

Application Number: 20/11208 Full Planning Permission

Site: LAND OFF HOPCLOVER WAY, FORMERLY LAND AT,
CROW ARCH LANE, RINGWOOD BH24 3DZ
(PROPOSED LEGAL AGREEMENT)

Development: Use of Buildings B, C, D & E classes E & B8 Class

Applicant: New Forest District Council

Agent: Boyle & Summers LTD

Target Date: 05/01/2021

Case Officer: Jim Bennett

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

1. The principle of development
2. Impact on residential amenity of adjacent neighbouring properties, in respect of light, visual intrusion, disturbance and privacy
3. Impact on highway safety, including matters relevant to car parking;
4. Impact on provision of economic development opportunities and employment floorspace;

This application is considered by Committee at the discretion of the Executive Head of Planning, Regeneration and Economy in the interests of transparency, the applicant being NFDC.

2 SITE DESCRIPTION

The wider site was formerly in agricultural use, but much of it has recently been developed for residential use (Beaumont Park). The site is accessed from Crow Lane to the east, via an existing access road for the residential development. The site is now bound by open space and residential development to the east and by residential development (Hightown Gardens) to the north. To the south it is bound by the site of a proposed care home and the Castleman Trail. To the west it adjoins Endeavour Business Park, Hightown Industrial Estate and Crow Arch Lane Industrial Estate. The site is allocated by Policy RING3 of the Local Plan Part 2 for up to 150 dwellings, up to 5 hectares of employment land and a minimum of 3.4 hectares of public open space.

3 PROPOSED DEVELOPMENT

The proposal relates to 4 no. employment buildings (B, C, D and E) approved under outline ref. 13/11450 and reserved matters ref. 17/11358 for B1 (light industrial and office purposes), along with development of 196 houses. The employment buildings are as yet unimplemented, but the proposal seeks the addition of B8 (storage and distribution) use for the buildings to give the applicant (NFDC) more flexibility in seeking end users. The application would retain the B1 (light industrial/office) use,

recently re-classed under Class E of the Use Classes Order. Put simply the proposal seeks permission to utilise the four buildings for light industrial, office and storage and distribution purposes.

The layout, design and appearance of the proposed 4 no. employment buildings subject to this application site are exactly the same as previously approved under application ref. 17/11358. Units A, F and G are not affected by this application.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
20/11148 Development of site to provide a new care home (Use Class C2) and associated access, car and cycle parking, landscaping and amenity space provision.		Pending decision	
20/11209 Development of 1 no. employment unit (Building A) use class E and B8; 2 employment units (Building F and G) use class E.		Pending decision	
17/11358 Final Phase (2/3); development comprised of a care home (Use Class C2); flexible business units (Use Class B1), 113 dwellings (Use Class C3), public open space, associated parking; landscaping; internal access arrangements and ancillary infrastructure (details of appearance landscaping, layout and scale associated with development granted by outline permission 13/11450).	26/11/2018	Granted Subject to Conditions	Decided
13/11450 Mixed development of up to 175 dwellings (Use Class C3); up to 1.5 hectares of small employment (Use Classes B1 & B2); nursing home (Use Class C2); child nursery (Use Class D1); hotel / pub / restaurant (Use Class C1); fitness centre (Use Class D2); retail / professional services / restaurant (Use Class A1/ A2/ A3); open space areas; allotments; accesses on to Crow Lane and Crow Arch Lane; estate roads; footpaths; cycle ways; foul & surface water infrastructure (Outline Application with details only of access)	10/10/2014	Granted Subject to Conditions	Decided

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Policy ECON1: Employment Land and development
 Policy STR1: Achieving Sustainable Development
 Policy STR3: The strategy for locating new development
 Policy STR4: The settlement hierarchy
 Policy IMPL2: Development standards

Local Plan Part 2 Sites and Development Management Development Plan Document

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

National Planning Policy Framework

Supplementary Planning Guidance

Parking Standards SPD (NFDC 2012)

Plan Policy Designations and Constraints

Built-up area
Allocated Site - RING3
Cycleway Improvement
Archaeological Site
Avon Catchment Area

6 PARISH / TOWN COUNCIL COMMENTS

Ringwood Town Council - P(1) Recommend permission, but would accept the Planning Officer's decision.

