

**Application Number: 20/10336** Full Planning Permission

**Site:** ESSO SPORT & RECREATION CLUB, 179-181 LONG LANE,  
HOLBURY, FAWLEY SO45 2PA

**Development:** New changing room pavilion; demolish the existing club building;  
community garden and new car parking layout; landscaping

**Applicant:** Esso Petroleum Co. Ltd

**Agent:** ExxonMobil Engineering Europe Ltd

**Target Date:** 22/06/2020

**Case Officer:** Arleta Miszewska

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## **1 SUMMARY OF THE MAIN ISSUES**

The key issues are:

1. Principle of development
2. Impact on the character and appearance of the area
3. Impact on provision of community facilities
4. Impact on the non-designated heritage asset
5. Impact on residential amenity
6. Impact on highway safety
7. Impact on community safety
8. Impact on ecology
9. Other matters

This application is to be considered by Committee because of the number of representations received, both for and against the proposed development.

## **2 SITE DESCRIPTION**

The application site is located on the south-western side of Long Lane, just opposite the Fawley Refinery. The site benefits from two vehicular access points from the service road running alongside Long Lane. The frontage of the site is bounded by a hedge, behind which is a large car park spreading alongside the entire frontage. Behind the car park hard-surfaced area is located the Waterside Sports and Social Club building. The building accommodates a pavilion, a club house and a theatre/cinema. The building is mainly single storey with the element facilitating the theatre/cinema being of two storey height. Behind the building is a large open space which accommodates, inter alia, tennis courts, a football pitch and ancillary outbuildings of temporary lightweight construction.

The south-eastern and part south-western boundary of the site is bounded by residential gardens of properties located alongside Southbourne Avenue and in Wedgewood Close. The north-western and western boundary abuts school playing fields and associated buildings.

The applicant has confirmed that the Waterside Sports and Social Club building was built around 1951 to serve the Fawley Refinery staff. Since the second half of 2017, the building has been leased to the Holbury Community Sports Association Limited which make use of the sports fields and which did make use of the standalone changing room area within the main building until it was badly vandalised. The theatre/cinema was last used in November 2016.

In planning policy terms, the application site is located within a built-up area. The land occupied by the sports fields is designated as Private/Education Recreational Land.

### **3 PROPOSED DEVELOPMENT**

The application seeks planning permission for the demolition of the Waterside Sports building and the provision of:

- a) A new building to be located near the north-western boundary of the site, between existing tennis courts and a football pitch. The building would be single storey and would accommodate changing rooms, showers, kitchen, a bar, plant room, and a "main room".
- b) A picnic lawn/community garden to replace the building to be demolished.
- c) An altered car parking layout fronting onto Long Lane and associated landscaping.

### **4 RELEVANT PLANNING HISTORY**

20/10134 – Temporary welfare cabins including changing rooms, showers and toilet facilities, cabins to be located on the perimeter of the current sports field. Granted temporary permission. 29/07/2020.

19/10748 – 8 portable cabins for use as changing room facilities and meeting/office room (retrospective application), Granted temporary permission. 10/09.2019

18/10190 - Outbuilding (Lawful Development Certificate that permission is not required for proposal), 18/04/2018, Was Not Lawful

16/10033 - Floodlights (Screening Opinion), 17/02/2016, EIA not required

14/10601 – Outbuilding, 09/07/2014, Granted Subject to Conditions

13/10780 Continue siting of storage container for football/sports equipment, 30/09/2013, Grant Temporary Permission

11/97338 - Siting of portable cabin, 05/09/2011, Grant Temporary Permission

10/95260 - 3 portable cabins, 26/04/2010, Granted Subject to Conditions

### **5 PLANNING POLICY AND GUIDANCE**

#### **Local Plan Review 2016-2036 Part One: Planning Strategy**

Policy STR1: Achieving sustainable development

Policy STR3: The strategy for locating new development

Policy STR8: Community services, infrastructure and facilities

Policy ENV3: Design quality and local distinctiveness

Policy CCC1: Safe and healthy communities

Policy CCC2: Safe and sustainable travel

**Core Strategy (saved policy)**

CS7: Open spaces, sport and recreation

**Local Plan Part 2: Sites and Development Management (saved policies)**

Policy DM2 Nature conservation, biodiversity and geodiversity

Policy DM5 Contaminated land

Policy DM8 Protection of public open space, private playing fields and sports grounds and school playing fields

