

**Application Number:** 15/11720 Reserved Matters

**Site:** PLOT 7, FOREST GATE, YEOMAN ROAD, RINGWOOD BH24 3FG

**Development:** New access and roundabout, construct buildings for industrial, storage and business use (Use Class B1,B2 & B8) (Details of appearance, layout, scale, & access for Plot 7 of development granted by Outline Permission 11/97377)

**Applicant:** G P Commercial Investments Ltd

**Target Date:** 26/02/2016

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## 1 REASON FOR COMMITTEE CONSIDERATION

Contrary to Town Council View

## 2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Built up area

## 3 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

### Core Strategy

#### Objectives

1. Special qualities, local distinctiveness and a high quality living environment
4. Economy
6. Towns, villages and built environment quality

#### Policies

#### Local Plan Part 1 (Core Strategy) 2012:

Policy CS2 - Design quality  
Policy CS4: Energy and resource use  
Policy CS17: Employment and economic development  
Policy CS24 - Transport considerations

#### Local Plan Part 2 Sites and Development Management Development Plan Document

DM5: Contaminated land  
RING1: Land east of Christchurch Road - employment land allocation

## 4 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Section 38 Development Plan  
Planning and Compulsory Purchase Act 2004  
National Planning Policy Framework

## **5 RELEVANT SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS**

SPD - Ringwood Local Distinctiveness  
SPD - Ringwood Town Access Plan  
SPD - Parking standards (NFDC 2012)

## **6 RELEVANT PLANNING HISTORY**

- 6.1 Construct buildings for industrial, storage and business use, new roundabout ( Use Classes B1, B2 and B8) Outline application with details only of access ( 97377) Granted August 2013
- 6.2 Various approved Reserved Matters Applications for office, business and storage development throughout the site.

## **7 PARISH / TOWN COUNCIL COMMENTS**

Ringwood Town Council: recommend refusal. The Committee considered that the bulky form of Units 3 and 4A was unacceptably overbearing and there would be a detrimental impact on the residents of New Street, due to their size and proximity.

## **8 COUNCILLOR COMMENTS**

None

## **9 CONSULTEE COMMENTS**

- 9.1 Hampshire County Council Highway Engineer: No objection subject to condition
- 9.2 Environmental Health (historic land use): No objection subject to condition
- 9.3 Environmental Health (pollution): No objection subject to condition
- 9.4 Urban Design Officer: Acceptable subject to resolving the details of landscaping and boundary treatment

## **10 REPRESENTATIONS RECEIVED**

- 10.1 1 letter of support
- 10.2 1 letter concerned with the screening for New Street following the felling of the Oak Tree and Silver Birches. Concerned about traffic onto New Street.

## **11 CRIME & DISORDER IMPLICATIONS**

No relevant considerations

## **12 LOCAL FINANCE CONSIDERATIONS**

Local financial considerations are not material to the decision on this application

## 13 WORKING WITH THE APPLICANT/AGENT

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council take a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome.

This is achieved by

- Strongly encouraging those proposing development to use the very thorough pre application advice service the Council provides.
- Working together with applicants/agents to ensure planning applications are registered as expeditiously as possible.
- Advising agents/applicants early on in the processing of an application (through the release of a Parish Briefing Note) as to the key issues relevant to the application.
- Updating applicants/agents of issues that arise in the processing of their applications through the availability of comments received on the web or by direct contact when relevant.
- Working together with applicants/agents to closely manage the planning application process to allow an opportunity to negotiate and accept amendments on applications (particularly those that best support the Core Strategy Objectives) when this can be done without compromising government performance requirements.
- Advising applicants/agents as soon as possible as to concerns that cannot be dealt with during the processing of an application allowing for a timely withdrawal and re-submission or decision based on the scheme as originally submitted if this is what the applicant/agent requires.
- When necessary discussing with applicants/agents proposed conditions especially those that would restrict the use of commercial properties or land when this can be done without compromising government performance requirements.

The initial submission was considered to be unacceptable for several reasons and following negotiations with the applicants and their agent, revised plans have been submitted which address the concerns previously raised.

## 14 ASSESSMENT

- 14.1 This 'reserved matters application' proposes a total of 6 buildings for business, office and storage use (Classes B1 and B8) together with car parking and landscaping on the north west part of the former Wellworthy site, now known as Forest Gate Business Park. The site is currently a vacant piece of land, bounded by a residential road known as New Street to the west, an employment building to the north and recently developed employment uses to the south and east on the existing Forest Gate Business Park. The internal road to the business park has been constructed and will provide access into the site.
- 14.2 The proposed layout comprises three office buildings, namely units 1, 2 and 3 which would be located on the southern part of the site, and three light industrial and storage buildings to the north of the site with ancillary offices at units 4, 5 and 6. Car parking would predominantly be provided to the front of the buildings. The proposed buildings would all be two storeys in scale with shallow pitched roofs. A new landscaping strip would be created along New Street.