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

Environmental Health Contaminated Land - site investigation reports previously submitted concerning this land resulted in no remediation being required for the proposed use. The report detailed the ground gas monitoring results for this site which concluded that the site requires no gas protection measures in buildings. No objections.

Environmental Health (Pollution) - the development already benefits from a B1 use class (now class E) and seeks to diversify the use of some of the buildings to include a B8 use for storage and distribution operations. The site has a close relationship with residential properties to the North and East and therefore noise arising from any outside storage and/ or deliveries/ collections occurring during anti-social times of the day is a potential concern. It is noted that no acoustic information has been provided in support the application. Such concerns could be sufficiently addressed by the imposition of conditions prohibiting any outside storage and the restriction of deliveries/ collections to within less sensitive times of the day (e.g. 23:00hrs to 07:00hrs). Should this not be possible then we would recommend a noise impact assessment is carried to evaluate the significance of any potential impact and determine what level of mitigation is required to control noise.

HCC Highways - For 16.5m. long artic manoeuvres there is occasion of overhanging the footway which we like to design out, but the frequency of this vehicle accessing the site is recognised as low and on one occasion a slightly different position would avoid the overhang in any event. The Highway Authority are therefore satisfied with the tracking submission shown. The Highway Authority require the Travel Plan to be covered by a Section 106 Agreement to secure the County Council's monitoring fees and secondly, to ensure the Travel Plan requirements are enforceable by the County Council.

9 REPRESENTATIONS RECEIVED

None

10 PLANNING ASSESSMENT

Principle of Development

The principle of employment development on this site, along with the design, appearance, access and landscaping arrangements, has previously been agreed under the associated outline and reserved matters submissions for these four buildings. Policy RING3 of the Local Plan Part 2 specifically allocated the site for a mixed use development of around 150 dwellings, employment development and open space. The only matters for consideration now are whether the introduction of B8 (storage and distribution) use would have any implications for adjoining residential amenity and highway safety, balanced against the benefits derived from provision of economic development opportunities and employment floorspace.

Impact on residential amenity of adjacent neighbouring properties, in respect of light, visual, intrusion, disturbance and privacy

The impact of the proposal upon the amenity of neighbouring residential properties needs to be assessed under the provisions of Policy ENV3.

The properties most impacted by the proposal are those in Hightown Gardens and those to the east within Beaumont Park. The employment buildings are designed to be compatible with the proposed housing at Hightown Gardens and Beaumont Park, with no apertures facing existing dwellings. Units D and E are sited away from Hightown Gardens and there is sufficient space for soft landscaping and tree planting to provide some visual screening to the existing housing development, to be ensured by condition.

Noise arising from any outside storage and deliveries occurring during antisocial times of the day is a potential concern associated with the introduction of B8 activity. The Environmental Health Team consider that such concerns could be addressed by the imposition of conditions prohibiting any outside storage and the restriction of deliveries/ collections to within less sensitive times of the day. Alternatively the use of the buildings closest to Hightown Gardens (Units D and E) could be restricted to light industrial use only, to avoid the scenario where a B8 use could disturb those residents at anti-social hours. The remainder of the site does not have a close relationship to residential users and it is considered that they could operate without an hours of operation or use restriction, other than those applied for. The outside storage restriction is applied though.

Overall, it is considered that the physical relationship of the proposed development to the nearby residential properties would be acceptable in terms of overbearing impact, loss of outlook or loss of privacy, as the employment buildings are appropriately sited, orientated and separated from existing and proposed adjoining properties. While the proposal would result in vehicle movements and other activity on the site, the likely intensity of use would not be such to cause any significant loss of amenity in terms of noise nuisance or disturbance, particularly if Units D and E are restricted to light industrial uses only within Class E. Consequently, the proposal complies with the amenity related provisions of Policy ENV3.