**Supplementary Planning Documents:**

Car Parking Standards (SPD)

**Relevant Legislation**

Section 38 Development Plan

Planning and Compulsory Purchase Act 2004

**Relevant Advice**

National Planning Policy Framework

**6 PARISH / TOWN COUNCIL COMMENTS****Fawley Parish Council, Gang Warily Community Centre**

We recommend permission with the following comments:

FPC considers it regrettable that a larger building cannot be provided to allow space for community activities.

These comments relate to the scheme as proposed.

1. FPC requires that any temporary buildings on the site be removed within 3 months of the new building being opened. This should be a condition of approval.
2. Access between the community area, car parking, etc. should be controlled by fencing and gate (s).
3. Consideration should be given to raising the height of the roof section at its lowest point by the main door to the pavilion; to reduce the ease of access to the roof. This is based on known police complaints locally of youths climbing on roofs and causing damage to their current building and nearby schools which have low roof lines.
4. In connection with the proposals for improving traffic flow along the A326 <https://www.hants.gov.uk/transport/transportchemes/a326southfawleywaterside> FPC has discussed informally with Esso and Fawley Waterside Ltd. the possible provision of a bus lay-by situated off Long Lane in front of the existing theatre. This lay-by could be constructed as part of the development of the car park in this scheme by diverting the service road to make room for the lay-by. This would help remove the current delays caused by the buses stopping on Long Lane and help traffic movements now and in the future.
5. FPC assumes that the planning officers will comment on the proposed building layout and in particular the bar size and layout which seems inadequate.

6. FPC requires that when the Method Statement covering demolition is approved by NFDC that it is strictly enforced to safeguard neighbouring residents.

## 7 COUNCILLOR COMMENTS

No comments received

## 8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

**Health and Safety Executive** – advises against.

**Environment Agency** – no comments received.

**Theatres Trust** – objects. Loss of non-designated heritage assets; building should be retained and adapted to better meet the needs; development is against Paragraph 92 of the NPPF (2019): planning decisions to plan positively for community facilities including cultural buildings and to guard against unnecessary loss.

**HCC Highways** – no objection in principle - the proposal is not likely to increase the number of trips; no detriment to the operation and safety of the local highway network. It is required that there is adequate space for vehicles to turn on site and therefore access and egress the site in forward gear. No changes to access arrangements. Car parking not assessed – up to NFDC but no formal car parking layout submitted.

**NFDC Environmental Health (Contaminated Land)** – no objection in principle subject to a condition to ensure asbestos, hydrocarbons & other contamination is appropriately managed. The proposed use of the land where the building is currently located is stated for a 'community garden', the definition of which is not included in the application. It implies a use similar to an allotment (therefore growing produce to be consumed) and in which case there are stringent levels of potential contaminants in the soil that must not be exceeded, including the presence of asbestos fibres. The fabric of the building is stated to contain asbestos material and there is potential for contamination of the soil during demolition.

**NFDC Environmental Health (Pollution)** – no objection in principle. To control noise and dust during demolition and construction, the following condition is recommended:

*Construction works (including demolition) shall be undertaken in accordance with the Method Statement (ref: MS391-19) and Demolition Statement (ref: 120-0215669-01- 020-000115\_B001) and shall not take place outside 08:00 hrs to 18:00 hrs Mondays to Fridays and 08:00 hrs to 13:00 hrs on Saturdays and not at any time on Sundays or Bank Holidays. No waste shall be burnt.*

**NFDC Building Control** - no objection to the proposed development and the associated method of demolition.

**NFDC Conservation** – objects to demolition of the building which is considered to be a non-designated heritage asset.

**NFDC Crime Prevention Design Advisor** – no comments received.

**NFDC Community Safety Coordinator** – no comments received.

**Southern Water** - a formal application for a connection to the public foul sewer would be required. Should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site. An Informative is required.

