal connection date would be 2030 or 2035. In the absence of confirmation of the connection date and the likelihood that this connection will not be until 2035, an 8-year commencement period is considered to be justified in this instance.

As such, the application is therefore recommended for approval subject to conditions once the publicity period relating to the development plan departure has expired.

13 RECOMMENDATION

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

- i) no material comments being made following the end of advertisement period of the application as a departure to the development plan.
- ii) the imposition of the conditions set out below.

Proposed Conditions:

1. Time: Commencement

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

Reason: To allow time for connection of the BESS to the electricity grid to be made and 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. Time: 30 year temporary consent

The use shall cease within 30 years from the date of first operation of the development hereby permitted and the land restored to a condition which has first been agreed by the Local Planning Authority. Written confirmation of the first import of electricity date shall be provided to the Local Planning Authority within one month after the event. At least 6 months before the planning permission is due to expire, a Decommissioning Method Statement (to include a timetable for implementation and a scheme to restore the land to its former cleared condition) and a Decommissioning Landscape Plan

shall be submitted to and approved in writing by the Local Planning Authority. The Battery Energy Storage System (BESS) shall then be removed and the ground reinstated in accordance with the Decommissioning Method Statement and Decommissioning Landscape Plan.

Reason: Because of the temporary nature of the development, in order to safeguard the amenities of the area and to ensure that the land is restored as open countryside at the end of the temporary period in accordance with Policy STR3 of the Local Plan Part 1 for the New Forest outside of the National Park.

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

Revised Location Plan - 3001-01-02 Rev B
Revised Site Layout Plan - 3001-01-01 Rev E
Revised Site Elevations Plan - 3001-01-03 Rev A
Site Plan with Utilities and Easements 3001-01-14 Rev B
Overhead Lines Plan 3001-01-18-A
DNO Sub Station elevations 3001-01-04 AO
DNO Sub Station floor plans 3001-01-04 A
CCTV Columns - 3001-01-05A
Battery container plan-3003-01-07O
Gate and Fence - 3001-01-12O
Spare Parts container - 3001-01-11O
Sub station elevations - 3001-01-10O
Sub station floor plans -3001-01-09O
Transformer Skid Plans -3001-01-08O
Water Tank Plans -3001-01-06O
Ecological Assessment The Ecology Co-op Ref P10387 Rev 1.2 dated 19th November 2025
Biodiversity Impact Calculation Report The Ecology Co-op Ref P10387 Rev 1.2 dated 21st November 2025
Drainage Site Walkover dated 13th November 2025
Tracking Assessment Plan 250436-RAP-XX-XX-DR-TP-4200 P01
Visibility Assessment Plan 250436-RAP-XX-XX-DR-TP-3200 P01
Traffic Survey Results
Arboricultural Survey Project G117 Rev 2 dated 21st November 2025
Construction Traffic Management Plan (CTMP) V1 dated 18 May 2025 prepared by Toucan Environment
Construction Traffic Management Plan Addendum (CTMP) V2 dated 11th December 2025 prepared by Toucan Environment
Landscape Visual Assessment CPF1601Iva dated April 2025
Noise Impact assessment - Parker Jones Acoustics First issue Dated 3rd April 2025
Environmental lighting Impact assessment - SHD dated 13th May 2025
Heritage Appraisal - V1 dated 16th April 2025 Toucan Environment

Reason: To ensure satisfactory provision of the development.

4. **Visibility Splays:**

No development shall start on site until the visibility splays of 2.4 x 126m.0m and 2.4 x 129.8m have been provided in accordance with approved drawing

250436- RAP-XX-XX-DR-TP-3200 Rev P01. The lines of sight splays shown on the approved plans shall be kept free of any obstruction exceeding 0.6 metre in height above the adjacent carriageway and shall be subsequently maintained so thereafter.in perpetuity.

Reason: To provide satisfactory access and in the interests of highway safety in accordance with Policies ENV3 and CCC2 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

5. Access Construction:

No development shall start on site until the access including drop kerb / vehicle crossover works and hardstanding area have been completed in accordance with approved drawing 250436- RAP-XX-XX-DR-TP-3200 Rev P01. No other development shall commence on the site unless and until the access widening works so approved have been fully implemented.

Reason: To ensure satisfactory access is provided the interest of highway safety and in accordance with Policies ENV3 and CCC2 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

6. Construction Transport Management Plan:

The development hereby permitted shall be carried out in full accordance with the Construction Traffic Management Plan (CTMP) V1 dated 18 May 2025 and Construction Traffic Management Plan Addendum (CTMP) V2 dated 11th December 2025 prepared by Toucan Environment. The approved CTMP shall be adhered to throughout the construction period unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of amenity and highway safety in accordance with Policy ENV3 and CCC2 of the Local Plan Part 1 for the New Forest outside of the National Park

7. Construction Environmental Management Plan (CEMP):

Prior to construction (including demolition) commencing on the site, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following details:

- Development contacts, roles and responsibilities
- Public communication strategy, including a complaints procedure.
- Dust Management Plan (DMP) including suppression, mitigation and avoidance measures to control dust.
- Noise reduction measures, including use of acoustic screens and enclosures, the type of equipment to be used and their hours of operation.
- Use of fences and barriers to protect adjacent land, properties, footpaths and highways.

- Details of parking and traffic management measures.
- Measures to control light spill and glare from any floodlighting and security lighting installed.
- Pest control

The approved details shall be implemented before the development hereby permitted is commenced and retained throughout the duration of construction. The development shall only be carried out in accordance with the CEMP so approved.

Reason: In order that the Local Planning Authority can properly consider the effect of the works on residential amenity and highway safety and in accordance with Policy ENV3 and CCC2 of the Local Plan Part 1 Planning Strategy.

8. Noise:

The rating level of noise emitted from fixed plant and equipment associated with the development shall not exceed the background sound levels (both during the day and at night) specified in Table 5.1 of the Noise Impact Assessment (NIA) prepared by Parker Jones Acoustics, dated 23 April 2025. The assessment of noise levels shall be carried out in accordance with the methodology set out in BS 4142:2014 “Methods for rating and assessing industrial and commercial sound” and its subsequent amendments.

Reason: In the interest of amenity and in accordance with Policy ENV3 of the Local Plan Part 1 for the New Forest outside of the National Park.

9. External Lighting:

All external operational lighting associated with the development shall be designed, installed, and operated such that it does not exceed the obtrusive light limitations for Environmental Zone E2 as set out in the Institution of Lighting Professionals’ Guidance Note 1 for the Reduction of Obtrusive Light (2021) or any subsequent update. This includes limits on vertical illuminance at windows, light trespass, sky glow, and luminaire intensity.

Reason: In the interest of amenity and in accordance with Policy ENV3 of the Local Plan Part 1 for the New Forest outside of the National Park.

10. Battery Safety Management Plan:

Prior to the commencement of the development, a detailed Battery Safety Management Plan (BSMP) shall be submitted to and approved in writing by the Local Planning Authority.

The details in the BSMP shall include the following :

- i Fire safety measures for emergency personnel attending a fire incident, such as deflagration vents (including installation of an audible fire alarm on the site)

- ii. A comprehensive review of the space between units in line with the UL9540A testing information to establish whether there is potential for fire to spread between units
- iii. A review of the detailed battery safety management plan and any associated fire safety systems
- iv. Details of the proposed battery chemistry

The proposals must be implemented in accordance with the approved details and thereafter retained as such.

Reason: To protect adjoining land and habitats from increased fire risk associated with the proposed development in accordance with Policy CCC1 of the Local Plan Part 1 Planning Strategy for the New Forest outside of the National Park.

11. Tree protection:

No development shall take place until the trees on the site which are shown to be retained on the approved plans are protected as shown on Figure 4 Tree Protection Plan. Tree protective fencing shall be erected prior to any site clearance and during all demolition and building works in accordance with the measures set out in the approved Arboricultural Statement reference Arboricultural survey, project number G117, dated 9th April 2025 as amended on 3rd October 2025 and 21st November 2025 .During the construction period for the development hereby approved, no fires, building operations, storage of goods including building materials, machinery and soil, or discharge of any chemical substances, including petrol and diesel , shall be undertaken within the tree protection zones or within the canopy spreads, whichever is the greater, nor shall any change in soil levels or routing of services within those defined areas be carried out without the prior written approval of the Local Planning Authority.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area, 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.

12. Trees - No dig access construction:

The access road shown hatched on Figure 3 of the Arboricultural report and site layout plan 3001-01-01-Rev E shall be constructed using a screw-piles temporary suspended road system with no dig construction in accordance with the measures set out in the submitted Arboricultural Statement reference: Arboricultural survey, project number G117, dated 9th April 2025 as amended on 3rd October and 21st November 2025.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area, 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.

13. Updated Ecology surveys required:

Prior to the commencement of development (including any site clearance, groundworks, or construction), an updated ecological walkover survey shall be undertaken by a suitably qualified ecologist to assess any changes in the baseline ecological conditions since the original ecological assessments were completed. The findings of the walkover survey shall be compiled into a report and submitted to the Local Planning Authority for approval.

The report shall:

- Confirm whether the baseline ecological conditions remain valid or have changed;
- Identify any new ecological constraints or opportunities;
- Provide updated recommendations for mitigation, compensation, or enhancement measures if required; and
- Include a timetable for implementing any necessary ecological measures.

Development shall not commence until the Local Planning Authority has approved the updated ecological report and any necessary measures have been implemented in accordance with the approved details.

Reason: Due to the lifespan of the submitted reports and potential length of time until development commences, and to safeguard protected species in accordance with Policies ENV3, ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park and Policies DM1, DM2 and DW-E12 of the Local Plan for the New Forest District outside the National Park (Part 2: Sites and Development Management).

14. Biodiversity Construction Environmental Management Plan (CEMP)

No development shall take place (including demolition, ground works and vegetation clearance) until a Biodiversity Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The Biodiversity CEMP shall include, but not be limited to, the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of “biodiversity protection zones”.
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features (nesting birds, hazel dormouse).
- e) The times during construction when specialist ecologists need to be on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities of an ecological clerk of works (ECoW)/similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.
- i) Details of site waste management and material storage.
- j) Measures to protect public rights of way and access routes.
- k) Monitoring and compliance arrangements.

The approved Biodiversity CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that construction activities are managed in a way that protects the environment, biodiversity, and the amenity of the surrounding area, in accordance with Policy DM2 of the Local Plan Part 2 of the New Forest District Local Plan and the National Planning Policy Framework.

15. Habitat Management and Monitoring Plan (HMMP):

The development shall not commence until a Habitat Management and Monitoring Plan (HMMP), prepared in accordance with the approved Biodiversity Gain Plan, has been submitted to, and approved in writing by, the Local Planning Authority and including:

- a) a non-technical summary;
- b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
- e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority.

Notice in writing shall be given to the Council when:

- the HMMP works have started.
- the habitat creation and enhancement works set out in the approved HMMP have been completed.

A completion report, evidencing the completed habitat enhancements, shall be submitted to, and approved in writing by the Local Planning Authority. The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP. Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990.

16. Ecological Enhancements:

Prior to the installation of the battery storage containers and associated structures on the site hereby approved an Ecological Enhancement Schedule shall be submitted to and approved in writing by the Local Planning Authority. The Schedule to include an appropriately detailed plan

showing the locations of the enhancement measures in relation to bats and reptiles based on Section 5, of the Ecological Assessment shall be submitted to the Local Planning Authority for written approval. Prior to the first operation of the BESS hereby approved, evidence shall be submitted to and approved in writing to confirm the agreed features have been installed as agreed, for example, a photographic record and/or a signed statement by a suitably qualified ecologist.

Reason: To ensure ecological enhancements to be delivered as part of the development and in accordance with Policy DM2 of the Local Plan Part 2 for the New Forest outside of the National Park.

17. Landscaping scheme:

Notwithstanding the submitted landscaping plan, prior to the installation of the battery storage containers and associated structures on the site hereby approved, a scheme of landscaping of the site shall be submitted for approval 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 (species, size, spacing and location);
- (c) areas for hard surfacing and the materials to be used;
- (d) other means of enclosure;
- (e) 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 details.

