

Application Number: 19/10291 Full Planning Permission

Site: GLASSHOUSE STUDIOS, FRYERN COURT ROAD, BURGATE,
FORDINGBRIDGE SP6 1QX

Development: Amendments to existing hardsurfacing and car parking area

Applicant: R J Morrall Ltd

Target Date: 30/04/2019

Link to case file <http://www.newforest.gov.uk/article/13702/How-do-I-view-and-comment-on-a-planning-application-or-appeal>

1 SUMMARY OF THE MAIN ISSUES

- 1.1 The following are considered to be the main issues to be taken into account when determining this application. These, and all other relevant considerations, are set out and considered in Section 11 of this report after which a conclusion on the planning balance is reached.
- 1) The effect on the character and appearance of the area.
 - 2) The effect on public highway safety.
- 1.2 This matter is before Committee as the Officers view is contrary to Fordingbridge Town Council, as justification for additional parking is not accepted and ingress and egress to the site area difficult.

2 THE SITE

- 2.1 The application site forms part of an existing office complex known as Glasshouse Studios, which is located along Fryern Court Road, to the north of Fordingbridge. Within the complex, there are a mixture of office facilities including converted horticultural glasshouses and new purpose built buildings. On site car parking is provided around the buildings and access to the site is gained from Fryern Court Road, and runs between two residential properties known as Avon Vale and Roxburgh.
- 2.2 For the avoidance of doubt, the submitted application only relates to part of the land at Glasshouse Studios which is a completed development of two office buildings.
- 2.3 The site is located outside the settlement boundary of Fordingbridge in a fairly rural locality. A small settlement of residential properties is located close to the site at the southern end of Fryern Court Road, with a rest home located adjacent to the northern boundary of the Glasshouse Studios. A large new housing development is currently under construction to the south east of the site.

3 THE PROPOSED DEVELOPMENT

- 3.1 The planning application seeks consent to make amendments to an existing unauthorised area of hardstanding to be used as car parking spaces for the recently built office development. The area of

hardsurfacing has been constructed within an area of land that was approved to form the landscaping for the office development and accordingly, this application also seeks resolution to a breach of the landscaping condition (condition 4) under reference 15/11603.

- 3.2 As a way of background, this planning application follows an enforcement investigation in 2017 in relation to the construction of an unauthorised area of hardsurfacing used for car parking. Following the enforcement investigation, the applicant submitted an application to regularise the situation, however, this was refused under reference 17/11507 and the reason for refusal is set out in Section 4.
- 3.3 This current application seeks to amend the existing area of hardsurfacing by reducing its size and the number of car parking spaces. The proposed amendments, removing the second access, also change the shape and layout of the hardsurfacing area, so that there would be less encroachment into the approved landscaping space. This would be achieved by narrowing the car parking area. Moreover, the proposal seeks to provide additional soft landscaping and tree planting. The planning application is accompanied by a supporting statement which explains the need for the additional car parking.

4 PLANNING HISTORY INCLUDING NOTES OF ANY PRE APPLICATION DISCUSSIONS

- 4.1 Unauthorised development involving the creation of an area of hardsurfacing to be used as car parking in breach of Condition 4 of planning permission 15/11063 (17/11507) Refused on the 21st December 2017.
- 4.2 The unauthorised car parking area was created on part of the approved landscaping for the office development under planning permission 15/11063. The application to retain the hardsurfacing was refused on the following grounds:
- By virtue of its siting, size and unsympathetic design, the creation of the area of hardsurfacing for car parking is visually intrusive and harsh in its setting and unacceptably encroaches into part of the approved landscaping which formed an integral part of the recently constructed office development at the site to the detriment of the rural character and appearance of the area. For this reason, the development is contrary to Policies CS2 and CS10 of the Core Strategy for the New Forest District Outside the National Park and Policy DM22 of the Local Plan Part 2 Sites and Development Management Document.*
- 4.3 Two storey building for B1 use (15/11063) Granted with conditions on the 24th September 2015 .
- Works had commenced to implement the two office buildings approved under references 13/11101 and 14/10302, however, this application was granted to enlarge one of the office buildings compared to the approved scheme and this has been implemented.
- 4.4 Two buildings for office use and car parking - details of appearance and landscaping - development granted by outline 13/11101 (14/10302) Granted with conditions on the 9th June 2014

- 4.5 Two buildings for office use - outline application with details of access, layout and scale (13/11101) Granted with conditions on the 20th November 2013

Outline planning permission was granted to construct 2 two storey detached office buildings and associated landscaping and car parking on land to the south east at Glasshouse Studios.

