

From: Arleta Miszewska
Sent: 07 June 2019 10:38
To: [REDACTED]
Subject: Budgens store, Blashford

Dear [REDACTED]

I am writing in response to your enquiry and I note you have received complaints from residents about anti-social behaviour.

I have now had a chance to review the planning history of the site to establish the presence of planning restrictions imposed on the use of the building as a store.

Planning records reveal that the store, together with the petrol filling station, was allowed on appeal in February 1994. At that time it wasn't considered necessary to restrict the use of the store, and in particular to limit the opening hours. Therefore, in terms of planning consent, the store operators are allowed to trade 24/7 without being in breach of planning controls.

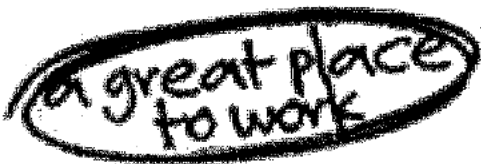
I trust this answers your query, however, please do not hesitate contacting me should you wish to discuss this further.

Kind regards,

Arleta Miszewska
Senior Development Management Officer
arleta.miszewska@nfdc.gov.uk
New Forest District Council
newforest.gov.uk
Tel: 023 8028 5588



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The Planning Inspectorate

An Executive Agency in the Department of the Environment and the Welsh Office

Room 1404
Tollgate House
Houlton Street
Bristol BS2 9DJ

Direct Line 0272-218927
Switchboard 0272-218811
Fax No 0272-218769
GTN 1374

file

Reinge Services Bristol
16 Clare Street
BRISTOL
BS1 1XY

Your Ref: WSS/93

Our Ref: T/APP/B1740/A/93/230752/P5

CONDITIONS DISCHARGED
2 Dat 5/5/94: 19/5/94

10 FEB 1994

SEE ALSO
MINOR AMENDMENT
REF: access width
DATE 23/3/95

Dear Sirs

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
APPEAL BY: WATSON PETROLEUM LIMITED
APPLICATION NO: 00052837

1. I have been appointed by the Secretary of State for the Environment to determine the above mentioned appeal against the decision of the New Forest District Council to refuse planning permission for the redevelopment of a petrol filling station on land at the Windmill Service Station, Salisbury Road, Blashford, Ringwood, Hants. I conducted a Hearing into the appeal on 2 February 1994.

2. The proposal before me is a full application to redevelop an existing petrol filling station in accordance with the details indicated in application Drawing No: WSS/93.1. From the evidence presented a petrol filling station and garage facility has existed on this site for over 30 years. On 27 September 1991 permission (Ref No: 00048096) was granted to redevelop the site in accordance with details indicated in Drawing No: WSS/91.1D. The proposal now before me is an alternative to that earlier scheme.

3. From all that I have seen, read and heard I consider the main issues in this appeal to be the effect of the proposal on 1. the character and appearance of the area and 2. the living conditions of nearby residents from noise and disturbance.

4. The provisions of the development plan drawn to my attention are included in the approved Hampshire County Structure Plan SP (which has recently replaced the former South West Hampshire Structure Plan) and the adopted Avon Valley Local Plan (LP). Those plans contain a framework of policies which require any new development to be itself of suitable design, to respect the character of the surroundings and the amenities of neighbours. The plans also include countryside policies which echo advice in Planning Policy



Guidance Note 7 *The Countryside and the Rural Economy* and indicate that in the countryside new development will not normally be permitted unless required for agriculture or other appropriate rural purposes.

5. The LP defines countryside as all land outside settlement boundaries identified in the Proposals Map. Although the appeal site lies outside any settlement boundary Policy EC1 of the SP and Policy CP.4 (v) of the LP indicate that limited extensions to existing industrial, commercial, business, institutional and office premises may be permitted where there would be no harm to interests of acknowledged importance.

6. Your client's scheme includes provision of a new forecourt canopy. The canopy would be about 5m high, 19.2m deep and 24m long. The existing canopy is smaller and only about 4.5m high. Furthermore the canopy approved in 1991 would be about 4.4m high x 22m deep x 13.5m in length. In the Council's view the proposed canopy, because of its height, length and prominent location near to Salisbury Road, A338, would be visually intrusive, especially having regard to the proximity of open countryside to the west.

7. This locality is identified as countryside in the local planning policies. Although there is open land to the west I observed the east side of Salisbury Road was characterised by built development. There was long established residential development to the north and south of the appeal site and the recently developed Headlands Business Park to the east. Most views of the proposed canopy along Salisbury Road would be oblique views from the side. From those views the length of the canopy would not be readily apparent and it would be seen against a background of built development. Views of the canopy from the countryside to the west would also be seen against the backcloth of the Business Park. The rear of the site, adjacent to the business park, would be screened by proposed landscaping. Having regard to those considerations, and the fact that the height of the canopy would be only about 0.5m higher than both the existing and its approved replacement, I conclude that the canopy would not harm the character and appearance of the area.

8. Turning to the second issue this scheme proposes a service road to the rear of the shop building at the south end of the site. That road would include a customer water and air tower. The Council, supported by some local residents, claims that service road and customer facility could increase existing background noise levels by about 10dB(A) and would give rise to noise nuisance, especially in the evening or night when traffic on the A338 would be light and background noise levels would be low.