Impact on highway safety, including matters relevant to car parking

The site benefits from an extant outline planning permission, 13/11450, at which

time only the access onto the highway was considered. The points of access were fixed by the outline approval and are not subject to change at this stage. The current application seeks to utilise the accesses onto Crow Lane for the northern section of the site and onto Crow Arch Lane for the southern section of the site, these accesses were previously considered to be acceptable. The internal road layout within the site has been completed to an adoptable standard, although the County Council will not be adopting the road.

The submitted plans show clear allocations of car parking spaces for the proposed development which accords with the recommended car parking requirements as set out by the adopted SPD. The application is accompanied by swept path drawings, routes for refuse vehicles and emergency fire vehicles for the whole site, which are considered to be acceptable by the County Highway Authority.

The Highway Authority require a Travel Plan to be covered by a Section 106 Agreement to secure the County Council's monitoring fees and to ensure the Travel Plan requirements are enforceable by the County Council. It is considered prudent to re-impose conditions applied to the extant reserved matters in respect of a construction management plan, parking, cycle storage and turning area conditions. A condition is also imposed to prevent installation of mezzanine floors in the interests of retaining an acceptable level of parking provision relative to floorspace.

Policy IMPL2 relates to development standards and places a requirement on new developments to make provision to enable the convenient installation of charging points for electric vehicles, details of which are secured by condition.

Impact on provision of economic development opportunities and employment floorspace

The development would deliver a practical and valuable mix of employment space, meeting demand and creating employment opportunities within the local area. The more mixed economic offering reflects the wider economic profile of the local area and as such it would deliver local growth and opportunities for business in accordance with Policy ECON1 and Chapter 6 of the NPPF.

11 CONCLUSION

In summary this proposal accords with the broad principles of previous consents and would not have any adverse impact on the living conditions of the adjoining neighbouring properties or highway safety and would assist with the delivery of local growth and opportunities for business. Accordingly the proposal complies with policies of the development plan and is recommended for approval.

12 RECOMMENDATION

Delegated Authority be given to the Executive Head of Planning, Regeneration and Economy to **GRANT PERMISSION** subject to:

- i) the completion of a planning obligation entered into by way of a Section 106 Agreement to secure a Travel Plan and its monitoring fee.
- 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:

NFD-BSL-ZZ-XX-DR-A-1001-PL (Location Plan)
NFD-BSL-ZZ-XX-DR-A-2001-PL (Site Plan)
NFD-BSL-UB-XX-DR-A-3001-PL (Unit B Ground Floor Plan)
NFD-BSL-UC-XX-DR-A-3001-PL (Unit C Ground Floor Plan)
NFD-BSL-UD-XX-DR-A-3001-PL (Unit D Ground Floor Plan)
NFD-BSL-UE-XX-DR-A-3001-PL (Unit E Ground Floor Plan)
9220-Rev P01 (Vehicle Tracking Drawing)
9221-Rev P01 (Vehicle Tracking Drawing)
9222-Rev P01 (Vehicle Tracking Drawing)
9223-Rev P01 (Vehicle Tracking Drawing)
Travel Plan by Paul Basham Associates dated 20/10/2020
Transport Statement by Paul Basham Associates dated 20/10/2020
BREEAM Pre-assessment by SRE dated 2018
17043-4004 A Block B - Elevations
17043-4005 A Block C - Elevations
17043-4006 A Block D - Elevations
17043-4007 A Block E - Elevations
16-086-400 Final Phase Drainage & Site Levels (Sheet 1/5)
16-086-401 Final Phase Drainage & Site Levels (Sheet 2/5)
16-086-402 Final Phase Drainage & Site Levels (Sheet 3/5)
16-086-403 Final Phase Drainage & Site Levels (Sheet 4/5)
16-086-404 Final Phase Drainage & Site Levels (Sheet 5/5)
16-086-416 General Access Arrangement
16-086-418B External Works 1 of 2
16-086-419A External Works 2 of 2
A130-LA15 Landscape Strategy
A130-LA16 Planting Strategy
A130 PP06 Rev C Landscape Plan
A130 PP07 Rev C Landscape Plan
A130 PP08 Rev C Landscape Plan
A130 PP09 Rev D Landscape Plan
A130 PP12 Rev A Landscape Plan
Planning and Design Statement and Appendices by Terence O Rourke dated July 2018
Final Phase Drainage Technical Note by Odyssey dated June 2018
Final Phase Highways Technical Note by Odyssey dated June 2018

Reason: To ensure satisfactory provision of the development.

