

Application Number: 22/10236 Full Planning Permission

Site: ANCHOR HOUSE, BATH ROAD, LYMINGTON SO41 3YL
Development: Front and side extension to provide additional showroom and work space
Applicant: Berthon Boat Company
Agent: Simpson Hilder Associates
Target Date: 25/04/2022
Case Officer: Warren Simmonds

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Principle of the proposed development
- 2) Scale, design, materials and impact on the character of the surrounding area
- 3) Impact on the character and setting of heritage assets (including listed buildings and the adjacent Conservation Area)
- 4) Amenity considerations
- 5) Access, parking and Highway safety
- 6) Flood risk
- 7) Ecology and biodiversity

This application is to be considered by Committee because of the PAR4 recommendation of refusal received from Lymington and Pennington Town Council.

2 SITE DESCRIPTION

The application relates to Anchor House, a commercial building located on the eastern (industrial) side of Bath Road in Lymington. Anchor House was built in the early 1960s and comprised offices of the Berthon Boat Company on its first floor and a Yacht Chandlery at ground floor level. The ground floor is currently used as a sales area for Berthon, with ancillary offices above. The building is clad in brickwork at low level with green timber from first floor level.

To the north of the site is an access to the rear of the unit and into the shipyard. To the front (west) are residential houses within the designated Conservation area, including GII listed buildings Harbour Cottage, Press Gang Cottage and Heron Tye.

3 PROPOSED DEVELOPMENT

The application proposes a single storey flat-roofed extension to provide an enclosed showroom space over the existing open forecourt area of Anchor House, and connecting to the north of Seaforth House (additionally providing a workspace room in connection with the use of Seaforth House).

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status	Appeal Description
16/10559 Use of ground floor office as restaurant extension	15/06/2016	Granted Subject to Conditions	Decided	
12/98874 Continued use as restaurant (Use Class A3); front porch; rear acoustic screen; retention of rear extraction flue	13/09/2012	Refused	Appeal Decided	Appeal Allowed with Conditions
11/97665 Use as cafe, restaurant & bar (Use Class A3 & A4) Sunday - Wednesday 9am - 9pm & Thursday - Saturday 9am - 11pm; flue (Retrospective)	14/11/2011	Refused	Decided	
10/96389 Continued use as cafe, restaurant/bar (Use Class A3/A4); installation of extraction flue	15/02/2011	Refused	Appeal Decided	Appeal Dismissed
08/92304 2 metre high boundary fence	01/07/2008	Granted	Decided	
08/92095 Shopfront	02/06/2008	Granted Subject to Conditions	Decided	
05/84704 Use as coffee shop (Class A3)	17/06/2005	Granted	Decided	
97/NFDC/62247 Erect workshop/offices/boat building shed & storage building	12/11/1997	Granted Subject to Conditions	Decided	

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Policy CCC1: Safe and healthy communities
Policy ECON1: Employment land and development
Policy ENV3: Design quality and local distinctiveness
Policy IMPL2: Development standards
Policy STR1: Achieving Sustainable Development
Policy STR6: Sustainable economic growth

Local Plan Part 2: Sites and Development Management 2014

DM1: Heritage and Conservation
DM2: Nature conservation, biodiversity and geodiversity

Supplementary Planning Guidance And Documents

Ecology and Biodiversity Net Gain – Interim Advice and Information Note (July 2021)
SPG - Lymington - A Conservation Area Appraisal
SPD - Lymington Local Distinctiveness

Relevant Advice

NPPF Para.126: The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

NPPF Para.130: The National Planning Policy Framework 2021 Chapter 12 "Achieving well designed places" requires development to be sympathetic to local character and history, including the surrounding built environment and landscape setting and establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.

NPPF Para.s 159 to 169: Planning and flood risk

Constraints

NFSFRA Surface Water

NFSFRA Coastal

Flood Zone

Historic Land Use

Plan Area

Conservation Area: Lyminster Conservation Area

Plan Policy Designations

Built-up Area

6 TOWN COUNCIL COMMENTS

Lyminster & Pennington Town Council

PAR4: Recommend Refusal.

- Overdevelopment.
- Loss of public amenity.
- Negative impact on street scene.

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

HCC Highways

The Highway Authority have no objections to this application.

Environment Agency

No response received

NFDC Conservation

Response not yet received (pre-app comments previously provided) Full response to be provided as a Committee update in due course.

NFDC Ecology

I have no comments to make on this application

Natural England

No comments to make on this application.

NFDC Environmental Health (Pollution)

Response not yet received

SGN

No response received

NFDC Environmental Health (Contaminated Land)

No objection, subject to a condition with respect to contaminated land investigation and remediation.

9 REPRESENTATIONS RECEIVED

The following is a summary of the representations received.

