

**Application Number:** 23/10426 Full Planning Permission

**Site:** 9 FAIRLIE, RINGWOOD BH24 1TP

**Development:** Change of use from timber yard to business premises within Classes E (c), E(d), E(g) (i, ii and iii), and B8

**Applicant:** Ankers and Rawlings Ltd

**Agent:** Intelligent Land

**Target Date:** 21/06/2023

**Case Officer:** Vivienne Baxter

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## **1 REASON FOR COMMITTEE CONSIDERATION**

The application is brought to committee due to a contrary view of the Town Council.

## **2 RECOMMENDATION**

Grant subject to conditions.

## **3 SUMMARY OF THE MAIN ISSUES**

The key issues are:

- 1) Principle of the development
- 2) Impact on the residential amenities of the area
- 3) Highway matters including parking
- 4) Impact on the character and appearance of the area
- 5) Flooding

## **4 SITE DESCRIPTION**

The site lies within the built up area of Ringwood and is presently vacant. There are residential properties adjacent to the east and west boundaries of the site to the road frontage and behind with further dwellings adjoining the site off Parker's Close and Gorley Road. To the south of the site is the Cornerways Medical Centre which is also accessed off Parker's Close.

There are two main buildings on site with the rest of the site taken up with hard surfacing. The boundaries to Fairlie and those either side are close boarded fencing although to Parker's Close, there are metal railings.

## **5 PROPOSED DEVELOPMENT**

The site currently benefits from a lawful use certificate to operate as a builders merchants - further details of this are provided within the assessment. Although the last occupier of the site was Travis Perkins, it would appear that they were in breach of the lawful use which was for H Parker and Sons (Timber). This proposal therefore seeks the change of use of the site to allow the premises to be used for a variety of uses without restriction on the occupier.

These proposed uses are Class E (c) - financial and professional services (previously known as A2), Class E (d) indoor sport, recreation or fitness (previously known as D2), Class E (g) (i) offices, (ii) research and development & (iii) industrial processes which would otherwise be acceptable in a residential area (previously known as B1 a), b) & c)) and B8 (storage and warehousing).

Parking could be accommodated to the north and south of the buildings, utilising both existing vehicular access points although closure of the access onto Fairlie has been suggested by the applicant if considered appropriate.

## 6 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
15/11260 House; access	28/10/2015	Refused	Decided
09/94834 Retention of external racking for storage	09/02/2010	Granted	Decided
04/83547 Use as Builders Merchants (Lawful Use Certificate for retaining an existing use)	06/04/2005	Granted	Decided
75/NFDC/03667/EUC To establish use of premises for the manufacture of timber products and sawn goods	28/04/1976	Refused	Decided
XX/RFR/09731 Timber storage.	15/06/1964	Granted	Decided

## 7 PLANNING POLICY AND GUIDANCE

### Local Plan 2016-2036 Part 1: Planning Strategy

Policy CCC2: Safe and sustainable travel  
 Policy ECON2: Retention of employment sites and consideration of alternative uses  
 Policy ENV3: Design quality and local distinctiveness  
 Policy IMPL2: Development standards  
 Policy STR3: The strategy for locating new development  
 Policy STR6: Sustainable economic growth

### Local Plan Part 2: Sites and Development Management 2014

None

### Supplementary Planning Guidance And Documents

SPD - Parking Standards  
 SPD - Ringwood Local Distinctiveness

### Guidance

NPPF 2021  
 NPPG

## 8 PARISH / TOWN COUNCIL COMMENTS

### **Ringwood Town Council**

R(4) Recommend refusal. The Town Council shares the concerns of residents about the uncertainty of future use, given the variety of uses this proposal would allow,

most of which would be inappropriate in a residential area. The site is surrounded by residential properties and any increase in hours of operation from the previous use, additional traffic, noise and lighting would result in loss of amenity and be detrimental to residents. The proposed use of the access from Fairlie is also inappropriate in this narrow residential street. It is noted that the site is partly within Flood Zone 2 and historically the site and surrounding properties have flooded, as recently as January 2023.

## 7 COUNCILLOR COMMENTS

No comments received

## 8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

**Environment Agency:** No objection subject to conditions

**Highway Authority:** No objection subject to conditions

**Environmental Health (Contamination):** Offer advice

**Environmental Health (Pollution):** No objection subject to condition

## 9 REPRESENTATIONS RECEIVED

The following is a summary of the representations received.