3. The buildings shall be constructed in accordance with the slab levels in relationship to the existing ground levels as set out on drawing Plan Drawing numbers 16-086-400 Final Phase Drainage & Site Levels (Sheet 1/5), 16-086-401 Final Phase Drainage & Site Levels (Sheet 2/5), 16-086-402 Final Phase Drainage & Site Levels (Sheet 3/5), 16-086-403 Final Phase Drainage & Site Levels (Sheet 4/5), 16-086-404 Final Phase Drainage & Site Levels (Sheet 5/5) and PP1180 380-00 P3 (Final Phase Street Elevations), unless otherwise agreed 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 Part 1 and the Ringwood Local Distinctiveness Document.

4. Prior to any development of the buildings hereby approved above slab level, samples or exact details of the external facing and roofing materials for these aspects of the development 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 Part 1 and the Ringwood Local Distinctiveness Document

5. Before further development commences on the employment site, a scheme of landscaping of that portion 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. All external works (hard and soft landscape) shall be carried out in accordance with the approved landscape plans and maintained thereafter as built and subject to changes or additions only if and as agreed in writing with the Local Planning Authority.

Reason: To ensure that the development takes place in an appropriate way and to comply with Policy ENV3 of the Local Plan Part 1 and the Ringwood Local Distinctiveness Document

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any subsequent re-enactment thereof, no additional floor space by way of the creation of a mezzanine floor shall be formed within the buildings hereby approved, other than that shown

on the approved plans.

Reason: To safeguard the amenities of the area, in the interests of highway safety and to comply with policy ENV3 of the Local Plan Part 1.

7. No employment building hereby approved shall be occupied until the bin storage provision has been made for each building in accordance with the details shown on plan no. NFD-BSL-ZZ-XX-DR-A-2001-PL. The bin storage provision shall thereafter be retained in accordance with the approved details.

Reason: To ensure adequate bin storage and parking provision is made in the interests of highway safety and in accordance with Policy ENV3 of the Local Plan Part 1.

8. No building, structure, hardstanding (other than that already approved) or serviced areas shall be constructed or created within the landscaped area to the rear (north) of employment Blocks D and E, shown as landscaping on approved drawing no. NFD-BSL-ZZ-XX-DR-A-2001-PL unless otherwise agreed by the Local Planning Authority.

Reason: This area of land provides an important landscaped buffer between the residential properties in Hightown Gardens and the rear of the buildings identified as Units D and E would also contribute in screening the buildings from the surrounding area and it is important to ensure that the landscaping and tree planting is not removed and replaced with buildings, hardstanding, and rear service areas in the future in accordance with Policy ENV3 of the Local Plan Part 1.

9. Before development is commenced above slab level on the employment land, details of the cycle storage within that portion of the site shall be submitted to and be approved in writing by the Planning Authority. The cycle storage/parking for each employment unit shall be carried out prior to its occupation, in accordance with the approved details and shall be retained thereafter

Reason: To promote sustainable travel mode and in the interests of highway safety.

10. Employment units B, C, D and E shall not be occupied until the access, turning and parking for those buildings has been provided in accordance with the details shown on plan no. NFD-BSL-ZZ-XX-DR-A-2001-PL have been provided and made available for use. The arrangements shown on plan NFD-BSL-ZZ-XX-DR-A-2001-PL for the access, turning and parking of motor vehicles shall be retained and kept available for the parking of motor vehicles for the buildings hereby approved at all times.

Reason: To ensure adequate parking provision is made in the interest of highway safety and in accordance with Policy ENV3 of the Local Plan Part 1.

11. Prior to any further development on the site, a Construction Management Plan (CMP) shall be submitted to and be approved in writing by the Local Planning Authority in relation to the employment development hereby approved. The approved plan shall be adhered to throughout the construction period. The CMP shall include arrangements for but not be limited to:

parking of vehicles of site operatives and visitors;
routes for construction traffic;
hours of operation;
method of prevention of mud being carried onto highway;
pedestrian and cyclist protection;
proposed temporary traffic restrictions if required; and
arrangements for vehicles turning on site.