**Southern Gas Network** – comments only.

## 9 REPRESENTATIONS RECEIVED

The application attracted 26 objections, 118 comments of support and 3 letters of general comments. Matters raised are as follows:

### Against:

**Loss of community facilities:** loss of theatre; there is no other cultural activity spot within the surrounding area; both the sports, social and cultural aspects of the site should be restored not just the sports aspect; will ruin the ability for future generations to revel in the arts of amateur dramatics; the application totally fails to address how the cultural facilities are to be replaced; there is no suitable venue that can serve as a theatre in the NFDC area; helped youngsters overcome struggles with social situations; It is the only space of its kind between Southampton and Christchurch: a community facility like no other; existing facilities should be refurbished; theatre would draw in a range of age groups and be a focal point for community growth; some kind of performing arts facility should be included in the new plans; there is a large population of older people who are unable to travel far for entertainment and who are unable to participate in Sports events; We don't need another place that's solely for sport; the majority of our audience are from the local area; A garden sounds lovely but in the winter barely used and not at all after dark, but a hall big enough to house cultural events could once again become a hub for activity in the area providing a local focus rather than having to travel into Southampton; a multi-purpose building which could be used as a theatre is needed; not everyone engages with sport; The current building, while in great need of replacement, provides space and facilities for many difference functions and for entertainment. The proposed facilities provide nothing, in comparison to these and will be of continuing detriment to the local area; a community space or hall where performances can take place and which other groups can use for rehearsals is needed.

**Demolition:** removal of asbestos is a safety concern.

**The Waterside Musical Society** have felt concerned over the lack of a venue for the performing arts and its impact on the local community; proposed development could mean the closure of the society, and a significant void in the local area for the performing arts; Although we can see that the building is beyond economic repair, we urge you to consider that the redevelopment of the site includes a community hall with space to perform. In this way, we may be able to perform concerts at the venue and continue to bring the performing arts to Waterside audiences. In turn, this will further support the local community by bringing other groups to the area enabling them to perform, broadening the cultural appeal of the Waterside.

**Other:** Will there be a security fence between new car park /community garden and Playing fields to keep people other than Holbury sports association members out?; potential for anti-social behaviour; existing facilities should be refurbished; there's demand for theatre productions.

For:

**Provision of facilities:** will enable all the clubs to continue to grow; it will be a real asset to all the community; will enable many in the area to learn and develop sporting and social skills in a safe environment; the sports ground and facility are a huge part of our community; a fantastic proposal for the use of the now disused site; the cinema has not been used for decades, this will give many people pleasure in the gardens; will benefit the community for many years to come; will bring in revenue for local businesses; improve the health, fitness and wellbeing of our local community.

**Condition of existing buildings:** old building has become an eyesore and a regular target for vandals; happy to see they are being removed; removing the buildings at the front to create a landscaped area is great to help the visual aspect of the area.

**Other:** The theatre served its purpose when it was originally built, but since the cinema development is within easy reach of Southampton this facility has been redundant.

## 10 PLANNING ASSESSMENT

### Principle of development

The application site is located within an urban area where built development is supported in principle. Therefore, the development consisting of re-development of this sports and recreational site is considered acceptable subject to compliance with other relevant planning policies as set out above.

### Impact on the character and appearance of the area

Policy ENV3 (Design quality and local distinctiveness) states 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. The Policy requires, inter alia, that new buildings are sympathetic to the environment and their context in terms of layout, landscape, scale, height, appearance and density and in relationship to adjoining buildings, spaces and landscape features.

The proposed pavilion, due to its scale and siting away from public vantage points, would have limited impact on the character and appearance of the surrounding area. Its detailed design is reflective of its purpose. Therefore, it is considered to be contextually appropriate to its location.

The Fawley Parish Council has commented that, in terms of internal layout, the bar size and layout seem inadequate. However, it is noted that the building has been designed for the Holbury Community Sports Association Limited which makes use of the site, and no representation from the Association or its members have been received raising concerns over the proposed internal layout or the size of the bar. The internal layout of the building is not considered to be a matter that will cause planning harm.