Reason: To ensure that the development takes place in an appropriate way 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.

18. Landscaping implementation:

Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size or species, unless the Local Planning Authority gives written consent to any variation.

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.

19. Surface Water Drainage scheme:

Before development commences, details of the means of disposal of surface water from the site shall be submitted to and approved in writing by the Local Planning Authority. The submitted details should include:

- a. A technical summary highlighting any changes to the design from that within the approved Flood Risk Assessment.
- b. Infiltration test results undertaken in accordance with BRE365 and providing a representative assessment of those locations where infiltration features are proposed and demonstrating the 1m unsaturated zone.
- c. Detailed drainage plans to include type, layout and dimensions of drainage features including references to link to the drainage calculations.
- d. Detailed drainage calculations to demonstrate existing runoff rates are not exceeded and there is sufficient attenuation for storm events up to and including 1:100 + climate change.
- e. Confirmation that sufficient water quality measures have been included to satisfy the methodology in the Ciria SuDS Manual C753.
- f. Exceedance plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria.

The drainage scheme shall be implemented on the site in accordance with the approved details and thereafter retained.

Reason: In order to ensure that the drainage arrangements are appropriate and 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 and the New Forest District Council and New Forest National Park Authority Strategic Flood Risk Assessment for Local Development Frameworks.

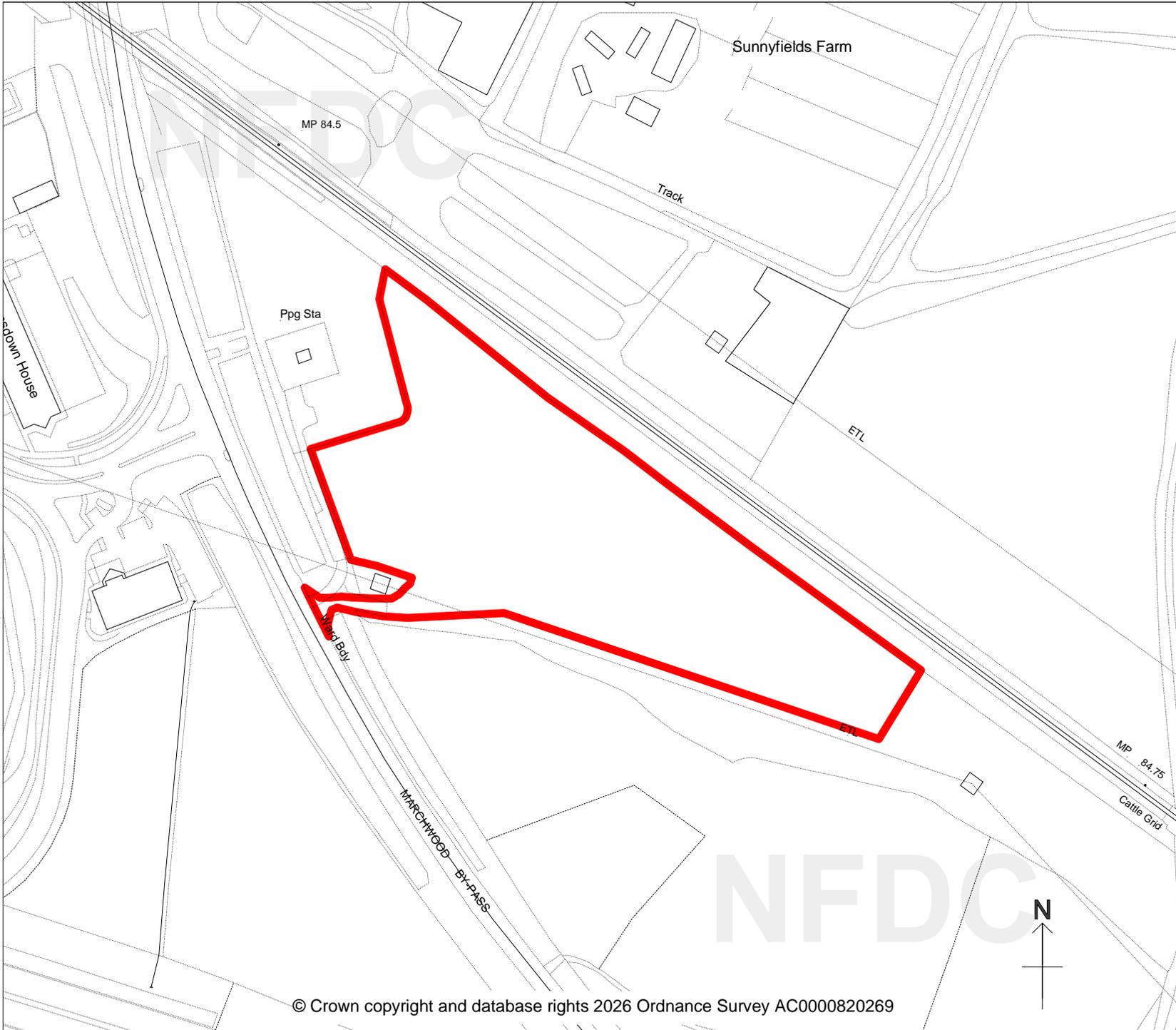
20. **Surface Water Drainage maintenance:**

Before the first operation of the BESS use hereby permitted, details for the long term maintenance arrangements for the surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include maintenance schedules for each drainage feature type and ownership including the boundary ditch features. Development shall only take place in accordance with the approved details.

Reason: In order to ensure that the long term maintenance arrangements for the surface water drainage system are appropriate and 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 and the New Forest District Council and New Forest National Park Authority Strategic Flood Risk Assessment for Local Development Frameworks.

Further Information:

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New Forest

DISTRICT COUNCIL

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Lyndhurst
SO43 7PA

PLANNING COMMITTEE

February 2026

Land East of Bulls Copse Road
Marchwood Bypass

25/10640

Scale 1:2000

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

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Planning Committee 11 February 2026

Application Number: 25/10891 Full Planning Permission
Site: LAND ADJACENT HILL VIEW, RINGWOOD ROAD, SOPLEY
BH23 7BE
Development: Construction of dwelling
Applicant: Mr & Mrs Miller
Agent: Jerry Davies Planning Consultancy
Target Date: 28/11/2025
Case Officer: Graeme Felstead
Officer Recommendation: Service Manager - Grant
Reason for Referral to Committee: i) Delegated Authority be given to the Service Manager
Development Management to Grant Permission
ii) Cllr Frampton request

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Principle of Development and South West Hampshire Green Belt
- 2) Design, and impact on local character and appearance of area
- 3) Residential amenity
- 4) Highway Safety
- 5) Impacts on Ecology
- 6) Habitat Mitigation and Air Quality
- 7) Developer Contributions
- 8) Conclusion / Planning Balance

2 SITE DESCRIPTION

The application site comprises a parcel of land on the east side of Ringwood Road (B3347) at the north-western extent of Sopley, within a linear ribbon of residential plots set in the countryside and the South West Hampshire Green Belt. The land formerly formed part of the curtilage of 'Hill View' (immediately to the north-west) and is now proposed to function as an independent planning unit.

The local townscape is characterised by predominantly chalet bungalows interspersed with a small number of two-storey houses, with non-uniform/slanted building lines, generous front garden depths, and soft landscaping typical of semi-rural ribbon development. There are no trees within the site; established hedgerows to the front and rear are to be retained for biodiversity value and rural character. The site lies within Flood Zone 1 and benefits from an existing vehicular access onto Ringwood Road.

3 PROPOSED DEVELOPMENT

The proposal seeks full planning permission for the construction of a detached

dwelling on the subdivided plot. It follows the grant of outline permission (Ref. 24/10173 July 2024) which approved access, layout and scale. However, because the building envelope/design differs from the outline indication (including roof articulation and material palette), a full application is made rather than a reserved matters submission.

Key elements of the scheme:

- Form, scale and massing:
 - Maximum ridge height retained at 6.5m, consistent with the outline permission.
 - Articulated roofscape comprising two gables, the secondary gable at 5.5m, breaking down the bulk across the frontage.
- Siting and plot layout:
 - Dwelling is set back approximately 10–15m from the highway edge reflecting the slanted frontage and organic building line;
 - Slightly increased offset to the Hill View boundary compared with the outline envelope; roof slopes away from that boundary to limit enclosure;
 - Footprint extends deeper into the plot than the outline envelope while retaining adequate frontage for parking, turning and landscaping.
- Appearance and materials:
 - Blackened timber cladding and fair-faced concrete walls under a slate roof, with galvanised steel rainwater goods.
- Privacy and amenity safeguards:
 - Two first-floor windows to the north-west elevation designated secondary and to be obscure-glazed and fixed shut;
 - A rooflight on the same elevation set with the lower internal cill being 1.7m above internal finished floor level to preclude overlooking.
- Access, parking and movement:
 - Existing access retained; entrance gates set back $\geq 6\text{m}$ from the carriageway;
 - Asphalt surfacing for the first 6m of driveway to prevent gravel migration, with gravel beyond;
 - On-plot parking and turning to adopted standards and cycle parking indicated.
- Sustainability and air quality:
 - Provision for solar PV, air source heat pump (ASHP), and EV charging (the latter now secured via Building Regulations), consistent with the Air Quality SPD and IMPL2.

4 PLANNING HISTORY

- 24/10173 (Outline) – Access, layout and scale approved for a single dwelling – Granted (July 2024). The outline decision accepted the appeal reasoning on Green Belt and design, secured recreational and air-quality mitigation, and established a Grampian condition route for phosphate neutrality.
- 20/11361 – Erection of a self-build three-bedroom chalet bungalow (farmhouse style) – Refused (09/02/2021); Appeal dismissed solely on Habitats Regulations grounds. The Inspector found no harm to character/appearance and concluded the site represents limited infilling in a village under national Green Belt policy, thus not inappropriate development.

This material planning history establishes the principle of a dwelling on the site and informs the assessment of the current full application.

5 PLANNING POLICY AND GUIDANCE

Part 1: Planning Strategy Policy STR3: The strategy for locating new development
Policy CCC2: Safe and sustainable travel

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 IMPL1:

Developer Contributions Policy IMPL2:

Development standards Local Plan Part 2: Sites and Development Management 2014

DM2: Nature conservation, biodiversity and geodiversity

DM20: Residential development in the countryside

Supplementary Planning Guidance and Documents

SPD - Air Quality in New Development.

Adopted June 2022 SPD - Parking Standards Relevant Advice

NPPF (December 2024)

Emerging Local Plan:

On February 4th 2026 a report to Cabinet recommends that this Council starts the public consultation stage into the Regulation 18 version of the new Local Plan. This Regulation 18 version of the Plan will represent an early point in the plan-making process. At this stage, the National Planning Policy Framework (NPPF) paragraph 48 advises that only limited weight can be afforded to emerging plan policies when determining planning applications, as the weight given depends on the stage of preparation, the extent of any unresolved objections, and the degree of consistency with the NPPF. Given that the Regulation 18 draft is at the initial consultation stage and has not progressed to examination, it cannot be considered to carry significant material weight. Accordingly, while the emerging Local Plan is a material consideration in decision making and may provide helpful context, decisions should continue to be primarily guided by the adopted development plan unless other material considerations indicate otherwise.

6 PARISH / TOWN COUNCIL COMMENTS

Sopley Parish Council: Par 1 -

- Cllr D: Notes that while the proposed building is “not the prettiest” (personal view), Ringwood Road presents a mixed streetscape with varied styles and sizes, and many properties are extending “up and out”. No objection; considers the scheme infill.
- Cllr M: Observes the dwelling would not look out of place, utilising a decent-sized plot within an existing row of mixed houses and bungalows. No objection; PAR 1.
- Cllr P - No objections. Par 1

7 COUNCILLOR COMMENTS

Cllr Frampton has requested Committee consideration.