Against: 8

- residential development would be preferable
- traffic generation in a residential area would not be appropriate
- increased traffic on Gorley Road
- Fairlie access is difficult due to the nature of the road and its uneven pavements. It is also used by elderly and school age people
- car park to Fairlie should not be for visitors as it would cause disturbance
- opening times should reflect the Travis Perkins hours
- use as a gym could significantly impact vehicle manoeuvres
- displaced parking in Fairlie
- significant impact on residential amenity
- risk to pedestrian safety
- parking already inconveniences local residents
- potential for late night and Bank holiday opening
- Fairlie entrance should be permanently closed

Comment only: 4

- requesting consideration of larger vehicles manoeuvring without causing damage to the adjacent fencing which has happened in connection with the previous use
- concerned about increased traffic generation at sharp junction
- requesting the surgery car park is not used for overflow parking
- Gorley Road access is poorly maintained
- concerned about additional noise from traffic
- residential security issues
- Fairlie parking may not be enough

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## 10 PLANNING ASSESSMENT

### Background

As can be seen from the planning history above, the site has been used as a timber yard or variations of this since the mid-1960s. A lawful development certificate was issued in 2005 for use of most of the site as a timber merchants, restricted to the hours of 0730-1700 Monday to Friday and 0800-1200 on Saturdays and not at all on Sundays.

The southern most building on site was a timber store with ancillary shop and office in the adjacent flat roofed section of the larger building. The eastern part of the larger building was an ancillary workshop whilst the western section of the building was outside of the site area at the time. It is noted that the business operated a delivery service to customers using a 7.5 tonne flatbed truck.

Any other use therefore requires planning permission.

### Principle of Development

The site is situated within the built up area and is predominantly surrounded by residential properties with a medical centre to the south. Policy ECON2 requires the retention of employment sites where it is considered that they remain suitable for employment purposes. The proposal entails a change of use to a variety of uses, most of which (Class E (c), (d) and (g)) are suitable uses within a residential area. The Use Classes Order specifies that Class E(g) are 'Uses which can be carried out in a residential area without detriment to its amenity'. With regard to the B8 warehousing element, it is noted that the existing lawful use allows this use without any restrictions at present and storage previously occurred in open fronted structures and within the yard area. As such, it is considered that the principle of the proposal is acceptable.

### Residential amenity

The concerns raised in respect of the proposal relating to residential amenity relate to the increased traffic generation and associated noise and disturbance. It is understood that the previous occupants of the site did not necessarily maximise the use in terms of vehicle movements and as such, traffic generation was limited. However, the existing lawful use could generate more noise and disturbance than previously if it was fully operational, particularly as there were external storage racks.

It is noted that there are residential properties bounding the rear part of the site although many of these have been permitted since the site became a timber yard. The application is supported with details advising that the Fairlie entrance could be closed or use by visitors only, keeping the majority of traffic to the rear, away from the residential area.

With regard to the proposed uses, it is noted that the applicant has indicated they would accept conditions relating to restrictions on opening hours which differ depending on the specific use being operated. These restrictions would minimise any noise and disturbance to adjoining occupiers to an appropriate level so as not to be harmful. In addition to this, a condition is requested to restrict outside storage and noisy works. The imposition of such conditions would address the Town Council concern that the proposal would result in a loss of amenity to local residents.

### Highway safety, access and parking

The site benefits from 2 vehicular access points, one off Fairlie to the north and the other to the south east off of Parkers Close. Fairlie is a relatively narrow road with narrow pavements and predominantly serves residential properties. The access has 1.8m high timber fencing and a sliding gate which are flush with the back of the pavement and leads to an area capable of accommodating 10 parking spaces to the north of the building. The other access is off Parkers Close as is the medical centre, who have their own parking facilities, and six dwellings, two of which pass the site to gain access to their property.

The Highway Authority has advised that the proposed uses would generate more trips to the site compared to the existing lawful use but are satisfied that this would be acceptable in terms of highway safety subject to conditions restricting opening hours and the closure of the Fairlie access except for cyclists. This advice reflects the findings of the applicants' transport consultant included within the Planning Statement. The conditions would address the concern raised by the Town Council with regard to the narrow nature of Fairlie but would not restrict the appropriate level of parking in the remaining area to the south.

The level of parking generated by the proposal would vary from 6 spaces (B8) to 18 for offices or leisure use (E(c) and (d)). These spaces could all be accommodated off Parker's Close with little or no need to utilise the 10 spaces off Fairlie and the applicant would be prepared to close this access point for the majority of proposed uses, requesting its use for the leisure part of the proposal only.