It has also been suggested by the Fawley Parish Council that the low roof of the pavilion may attract local youths to climb on it as reported by the Police on other sites. It has been also suggested that the access between the community area, car parking, etc. should be controlled by fencing and gates. The NFDC Crime Prevention Design Advisor and the NFDC Community Safety Coordinator were

consulted on the proposed developments and no comments were made. Nevertheless, the design of the proposed pavilion is typical of a building of this purpose and context. The site benefits from a good degree of natural surveillance and requesting further measures to ensure safety of this site is not considered to be reasonable. Therefore, there is no justification to request that the roof height is redesigned to prevent anti-social behaviour or that further enclosures are added within the site.

### **Impact on provision of community facility**

Policy STR8 (Community services, infrastructure and facilities) plans against development that involves the loss of social and other community services, unless the use of the site or building is redundant, or the service will be provided in another way.

Policy CS7 (Open spaces, sport and recreation) also plans against development that involves the loss of a sport, recreation or play facility except where it can be demonstrated that alternative facilities of equal or better quality will be provided in an equally accessible location as part of the development.

Finally, Policy DM8 (Protection of public open space, private playing fields and sports grounds and school playing fields) states that development will not be permitted on public open spaces, private recreation land/playing fields/sports grounds and school playing fields. However, the Policy allows for a small-scale development of ancillary facilities to enhance the recreational use of these areas. The proposed development involves the provision of a sports pavilion to be located on land designated as a private/education recreational land, leading to a loss of this space. The Pavilion would accommodate changing rooms, showers, kitchen, bar as well as an area defined as a "main room". The facilities provided within the pavilion are necessary for the proper and more efficient use of the playing fields. Therefore, it is considered that the pavilion would be beneficial to the use of the space, making the site a more attractive sports facility for the local community. Moreover, due to its modest footprint, the pavilion would not result in the loss of a significant proportion of the open space, nor would the loss of a part of the open space compromise its function and future potential.

The floorplan of the existing building proposed to be demolished shows that the building accommodated a pavilion, a club house and a theatre/cinema. The proposed pavilion would not provide a space that could facilitate theatre performances or cinema screenings in a similar manner to the existing building. The strength of opposition to the loss of the theatre facility, including the objection from the Theatres Trust, is noted. In particular, the Theatres Trust response provides a detailed description of the relevant facilities provided in the building, which include a full-height fly tower, along with a cinema screen, a flat-floor to allow for dances and other functions. It is also noted that the theatre was used by local amateur groups, as well as by companies and individuals for classes, events and functions.

The applicant has confirmed that the theatre ceased its use in late 2016 and has not been used since. From 2017, the building has been leased to the Holbury Community Sports Association Limited which make use of the sports fields and initially made use of the standalone changing room area within the main building until it was badly vandalised. The planning history of the site shows that in 2019 and 2020 temporary planning permissions were granted for the siting of portable cabins which provided changing rooms, showers and toilet facilities during sports seasons. It is clear that the building has been closed for some time. The theatre/cinema use ceased in late 2016 and the remaining parts of the building were no longer deemed adequate for their use since at least 2019. From the representations received, it is

apparent that the building, and in particular the theatre, when in operation was a valued community facility.

Whilst third party comments suggest that the retention of the building and its adaption to better meet the needs would be a better solution, this solution is not part of the proposed development. The building is in a state of disrepair and was also subject to vandalism. It is clear that, due to the poor condition of the building, significant funds would be required to refurbish the building to a useable condition, and there is no evidence of any community groups or other interested parties willing to undertake this project.

The proposed development consists of a pavilion which would predominantly provide facilities necessary to support the use of the open space as playing fields by the local community. Without these facilities, the existing site cannot be used to its full potential. There is a strong support from the local communities for the provision of the pavilion.

In light of the above, as the theatre closed about 4 years ago, the proposal would not result in a loss of existing operational cultural facility. The proposed pavilion would replace the existing building and would enable the use of the sports fields in the future to the benefit of the local communities. Therefore, it is considered that the proposed development is in accordance with the adopted local policies as set out above and the aims of paragraph 92 of the NPPF (2019).

### **Impact on the non-designated heritage asset**

Paragraph 197 of the NPPF (2019) states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required, having regard to the scale of any harm or loss, and the significance of the heritage asset. Both the NFDC Conservation Officer and the Theatres Trust object to the demolition of the building on the basis of a loss of a non-designated heritage asset.