Reason: In the interests of safe operation of the highways in accordance with Policy ENV3 of the Local Plan for the New Forest outside of the National Park (Core Strategy).

12. Before development is occupied provision for turning to enable vehicles to enter and leave in a forward gear shall have been provided within the site in accordance with the approved plans and shall be retained thereafter.

Reason: To ensure adequate provision within the site in the interests of highway safety in accordance with Policy ENV3 of the Local Plan Part 1.

13. No goods, plant, or machinery shall be stored in the open on the site and no work shall be undertaken outside the buildings hereby approved without the express planning permission of the Local Planning Authority.

Reason: In the interest of the amenities of the locality in accordance with Policy ENV3 of the Local Plan Review 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

14. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 2005 and the Town and Country Planning (General Permitted Development) Order 2015 and the Town and Country Planning (General Permitted Development) (Amendment) Order 2015 or any subsequent re-enactments thereof, employment units D and E shown on site plan NFD-BSL-ZZ-XX-DR-A-2001-PL shall be used only for the purposes of commercial, business and service use within Class E (c) (iii), (e), (g) (i, ii & iii) and for no other use purposes, whatsoever, including any other purpose in Class E of the Town and Country Planning (Use Classes) Order 2005 or any subsequent re-enactment thereof, without express planning permission first being obtained.

Reason: In the interest of highway safety and adjoining amenity and in

accordance with Policy ENV3 of the Local Plan Part 1.

15. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 2005 and the Town and Country Planning (General Permitted Development) Order 2015 and the Town and Country Planning (General Permitted Development) (Amendment) Order 2015 or any subsequent re-enactments thereof, employment units B and C shown on site plan NFD-BSL-ZZ-XX-DR-A-2001-PL shall be used only for the purposes of commercial, business and service use within Class E (c) (iii), (e), (g) (i, ii & iii) and for storage and distribution use within Class B8 and for no other use purposes, whatsoever, including any other purpose in Class E of the Town and Country Planning (Use Classes) Order 2005 or any subsequent re-enactment thereof, without express planning permission first being obtained.

Reason: In the interest of highway safety and adjoining amenity and in accordance with Policy ENV3 of the Local Plan Part 1.

16. Before first occupation of the development hereby approved, a surface water sustainable drainage system (SuDS) shall be designed and installed to accommodate the run-off from all impermeable surfaces including roofs and hardstandings on the approved development such that no additional or increased rate of flow of surface water will drain to any water body or adjacent land and that there is capacity in the installed drainage system to contain below ground level the run-off from a 1 in 100 year rainfall event plus 30% on stored volumes as an allowance for climate change as set out in the Technical Guidance on Flood Risk to the National Planning Policy Framework. Infiltration rates for soakaways are to be based on percolation tests in accordance with BRE 365, CIRIA SuDS manual C753, or a similar approved method. In the event that a SuDS compliant design is not reasonably practical, then the design of the drainage system shall follow the hierarchy of preference for different types of surface water drainage system. The drainage system shall be designed to remain safe and accessible for the lifetime of the development, taking into account future amenity and maintenance requirements.

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.

17. The buildings will be required to achieve a BREEAM 'very good' standard, as set out in the BREEAM Pre-assessment by SRE dated 2018. No buildings shall be occupied until a final BREEAM certificate has been submitted to and approved in writing by the Local Planning Authority certifying that the buildings have achieved a BREEAM 'very good' standard.

Reason: In the interests of sustainable development, including resource use and energy consumption, in accordance with Policy IMPL2 of the Local Plan Part 1 for the New Forest District outside the National Park.