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

NFDC Ecologist Comment – 19.12.2025

Requested further information that was subsequently provided. NFDC Ecology is satisfied that the outstanding concerns could be addressed by planning condition and raised no objection subject to conditions.

9 REPRESENTATIONS RECEIVED

The following is a summary of the representations received.

For: 0

Against: 3

Matters raised include:

Departure from approved outline and overdevelopment

- Significantly departs from the previously approved outline scheme
- The proposed building would appear overbearing and out of scale with surrounding properties, amounting to overdevelopment of the plot.

Loss of light and overshadowing;

- Siting further back into the plot would increase overshadowing.
- A middle room facing the proposal would experience severely reduced daylight.

Loss of privacy and overlooking (including Juliette balcony)

- Juliette balcony on the new dwelling which would directly overlook the entirety of their garden at very close range.

Noise and disturbance (Air Source Heat Pump)

- Air source heat pump (ASHP) directly beneath their bedroom window, raises concerns about noise disturbance and sleep disruption.

10 PLANNING ASSESSMENT

1. Housing Land Supply and NPPF Paragraph 11

The proposal will make a modest positive contribution to the District's housing land supply, which is currently 1.53 years. In determining planning applications, there is a statutory presumption in favour of the policies of the extant Development Plan unless material considerations indicate otherwise (Section 38(6) of the Act). Material considerations include the National Planning Policy Framework (NPPF).

Paragraph 11 of the NPPF clarifies the presumption in favour of sustainable development. For decision-making this means:

approving development proposals that accord with an up-to-date development plan without delay; or

where policies most important for determining the application are out-of-date or there are no relevant policies, granting permission unless (i) policies in the Framework that protect areas or assets of particular importance provide a strong reason for refusal; or (ii) any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole.

For applications involving housing, this includes situations where the local planning authority cannot demonstrate a five-year supply of deliverable sites, or where the Housing Delivery Test indicates delivery has been substantially below requirement over the previous three years. The Council cannot currently demonstrate a five-year supply of deliverable housing land. In such circumstances, paragraph 11(d) is engaged.

Applying paragraph 11(d):

Limb 1 (protective policies test): this report identifies Framework policies that protect areas or assets of particular importance (including habitat sites where recreational and nutrient impacts must be mitigated). A judgment is required as to whether those policies provide a strong reason for refusal.

Limb 2 (the 'tilted balance'): only if there are no strong reasons for refusal under Limb 1, the decision-maker must consider whether adverse impacts would significantly and demonstrably outweigh the benefits, having particular regard to directing development to sustainable locations, making effective use of land, securing well-designed places, and providing affordable homes.

The remainder of this assessment applies that approach.

Principle of Development (Countryside Location / Policy DM20 and Material Considerations)

The site lies outside a defined built-up area and within open countryside (South West Hampshire Green Belt). Policies STR1 and STR3 of the Local Plan seek to protect such areas from inappropriate and harmful development. Local Plan Part 2 Policy DM20 permits residential development in the countryside only for a replacement dwelling, affordable housing, or an agricultural worker's dwelling, and requires development in all cases to be of a design, scale and appearance that is in keeping with the rural character of the area.

The proposal is not a replacement dwelling, nor is it for an agricultural worker or for affordable housing. On its face, therefore, a new dwelling in this countryside location does not accord with Policy DM20. However, the site's planning history is an important material consideration.

A previous application (LPA Ref. 20/11361) for a self-build three-bedroom chalet bungalow was refused in February 2021 for conflict with Policy DM20 and impacts upon the openness of the Green Belt. On appeal, the Inspector dismissed the appeal solely on the basis of conflict with the Habitats Regulations; the Inspector found no conflict with other relevant national and local policies.

In respect of Policy DM20, the Inspector observed (emphasis added):

"There would be no harm to the character and appearance of the area and no conflict with those aims of LP1 Policy ENV3 that seeks to ensure that proposals are in keeping with the rural character of the area, sympathetic to their context, strengthening the character and identity of the locality.

The Council's decision notice also alleges a conflict with Policy DM20 of the New Forest District (outside the National Park) Local Plan Part 2 2014 (LP2) on the basis of harm to the rural character of the area. However, my findings on this issue indicate that no such conflict would arise for this reason."

While the Inspector did not endorse the principle of unrestricted residential development in the countryside (Policy DM20's core restraint), the appeal decision is nonetheless a material consideration of significant weight in this instance. Given the HLS position (above) and the appeal findings on character and appearance, the proposal's compliance with the overall development plan must be considered in the round, with the Green Belt policy test addressed next.

The South West Hampshire Green Belt

The site is within the South West Hampshire Green Belt. Chapter 13 of the NPPF (December 2024) and Local Plan Part 1 Policy ENV2 attach great importance to protecting the Green Belt. NPPF paragraph 142 sets out the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and identifies openness and permanence as its essential characteristics. Paragraph 152 confirms that inappropriate development is, by definition, harmful to the Green Belt

and should not be approved except in very special circumstances. Paragraph 154 treats the construction of new buildings as inappropriate, but lists exceptions, including limited infilling in villages (sub-paragraph 154(e)).

In the appeal relating to LPA Ref. 20/11361, the Inspector gave significant weight to the 'limited infilling in villages' exception (then paragraph 145(e), now paragraph 154(e)), concluding that the proposal would fall within that exception and therefore would not be inappropriate development in the Green Belt. The Inspector reasoned:

“Some of the exceptions in the Framework require consideration of effects on openness as to whether development would be inappropriate in the Green Belt, but that is not the case for the exception at paragraph 145(e). Effects on openness are, by implication, already considered and accepted within that exception. As such, the development would not run contrary to the aims of Green Belt policy to prevent urban sprawl by keeping land permanently open, nor to the essential characteristics of Green Belts, namely their openness and permanence. Therefore, there would be no conflict with national policy for the Green Belt, no harm to the Green Belt and, by extension, no conflict with the aims of LP1 Policy ENV2.”

In this case, the application site is within the village of Sopley, identified as a small rural village in the settlement hierarchy (Policy STR4). It sits within a continuous run of existing dwellings on the east side of Ringwood Road. Consistent with the appeal findings, the proposal therefore constitutes limited infilling in a village under NPPF 154(e) and is not inappropriate development in the Green Belt. The Inspector's overall conclusion on Green Belt and character was:

“the proposal would not conflict with Green Belt policy and would not harm the character and appearance of the area.”

Accordingly, the proposal complies with Local Plan Part 1 ENV2 (The South West Hampshire Green Belt) and STR1 (Achieving Sustainable Development), and with NPPF paragraphs 152–156 insofar as they relate to Green Belt policy.

Overall conclusion on the principle

Although the proposal conflicts with DM20 in principle (countryside restraint), the development plan must be read as a whole. Here, there is clear compliance with ENV2 (Green Belt) by virtue of the NPPF 154(e) limited infilling in villages exception, and there are weighty material considerations, notably the appeal decision on 20/11361, supporting the site-specific acceptability of development in this location.

Subject to securing mitigation for habitats impacts in accordance with ENV1 (as addressed later in this report), the current housing land supply shortfall engages NPPF paragraph 11(d). On that basis, the proposal benefits from the presumption in favour of sustainable development. The remainder of the report assesses the relevant material planning considerations and, in the planning balance, weighs any identified harms against the benefits.

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

Local Plan ENV3 (Design quality and local distinctiveness) sets out that development should contribute positively to local distinctiveness, quality of life and enhance the character and identity of the locality by creating buildings, streets, places and spaces that are functional, appropriate and attractive. New development will be required to meet supporting design criteria (as set out).

Local Plan ENV4 (Landscape character and quality) sets out that where development is proposed there is a requirement to retain and/or enhance landscape features and characteristics through sensitive design, mitigation and enhancement measures, to successfully integrate new development into the local landscape context.

The proposed dwelling would sit approximately 10–15 metres behind the highway edge, reflecting the slanted frontage along Ringwood Road. While there is a broadly consistent building line, frontages are not strictly linear and exhibit an organic rhythm typical of ribbon development in this part of Sopley. The siting is pulled slightly further back than the immediately adjoining Hill View, mirroring the pattern evident further to the south-east (e.g., Avoncroft Farm) and maintaining the established cadence of built form and space.

Compared with the outline envelope, the footprint would project deeper into the plot, but this is balanced by a marginally greater offset to the shared boundary with Hill View. Importantly, the roof planes slope away from the Hill View boundary, softening any perceived mass and limiting any sense of enclosure. The frontal set-back retains sufficient depth for on-plot parking and turning alongside meaningful soft landscaping, which is characteristic of this semi-rural frontage.

The maximum ridge is retained at 6.5m, consistent with the height previously accepted at outline, thereby corresponding to the scale of a chalet-style dwelling prevalent in the locality. The massing is articulated into two gables: a primary gable at 6.5m and a secondary, subservient gable at circa 5.5m. This articulation breaks down the bulk across the width of the plot and reduces the overall perceived scale when read in the street scene. Although elements of the eaves are locally higher than indicated at outline, the absence of an uninterrupted, full-width ridge and the stepping of the roof forms ensures that the development does not present as materially larger than the outline envelope when viewed from public vantage points.

The immediate landscape context is predominantly chalet bungalows with a small number of two-storey houses interspersed. The site's set-back, subordinate secondary gable, and stepped massing allow the new dwelling to read comfortably within this mixed but modest townscape. The proposed width and depth are consistent with neighbouring plots and will not appear at odds with the established pattern of development.

In architectural terms, the proposal adopts a contemporary vernacular approach: simple dual pitched gables, restrained eaves, and a limited materials palette (brick/boardings under a plain-tile roof) with vertically proportioned openings. These references align with local characteristics, satisfying ENV3's expectation for design that is sympathetic to context while promoting high design quality. The secondary gable remains visually subordinate, ensuring the dwelling reads as modest within the mixed street of predominantly chalet bungalows and occasional two-storey houses.

The set-back position leaves ample room for vehicles within the frontage while reserving space for soft landscaping to reinforce the green, hedged character of Ringwood Road. This arrangement is consistent with the Parking Standards SPD and preserves the semi-rural grain that contributes to local distinctiveness.

The proposal's set-back, articulated massing, modest ridge height, and landscape-led plot collectively respect local distinctiveness and integrates with the semi-rural ribbon of Ringwood Road. With standard conditions for materials, landscaping, and privacy (obscure glazing/non-opening, rooflight height), the development accords with Local Plan Policies ENV3 and ENV4.

3. Residential Amenity (ENV3)

Policy ENV3 requires a high standard of amenity for existing and future occupiers. The dwelling's maximum ridge of 6.5m, stepped roof form and increased offset from the Hill View boundary limit dominance and enclosure to the amenity of the neighboring property. While the building is deeper than the outline envelope and is positioned to the south of Hill View, the principal roof planes slope away from the shared boundary, and the eaves are kept low to mitigate any overbearing effect along the garden interface.

With respect to sunlight and overshadowing, third party concerns note that midday/early-afternoon shading could occur. The indicative winter/summer shadow sketches on file show limited effects at the extremes. There is no development plan requirement for a technical shadow assessment being necessary to satisfy policy ENV3. Officers can accept that the deeper projection would marginally extend shading duration around solar noon, but the combination of increased boundary offset, the roof pitching away from the boundary and the modest overall height means the extent and duration of overshadowing to the main rear garden at Hill View would remain limited and does not result in an unacceptable effect to the amenity of the neighbouring property.

In terms of privacy, the two first-floor windows on the northwest elevation are secondary. These will be obscure-glazed and fixed-shut to a height of at least 1.7m above finished floor level (secured by condition). The roof light on the same elevation is set so that the internal lower cill is at least 1.7m above finished floor level, precluding downward views. There are no other elevated openings that would give rise to harmful overlooking.

Several third-party representations refer to the proposed development including a balcony. The submitted plans confirm that the only external feature of this type is a *Juliet balcony* serving Bedroom 4 at first-floor level. A Juliet balcony does not provide an external platform capable of being used as a sitting-out area and therefore does not ordinarily give rise to the same potential for overlooking as a conventional projecting balcony or terrace.