- 4.6 Erect courtyard building for Class B1 use - demolition of two glasshouses (85426) Granted with conditions on the 1st November 2005

A planning application was granted in 2005 under reference 85426 to demolish the existing glasshouses and to construct a courtyard building for office use (Class B1) and this is now located to the east of the glasshouse building. That building is mainly single storey, with a two storey element centrally located on the northern side of the building. When planning permission was granted for the new building, two existing glasshouses were demolished.

- 4.7 Use of agricultural building for offices/ studios (79542) Granted with conditions on the 5th August 2004

The site was originally a horticultural operation with large glasshouses and ancillary buildings and consent was granted back in 2004 under reference 79542 for the conversion of one of the existing glasshouses on the site to form 10 individual offices/ studios. The conversion works were implemented, and this building is located on the northern boundary of the site adjacent to the access road.

- 4.8 Pre application advice (Enq 18/21049)

The applicant submitted a pre application enquiry in December 2018 to address the outstanding enforcement investigation and refused planning application for an unauthorised area of hardsurfacing used for car parking. The pre application enquiry set out justification for the need for additional car parking spaces on the site and a revised plan was submitted showing a reduced car parking area with more tree planting. In response, Officers felt that the additional car parking is justified, the design was more sympathetic and concluded that should a planning application be formally submitted, it would be supported by Officers

5 THE DEVELOPMENT PLAN AND OTHER NFDC GUIDANCE

The Core Strategy

CS1: Sustainable development principles
CS2: Design quality
CS10: The spatial strategy
CS17: Employment and economic development
CS21: Rural economy
CS24: Transport considerations

Local Plan Part 2 Sites and Development Management Development Plan Document

DM22: Employment development in the countryside

The Emerging Local Plan

Advice on Emerging Development Plan Documents

The Local Plan Review 2016-2036 is in what can be considered an 'advanced stage in its preparation, in that it has been submitted to the Secretary of State and is under Examination. It is therefore a material consideration which can be given weight in decision-making.

The following extracts from the Emerging Local Plan are considered to be material considerations in this case.

Strategic Objective 01

To safeguard where possible enhance the special qualities and landscape character of the Plan Area.

Strategic Objective 06

To facilitate a healthy and growing economy operating within environmental limits.

Strategic Objective 08

To promote a positive future for rural areas and to help secure their economic prosperity

Policy 13 Design quality and local distinctiveness

Policy 21 Employment land development

Policy 28 Rural Economy

Policy 31 Safe and sustainable travel

The National Planning Policy Framework 2019 states:

Para 47. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.

Paragraphs 80-84 of the NPPF Building a strong, competitive economy

Paragraphs 102 to 109 of the NPPF Promoting sustainable transport

Paragraphs 124-132 of the NPPF Achieving well designed places

Supplementary Planning Guidance and other Documents

SPD - Parking Standards

6 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Relevant Legislation

Planning and Compulsory Purchase Act 2004

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise.

7 PARISH / TOWN COUNCIL COMMENTS

Fordingbridge Town Council: Recommend refusal as the justification for additional parking is not accepted and ingress and egress to the site are difficult.

8 COUNCILLOR COMMENTS

None received

9 CONSULTEE COMMENTS

Highway Authority: No objection

There are previous applications regarding this site (13/11101, 14/10302 and 15/11063). At each application, the car parking provision was identified as meeting the recommended quantum for car parking provision. With regards to commercial use buildings (Class B), there are varying standards depending on the specific end use of the building. At each stage, the worst case has been used to calculate the parking required (that of Class B1a Office use). The provision of additional spaces above this will reduce the possible need for off site parking and would therefore improve highway safety. As the proposals have only a beneficial impact to the local highway network, the Highways Authority would raise no objection:

10 REPRESENTATIONS RECEIVED

10.1 1 letter of objection concerned that the application was refused and do not understand why the car parking area has not been removed. Sufficient car parking was provided within the previously approved developments and there is no justification for more car parking spaces. Additional car parking will only mean more traffic movements in Fryern Court Road, which is not suitable to accommodate additional movements. The application should be refused and the land returned to the agreed landscaping scheme.

10.2 Cllr A Lewendon (Fordingbridge Town Council): Objection. Do not understand why an application is supported by Officers given that the approved development provided sufficient car parking spaces. I have concerns by the Highway Authority supporting the application 'as it will stop car parking off site'. The car parking area was created before the office units were occupied and therefore is not an afterthought. The access and visibility onto Fryern Court Road is poor. The car parking spaces on the site have never been full.

11 OFFICER COMMENTS

Introduction

11.1 There are two main issues in this case. The first main issue is whether the proposal to modify the unauthorised area of hardstanding on part of the site that formed the approved landscaping scheme for an office

development would have an unacceptable impact on the character and appearance of the area.