The NFDC Conservation Officer highlights that the building is *a well-designed historic structure and makes a positive contribution to the character and history of the area. Its refined brickwork, symmetrical design and elegant window proportions all make a notable architectural contribution to the local context. While other types of these facilities could be described as functional, the well-crafted design and robust proportions of this particular building raise its importance as a local non designated heritage asset.*

The application proposes the complete demolition of the building, which would amount to a substantial harm. This has to be weighed against any public benefits appropriately.

The public benefits to the local community have been extensively highlighted in the representations supporting the proposed development. It has been suggested that the development will enable all the involved sports clubs to continue to grow, it will be an asset to the whole community, it will allow many in the area to learn and develop sporting and social skills in a safe environment, etc. The sports grounds and facilities are seen as an important part of the community and the proposed development would enable the use of the now disused site that would benefit the community for many years to come. The community gardens would give many people a valuable amenity contributing to the health and well being of the residents of the area. The opportunity to improve the health, fitness and wellbeing of the local community is seen as a benefit. These social benefits highlighted by the local



community themselves attract great weight in favour of the proposed development. In planning policy terms, the development would enable the continued and more efficient use of the recreational land in an area where alternative facilities do not exist that could adequately meet the local community's need for sports and recreation and where relevant planning policies support the provision and improvement of such facilities. This attracts substantial weight in favour of the proposed development.

In terms of economic benefits, the proposed development would introduce an investment into the site following a period of underinvestment and decline. This attracts limited weight in favour of the proposed development.

The NFDC Conservation Officer supports the refurbishment and adaptation of the building, in light of the fact that there is sufficient evidence to demonstrate that this would be a more sustainable alternative which would produce greater environmental benefits than demolition and construction of a new building. However, as this is not a realistic and feasible alternative, the environmental benefit of retaining the building attracts limited weight against the proposed development.

The use of the site for a community garden would also benefit and enhance the local biodiversity. The new pavilion, subject to condition, would offer an opportunity for installation of bird and/or bat boxes which would benefit wildlife. The improvement of the ecological value of the site through the proposed development also attracts weight in favour of the proposed development.

Finally, a significant proportion of the representations in favour of this development also supports the demolition of the building, which has recently become a target of anti-social behaviour. This attracts some weight in favour of this proposed development.

In light of the above, it is considered that whilst the loss of the building would be regrettable, the benefits outlined above outweigh the harm caused by the complete demolition of the building. Subsequently, the proposed development is considered acceptable in terms of requirements specified in paragraph 197 of the NPPF (2019).

### **Impact on residential amenity**

Policy ENV3 (Design quality and local distinctiveness) requires development to be designed 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. In this case, the proposed development would be located within an established sports/recreational site and the proposed pavilion would be located a sufficient distance away from the nearest residential properties not to cause any demonstrable harm to their light, outlook or privacy. The pavilion would facilitate an existing use and it would not cause harm in terms of noise or light pollution. The creation of the community garden and the altered car parking arrangement do not raise concerns over impact on residential amenity.

The application proposes the demolition of the existing Waterside Sports and Social Club building. Given the proximity of the development to residential properties, if permission is granted there should be a condition controlling noise and dust emissions arising from the demolition and construction stages.

In light of the above, it is considered that the proposed development would not cause unacceptable adverse impacts on the residential amenities of the nearby properties as safeguarded by Policy ENV3.

### **Impact on highway safety**

The aim of Policy CCC2 (Safe and sustainable travel) is to achieve a safe site access, to ensure that development has no adverse impact on the capacity and safety of the transport network and to provide sufficient car and cycle parking. The proposed development involves the provision of a changing room pavilion, a community garden space and an altered car parking arrangement. The access to the site would remain as existing, from the service road running alongside Long Lane (A326).

Hampshire County Council as the Local Highway Authority has commented that the proposal is not likely to increase the number of trips to and from the site over and above its extant use. Therefore, the Highway Authority would consider the proposals to not be of detriment to the operation and safety of the local highway network. The submitted plans do not provide sufficient details of the proposed car parking layout and the movement of vehicles within the site. A detailed car parking layout plan showing adequate space for vehicles to turn on site and therefore access and egress to and from the site in a forward gear is recommended to be secured by a pre-commencement condition.