Most proposed uses would generate a maximum of 4 cycle parking spaces although the leisure use would exceed this requiring 12 spaces. The site could accommodate these within the site without reducing the appropriate level of car parking for any use.

As such the proposals for a flexible uses as proposed are acceptable in terms of highways and parking impacts subject to conditions.

### Design, site layout and impact on local character and appearance of area

The proposal does not involve any physical changes to the existing buildings or open areas and it would therefore have a limited impact on the character of the area. There is a possibility that the perceived intensification of the site would impact on the area through increased car parking and traffic movements although these matters are dealt with separately.

The site is hard surfaced and there are limited opportunities to soften this impact. Given the developer's future proposals for this site, it would be difficult to justify the provision of landscaped areas although clearly, this does not preclude the developer from providing planting to improve the visual appearance of the site. It is noted that trees are indicated in the indicative parking layout.

### Flooding

The site is partially situated within Flood Zone 2 although it is noted that this designation does not include either building and only limited parts of the rear yard area. The Environment Agency has not raised any issues with regard to potential flooding but has requested conditions relating to contamination.

## 11 OTHER MATTERS

The applicants have advised in their supporting documentation that they intend to redevelop the site for residential purposes in the future and whilst many comments have made reference to this being a preferred option for the site, it is not for consideration at this time.

## 12 CONCLUSION/PLANNING BALANCE

The proposal makes good use of an existing employment site without significant harm to residential amenity or highway safety and approval is therefore recommended subject to conditions.

## 13 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:

Planning Statement  
22-2012-Loc - location plan  
22-2-12-PL-001 - indicative parking layout  
PS 22-007-A - site survey plan  
PS 22-010-A - block survey plan  
PS 22-011 - floor survey plan  
PS 22-008-A - existing elevations

Reason: To ensure satisfactory provision of the development.

3. No use or activity (including deliveries and/or collections) shall take place on the site in connection with the following approved uses other than:

- between the hours of 0700-2100 Monday to Saturdays and 0900-1900 on Sundays and Bank or public holidays for Class E(d) use and
- between the hours of 0700-1800 Monday to Saturdays and at no time on Sundays or Bank or public holidays for Class B8 and Class E (c), (g) (i), (ii) and (iii) uses

Reason: To safeguard the amenities of nearby residential properties in accordance with Policy ENV3 of the Local Plan Part 1 Planning Strategy for the New Forest District outside the National Park.

4. Prior to the commencement of any use hereby approved, details of the appropriate level of cycle parking shall be submitted to, for approval in writing by, the Local Planning Authority. The development shall be undertaken in accordance with the approved details prior to the commencement of the use and the cycle parking provision shall thereafter retained for that use.  
  
Reason: In the interests of promoting the opportunity to cycle and in accordance with Policy CCC2 of the Local Plan Part 1 Planning Strategy for the New Forest outside of the National Park and the NFDC Parking Standards SPD (2022).
5. Notwithstanding the details shown on drawing 22-2012-PL-001, no vehicles other than cycles shall access the site from Fairlie.  
  
Reason: In the interest of highway safety and in accordance with Policies ENV3 and CCC2 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.
6. The development hereby permitted shall not be occupied until the spaces shown to the south of the buildings on plan 22-2012-PL-001 for the parking of motor vehicles have been provided. The spaces shown on plan 22-2012-PL-001 for the parking of motor vehicles shall be retained and kept available for the parking of motor vehicles for the development hereby approved at all times.  
  
Reason: To ensure adequate parking provision is made in the interest of highway safety and in accordance with Policies ENV3 and CCC2 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.
7. No materials, goods, plant or machinery shall be stored or operated in the open on the site. Additionally, any noise generating works carried out within the buildings shall only be undertaken with doors and windows closed, unless the prior express planning permission of the Local Planning Authority has first been obtained.  
  
Reason: In the interests of the residential amenities of the area and in accordance with policy ENV3 of the Local Plan Part 1.
8. No development shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:
  1. A preliminary risk assessment which has identified:
    - all previous uses
    - potential contaminants associated with those uses
    - a conceptual model of the site indicating sources, pathways and receptors
    - potentially unacceptable risks arising from contamination at the site

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
3. Results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. Verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved prior to the occupation of the site.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 174 of the National Planning Policy Framework (NPPF) and policy DM5 of the Local Plan Part 2 (Sites and Development Management) as the site is located on Secondary A superficial and bedrock aquifers (River Terrace Deposits over Selsey Sand Formation) with Medium Vulnerability.

9. Prior to any part of the permitted development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. The development shall not be occupied until the validation report has been agreed.