- 11.2 The second main issue is whether the increase in the number of car parking spaces would result in a significant impact on public highway safety or would result in an unjustified increase in car parking spaces.

Relevant Considerations

Effect on the character and appearance of the area

- 11.3 In assessing the effect on the character and appearance of the area, it is clear that the unauthorised area of hardsurfacing has created an unsympathetic and unacceptable encroachment into the approved landscaping scheme which formed an approved office development. This was the main reason why the previous application was refused.
- 11.4 Whilst views of the hardsurfacing are fairly limited from the public domain, this does not make it acceptable to diminish the original design concept of the landscaping in an unsympathetic way. However, a scheme that is sympathetically design and responds to the design quality of the original approved office development should be supported.
- 11.5 This current application proposes several design improvements to address the issues raised. This includes a reduction in the size of the hardsurfacing which has resulted in less intrusion into the approved landscaping area. The layout of the hardsurfacing has been amended into a curved shape, rather than the existing rectangular shape. Moreover, the proposal would provide additional tree planting within the landscaping area.
- 11.6 The original design concept of the approved landscaping for the office development was fairly simple, incorporating an open grass area in a semi circular shape with very little tree planting or soft landscaping. The unauthorised works have not affected any trees and do not prohibit the opportunity to plant trees and soft landscaping. Indeed, this current application would provide a net gain of trees on the site.
- 11.7 By reducing its size and modifying its layout, it is considered that the area of hardstanding would not encroach so far into the approved landscaping area and has now been designed to appear as an integral part of the existing internal road and car parking network. Indeed, not only is the extent of car parking reduced but it also has a more sympathetic curved shape, which would leave the central part of the site generally open, similar to that approved. Moreover, the proposal would add a number of new trees into this space which would be a positive enhancement and provide a soft appearance to the development when viewed from the open field to the east.
- 11.8 The National Planning Policy Framework sets out a strong focus on creating high quality places and good design which creates better places in which to live and work. This is highlighted in Paragraphs 124 and 127 which states that new developments should be visually attractive as a result of good layout including appropriate and effective landscaping. In this case, whilst the proposal would still encroach into an area approved for landscaping, it has now been designed more sympathetically with opportunities for new soft landscaping and tree planting.

- 11.9 Accordingly, it is considered that the proposed amendments to the area of hardstanding are designed more sympathetically and have made a number of improvements to address the previous concerns.

Public Highway safety matters

- 11.10 The car parking area would provide approximately 25 additional car parking spaces to be used by the occupiers at Glasshouse Studios. It should be noted that there is no evidence that the site has suffered from a shortage of car parking, but the applicants supporting statement raises a number of points as to why additional car parking spaces are needed.
- 11.11 A point raised by the applicants is that some car parking spaces at Glasshouse Studios are not of a high quality or function very well as a space and the additional car parking spaces would provide sufficient space to park and manoeuvre. The supporting statement also highlights the fact that the site is not sustainably located. A further point made is that there are approximately 160 people employed at Glasshouse Studios and the Employment Densities Guide published by the Homes and Communities Agency indicates that the expected density range for B1 office accommodation is between 8 and 13 square metres per full time staff member. If full occupancy at the rates suggested in the HCA guidance were achieved then it could result in between 230 and 375 employees across the various buildings. Many of the businesses on the site are relatively young so that under occupation is likely to reduce as the site matures and businesses grow.
- 11.12 In response to the applicants justification, and as a way of background information, the total amount of commercial (Class B1 office) floor space at Glasshouse Studios equates to approximately 3000 square metres and the level of car parking currently on the premises is 121 spaces (not including the 25 spaces proposed). The adopted Car Parking Standards Supplementary Planning Document recommends that 1 car parking space should be provided for 30 square metres of office floor space. Based upon the floor space of 3000 square metres, the total car parking requirement is 100. Accordingly, the site currently provides 21 car parking spaces above that recommended and the proposal to provide an additional 25 spaces would result in 46 spaces above that recommended.
- 11.13 Paragraph 109 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 11.14 Whilst the proposal would far exceed the car parking standards, local and national policy do not have maximum car parking standards. Generally it is considered that the provision of additional spaces in this location would be a benefit, and not a negative. The Highway Authority also agree that the provision of additional car parking spaces in this location would be a benefit. Accordingly, it is accepted that the site is not highly accessible and that the nearby country lanes cannot accommodate any displaced cars and therefore, it is essential that sufficient car parking spaces are provided and if this means that this is above the recommended level, this would be acceptable.