- 14.3 In policy terms, the site is allocated for employment uses and given that outline planning permission has been granted for the site to be used for employment purposes which include offices, storage and industrial, there are no objections to the proposal in principle and it is considered that it would accord with the objectives and aims of the local plan. The main issues are the proposed layout of the site and how it responds to both New Street and the rest of Forest Gate Business Park.
- 14.4 The proposed layout has been designed with the office units to the south and storage and light industrial units to the north, creating two distinctive areas. The proposed three office buildings have been designed with some amenity space around the buildings and space for tree planting. The car parking is largely in front of the buildings with opportunities for large tree specimens to be planted in the central parts of the car parking areas. The design of the office buildings would incorporate hipped roofs, glazing and cladding materials (khaki green) to match the recent development to the south.
- 14.5 The proposed light industrial and storage units would be more compact and would be sited against the boundary of the site. These buildings would be less visible from the surrounding area, although, the siting of units 5 and 6 along the boundary would pick up the design and form of the recently built office building on the adjoining site. The layout of these buildings would also enable the new oak trees planted to the front of the recently built office building to establish. The materials would also match the adjacent office building and those used on the Eberspacher building. Car parking is more consistently spread around the site and the buildings are generally positioned close together. Overall it is considered that the proposed design and layout would be appropriate for the site.
- 14.6 The treatment of the development fronting New Street is important and it is proposed to plant a hedgerow along the complete boundary with tree planting to act as a foil to the buildings. The proposed buildings would front onto New Street. Subject to appropriate soft landscaping, the development would respond well to New Street. The roof form of units 3, 4A and 5A all match, with pitched roofs, and would provide an active frontage onto New Street. The scale, form and design would not appear overbearing or dominant from New Street, however, the treatment of the soft landscaping and tree planting, in terms of species would be important to the street and against the buildings. There would be no direct vehicular or pedestrian access into the site (other than the cycle way). Overall it is considered that the proposed development would appropriately address New Street and, subject to the landscaping, which can be dealt with by condition, the proposal would be acceptable.
- 14.7 With regard to residential amenity, the proposal does not seek to carry out any general industrial uses. Unit 3 would be located close to New Street but there would be a distance of around 13 metres to the nearest neighbour and, given the proposed boundary treatment with a new hedgerow and tree planting, and the design of the building with its hipped roof, it would not unacceptably impact on the living conditions of the neighbouring properties in New Street. The proposed units 4A and 5A essentially have their side elevations to New Street. The buildings are a sufficient distance not to result in an unacceptable impact on light, privacy or outlook. The proposed uses of these buildings would be for light industrial and storage use. While there would be some additional

noise from vehicular movements such uses would not result in an unacceptable impact on their living conditions. The Environmental Health Officer does not raise any objections to the proposal.

- 14.8 In relation to highway safety matters, the proposed access into the site would be onto the recently built internal access road. The Highway Authority considers that sufficient car parking is shown to be provided which would accord with the Councils adopted car parking standards.
- 14.9 In conclusion, it is considered that the development is acceptable as it creates employment uses and the design and layout of the site would appear integral to Forest Gate Business Park and respond positively to New Street with new landscaping and tree planting adjacent to the road.
- 14.10 In coming to this recommendation, consideration has been given to the rights set out in Article 8 (Right to respect for private and family life) and Article 1 of the First Protocol (Right to peaceful enjoyment of possessions) of the European Convention on Human Rights. Whilst it is recognised that there may be an interference with these rights and the rights of other third parties, such interference has to be balanced with the like rights of the applicant to develop the land in the way proposed. In this case it is considered that the protection of the rights and freedoms of the applicant outweigh any possible interference that may result to any third party.

## **15. RECOMMENDATION**

### **Grant Subject to Conditions**

Reserved matters of layout, scale, appearance and landscaping, specified in condition 1 of outline permission reference number 97377 dated 6th August 2013.

### **Proposed Conditions:**

1. The development permitted shall be carried out in accordance with the following approved plans: 33J, 40F, 43C, 42C, 36B, 35A, 37D, 39C, 38C, 44B.  
  
Reason: To ensure satisfactory provision of the development.
2. The buildings hereby approved shall only be constructed in accordance with the materials and details shown on drawings Nos 40F, 43C, 36B, 37D, 39C, unless otherwise agreed in writing by the Local Planning Authority.  
  
Reason: To ensure an acceptable appearance of the buildings in accordance with policy CS2 of the Core Strategy for the New Forest District outside the National Park.