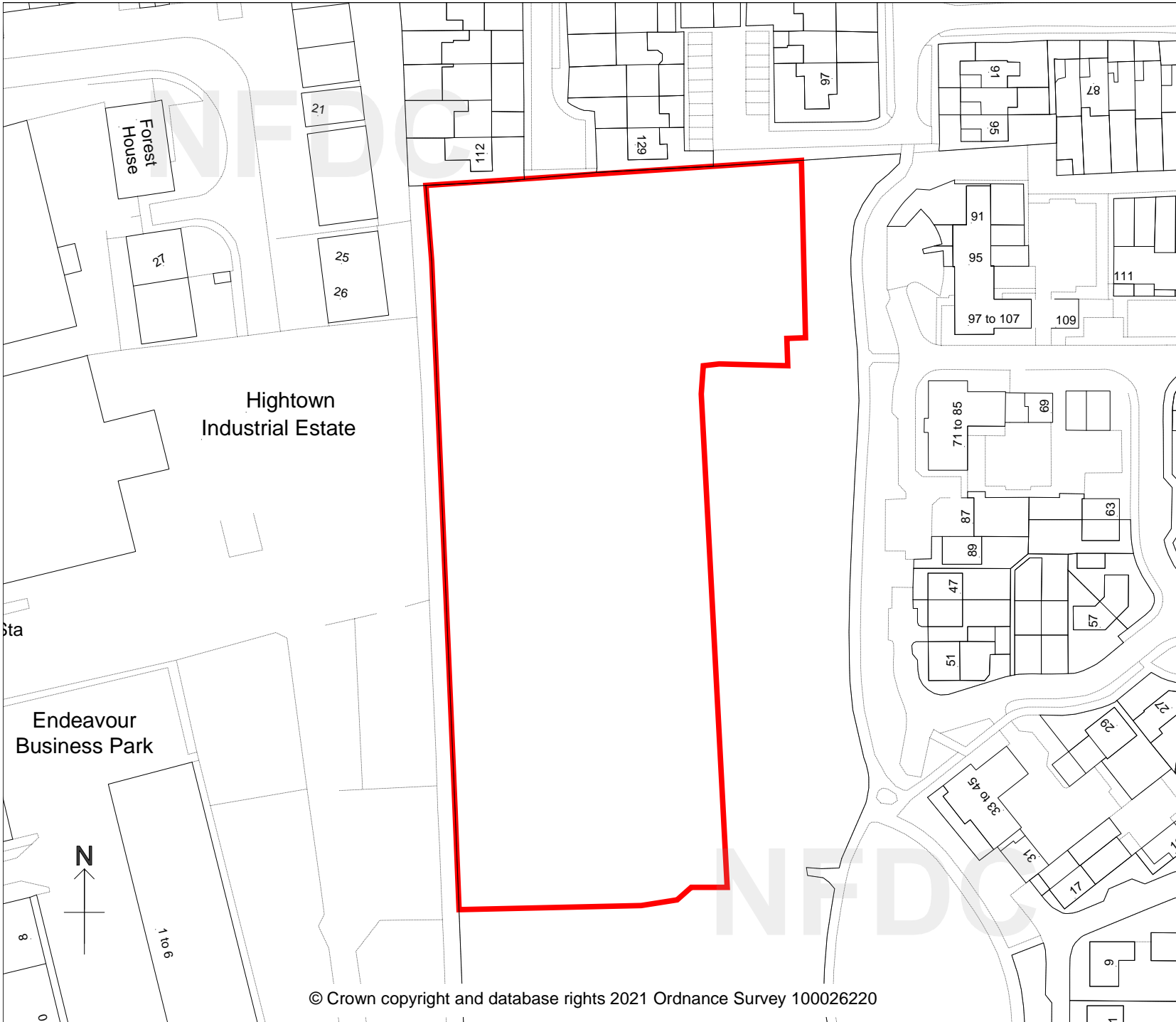
18. Prior to first occupation, provision should be made for the convenient installation of charging points for electric vehicles on the site. Details to be first submitted and agreed in writing with the Local Planning Authority and then thereafter provided and retained for that purpose.

Reason: To ensure suitable provision is made and in accordance with Policy IMPL2 of the Local Plan Part 1 2016-2036 Planning Strategy

Further Information:

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New Forest

DISTRICT COUNCIL

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PLANNING COMMITTEE

October 2021

LAND OFF HOPCLOVER WAY
 FORMERLY LAND AT
 CROW ARCH LANE BH24 3DZ
 20/11208

Scale 1:1250

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