In this case, due regard has been given to the position of the Juliet balcony on the east elevation and the established separation distances between the application property and Hill View. Having assessed these factors, it is not considered that the development would result in any significant loss of privacy or general amenity to nearby occupiers.

The originally proposed position of the air source heat pump raised concerns regarding its proximity to the shared boundary. In response, the applicant has relocated the ASHP to the opposite side of the dwelling, further from neighbouring properties. A revised drawing has been submitted to reflect this amended siting. The new location increases the separation distance and is considered to reduce any potential noise or amenity impacts. On this basis, and subject to a standard noise-level condition, the revised proposal is not expected to give rise to any unacceptable impact on residential amenity.

Accordingly, having regard to the articulated massing, modest height, increased boundary offset, and privacy safeguards, the proposal would not result in harmful impacts on neighbouring amenity and would provide a high standard of amenity for future occupiers. The development complies with the amenity provisions of Policy ENV3 and the relevant objectives of the NPPF.

4. Highways and Servicing

Local Plan Policy CCC2 (Safe sustainable travel) states new development will be required to provide sufficient car and cycle parking, including secure cycle parking in schools and colleges, workplaces, bus and rail stations, and in shopping areas in accordance with adopted Parking Standards Supplementary Planning Document.

Ringwood Road (B3347) is a 'B' class distributor with local parking restrictions. The site benefits from an existing vehicular access which was assessed at the outline stage and found to be acceptable in principle. The present, detailed scheme retains this access and carries forward the Highway Authority's requirements.

In line with the Highway Authority's advice on the outline application, the scheme now incorporates a 6-metre gate set-back from the carriageway edge to allow vehicles to pull clear of the highway before the gates are operated. To prevent loose material migrating onto the highway, the first 6 metres of the driveway from the back edge of carriageway will be finished in asphalt, with gravel surfacing beyond. These details respond directly to the previous consultation response and are shown on the submitted plans.

The access arrangement provides appropriate visibility splays for a B-class road and frontage speeds, as confirmed at the outline stage. The site layout retains a frontage depth of approximately 10–15 metres, reflecting the slanted boundary. This affords safe ingress/egress, on-plot turning so that vehicles can enter and leave in a forward gear, and clear space to accommodate visitor parking without reliance on the highway.

Although bedroom numbers were not fixed at outline stage, the quantum of on-plot space comfortably meets the NFDC Parking Standards SPD for typical dwelling sizes in this location. The detailed scheme illustrates cycle parking within the plot, supporting mode choice consistent with Policy CCC2 (safe and sustainable travel).

In accordance with the Air Quality SPD and Policy IMPL2, the dwelling will include an electric vehicle charging point (noting this is now secured via Building Regulations). The specification also includes low-carbon technologies (ASHP and PV), which, while primarily energy measures, also contribute to air-quality objectives by reducing traffic-related idling at refuelling destinations and supporting EV uptake.

The depth of frontage and internal turning allow for temporary bin presentation at the kerb on collection days without obstructing visibility or the running carriageway. Servicing can be undertaken from the main road in line with existing residential practice along Ringwood Road.

To conclude, the proposal utilises the established access, secures the 6-metre gate set-back, provides asphalt surfacing for the initial driveway section, and delivers compliant on-plot parking, turning and cycle storage. The Highway Authority raised no objection at outline stage subject to conditions, which are now incorporated and can be secured on this permission.

Accordingly, the development would not result in adverse impacts on highway safety or operation and as such complies with Policy CCC2 of the Local Plan Part 1 and the NFDC Parking Standards SPD.

5. Ecology

Local Plan Part 2 DM2 (Nature conservation, biodiversity and geodiversity), Local

Plan Part 1 ENV1 (Mitigating impacts on International Nature Conservation sites) and ENV3 (Design quality and local distinctiveness), ENV4 (Landscape character and quality) are relevant.

Submissions and consultation

The application is supported by a Preliminary Ecological Appraisal (PEA) (site visit 15/02/2024) and a Reptile Precautionary Working Method Statement (24/05/2024) previously considered at outline; in response to the current consultation, the applicant has submitted an updated Preliminary Ecological Appraisal Report (PEAR) dated 27/11/2025 following a site re-visit on 26/11/2025. The updated PEAR confirms no material change to the site baseline other than removal of a small area of Dogwood (*Cornus*) adjacent to the rear of the existing shed and includes appended GCN Precautionary Working Method Statement, a bat-sensitive lighting strategy, and nesting bird mitigation measures.

The Council's Ecologist initially objected, noting that the 2024 report was greater than 18 months old and therefore required updated commentary; they also advised that the site falls within a red-risk zone for great crested newt (GCN), requested a bat-sensitive external lighting strategy, sought ecological enhancements to be secured by condition, and confirmed the need for nutrient neutrality and recreational habitat mitigation.

Designated sites (Habitats Regulations; ENV1)

The site lies within the River Avon catchment. Residential development may increase phosphorus loading and therefore must achieve nutrient neutrality before occupation and is addressed in this report by a Grampian condition requiring an approved mitigation/offset package (phosphate budget, securing mechanism and monitoring).

The development also contributes cumulatively to recreational pressure on the New Forest European sites; the necessary recreational mitigation contributions will be secured via a legal agreement consistent with the Council's Mitigation Strategy. This deals with the primary reason for the Inspector dismissing the appeal for the previous reason on the site

Protected species (DM2) and landscape/ecology context (ENV3/ENV4)

Great crested newt (GCN)

The site is mapped within a red-risk zone on the Nature space District Level Licence (DLL) system, indicating wider landscape suitability and the need to address connectivity to potential breeding habitats. The updated PEAR provides a GCN Precautionary Working Method Statement (PWMS) and sets out avoidance/response procedures; officers propose a condition to require either engagement with the DLL (evidence of registration) or implementation of the PWMS, together with a stop-work protocol if a GCN is discovered.

Bats

The Ecologist disagreed with the earlier assertion that bats would not commute/forage over the site, citing the rural landscape and proximity of the River Avon; a bat-sensitive lighting strategy is therefore required (locations, luminance, shielding, controls) and the inclusion of at least one integrated bat box as an enhancement. The updated PEAR includes a lighting strategy drawing on ILP/BBRS guidance (GN08/23) and officers will secure this by condition.

Birds

Works must comply with the Wildlife and Countryside Act 1981 protections for nesting birds (typically 1 March–31 August). The updated PEAR's bird mitigation appendix sets out pre-works checks by a qualified ecologist, buffering where nests are present, and seasonal restrictions on hedge works; the Ecologist welcomes the inclusion of a Schwegler 1SP Sparrow Terrace (or similar) within the dwelling. These measures will be secured by condition.

Reptiles

Given the age of earlier survey work and previous grassland condition, the Ecologist seeks updated commentary on reptile potential and refresh of mitigation if necessary. The updated PEAR confirms the current baseline and carries forward the Reptile Precautionary Working Method Statement (24/05/2024). Officers will require a qualified pre-commencement walkover and, where presence/likelihood is identified, implementation/refresh of the RPWMS, including any translocation, prior to works starting. This will be conditioned.

Ecological enhancements (DM2; ENV3/ENV4)

The Ecologist requests that a proportionate Ecological Enhancement Schedule be secured by condition, with a location plan and evidence prior to occupation (photographic record or an ecologist's signed statement) confirming the installation of features. Enhancements supported include: native planting, bird boxes, integrated bat box(es), bee bricks, and hedgehog access/nest box, all of which are consistent with the site's semi-rural character and will be monitored by NFDC.

Recommended controls

The updated PEAR (27/11/2025) and appendices address the Ecologist's information currency and protected species points (GCN PWMS; bat lighting; nesting birds), and officers are satisfied that harm can be avoided and enhancements delivered through proportionate planning conditions.

To conclude; subject to the updated ecological information now provided and the conditions/obligations listed, the proposal would avoid harm to protected species and designated sites, deliver proportionate ecological enhancements, and comply with Local Plan DM2, ENV1, ENV3 and ENV4. The outstanding consultation points can be satisfactorily resolved through these controls and, on that basis, officers recommend no objection on ecology grounds subject to conditions to be confirmed.

Biodiversity Net Gain (BNG)

BNG requirements for smaller sites commenced 2 April 2024. The outline application pre-dated this trigger and therefore did not require BNG. The Planning Statement indicates that the current proposal is submitted as self-build, and the applicant contends an exemption from BNG (and CIL) on that basis. Irrespective of BNG status, the enhancement condition described above will ensure a measurable ecological uplift on site.

6. Habitat Mitigation and Air Quality

Policy ENV1 (Local Plan Part 1) requires that development is only permitted where the necessary mitigation, management and monitoring measures are secured in

perpetuity so that no adverse effect arises on International Nature Conservation sites within the District. The updated ecological evidence (PEAR, 27/11/2025, with GCN PWMS, bat-sensitive lighting, nesting bird measures, and refreshed reptile commentary) is summarised in the Ecology section; the Council's Ecologist raises no objection subject to conditions. This section draws those strands together and sets out the Habitats Regulations conclusion and delivery mechanisms.

While the previous Appeal Inspector found no conflict with most Development Plan policies, the appeal was dismissed solely on Habitat Regulations grounds. The current application will address those matters directly through a completed legal agreement and conditions, as set out below.

(a) Recreational impacts – New Forest SPA/SAC/Ramsar

An Appropriate Assessment identified that, in combination, the proposal would give rise to adverse recreational effects on the New Forest European sites unless site-specific mitigation is secured. In accordance with the Council's Mitigation Strategy, the applicant has agreed to enter into a legal agreement to secure the recreational mitigation contribution. This ensures delivery of measures (infrastructure and non-infrastructure) to avoid significant effects and meets the requirement of ENV1 that mitigation be secured in perpetuity.

(b) Air quality monitoring – traffic-related nitrogen deposition

Since July 2020 the Council requires mitigation for traffic-related nitrogen air pollution (NO_x, nitrogen deposition and ammonia) affecting sensitive habitats. A financial contribution for ongoing monitoring and, if necessary, management/mitigation will be secured via the same completed legal agreement. In addition, the applicant's Air Quality Statement (as referenced in the Planning Statement) specifies on-site measures that accord with the Air Quality SPD (June 2022) and IMPL2, including:

- Low-carbon heating (air source heat pump) and renewables (roof-/ground-mounted PV);
- No kerbside development (dwelling set back >10m from carriageway);
- Electric vehicle charging provision (now delivered through Building Regulations, so not conditioned).

Collectively, these measures reduce potential air-quality impacts and support health and wellbeing outcomes alongside the secured monitoring contribution.

(c) Phosphate neutrality – River Avon SAC / Ramsar / SSSIs

The Council and Natural England consider that residential development within the River Avon catchment has a likely significant effect on the SAC/Ramsar features via phosphorus loading unless mitigation is provided. Natural England has advised that reliance on the 2019 Interim Delivery Plan (and subsequent ODI assumptions) does not provide sufficient reasonable certainty for current decisions; mitigation must therefore be secured by a project-specific approach.

In this case, the application proceeds on the basis that phosphate neutrality will be delivered through an approved mitigation project, anticipated to include the purchase of credits (or equivalent offset) to fully budget and neutralise the development's phosphate impact. A Grampian-style condition will be imposed to prevent occupation until the phosphate mitigation proposals (including delivery

mechanism, securing instrument and monitoring) are submitted to and approved by the Local Planning Authority and implemented. A draft nutrient budget accompanies the application, and the Planning Statement confirms the applicant's intention to use available phosphate credits to satisfy the Habitats Regulations.

Conclusion

With recreational mitigation and air-quality monitoring secured by a legal agreement, and phosphate neutrality guaranteed via the proposed Grampian condition and associated mitigation project, the development would avoid adverse effects on International Nature Conservation sites. The proposal therefore complies with Policy ENV1 of the Local Plan Part 1 and addresses the sole issue that previously led to dismissal under the Habitats Regulations.