- 11.15 Representations have been made that there is no justification for additional car parking spaces and the increase could result in additional traffic movements into the site which would not be acceptable given poor access and visibility onto Fryern Court Road. In response, the applicant has provided detailed justification for the need to provide additional car parking spaces. In addition, whilst the existing site has no evidence of a shortage of car parking spaces, this could be a result of unoccupied offices or units not fully maximised in terms of their occupation. Moreover, on the basis that the proposal would not result in any increase in floor space, it is considered that the provision of additional car parking spaces would not result in any significant increase in the use of the access and subsequent harm to public highway safety.

Other considerations

- 11.16 The National Planning Policy Framework highlights the importance of supporting businesses in rural areas and that significant weight should be placed in the need to support local business need to support economic growth and productivity. Paragraph 83 states that decisions should enable the sustainable growth and expansion of all types of businesses in rural areas. The proposal to provide additional car parking spaces on the site would help sustain the attractiveness for existing and future occupants of this employment site by providing sufficient on site car parking which is one of the main objectives of the NPPF.

12 CONCLUSION ON THE PLANNING BALANCE

- 12.1 The applicant has a desire to create additional car parking, which they consider is important to support the existing employment complex. The applicant has taken advice from Officers as part of a pre application enquiry to create a more sympathetic car parking layout and design with new tree planting.
- 12.2 Both local and national policies support achieving well designed places and proposals which support businesses in rural areas. Paragraph 80 of the NPPF states that significant weight should be placed on the need to support economic growth. The proposal to sustain the functional operations of the employment site, weighs in favour of the development and accords with the NPPF.
- 12.3 The proposal would also provide benefits to ensure that sufficient car parking is provided. Any shortfall of car parking spaces in this location could result in significant impacts on public highway safety given that Fryern Court Road is a country lane. The Highway Authority are fully supportive of the proposal. Moreover, the proposal would have minimal impact on the living conditions of the adjoining neighbouring properties.
- 12.4 In terms of the negative aspect, the proposal to increase car parking makes it easier for car drivers and does not promote sustainable transport. In addition, it was unfortunate that the original design concept of creating an open grassed landscaped area has not been achieved.
- 12.5 However, in balancing out the issues, the benefits of the proposal far outweighs the harm and accordingly approval is recommended. It should be noted that a condition will be imposed for the approved landscaping and car parking layout to be constructed during the next planting season, and no later than December 2019.

13 OTHER CONSIDERATIONS

Proactive Working Statement

- 13.1 In accordance with paragraph 38 of the National Planning Policy Framework and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council takes a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome by giving clear advice to applicants.

In this case all the above apply.

Local Finance

- 13.2 Local financial considerations are not material to the decision on this application

Human Rights

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

Equality

- 13.4 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty *inter alia* when determining all planning applications. In particular the Committee must pay due regard to the need to:
- (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
 - (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

14 NOTES FOR INCLUSION ON CERTIFICATE

1. In accordance with paragraph 38 of the National Planning Policy Framework and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council takes a positive and proactive approach, seeking solutions to any problems arising in the handling of development

proposals so as to achieve, whenever possible, a positive outcome by giving clear advice to applicants.

In this case all the above apply and as the application was acceptable as submitted no specific further actions were required.

2. The development subject to this notice falls within a highlighted proximity of a mains gas pipe which is considered a major hazard.

The applicant/agent/developer is strongly advised to contact the pipeline operator PRIOR to ANY works being undertaken pursuant to the permission granted/confirmed by this notice.

Address is:

Southern Gas Networks Plc

SGN Plant Location Team

95 Kilbirnie Street

Glasgow

GS5 8JD

Tel: 0141 184093 OR 0845 0703497

Search online at:

www.linesearchbeforeyoudig.co.uk

SGN personnel will contact you accordingly.

15. RECOMMENDATION

Grant Subject to Conditions

Proposed Conditions:

1. The development permitted shall be carried out in accordance with the following approved plans: 001 Rev B and 002 Rev A.

Reason: To ensure satisfactory provision of the development.

2. The car parking layout hereby approved and landscaping scheme shall be implemented in accordance with the submitted plan and landscaping planting plan set out on Drawing No 001 Rev B before the 30th December 2019. 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 achievement and long term retention of an appropriate quality of development and to comply with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

Further Information:

Richard Natt

Telephone: 023 8028 5345 (Option1)



New Forest DISTRICT COUNCIL

Tel: 023 8028 5000
www.newforest.gov.uk

David Groom
Service Manager
Planning and Building Control
New Forest District Council
Appletree Court
Lyndhurst
SO43 7PA

**Planning Development
Control Committee**
June 2019

Item No: 3h
Glasshouse Studios
Fryern Court Road
Burgate Fordingbridge
19/10291

Scale 1:1250

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