Reason: To ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 174 of the NPPF and policy DM5 of the Local Plan Part 2 (Sites and Development Management).

10. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved prior to the occupation of the site.



Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 174 of the NPPF and policy DM5 of the Local Plan Part 2 (Sites and Development Management).

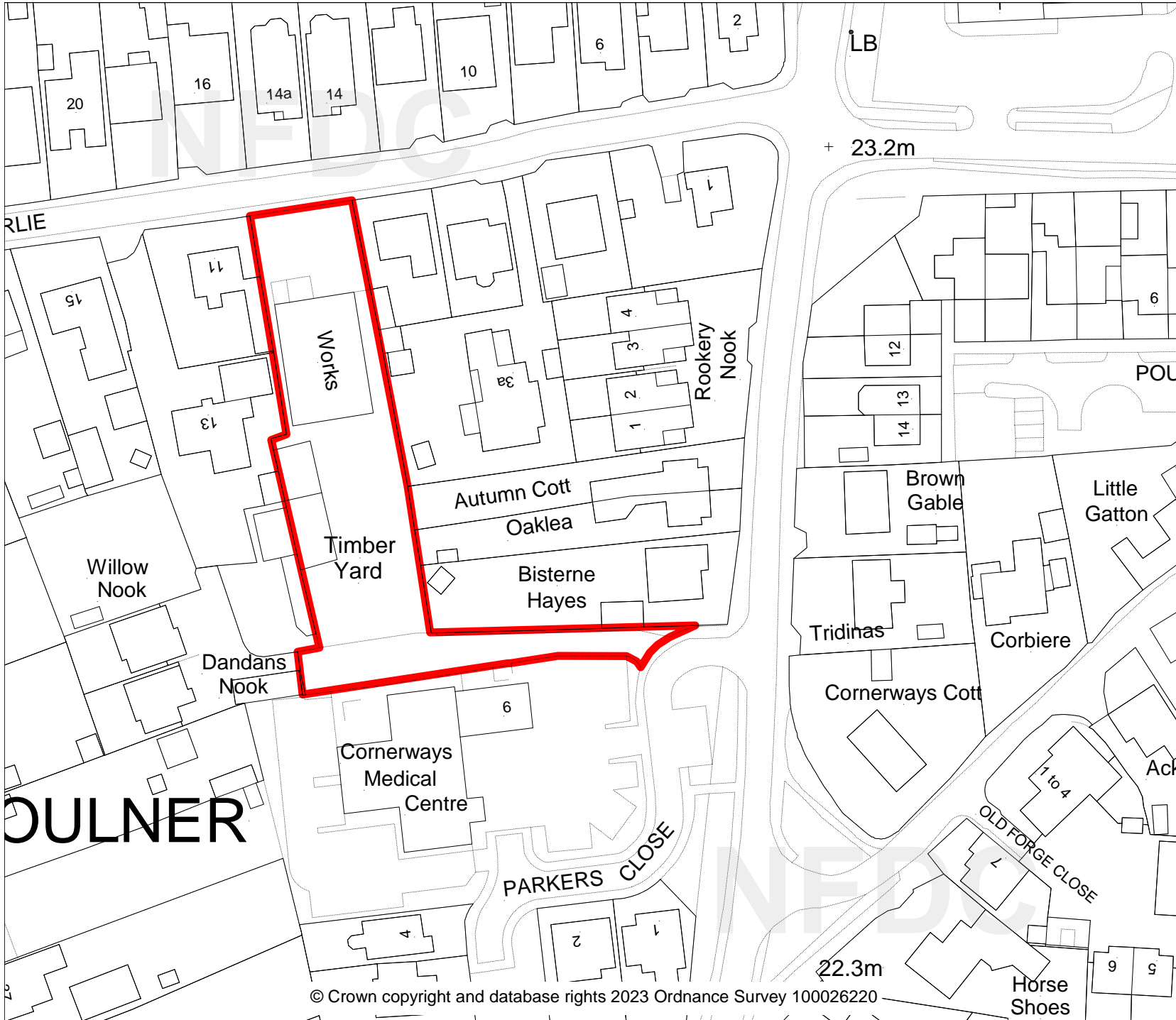
11. No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the Local Planning Authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 174 of the NPPF and policy DM5 of the Local Plan Part 2 (Sites and Development Management).

**Further Information:**

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# New Forest

DISTRICT COUNCIL

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## PLANNING COMMITTEE

July 2023

9 Fairlie  
 Ringwood

23/10426

Scale 1:1000

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