7. Developer contributions

In accordance with Policy ENV1 and the Council's mitigation strategy, the development will be supported by a completed legal agreement securing the following measures in perpetuity:

- Habitat Mitigation – Infrastructure: contribution towards on-site and strategic infrastructure that manages visitor pressure on the New Forest European sites;
- Habitat Mitigation – Non-Infrastructure: contribution towards monitoring, management and behavioural interventions to avoid significant in-combination effects;
- Air Quality Monitoring: contribution to the District-wide programme for monitoring and, where necessary, managing traffic-related nitrogen deposition (NO_x, ammonia and nitrogen deposition) at sensitive locations.

These obligations reflect the approach endorsed at outline and are carried forward for the full application, thereby addressing the sole issue that previously resulted in dismissal under the Habitats Regulations.

Community Infrastructure Levy (CIL)

NFDC levies CIL on new residential floorspace, calculated on Gross Internal Area (GIA) at the adopted residential rate (currently £80/m² plus indexation). Based on the indicative GIA of 185m², the notional liability is £14,800 (subject to the RICS CIL Index at the time of commencement).

The Planning Design & Access Statement confirms the proposal is submitted as a self-build. Self-build relief may be available provided the applicant completes the correct statutory process (including submission of the relevant forms, commencement notification and post-completion occupancy evidence).

8. Conclusion / Planning balance

Decision-making framework.

In determining the application, the decision must be made in accordance with the Development Plan unless material considerations indicate otherwise (s38(6)). The Council cannot currently demonstrate a five-year housing land supply; accordingly, NPPF paragraph 11(d) is engaged. Limb (1) requires consideration of whether policies that protect areas or assets of particular importance (notably international habitats) provide a strong reason for refusal; only if they do not, Limb (2)—the “tilted balance”—is applied, weighing whether any adverse impacts would significantly and

demonstrably outweigh the benefits when assessed against the Framework taken as a whole.

Principle and Green Belt context. The site lies outside a defined settlement and, in isolation, new residential development would conflict with Policy DM20 (residential development in the countryside). However, there are significant material considerations that enable the policy to be outweighed. First, the 2021 appeal decision (ref. 20/11361) concluded that development on this plot would comprise *limited infilling in a village* under what is now NPPF paragraph 154(e) and therefore would not be inappropriate development in the Green Belt, with no harm to openness or character. Second, outline permission 24/10173 (granted July 2024) established access, layout and scale principles for a dwelling on the site. These considerations carry substantial weight but do not of themselves erase the in-principle DM20 conflict; rather, they weigh materially in favour of development in the overall balance.

In terms of the identified harms, the proposal is clearly in conflict with policy DM20 and this weighs against the scheme. Compared with the development envelope permitted by the outline permission, the deeper footprint could marginally extend midday/early-afternoon overshadowing to parts of the Hill View garden is acknowledged as an identified harm from the proposal; however, as is set out in the report above, the increased boundary offset and roof planes sloping away limit enclosure and the extent/duration of any additional effect.

Officers accept that the dwelling has a more contemporary expression than some nearby buildings; however this is mitigated by simple gables, restrained detailing and a contextual materials palette. Whilst there may be disturbance during construction this is an inevitable consequence of a planning permission. Any harm to amenity during the construction period would be temporary and in any event is controllable through a appropriately word planning conditions.

In moving to consider the benefits of the proposal, the application proposes the delivery of a single new dwelling. Whilst a very modest contribution, the delivery of one dwelling in a district with a 1.53-year supply is a clear benefit attracting significant weight.

Consistent with the appeal Inspector's findings, the proposal constitutes limited infilling in a village and is not inappropriate development in the Green Belt.

It is considered that the ridge being retained at 6.5 m (as at outline), articulated massing (secondary gable 5.5 m), and a recessive materials palette, together with the set-back and landscape opportunity, this respects the ribbon form and semi-rural character, aligning with ENV3/ENV4.

The use of appropriately drafted conditions can secure matters such as Secondary first-floor windows to be obscure-glazed/fixed as specified; rooflight cill ≥ 1.7 m Above Finished Floor Level and the only the provision of a Juliet balcony (no external platform).

The existing and established access is to be retained; The proposed gates are set-back 6m and the first 6 m of the access will be treated with in asphalt to prevent gravel migration; There is adequate on-plot parking/turning proposed and parking is to be consistent with CCC2 and the Parking Standards SPD.

The dwelling is proposed to include an Air Source Heat Pump (ASHP) (relocated further from neighbours) as well as solar PV, EV charging (now via Building Regulations), and water efficiency measures, aligning with IMPL2 and the Air

Quality SPD. The ASHP relocation reduces potential noise effects and will be controlled by condition.

Recreational mitigation and air-quality monitoring to be secured via legal agreement and project-specific phosphate neutrality will be secured via Grampian condition prior to occupation

Overall planning balance. The proposal does not accord with DM20 in pure policy terms; that conflict carries moderate adverse weight. Set against this are:

- (i) the substantial weight of the appeal Inspector's findings on Green Belt and character and the outline permission establishing the principle of a dwelling,
- (ii) meaningful housing delivery in a severe HLS shortfall context, and
- (iii) a well-designed scheme that protects neighbouring amenity through siting, roof form and targeted conditions, with highway, ecological and habitats matters acceptably mitigated.

With protected-site impacts addressed through conditions and obligations (so Limb (1) of paragraph 11(d) is satisfied), the tilted balance under Limb (2) applies. The identified adverse impacts are not considered to significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole. On that basis, the proposal is acceptable when the Development Plan is read as a whole and having regard to material considerations.

13 RECOMMENDATION

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

- i) the prior completion, of a planning obligation entered into by way of a Section 106 Agreement to secure the following:
 - New Forest recreational mitigation (infrastructure and non-infrastructure), and
 - Air-quality monitoring contributions; and
- ii) The imposition of the Conditions as set out below and any additional / amended conditions or variation to the heads of terms as deemed necessary by the Service Manager (Development Management), having regard to the continuing Section 106 discussions to ensure consistency between the two sets of provisions:

Proposed Conditions:

1. Time

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. Plans

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

Location Plan 000
Site Plan 004 Rev D
005 Rev E
006 REVA
007 REVB
008 REVC
009
015 REV A
016 REV A
017 REVB
018 REVB

Reason: To ensure satisfactory provision of the development.

3. Samples

No development shall take place above damp proof course (DPC) level until samples or exact details of the facing and roofing materials to be used have first been 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.

4. Slab Levels

No development shall take place until the proposed slab levels in relationship to the existing ground levels set to an agreed datum shall be submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with those details which have been approved.

Reason: To ensure that the development takes place in an appropriate way 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.

5. Car and Cycle Parking

The dwelling shall not be occupied until the parking and cycle parking spaces as shown on plan (Block Plan 004 REVD) have been provided. The parking spaces shall thereafter be retained and kept available for the parking of motor vehicles at all times.

Reason: To ensure adequate parking provision is made in the interest of highway safety and in accordance with Policies ENV3 and CCC2 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

6. Condition – Rooflight (privacy)

Rooflight (west elevation) – cill height control

Prior to first occupation, the first-floor landing rooflight on the west elevation shall be installed so that the lowest internal cill height is not less than 1.7 metres above the internal finished floor level at that point, and it shall thereafter be retained at or above this height for the lifetime of the development.

Reason: To safeguard the privacy of adjoining occupiers 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

7. First-floor side windows (privacy)

Side windows (west elevation) to Bedrooms 3 and 4 – high-level glazing

Prior to first occupation, the first-floor side windows in the west elevation serving Bedroom 3 and Bedroom 4 shall be permanently glazed with obscured glass and fixed shut up to 1.7 metres above the internal finished floor level. The approved arrangement shall thereafter be retained for the lifetime of the development.

Reason: To safeguard the privacy of adjoining occupiers 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.

8. Hard and Soft Landscaping

No development shall take place above damp proof course (DPC) level until a scheme of landscaping of the front garden of the site shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall include:

- (a) a specification for new planting (species, size, spacing and location);
- (b) areas for hard surfacing and the materials to be used;
- (c) other means of enclosure;
- (d) a method and programme for its implementation and the means to provide for its future maintenance.

Development shall take place only in accordance with those details.

Reason: To ensure that the development takes place in an appropriate way 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.

9. CEMP

No development shall take place, including any works of demolition and site clearance, until a Construction Environmental Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:

- a) An indicative programme for carrying out of the works; including site layout, (compound, site hut, welfare, material storage areas, plant storage, waste storage areas and provision for contractor parking)
- b) Details of the arrangements for public engagement / consultation both prior to and continued liaison during the construction works;
- c) Measures to minimise the noise (including vibration) generated by the construction process to include, proposed construction methods, plant and machinery to be used, and noise mitigation methods to be employed
- d) Details of any construction floodlighting, including location, height, type and direction of light sources and intensity of illumination;
- e) Areas for the loading and unloading of plant and materials, including permitted times for deliveries which should avoid the AM and PM peak travel periods;
- f) The erection and maintenance of security hoarding including decorative displays and
- g) Measures to control the emission of dust and dirt during construction.
- h) A scheme for recycling / disposing of waste resulting from demolition and construction works i.e., no burning permitted.

The development shall be carried out in accordance with the approved details throughout the entire construction period.

Reason: To comply with Local Plan policies STR1 and ENV3

10. Sustainable Drainage Strategy

No development shall take place until a Sustainable Drainage Strategy and associated detailed design, management and maintenance plan of surface water drainage for the site using SuDS methods has been submitted to and approved in writing by the Local Planning Authority. The approved drainage system shall be fully implemented in accordance with the approved Sustainable Drainage Strategy prior to first occupation of the dwelling and maintained thereafter for the lifetime of the development.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal is incorporated into the design and the build and that the principles of sustainable drainage are incorporated into this proposal and maintained for the lifetime of the proposal

11. Walk Over Schedule

The development hereby approved shall be carried out in full accordance with the recommendations and mitigation measures set out in the KJF Consultancy Ltd Preliminary Ecological Appraisal Report, dated 27 November 2025. Confirmation of the results of the walkover survey/fingertip search will be provided to the Local Planning Authority for approval within

two weeks of the survey. Should great crested newt be identified as present on site the Local Planning Authority will be notified in writing prior to the commencement of development with details of appropriate avoidance, mitigation and compensation measures and a timetable for their implementation.

Reason: To ensure the protection of Great Crested Newts, in accordance with Policy SM2 of the New Forest District Local Plan, the Conservation of Habitats and Species Regulations 2017 (as amended) and the National Planning Policy Framework.

12. The development hereby approved shall be carried out in full accordance with the recommendations and mitigation measures set out in the KJF Consultancy Ltd Reptile Precautionary Working Method Statement, dated 24th May 2024. Should reptiles be identified as present on site the Local Planning Authority will be notified with details of appropriate avoidance, mitigation and compensation measures and a timetable for their implementation.

Reason: To ensure the protection of reptiles, in accordance with Policy SM2 of the New Forest District Local Plan, the Wildlife and Countryside Act 1981 (as amended) and the National Planning Policy Framework.

13. Prior to the commencement of development hereby approved, an Ecological Enhancement Schedule supported by an appropriately detailed plan showing the locations of the enhancement measure(s), shall be submitted to and approved in writing by the Local Planning Authority. The ecological enhancements shall be installed in accordance with the approved details and prior to the first occupation of the dwelling.

Reason: To ensure that biodiversity enhancement measures are delivered throughout the development in accordance with Local Plan policy DM2

14. Water Efficiency and Phosphorus

The development hereby approved shall not be occupied unless - 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;

- proposals for the mitigation or offsetting of the impact of phosphorus arising from the development on the River Avon Special Area of Conservation (SAC), including mechanisms to secure the timely implementation of the proposed approach, have been submitted to and approved in writing by the local planning authority.

Such proposals must:

- a) Provide for mitigation in accordance with the Council's Phosphorus Mitigation Strategy (or any amendment to or replacement for this document in force at the time), or for other mitigation which achieves a phosphorous neutral impact from the development;
- b) Provide details of the manner in which the proposed mitigation is to be secured. Details to be submitted shall include arrangements for the ongoing monitoring of any such proposals which form part of the proposed mitigation measures. The development shall be carried out in accordance with and subject to the approved proposals.