The Fawley Parish Council has commented that:

*In connection with the proposals for improving traffic flow along the A326 FPC has discussed informally with Esso and Fawley Waterside Ltd. the possible provision of a bus lay-by situated off Long Lane in front of the existing theatre. This lay-by could be constructed as part of the development of the car park in this scheme by diverting the service road to make room for the lay-by. This would help remove the current delays caused by the buses stopping on Long Lane and help traffic movements now and in the future.*

However, the submitted application does not propose such works and the Policy CCC2 (Safe and sustainable travel) states that new development would be required to provide or contribute proportionately to the provision of, any highways or public transport measures necessary to enable the development to be accommodated in a safe and sustainable manner. In this case, the Highway Local Authority has commented that the development would not be of detriment to the operation and safety of the local highway network and therefore there is no policy justification to request that a lay-by is constructed for purposes suggested in the comments.

### **Impact on community safety**

Policy CCC1 (Safe and healthy communities) states that development should not result in pollution or hazards which prejudice the health and safety of communities and their environments.

The application site is located within the inner, middle and outer Health and Safety Executive Consultation Zones. However, the HSE does not advise against the proposed pavilion, however, advises against the proposed community garden and revised car parking arrangement. Given the capacity of the existing building on site, which significantly exceeds the likely capacity of the community garden and the car parking, Health and Safety Executive has been contacted separately and further comments are awaited. However your officers are of the view that the proposed demolition of the existing building and its replacement with a community garden and car park will generate less activity than the existing position and therefore is less risk.

The proposed use of the land where the existing building is currently located is to be used as a community garden. There are stringent levels of potential contaminants in the soil that must not be exceeded, including the presence of asbestos fibres. The fabric of the building is stated to contain asbestos material and there is potential for contamination of the soil during demolition. The NFDC Contaminated Land Officer does not raise objection to the application subject to the imposition of a relevant condition to avoid any risk to human health and/or the environment.

There are no Environment Agency flood zones on the application site. However, the New Forest Strategic Flood Risk Assessment indicates there are pockets of land to be at risk (1 in 100 years) of surface water flooding. The Environment Agency has been consulted on the proposal. However, no comments have been made.

It is noted that the proposed development involves demolition of existing buildings which would be replaced with a smaller building. The existing building would largely be replaced with a space not covered with hard-surfacing and which would facilitate natural surface water disposal. Therefore, on balance, it is considered that as the proposed development would reduce the site's coverage with hard surfacing, the application would not increase the risk of surface water flooding on the application site or elsewhere.

Some concerns have been raised over the safe disposal of asbestos during demolition. However, this is controlled by other legislation and the HSE regulations will have to be complied with. Therefore, this concern cannot give grounds to refusing this application.

In light of the above, the proposed development, subject to conditions, is considered acceptable in terms of impact on community safety.

### **Impact on ecology**

Policy STR1 (Achieving sustainable development) requires development to achieve an environmental net gain. Policy DM2 (Nature conservation, biodiversity and geodiversity) requires development to incorporate features to encourage biodiversity and retain and, where possible, enhance existing features of nature conservation value.

The application site is used for sports and recreational purposes and its size exceeds 6ha. However, the size of the proposed development is much smaller. As such the Biodiversity Metric would not be required in this case. However, the requirement to deliver biodiversity net gain as a part of the development would be applicable. As the majority of the site is used for playing fields, the opportunity for wildlife enhancement would be limited. However, the proposed pavilion could accommodate bird and/or bat boxes and the proposed landscaping scheme could include native trees and other native planting. Such measures would be appropriate for an application of this scale.

Furthermore, the potential impacts of the demolition on bats have been assessed. Taking into account the urban location of the site, the age of the building, its predominantly flat roof construction and the open structure of the roof of the two storey element of the building, it is considered that the likelihood of bats using the building is negligible.

In light of this, the proposed development is considered acceptable in terms of impacts on ecology, subject to a condition securing details of biodiversity protection and enhancement.