3. The development hereby approved shall only be constructed from the slab levels in relation to the existing ground levels as shown on Drawing No 33J unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development takes place in an appropriate way in accordance with policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy)

4. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 2005 and the Town and Country Planning (General Permitted Development) Order 1995 or any subsequent re-enactments thereof, the development hereby approved shall be used for B1 and B8 purposes only and for no other purposes, whatsoever, including any other purpose within Classes B2 of the Town and Country Planning (Use Classes) Order 2005 or any subsequent re-enactment thereof, without express planning permission first being obtained.

Reason: To safeguard the amenities of nearby residential properties in accordance with Policy CS2 of the Core Strategy for the New Forest District outside the National Park.

5. Before any development commences (involving the commencement of work on the building hereby approved), a detailed option appraisal and remediation strategy together with remediation verification plan must be prepared giving full details of the remediation measures required and how they are to be undertaken. This must demonstrate that the development at the site can be brought to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment, including protection of controlled waters. The remediation options appraisal and remediation strategy are subject to the approval in writing of the Local Planning Authority, and must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The remediation strategy must consider that no infiltration of surface water drainage into the ground or foundation design using penetrative methods (e.g. piling) is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. A verification plan is required to demonstrate how the remediation strategy will be verified as being effective. This must provide details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete, and identify any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the Local Planning Authority. The scheme must ensure that the development will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation and shall be implemented as approved.

Reason: To protect controlled waters and 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 policies CS5 and CS6 of the Core Strategy for the New Forest District outside the National Park.

6. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. The approved remediation scheme must be carried out in accordance with its terms. Following completion of measures identified in the approved remediation scheme, a verification report demonstrating completion of the 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. It shall also include any plan (a long term monitoring and maintenance plan) for longer term monitoring of pollutant linkages maintenance and arrangements for contingency action as identified in the verification plan and for the reporting of this to the local planning authority. The long term monitoring and maintenance plan shall be implemented as approved.

Unless otherwise agreed in writing by the Local Planning Authority, the verification report must be completed and approved in writing by the Local Planning Authority either:

- prior to the commencement of development, other than that required to carry out remediation, or
- if the development is required to carry out the remediation, it must be carried out prior to the occupation of any buildings or use of the land as the proposed end use

Reason: To protect controlled waters and 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 CS5 and CS6 of the Core Strategy for the New Forest District outside the National Park.

7. If during development contamination not previously identified is found to be present, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the developer and approved by the Local Planning Authority until the developer has submitted and obtained approval from the Local Planning Authority for recommencement of development. An investigation and risk assessment must be undertaken, and if this finds remediation to be necessary, a remediation strategy and verification plan must be provided detailing how this unsuspected contamination shall be dealt with and approved by the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and with the same considerations as detailed within Condition 89. The remediation shall be implemented and verified with the same consideration as detailed within Condition 9, and approved by the Local Planning Authority.

Reason: To protect controlled waters and 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 policies CS5 and CS6 of the Core Strategy for the New Forest District outside the National Park.

8. In accordance with the submitted strategic landscape details under plan 33J, the following additional details shall be submitted to and approved in writing by the Local Planning Authority:
- (a) a specification for new planting (species, size, spacing and location);
  - (b) areas for hard surfacing and the materials to be used;
  - (c) other means of enclosure;
  - (d) 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 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 10 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 a similar size or species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that the development takes place in an appropriate way and to prevent inappropriate car parking to comply with Policy CS2 of the Core Strategy for the New Forest District outside the National Park.

9. No delivery activity shall take place on the site in connection with the approved uses other than between the hours of 8:00am and 21:00 Monday to Fridays, and 8:30 am and 17:00 on Saturdays not including recognised Sundays or recognised public holidays.

Reason: To safeguard the amenities of nearby residential properties in accordance with Policy CS2 of the Core Strategy for the New Forest District outside the National Park.

10. 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 CS2 of the Core Strategy for the New Forest District outside the National Park.



**Notes for inclusion on certificate:**

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council takes a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome by giving clear advice to applicants.

The initial submission was considered to be unacceptable for several reasons and following negotiations with the applicants and their agent, revised plans have been submitted and address the concerns previously raised.

2. This decision relates to amended plans received by the Local Planning Authority on the 10th Feb 2016.

**Further Information:**

Major Team

Telephone: 023 8028 5345 (Option 1)



**New Forest**  
DISTRICT COUNCIL

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**Planning Development  
Control Committee  
April 2016**

**Item No: 3d**  
Plot 7 Forest Gate  
Yeoman Road  
Ringwood  
15/11720  
SU1404

Scale 1:2000

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