Reason: The impacts of the proposed development must be mitigated before any development is carried out in order to ensure that there will be no adverse impacts on the River Avon Special Area of Conservation (SAC)

Further Information:

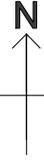
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**PLANNING
COMMITTEE**

February 2026

Land adjacent to Hill View
Ringwood Road
Sopley
25/10891

Scale 1:1000

N.B. If printing this plan from
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scale.

Planning Committee 11 February 2026

Application Number: 25/10844 Full Planning Permission
Site: 34 WESTERN ROAD, LYMINGTON SO41 9HL
Development: Conversion of 2 flats for use as a single dwelling house; extend pitched roof over existing bathroom; single-storey rear extension; fenestration alterations; replacement porch; detached garage and workshop with storage over
Applicant: Mr & Mrs McCrossan
Agent: Morgan Building Design Ltd
Target Date: 24/11/2025
Case Officer: Hannah Chalmers
Officer Recommendation: Grant Subject to Conditions
Reason for Referral to Committee: Town Council contrary view

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Impact on the Character and Street scene
- 2) Residential Amenity

2 SITE DESCRIPTION

The site is located on a residential street in the built-up area of Lymington. Western Road is situated within the Town Centre Character Area of the Lymington Distinctiveness SPD although the street itself has not been singled out with a particular design vernacular, the surrounding area is described as comprising of small-scale buildings and tight, regular street rhythms with narrow plots. Traditional materials such as red brick, handmade orange/red clay tiles and Welsh slate predominate. Western Road comprises of a mix of detached, semi-detached and terraced dwelling, with on street parking. The surrounding area does not exhibit a consistent architectural vernacular, resulting in a varied streetscape.

The application site comprises a detached traditional style house with a symmetrical façade. The building is constructed in red brick and features a pitched slate-tiled roof with two prominent brick chimneys. The property was subdivided into two flats in 1959 and is set back from the road behind a low brick boundary wall and garden.

To the rear, the building has been extended with single-storey additions on either side of the northern elevation.

A private driveway runs along the eastern side of the property, providing access to a single detached garage at the rear. The original large garden has been subdivided to create separate amenity spaces for each flat. Several sheds and outbuildings are located within the garden area.

3 PROPOSED DEVELOPMENT

The application seeks permission for the conversion of two existing flats back into a single dwelling. Works include a replacement porch, construction of a single-storey infill extension to the rear, featuring a flat roof with rooflights and glazed bi-fold doors, together with alterations to the existing fenestration.

A detached single-storey garage and workshop sited 27 metres from the front boundary and 8 metres from the rear elevation of the dwelling. The proposed outbuilding will have a maximum height of 3 metres and a width of 6 metres when viewed from the road, extending 13 metres along the eastern boundary before stepping down to 2.75 metres in height and narrowing to 5 metres. In total, the outbuilding will extend 20 metres along the eastern boundary, creating a footprint of 113 square metres. It will be constructed in brick to match the host dwelling, with a garage door on the south (street-facing) elevation. The west elevation, facing the garden, will feature vertical cladding and glazed bi-fold and French doors, while the north and east elevations will comprise painted blockwork.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
91/NFDC/49082 Single-storey rear addition	25/02/1992	Planning permission granted	Decided
XX/LYB/05614 Conversion of house into two self-contained flats.	12/05/1959	Planning permission granted	Decided

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Policy STR4: The settlement hierarchy
Policy ENV3: Design quality and local distinctiveness

Local Plan Part 2: Sites and Development Management 2014

Supplementary Planning Guidance And Documents

SPD - Parking Standards
SPD - Lymington Local Distinctiveness

Neighbourhood Plan

The Lymington and Pennington Neighbourhood Plan has now been examined and, subject to minor modifications, was found to meet the Basic Conditions. The referendum to accept the Plan was held on 29th January 2026, and the resulting vote was Yes. The Council will formally “make” the Plan at the next available opportunity, after which it will form part of the statutory Development Plan.

At this stage of the Plan making process (post referendum) national guidance indicates that such a plan must be given full weight in decision making, because its policies have been independently examined and confirmed as legally compliant and in general conformity with national policy. The National Planning Policy Framework (NPPF) confirms that following a successful referendum, a neighbourhood plan

forms part of the development plan and planning applications should ordinarily accord with it unless material considerations indicate otherwise.

National Planning Policy Framework

National Planning Policy Guidance

Plan Policy Designations

Built-up Area

6 PARISH / TOWN COUNCIL COMMENTS

Lymington & Pennington Town Council

PAR 4: Recommend Refusal

- The garage proposal was considered excessive in scale, visually intrusive and was deemed disproportionately large for the site.

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

No comments received

9 REPRESENTATIONS RECEIVED

Twelve objection comments from ten different households, five support comments from four separate households.

Summary of objection comments

- Size and scale of proposed outbuilding out of keeping with the surrounding development.
- Concerns about the potential for a future change of use into a commercial business (car valeting/detailing workshop)
- Concerns about future conversion to a residential dwelling
- Will result increase parking pressures on the Western Road and surrounding streets.
- Approval of the workshop could set a precedence for similar scale development in the area.
- The design and materials of the proposed workshop are out of keeping with host dwelling and surrounding area.
- The size and scale of the workshop would be over development of the garden.
- The scale of the proposal is inappropriate for the residential character of the area.
- Proposed workshop will be overbearing and dominant to the adjacent neighbour.
- The proposed size, scale and choice of materials will have a detrimental impact the outlook from the adjacent property.
- The scale of the proposal, extending along the boundary with 32 Western Road, will create a sense of enclosure.
- The size of the workshop will block hedgehog runs.

Summary of support comments

- There has been other development in the Western Road and this proposal is not a significant departure from this.
- Objections against the proposal are due to misunderstanding of the use.
- The proposal will result in the sensitive and tasteful restoration of the property, returning its use as a single dwelling.

10 PLANNING ASSESSMENT

Principle of Development

Local Plan Policy STR4 identifies three tiers of settlements and sets out the nature and scale of development appropriate to each. Part (i) identifies Lymington as a town. Although the site is not located within Lymington's town centre, it lies within the built-up settlement area and falls within the Parish of Lymington and Pennington. As it is within the defined built-up area of Lymington (as per the New Forest District Local Plan), the principle of development is considered acceptable.

The proposal will result in the conversion of two flats into a single dwelling, leading to the loss of one residential unit. However, there is no Local Plan policy prohibiting this form of development, and the scheme is therefore assessed against relevant policies on residential amenity and character. The creation of a single dwelling reflects the residential typology of the area, which mainly consists of dwelling houses.

Concern has been raised from neighbours that the proposed outbuilding would be converted into commercial or residential use in the future.

The proposal will have a minor negative impact on Housing Land Supply as it will involve the loss of one dwelling. However, this is not a suitable reason for refusal.

As such, subject to suitable conditions, the principle of development is established in accordance with Local Plan Policy STR4.

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

Local Plan Policy ENV3 (Design, Quality and Local Distinctiveness) requires all development to achieve high-quality design that contributes positively to local distinctiveness, quality of life, and the character and identity of the locality. Criterion (i) specifically calls for buildings that are sympathetic to their environment.

Lymington and Pennington Neighbourhood Plan Policy LP6: All development should achieve high quality design that contributes positively to local distinctiveness, quality of life and enhances the character and identity of the locality. To achieve this development proposals are required to have regard to the Lymington Local Distinctiveness SPD.

The proposal includes replacing the existing hipped porch—currently constructed from brick, timber, and glazing—with a new hipped brick porch of similar size. Additionally, the scheme involves removing the timber porch on the eastern elevation and adding a single-storey rear extension to infill the existing rear projections. All construction materials will match those of the existing building to ensure visual continuity.

The outbuilding will be positioned toward the rear of the plot, 27 metres from the front boundary and 8 metres from the rear elevation of the dwelling. The proposed outbuilding will have a maximum height of 3 metres and a width of 6 metres when

viewed from the road, extending 13 metres along the eastern boundary before stepping down to 2.75 metres in height and narrowing to 5 metres. In total, the outbuilding will extend 20 metres along the eastern boundary, creating a footprint of 113 square metres. Despite its size, the street-facing elevation will retain a subordinate appearance and will not adversely affect the character of the street scene.

The outbuilding is intended for ancillary residential use, accommodating a garage, workshop, store, and garden room—consistent with the residential character of the area. It will be constructed in brick to match the host dwelling, with a garage door on the south (street-facing) elevation. The west elevation, facing the garden, will feature vertical cladding and glazed bi-fold and French doors, while the north and east elevations will comprise painted blockwork, the proposed colour of the blockwork has not been provided but the applicant, but a suitably regressive colour could be agreed through planning conditions. The elevation visible from the public realm will match the materials of the host dwelling, and the remaining elevations will be screened to an extent by existing boundary treatments of fencing and planting within both the application site and adjacent gardens.

Concerns have been raised regarding the scale of the proposal and potential overdevelopment of the plot. However, the property benefits from a generous garden measuring 27 metres by 14 metres, currently subdivided to provide private amenity spaces for each flat. The establishment of a single garden will open up the rear garden and despite the large outbuilding, the property will retain a reasonable rear garden area with a width of 7.3 metres which is still wider than the gardens serving 36, 38, 40 & 42 Western Road.

The proposal is set back from the front boundary and positioned behind the host dwelling, thereby maintaining the character and appearance of Western Road. Its single-storey scale and ancillary use is in keeping with the residential character of the area. Accordingly, the scheme complies with Local Plan Policy ENV3.

The application site falls within the Town Centre Character Area of the Lymington Local Distinctiveness SPD (though not the town centre as defined in the Local Plan). The Lymington and Pennington Plan Policy LP6 requires all development to have consideration of the of the Lymington Distinctiveness SPD. Western Road is within Town Centre Character Area although the street itself has not been singled out with a particular design vernacular, the surrounding area is described as comprising of small-scale buildings and tight, regular street rhythms with narrow plots. The proposal preserves this character.

The above considerations leading to the conclusion on compliance with Local Plan Policy ENV3 are considered to equally apply to Neighbourhood Plan Policy LP6.

Residential amenity

Local Plan Policy ENV3 (Design, Quality and Local Distinctiveness) requires all development to achieve a high standard of design that contributes positively to local distinctiveness, quality of life, and the character and identity of the locality. Criterion (ii) requires careful consideration of the impact on the residential amenity of both existing and future occupiers. In particular, new development should avoid unacceptable effects such as visual intrusion, overbearing impact, overlooking, shading, noise, light pollution, or other adverse impacts.

i. Impact on the Amenity of No. 36 Western Road (West)

The proposed single-storey, flat-roof rear extension would project approximately 4.8 metres beyond the existing rear elevation along the shared boundary with No. 36

Western Road. It is acknowledged that the length of the extension would be visible from rear-facing windows at the neighbouring property and would result in a degree of change to the existing outlook. However, due to its single-storey scale and flat-roof design, the extension would not appear overbearing or visually dominant. It would not result in an unacceptable loss of light or outlook to adjoining occupiers.

No new windows are proposed on the western elevation facing this neighbour. The proposed outbuilding would be located approximately 17 metres from the dwelling at No. 36 Western Road and 7 metres from the eastern garden boundary of that property. This separation distance is considered sufficient, and the outbuilding would not result in an overbearing impact, overshadowing, or unacceptable visual intrusion.

ii. Impact on the Amenity of No. 35 Queen Elizabeth Avenue (North)

The proposed extension would be located approximately 27 metres from the boundary with No. 35 Queen Elizabeth Avenue. New windows and glazed bi-fold doors would replace existing fenestration on the rear elevation and would not materially alter the outlook from this dwelling. Given the separation distances involved, the proposal would not result in a loss of privacy between the properties.