Seven representations from third parties have been received. Each raises objections or concerns, grounds for objection include:

- Highway safety
- Overlooking and overshadowing of opposing residential properties
- Adverse affect on outlook from neighbouring properties
- Out of keeping with the character of the surrounding area
- Detrimental to the existing character of nearby historic buildings and the adjacent Conservation area
- Noise and amenity concerns

For: 0

Against: 7

10 PLANNING ASSESSMENT**Principle of Development**

The site forms part of the existing wider marine/industrial area on the east side of Bath Road and is in use by Berthon Boat Company whereby the ground floor is currently used as a sales area with offices above.

The application site is immediately adjacent to the designated Conservation area which includes Bath Road to the west and extends northwestward towards Nelson Place. Additionally, there are listed buildings adjacent to the site on the opposite side of Bath Road - numbers 9 (Harbour Cottage), 10 (Press Gang Cottage) & 11 (Heron Tye) Bath Road.

The development proposed relates to the provision of a new enclosed showroom space over the existing open forecourt area, consisting of a single storey, primarily glazed exterior under a low mono pitch/flat roof. The existing forecourt area is currently used for the open-air display of boats.

The existing access to the rear shipyard area will be retained and the showroom will feature a 'curved' corner (essentially following the existing shape of the walled perimeter of the forecourt) to allow for manoeuvring vehicles to enter and exit from Bath Road. It is proposed the extension will continue southwards to create a glazed 'link' between Anchor House and neighbouring Seaforth House, whilst also providing a new separate workspace for the occupiers of Seaforth House. It is understood Seaforth House is currently tenanted by HM Coastguard on the upper floor, and Malcolm McKeon Yacht Design Ltd on the ground floor who are expanding and require additional space to keep operating in the current premises.

Planning policy for economic development

Policy ECON1 (Employment land and development) is supportive of proposals for the development, redevelopment and intensification of employment uses on existing employment sites, subject to no undue environmental, landscape or amenity impacts.

The application site constitutes an existing and well established employment use and seeks improved facilities in connection with their existing business use of the site (i.e. in the form of a showroom for boats). In the planning policy context, it is a clear strategic objective of the adopted Local Plan 2016-2036 Part One: Planning Strategy to support local businesses to prosper for the benefit of the community (Strategic Objective SO6 refers) - to facilitate a healthy and growing economy operating within environmental limits and in particular, low impact tourism, knowledge-based enterprises and marine industries.

In these respects, the proposed improvement/enhancement of facilities at the Berthon Boatyard (Anchor House) site is considered accordant with overarching economic planning policies and thereby acceptable in principle.

Scale, design, materials and impact on the character of the surrounding area

The building at Anchor House as it currently exists is a relatively modest two storey commercial building with an overtly utilitarian/industrial appearance. The building is set back from Bath Road and is notably smaller in scale and visual impact within the street scene when viewed in the context of the significantly larger commercial buildings to the immediate north, which are much larger in scale and are set immediately adjacent to the highway edge.

To the south of Anchor House is the detached Seaforth House, which has the appearance of a dwellinghouse but is in commercial use.

There is a transition and 'tapering' down in the scale and form of the buildings on the eastern side of Bath Road as it progresses from north to south. In pre-application comments, the Conservation officer recognised the benefits of losing/replacing the tarmac hardstanding to the front of Anchor House and made recommendations for the amendment of the design of the extension as initially proposed, which included the slimming of the roof and soffit line, with the depth hidden behind the glazing and a finer projecting roof overhang to create a lighter weight modern addition in order to provide a more cohesive response. These amendments have been brought through to the current application proposal.

Whilst the proposed glazed extension would extend across the front of Anchor House and incorporate the existing gap between Anchor House and Seaforth House (together with a partial extension across the front of Seaforth House), it is considered the flat roofed single storey scale and lightweight contemporary design

and materials proposed would not have a detrimental impact on the existing character of the surrounding area which, on the eastern side of Bath Road, is predominantly and overtly commercial and industrial.

Impact on the character and setting of heritage assets (including listed buildings and the adjacent Conservation Area)

To the front (west) of the application site are residential houses within the designated Conservation area, including GII listed buildings Harbour Cottage, Press Gang Cottage and Heron Tye.

The application site is not within the designated Conservation area, which is immediately adjacent to the west.

The adjacent GII listed buildings are on the opposite side of the public street (Bath Road).

As mentioned above, there is an existing transition and 'tapering' down in the scale and form of the buildings on the eastern side of Bath Road as it progresses from north to south. Anchor House is set back from Bath Road and is notably smaller in scale and visual impact within the street scene when viewed in the context of the significantly larger commercial buildings to the immediate north, which are much larger in scale and are set immediately adjacent to the highway edge.

In pre-application comments, the Conservation officer recognised the benefits of losing/replacing the tarmac hardstanding to the front of Anchor House and made recommendations for the amendment of the design of the extension as initially proposed, which included the slimming of the roof and soffit line, with the depth hidden behind the glazing and a finer projecting roof overhang to create a lighter weight modern addition in order to provide a more cohesive response. These amendments have been brought through to the current application proposal.