## **Other matters**

The Parish Council requested that any temporary buildings on the site be removed within 3 months of the new building being opened. At the time of a visit to the site, there were no temporary buildings on site. Any buildings which benefit from a temporary planning permission would have to be removed in accordance with the conditions of such a permission. In accordance with the last permission for temporary buildings on this site, these will have to be removed once the proposed pavilion is erected (or before 21<sup>st</sup> July 2025).

The Parish Council also requires that the Method Statement covering demolition is strictly enforced to safeguard neighbouring residents. Any non-compliance with the approved Method Statement would constitute a breach of planning condition that can be enforced by the planning department.

## **11 CONCLUSION**

The application has been considered against all relevant material considerations including the development plan, relevant legislation, policy guidance, government advice, and the views of interested consultees and 3<sup>rd</sup> parties. The application gives rise to a number of different considerations but, for the reasons set out above, the planning balance on this occasion is for approval.

## **12 OTHER CONSIDERATIONS**

None

## **13 RECOMMENDATION**

Delegated Authority be given to the Chief Planning Officer to **GRANT PERMISSION** subject to:

- i) notification to the HSE that the Local Planning Authority is minded to approve the application and allowing 21 days from that notice period for the HSE to give further consideration to the matter, including whether to request the Secretary of State for Communities and Local Government to call-in the application
- ii) the imposition of the conditions set out below.

### **Proposed Conditions:**

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

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

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

000111 EXISTING SITE PLAN; 000112 PROPOSED SITE PLAN  
000110 REFINERY PLOT; 000113 CONCEPTUAL IMAGES PLAN  
000114 EXISTING FOUL DRAINAGE PLAN  
5942-WLA-ZZ-GF-DR-A-0200 GROUND FLOOR PLAN  
5942-WLA-ZZ-XX-DR-A-0111 SITE PLAN  
5942-WLA-ZZ-XX-DR-A-0112 CONCEPT SKETCHES  
5942-WLA-ZZ-XX-DR-A-0300 ELEVATIONS

Reason: To ensure satisfactory provision of the development.

3. No development shall take place until scheme for biodiversity protection and enhancement has been submitted to and approved in writing by the local planning authority. The measures agreed shall be implemented as part of the development and maintained thereafter.

Reason: To enhance existing features of nature conservation value within the site in accordance with DM2: Nature Conservation of the Local Plan Part2: Sites and Development Management.

4. Construction works (including demolition) shall be undertaken in accordance with the Method Statement (ref: MS391-19) and Demolition Statement (ref: 120- 0215669-01- 020-000115\_B001) and shall not take place outside 08:00 hrs to 18:00 hrs Mondays to Fridays and 08:00 hrs to 13:00 hrs on Saturdays and not at any time on Sundays or Bank Holidays. No waste shall be burnt on site.

Reason: To protect amenity of nearby residential properties.

5. Before development hereby approved commences, a car parking plan showing car and cycle spaces together with adequate space for vehicles to turn on site should be submitted to and approved by the local planning authority. The car park and cycle parking shall be constructed, made available for use and thereafter retained for use by visitors to the pavilion in accordance with the approved details prior to the pavilion first being brought into use.

Reasons: In the interest of highway safety and to provide adequate on site parking

6. During any site clearance, removal of floor slab and foundation excavations a suitably qualified contaminated land consultant shall carry out a watching brief with regards to asbestos, hydrocarbons and any other ground contamination. In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority, a strategy must then be submitted to the local planning authority for approval and further site clearance must be carried out in accordance with the approved details.

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 water, 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 Review 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).

7. Before development commences 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 Review 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

8. 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. 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 Review 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