Alterations to the first-floor rear elevation include the infilling of two existing windows, which would reduce any potential overlooking. The proposed outbuilding would be positioned approximately 3 metres from the garden boundary and 21 metres from the dwelling. Given the single-storey scale of the development and the separation distances involved, it is considered that the proposal would not result in an overbearing impact, overlooking, shading, or visual harm to this neighbour.

iii. Impact on the Amenity of No. 27 Queen Elizabeth Avenue (North)

The proposed extension would be located approximately 27 metres from the boundary and 56 metres from the dwelling at No. 27 Queen Elizabeth Avenue. As with No. 35, the replacement of existing rear fenestration with new windows and glazed bi-fold doors would not materially alter the outlook from the neighbouring property. Given the significant separation distances, there would be no loss of privacy between the properties.

The infilling of two existing first-floor rear windows would further reduce any potential overlooking. The proposed outbuilding would be located on the garden boundary and approximately 28 metres from the dwellinghouse. The outbuilding would be positioned to the south of the garden; however, the garden room element closest to this neighbour is stepped down in height to 2.575 metres. This scale is comparable to a typical garden shed, and any shading would be limited to brief periods during the day.

iv. Impact on the Amenity of No. 32 Western Road (East)

The proposed rear extension would be located approximately 4.5 metres from the boundary and 8 metres from the dwelling at No. 32 Western Road. This arrangement does not represent a significant change from the existing situation, given the presence of single-storey rear additions currently within the application site. A new ground-floor window is proposed on the eastern elevation; however, this would face an evergreen boundary hedge and would not introduce views into the neighbouring property. The proposed outbuilding would be positioned approximately 0.5 metres from the boundary with No. 32 Western Road and would extend approximately 20 metres along this boundary, with a separation distance of approximately 14 metres to the dwellinghouse.

Concerns have been raised by neighbouring occupiers that the proposed outbuilding would be overbearing, create a sense of enclosure, and cast shade over the rear

garden. While it is acknowledged that the building would extend along approximately two-thirds of the boundary, it is set back by 0.5 metres and limited to a modest height of 3 metres. The painted brick side elevation facing No. 32 Western Road would be partially visible; however, this would be screened to some extent by existing garden shrubs. A condition requiring the blockwork to be painted a regressive colour would further reduce its visual impact.

Given the single-storey height of the outbuilding and its orientation to the north-west of No. 32 Western Road, any potential shading would be mitigated by existing boundary planting. Even if such planting were removed, any shadowing would be limited to later in the day and would not directly affect the neighbouring dwelling or patio area. The case officer has visited the application site and adjoining properties and, having regard to the scale and orientation of the proposal, concludes that the development would not result in significant overshadowing or loss of light.

v. Use of the Outbuilding

The workshop/outbuilding element of the proposal has generated concern regarding its size and the potential for future alternative uses. The applicant has confirmed that the building would only be used for personal purposes ancillary to the main house and will not be used for employment or commercial purposes.

As set out in the Principle of Development section of this report, any future material change of use from one that is ancillary to the main house would require an express planning permission. Members will be aware that conditions should be kept to a minimum and only be used when all six of the tests in the NPPF (para. 57) are met. If all six tests (relevant to the development, relevant to planning, reasonable, necessary, precise and enforceable) are not met then conditions should not be imposed. In light of the fact that a material change of use needs planning permission a planning condition controlling the use of the outbuilding would likely fail the tests of reasonableness and necessity.

Therefore, subject to other conditions as set out above, the proposal is considered to comply with Policy ENV3 criterion (ii) and would not result in unacceptable visual intrusion, overbearing impact, overlooking, shading, or noise impacts on the residential amenity of the occupiers of neighbouring dwellings.

Highway safety, access and parking

Local Plan Policy CCC2 (Safe and sustainable travel) states new development will provide sufficient car and cycle parking in accordance with the adopted Parking Standards Supplementary Planning Document.

There are no proposed alterations to the existing access to the site. The reduction of households, from two separate flats accommodating two households to one dwelling accommodating a single household is likely to reduce the parking pressure for the plot. The proposed garage has sufficient parking for four vehicles and there is on plot tandem parking available for 3 cars. There is sufficient space within the proposed outbuilding for secure cycle storage. Therefore, the proposal meets the parking standards set out in the adopted parking SPD and accords with Planning Policy CCC2.

Ecology

Local Plan Policy DM2 (Nature conservation, biodiversity and geodiversity) states development will not be permitted which would adversely affect species of fauna or flora that are protected under national or international law, or their habitats, unless their protection can be adequately secured through conditions and/or planning

obligations.

Representations have raised concerns that the proposed outbuilding could obstruct the foraging hedgehogs. The proposed outbuilding does not extend the entire boundary of the site and there are still areas of along the boundary that hedgehogs can access.

Householder applications are exempt from the mandatory biodiversity net gain requirement. It is not considered proportionate or appropriate to require the delivery of Biodiversity Net Gain in association with this proposal, however enhancements to biodiversity through additional planting, bird/bat boxes and/or bee bricks are encouraged

Developer Contributions

As part of the development, subject to any relief being granted the following amount Community Infrastructure Levy will be payable as the proposed outbuilding is over 100 sq metres:

Type	Proposed Floorspace (sq/m)	Existing Floorspace (sq/m)	Net Floorspace (sq/m)	Chargeable Floorspace (sq/m)	Rate	Total
Dwelling houses	317.31	202.62	114.69	122.41	£80/sqm	£13,798.09 *

Subtotal:	£13,798.09
Relief:	£0.00
Total Payable:	£13,798.09

**The formula used to calculate the amount of CIL payable allows for changes in building costs over time and is Index Linked using the RICS CIL Index (<https://www.rics.org/uk/products/data-products/rics-community-infrastructure-levy-index/>) and is:*

Net additional new build floor space (A) x CIL Rate (R) x Inflation Index (I)

11 CONCLUSION / PLANNING BALANCE

The proposed development has been designed to preserve the character of the area and amenity of neighbouring properties.

The scheme accords with Local Plan Policy ENV3 criterion (ii) on residential amenity and complies with the design principles set out in Local Plan Policy ENV3, the Lymington Local Distinctiveness SPD and Neighbourhood Plan Policy LP6, ensuring development integrates with its surroundings and maintains the established character of Western Road.

Accordingly, the proposal is considered acceptable and should be approved.

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:

- Location Plan Drawing No. LP.01 Rev C received by the Local Planning Authority on 11 November 2025
- Proposed Plans Drawing No. PP.01 received by the Local Planning Authority on 15 September 2025
- Proposed Elevations Drawing No. PE.01 Rev A received by the Local Planning Authority on 29 September 2025
- Garage plans Drawing No. G01 Rev D received by the Local Planning Authority on 18 December 2025

Reason: To ensure satisfactory provision of the development.

3. No development above damp proof course level (DPC) shall take place on the outbuilding until detail and specification of the colour of the blockwork to be painted has been submitted and approved in writing by the local planning authority. The out building hereby permitted shall be treated in accordance with the approved details prior to the first use of the building and shall thereafter be retained for the lifetime of the development unless otherwise agreed in writing the Local Planning Authority.

Reason: To ensure the satisfactory appearance of the development and to protect the visual amenity of the area, in accordance with Local Plan Policy ENV3.

Further Information:

Hannah Chalmers

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New Forest

DISTRICT COUNCIL

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PLANNING COMMITTEE

February 2026

34 Western Road
Lymington

25/10844

Scale 1:1000

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Planning Committee 11 February 2026

Application Number: 25/11107 Variation / Removal of Condition
Site: TALL OAKS, 1 CHURCH MEAD, LYMINGTON SO41 8FN
Development: Removal or Variation of Condition 7 of Planning Permission 22/11134 to allow the garage to be used as ancillary accommodation
Applicant: Mr Baker
Agent:
Target Date: 05/02/2026
Case Officer: Julie Parry
Officer Recommendation: Grant Subject to Conditions
Reason for Referral to Committee: Town Council contrary view

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) The principle of the development
- 2) The impact on the character and appearance of the area
- 3) The impact on the residential amenities of the area
- 4) Highway matters including parking.
- 5) Ecology and habitat matters

2 SITE DESCRIPTION

The application site comprises a large detached 2-storey dwelling with a detached garage building which is located within the defined built-up area of Lymington. The site is located on Church Mead, which is a shared private drive that has access onto Woodside Lane. The site benefits from a fairly large garden incorporating on-site parking to the front and within the detached garage. A number of trees subject to Tree Preservation Orders are present on the site. The property has been extensively altered and extended following planning permission in 2022 and now also benefits from a two-storey outbuilding, incorporating a garage area and boat storage at ground floor and accommodation at first floor, which is the subject of this application.

3 PROPOSED DEVELOPMENT

The application seeks removal of Condition 7 of planning permission 22/11134 which restricts the use of the outbuilding to incidental use as follows:-

"The building hereby approved shall only be used for the personal enjoyment of the occupier of the application site for incidental purposes and shall not be used as ancillary accommodation, commercial overnight holiday accommodation, short term residential let or other self-contained residential accommodation."

The stated reason for this condition was:

"in the interest of certainty regarding the intended uses, the amenities of the area and neighbours and the protection of protected New Forest and Solent habitats in accordance with ENV1 & ENV3 of the New Forest District Local Plan Part 1: Planning Strategy 2020."

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description
22/11134 Two-storey extensions and alterations to existing dwelling, construction of ancillary garage outbuilding and associated landscaping works	11/01/2023	Granted Subject to Conditions

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Policy ENV1: Mitigating the impacts of development on International Nature Conservation sites

Policy ENV3: Design quality and local distinctiveness

Policy ENV4: Landscape character and quality

Local Plan Part 2: Sites and Development Management 2014

DM2: Nature conservation, biodiversity and geodiversity

Supplementary Planning Guidance And Documents

SPD - Lymington Local Distinctiveness

Neighbourhood Plan

The Lymington and Pennington Neighbourhood Plan has now been examined and, subject to minor modifications, was found to meet the Basic Conditions. The referendum to accept the Plan was held on 29th January 2026, with 92.5% of the people who voted being in support of the Plan. The Council will formally "make" the Plan at the next available opportunity, after which it will form part of the statutory Development Plan.

At this stage of the Plan making process (post referendum), national guidance indicates that such a plan must be given full weight in decision making, because its policies have been independently examined and confirmed as legally compliant and in general conformity with national policy. The National Planning Policy Framework (NPPF) confirms that following a successful referendum, a neighbourhood plan forms part of the development plan and planning applications should ordinarily accord with it unless material considerations indicate otherwise.

National Planning Policy Framework

Chapter 12 – achieving well designed places

National Planning Policy Guidance

Plan Policy Designations

Built-up Area

6 PARISH / TOWN COUNCIL COMMENTS

Lymington and Pennington Town Council: Recommend Refusal

The Committee considered there to be no material change in circumstances to justify varying the original condition. There may be some scope for amending Condition 7 but its removal would enable a substantial amount of independent or commercial letting of the outbuilding. This would be unreasonable given its exceptionally close position to neighbouring properties and the resultant more intense use of the constrained access via a narrow residential road.

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

None relevant

9 REPRESENTATIONS RECEIVED

7 letters of objection received from neighbouring and nearby properties.

The reasons for these objections are:-

- Potential for greater noise, activity and disturbance.
- Use of the outbuilding as a commercial overnight holiday accommodation or other self-contained residential accommodation would be harmful to the area.
- Increase in traffic.
- Safeguard New Forest and Solent habitats.
- Lack of justification for the change in use.
- Size of outbuilding could accommodate a family.
- Degradation of local distinctiveness.

10 PLANNING ASSESSMENT

Principle of Development

The site is located in the built-up area and so the principle of the development is acceptable subject to all other relevant material considerations as set out below. The principle of development in terms of the scale and design of the existing outbuilding has clearly been established following its planning permission in 2022 and subsequent construction.

This application seeks to remove a condition, under Section 73 of Town and Country Planning Act 1990, which was placed on the former permission in relation to the outbuilding. Section 73A of the same Act enables an application to be made in retrospect. It is clear from the existing condition, as set out above, that the outbuilding

"... shall only be used for the personal enjoyment of the occupier of the application site for incidental purposes".