By reason of the modest, single storey scale, flat roofed form and the use of appropriate, high quality materials proposed for the extension, it is considered the proposed development would not adversely affect the existing character of the adjacent Conservation area.

The adjacent GII listed buildings are on the opposite side of the road to the application site, which forms a clear definition between the existing and overt commercial industrial nature of the buildings and use of the eastern side of Bath Road in contrast to the more mixed residential character of the western side of Bath Road.

It is considered the proposed extension, being of contemporary commercial appearance and appropriate scale, design and materials, and being located within the existing extents of the commercial site, does not adversely affect the character and setting of the listed buildings on the opposite side of the road.

Amenity considerations

The site of the proposed extension is immediately to the front of the existing commercial building and would enclose an area that is currently used for open-air boat display. The proposal is of modest, single storey form and, being located on the opposite side of the public street from the nearest neighbouring residential properties to the west, would not result in the undue overlooking or overshadowing of those properties.

Officers note that some comments have been made in third party representations with respect of perceived adverse impact(s) on the outlook from adjacent residential properties. Matters of outlook from private properties (views) generally constitute a personal preference and are not considered a material planning consideration in this case.

The proposed development is considered accordant with the provisions of local plan policy ENV3 which has regards to residential amenity.

Access, parking and Highway safety

The access and parking provision arrangements for the application site do not change as a result of the proposed development. The proposed extension is to be sited entirely within the extents of the existing site and will not encroach, hinder or otherwise obstruct the adjacent road or pavement.

The existing forecourt area is used for the display of boats, consequently parking provision for the business is not displaced or affected by the proposal.

HCC Highways have been consulted on the proposed development and have no objections to the application.

In conclusion, the proposed development is considered acceptable in terms of access and parking and would not be detrimental in respect of Highway safety.

Flood risk

The application site lies within Environment Agency flood zone 3, whereby when determining planning applications, local planning authorities are required to ensure that flood risk is not increased elsewhere (NPPF para.167).

The application is supported by a site-specific flood-risk assessment (SHA, February 2022) in which it is identified that the industrial/commercial use of the building is in the 'less vulnerable' class and therefore can be considered appropriate in this setting. The FRA identifies that the proposed extension can not be placed elsewhere by reason of the operational constraints of the site, and sets out a scheme of flood resilience (flood mitigation) measures for the proposal, which accord with the Environment Agency's standing advice. In addition, a site management plan will be provided/led by the applicant to mitigate any residual risk on the property. Within this document, safe access routes and egress will be designated.

In the above respects, it is considered the proposal appropriately meets the criteria for Planning and flood risk as set out within the NPPF.

Ecology and biodiversity

The site is currently a hard-surface forecourt area with negligible ecological or biodiversity benefits.

A proportionate view should be taken for minor applications with regard to the need for any biodiversity enhancement on site. In this case the proposal is considered sufficiently modest in size and impact so as not to warrant any such proposals.

Developer Contributions

None relevant

11 CONCLUSION

The proposed development would facilitate improvements for an existing and well established business within its existing site, bringing economic benefits and supporting the economic growth of a marine industry in accordance with the Strategic Objectives of the adopted Local Plan.

The proposal would not be detrimental in terms of the amenity of neighbours or with respect to Highway safety.

The proposed development would not have an adverse impact on the existing character of the surrounding area or adjacent Conservation area and would not adversely affect the character or setting of adjacent listed buildings.

12 RECOMMENDATION

Grant Subject to Conditions

Proposed Conditions:

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

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

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

9825.100 REV A BLOCK & LOCATION PLAN
9825.105 REV A PROPOSED GROUND FLOOR PLAN
9825.104 REV A PROPOSED SITE PLAN
9825.106 PROPOSED ELEVATIONS
HERITAGE STATEMENT
DESIGN & ACCESS STATEMENT
FLOOD RISK ASSESSMENT

Reason: To ensure satisfactory provision of the development.

3. Before development commences, samples or exact details of the facing and roofing materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved details.

Reason: To ensure an acceptable appearance of the building in accordance with Policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

4. No development shall take place until a site investigation of the nature and extent of contamination has been carried out to the standards described in BS10175: 2011 which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures before development begins. If the site is required to be remediated a validation report shall be submitted to and approved in writing by the local planning authority prior to occupation.

If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures, including validation.

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

5. Development shall be carried out in accordance with the Flood Resilience (Mitigation Measures) and the Flood Warning and Evacuation plan, as detailed in the submitted Flood Risk Assessment (SHA, February 2022).

Reason: To ensure the proposal incorporates appropriate flood resilience and mitigation measures, to mitigate the impacts of flood risk.

Further Information:

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PLANNING COMMITTEE

April 2022

ANCHOR HOUSE
BATH ROAD
LYMINGTON SO41 3YL
22/10236

Scale 1:1250

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