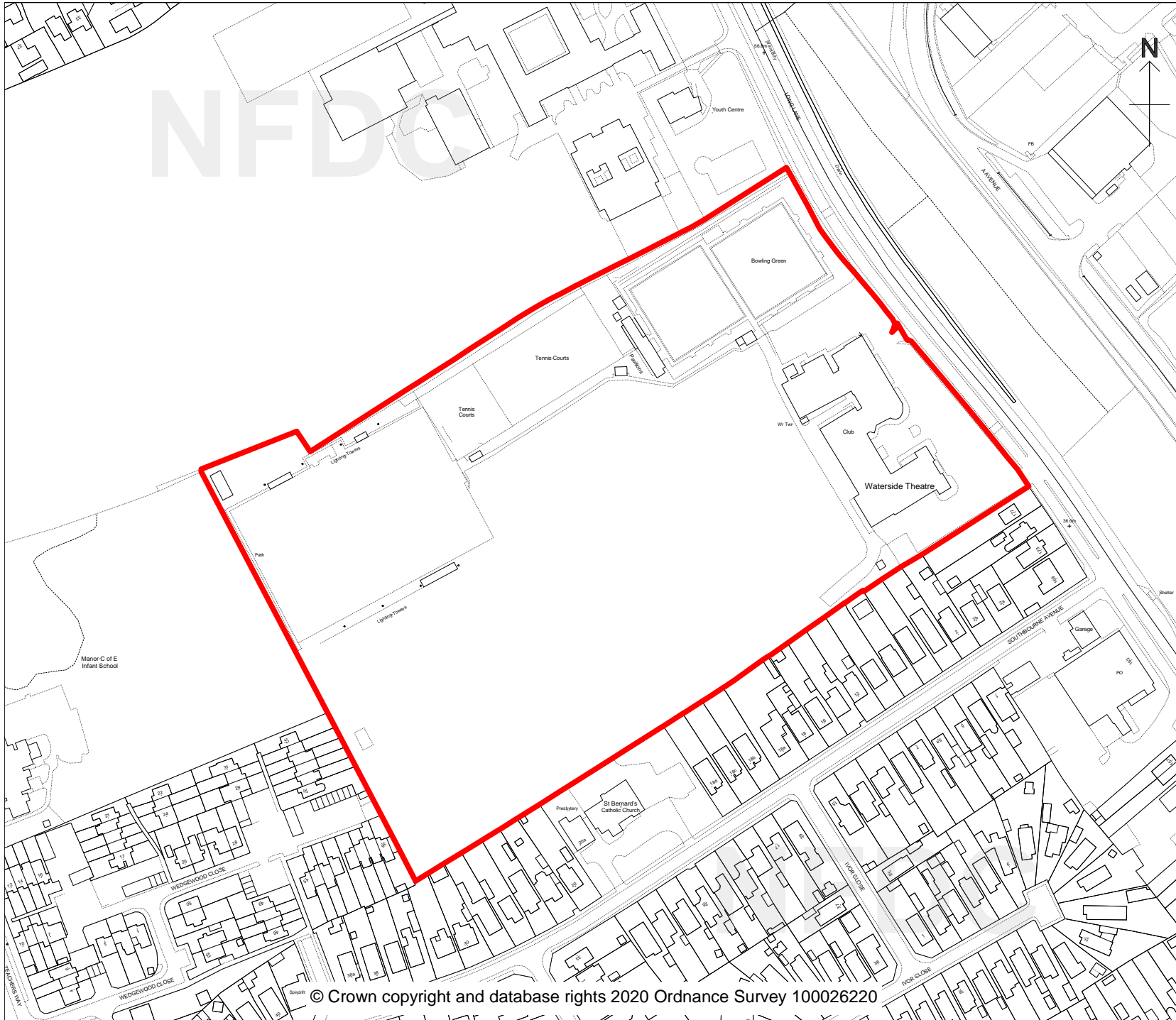
9. All external works (hard and soft landscape) shall be carried out in accordance with the approved plans and details within one year of commencement of development unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the achievement and of an appropriate quality of development and to comply with Policies ENV3 and ENV4 of the Local Plan Review 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

**Further Information:**

Arleta Miszewska

Telephone: 023 8028 5435



# New Forest

DISTRICT COUNCIL

Tel: 023 8028 5000  
[www.newforest.gov.uk](http://www.newforest.gov.uk)

Claire Upton-Brown  
 Chief Planning Officer  
 Planning  
 New Forest District Council  
 Appletree Court  
 Lyndhurst  
 SO43 7PA

## PLANNING COMMITTEE

**November 2020**

Esso Sport & Recreation Club  
 179-181 Long Lane  
 Holbury SO45 2PA  
 20/10336

Scale 1:2500

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