An incidental use would essentially support the enjoyment of the property. Such a supporting use may be a gym, hobby space or a studio. An ancillary use supports the functioning of a home and this could be via extra living space and domestic accommodation, but this must remain subservient to the main residential use of the plot.

The application submits that the proposed removal of condition 7 is to allow for the use of the outbuilding as ancillary residential accommodation in association with the main residential dwelling:-

Paragraph 57 of the National Planning Policy Framework makes clear that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. These are referred to in this guidance as the 6 tests, and each of them need to be satisfied for each condition which an authority intends to apply.

Impact on local character and appearance of area

Policy ENV3 of the Local Plan Part 1 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.

The first floor of the garage has been assessed on site. It has an area of 38 square metres and is accessed by an external staircase. The internal space has been laid out to include a small bedroom with ensuite bathroom, along with a living area with a kitchenette. The ground floor of the building is used as a garage and storage area along with a boat store. Neither what currently exists nor what is being applied for amounts to a separate planning unit or a severance of the plot to form a new self-contained dwelling in its own right. The applicant has confirmed in writing that the use of the first floor above the garage is simply for family and friends in conjunction with the main dwelling, that it does not have its own services or Council Tax, and therefore is part of the main C3 use of the plot. There is no indication that the accommodation would be used separately to the main dwelling as any type of self-contained commercial or holiday let; nor would there be any severance of the plot, which would all require an express planning permission in their own right in any event.

Therefore, Condition 7's preclusion of commercial overnight holiday accommodation, short term residential let or other self-contained residential accommodation is no longer considered relevant or necessary, as this part of the condition does not pass the test the Government has given for the application of conditions on a planning permission.

A representative of some of the neighbours has suggested that they would withdraw their objection if the condition was to be varied instead of being removed. They have requested that in the interests of clarity, and of safeguarding the amenities of neighbours, that the condition should be altered so that no part of the outbuilding shall be used for purposes such as holiday lets, short term letting, AirBnB, or similar, and its use for personal accommodation shall be limited to the upper level of the building.

First, the applicant has not sought to vary the condition. The application expressly seeks relief from the condition. Secondly, as detailed in the paragraphs above, the suggested variations would not pass the tests for conditions given that express planning permission would be required for the change of use suggested. Furthermore, it would not be reasonable to subdivide the building to allow for

separate use, given that internal changes are not development and the use of the building is considered to be part of the C3 use of the plot.

To allay neighbour concern regarding the future use of the building, an informative can be added to the decision notice to advise future owners that planning permission will be required should they wish to pursue a change of use of the outbuilding to a self-contained holiday let, commercial let or as a separate planning unit.

It is recognised that the previously imposed condition required the outbuilding to be used for incidental and not ancillary purposes, which have distinct meanings in planning law. As set out above, an ancillary use would allow the outbuilding to be used for a wider range of purposes than an incidental use, including habitable living accommodation. It is of note that homeowners increasingly use outbuildings for a range of domestic purposes for family members.

Having carefully reviewed the proposal, it is not considered the ancillary use accommodated within the outbuilding would intensify the residential function of the main dwelling to such an extent as to be harmful to the character of the local area. As such, the proposal to remove the condition to allow for an ancillary use would comply with Policy ENV3 of the Local Plan Part 1 in terms of character and design related considerations.

Residential amenity

Policy ENV3 of the Local Plan Part 1 states that new development will be required to avoid unacceptable effects by reason of visual intrusion or overbearing impact, overlooking, shading, noise and light pollution or other adverse impacts on residential amenity.

The proposed relief from the condition to allow for accommodation in association with the main dwellinghouse would not cause an unacceptable increase in the potential for noise over and above the previously approved incidental use. The building remains part of the residential use on the site and is part and parcel of a domestic planning unit comprising one dwellinghouse.

The original planning permission for the outbuilding included a condition for a screen to be provided at the top of the external staircase in order to protect neighbour privacy. This condition required the screening to be retained in perpetuity, and this condition requirement should be reapplied to any subsequent approval to protect neighbour amenity.

The proposal has been assessed on site and, as set out above, the use is not of a scale or nature that amounts to a separate planning unit or a severance of the plot. The proposal would not cause unacceptable noise effects to the adjacent neighbours. As such, the proposed removal of the Condition to allow an ancillary use would comply with Policy ENV3 of the Local Plan Part 1 in terms of amenity considerations.

Highway safety, access and parking

Policy ENV3 of the Local Plan Part 1 requires the integration of sufficient car parking spaces so that realistic needs are met in a manner that is not prejudicial to the character and quality of the street or highway safety.

The access to the property from Woodside Lane is owned by the applicant and is relatively narrow. However, the use of the first floor as ancillary accommodation would not increase the potential for additional traffic to the property to such an extent

as to be considered as a highway safety concern. As such, it is considered that highway and pedestrian safety will be preserved, and the proposals would comply with Policy ENV3 in relation to parking provision.

Ecology and Habitat matters

Policy ENV1 of the Local Plan Part 1 requires mitigation, management or monitoring measures on International Nature Conservation sites when considering the provision of residential development and overnight visitor accommodation.

Policy ENV4 of the Local Plan Part 1 seeks to retain and or enhance landscape features to successfully integrate new development into the local landscape.

Policy DM2 of the Local Plan Part 2 seeks features to encourage biodiversity and to retain or where possible enhance existing features of nature conservation value within a site.

The outbuilding was granted permission with a bathroom at first floor. Given that the removal of the condition would not create a new dwelling, there would not be a requirement for habitat mitigation or further ecological enhancements. Therefore, there are no requirements for mitigation as set out within Policy ENV1 or Policy DM2.

The removal of condition 7 would not result in any removal of trees or changes to the landscaping of the garden, and therefore overall the proposal would be in accordance with Policy ENV4.

Developer Contributions

Type	Proposed Floorspace (sq/m)	Existing Floorspace (sq/m)	Net Floorspace (sq/m)	Chargeable Floorspace (sq/m)	Rate	Total
Self Build (CIL Exemption in place)	333.5	185.7	147.8	147.8	£80/sqm	£16,144.31 *

Subtotal:	£16,144.31
Relief:	£16,144.31
Total Payable:	£0.00

**The formula used to calculate the amount of CIL payable allows for changes in building costs over time and is Index Linked using the RICS CIL Index (<https://www.rics.org/uk/products/data-products/rics-community-infrastructure-levy-index/>) and is:*

Net additional new build floor space (A) x CIL Rate (R) x Inflation Index (I)

11 CONCLUSION / PLANNING BALANCE

The relief from the condition to enable the provision of ancillary accommodation, as detailed above, would still result in a building that would be subordinate to the main dwelling and within the same planning unit. To limit the use as purely incidental is no longer considered justified and therefore does not pass the test for a condition on a planning permission. In the event that the use of the outbuilding as a self-contained

commercial let, holiday let or as a separate planning unit were to occur, such a use would require an express planning permission in its own right and therefore applying a condition in this regard would not be necessary. Therefore, the removal of the condition is considered to be acceptable and the application is recommended for approval.

12 RECOMMENDATION

GRANT the VARIATION of CONDITION

Proposed Conditions:

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

- ST800-01a Site & Location Plan (amended 9th January 2026)
- ST800-02b Topographical Site Survey
- ST800-03 Existing Floor Plans
- ST800-04 Existing Elevations 1 of 2
- ST800-05 Existing Elevations 2 of 2
- ST800-06D Proposed Site Plan
- ST800-07B Proposed Floor Plans
- ST800-08B Proposed Elevations
- ST800-09B Proposed Elevations
- ST800-10E Proposed Outbuilding
- ST800-11C Proposed Outbuilding
- ST800-15 Daylight Assessment

Reason: To ensure satisfactory provision of the development.

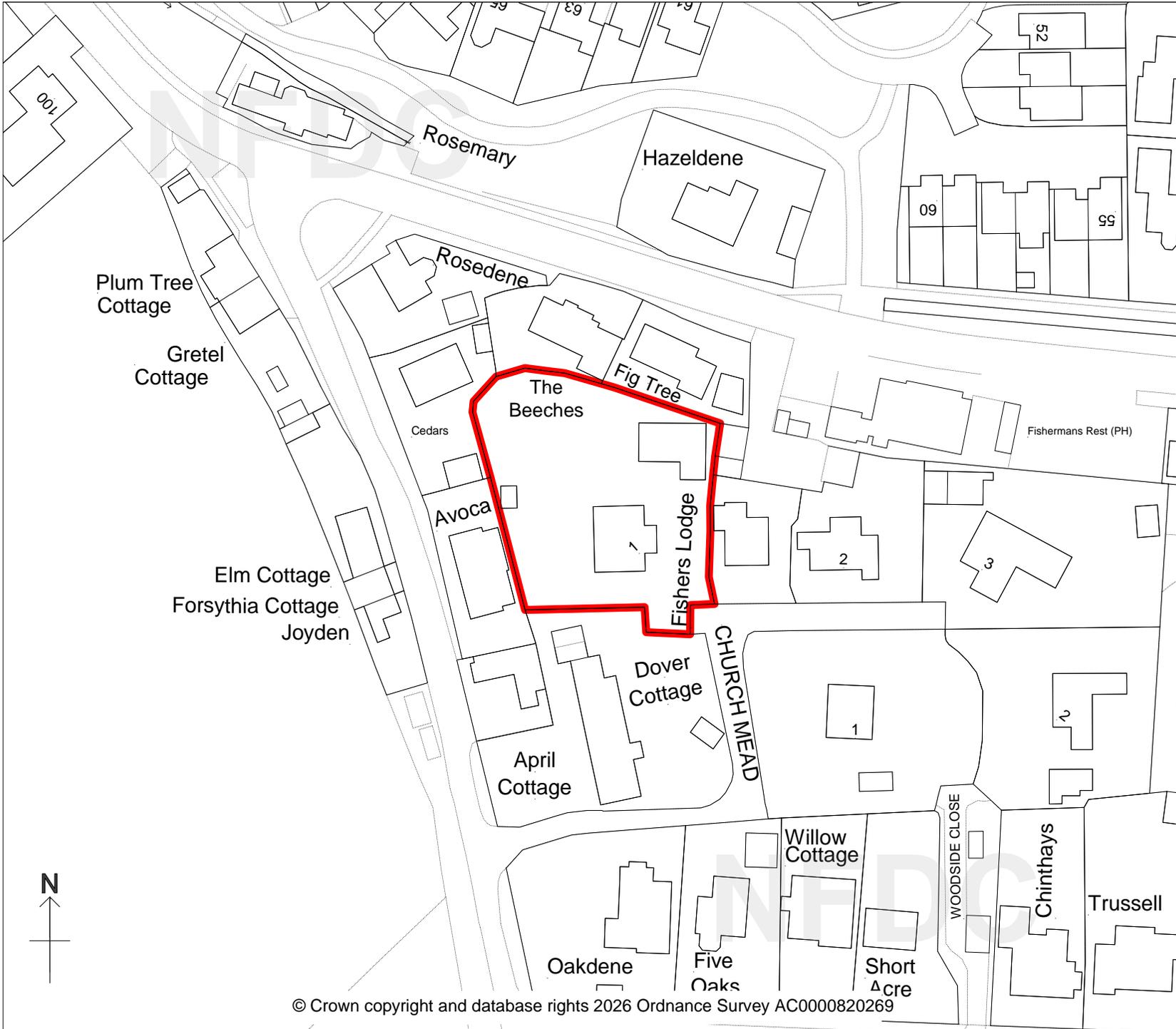
2. The 1.8m high privacy screen on the north elevation of the external staircase of the outbuilding shall be retained in perpetuity in accordance with the approved details (those details approved through the Local Planning Authority's decision to discharge Condition 4 of Planning Permission 22/11134 on 6th March 2023).

Reason: To protect the amenities of neighbouring properties 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:

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New Forest

DISTRICT COUNCIL

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PLANNING COMMITTEE

February 2026

Tall Oaks
 1 Church Mead
 Lymington
 25/11107

Scale 1:1000

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