9. I observed the site of the proposed customer water and air towers would be separated from nearby dwellings by the southern access road to the Headlands Business Park. This scheme also proposes new landscaping between the proposed

towers and the industrial access road. I consider those separating and screening features would avoid any significant nuisance to neighbouring residents from the operation of both the service road and the customer water and air facility. Furthermore your client would accept a similar restriction on the use of the towers to those hours of operation proposed for the car wash. That requirement could be achieved by a suitable condition. Those considerations lead me to conclude this proposal would not harm the living conditions of nearby residents from noise and disturbance.

10. I have considered the proposed access and egress arrangements for the petrol filling station but since they would be similar to those already approved, and I have no evidence of any objection to this scheme from the local highway authority on traffic grounds, I conclude existing conditions would not be worsened in those respects. Because I have found no harm to interests of acknowledged importance I consider this scheme meets the requirements of SP Policy EC1 and LP Policy CP.4(V).

11. It was agreed in the Hearing that conditions should be attached to any permission and I have considered these in the light of advice in Circular 1/85. In the interests of visual amenity I will require the further approval of details of external building materials together with effective implementation of the proposed landscaping scheme. To protect the local foul and surface water drainage systems against pollution I will require a scheme to safeguard against any harmful discharge of fuel or waste products from the site to be agreed with the local planning authority. Finally to safeguard residents from noise and disturbance I will limit the hours of operation of the proposed car wash and customer water and air towers.

12. I have taken into account all the other evidence presented and matters raised, together with all the written representations, but I have found nothing to affect the considerations that led to my decision.

13. For the above reasons and in exercise of powers transferred to me, I hereby allow this appeal and grant planning permission for the redevelopment of filling station at Windmill Service Station, Salisbury Road, Blashford, Ringwood, Hants, in accordance with the terms of the application (No 00052837) dated 19 August 1993 and the plans submitted therewith, subject to the following conditions:

1. the development hereby permitted shall be begun before the expiration of 5 years from the date of this letter.

2. details and samples of all external facing and roofing materials shall be submitted to and approved by the local planning authority before any development is commenced.

agreed →
5/5
19/5
15/7.

3. all planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and 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 and species, unless the local planning authority gives written consent to any variation.

4. details of a scheme to safeguard against any harmful discharge of fuel or any other oil or waste products from the site shall be submitted to and approved by the local planning authority before any development is commenced. The approved scheme shall be implemented before the use of the development hereby permitted is commenced and thereafter retained.

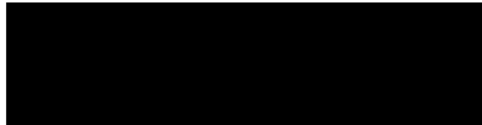
5. the car wash and customer water and air towers shall only be used between the hours of 07.00 and 22.00.

14. An applicant for any consent, agreement or approval required by a condition of this permission has a statutory right of appeal to the Secretary of State if consent, agreement or approval is refused or granted conditionally or if the authority fail to give notice of their planning decision within the prescribed period.

15. The developer's attention is drawn to the enclosed note relating to the requirements of the Building Regulations 1991 with respect to access for disabled people.

16. This letter does not convey any approval or consent which may be required under any enactment, bye-law, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

Yours Faithfully,



FRANCIS FARRIMOND DipTP MRTPI
Inspector

APPEARANCES

FOR THE APPELLANT

- Mr Paul Reinge - Reinge Services, Bristol,
16 Clare Street, Bristol,
BS1 1XY.
- Mr Gordon Puttick DFS MRTPI - "

FOR THE LOCAL PLANNING AUTHORITY

- Miss S Banks BTP MRTPI - Planning Officer, New
Forest District Council.

INTERESTED PERSONS

- [REDACTED] - [REDACTED] ty
- [REDACTED] - [REDACTED]
- [REDACTED] - [REDACTED]
- [REDACTED] - [REDACTED]

DOCUMENTS

- Document 1 - List of persons present at the Hearing.
- Document 2 - Copy of Council's letter of
notification of appeal, dated 4 January
1994, and list of persons notified.
- Document 3 - Copy of extract from South West
Hampshire Structure Plan.
- Document 4 - Copy of extract from The Hampshire
County Structure Plan.
- Document 5 - Copy of extract from Avon Valley Local
Plan.

Ref No: T/APP/B1740/A/93/230752/P5

- Document 6 - Survey of daily air tower usage at selection of local petrol filling stations.

PLANS

- Plan A - The application plan, drawing No: WSS/93.1
Plan B - Site location plan, scale approx. 1/5000.
Plan C - Plan of redevelopment scheme for appeal site approved in 1991, drawing No: WSS/91.1D.
Plan D - Comparative views from south of approved and proposed redevelopment schemes.
Plan E - Comparative views from west of existing, previously approved and proposed redevelopment schemes.

PHOTOGRAPHS

- Photograph 1 - 6 views of appeal site from Salisbury Road and accompanying plan indicating positions from which photographs were taken.