

Application Number: 25/10398 Full Planning Permission
Site: 20 KEYHAVEN ROAD, MILFORD-ON-SEA SO41 0QY
Development: Alterations to existing garage to facilitate a change of use to form a convenience store. Retain first floor C3 use
Applicant: Harnden Homes Ltd
Agent: Pure Town Planning
Target Date: 02/07/2025
Case Officer: Vivienne Baxter
Officer Recommendation: Grant Subject to Conditions
Reason for Referral to Committee: i) Cllr Hawkins request
ii) Parish Council contrary view

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Principle of the development
- 2) Impact on the character and appearance of the Conservation Area
- 3) Impact on the residential amenities of the area
- 4) Highway matters including parking
- 5) Ecology
- 6) Contamination

2 SITE DESCRIPTION

The site lies on a corner plot within the village of Milford on Sea to the south side of Keyhaven Road. Although the site is presently vacant, it was an established petrol filling station with a fore court canopy, associated convenience store and workshops and two units of residential accommodation above. More recently, it was used temporarily for hand car washing and during this operation, a dwarf wall was erected along part of the front boundary. Vehicular access to the site is from both Keyhaven Road and Laundry Lane although the latter is a private road.

The whole site lies within the Milford on Sea Conservation Area although land to the south is outside of this designation. The former White Horse pub to the west is a listed building and has recently been converted into residential properties. To the eastern side of Laundry Lane is another listed building which is in residential use. There are further listed properties and a listed wall to the north-east of the site.

Keyhaven Road has a variety of uses and the Milford on Sea local shopping frontage is approximately 100m to the west of the site. To the rear (south) of the site is an industrial estate.

3 PROPOSED DEVELOPMENT

The proposal entails the conversion of the ground floor from a petrol station with workshop and small retail element and offices into a retail (Class E(a)) unit. There would be ten associated parking spaces (with eight for the shop including a disabled

bay and two for the existing flats), along with cycle parking and delivery and turning facilities. Cars would enter the site from the east off Laundry Lane, exiting directly onto Keyhaven Road to the west. These access points exist along with a dropped curb access to the eastern end of the Keyhaven Road frontage. Delivery vehicles would access and leave the site using the Laundry Lane access point.

The existing flats at first floor level would be refurbished as part of these proposals which also include the removal of the petrol station canopy over the fore court and the removal of an existing roof terrace to the rear of the building at second floor level.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
15/11655 Use as fuel sales; fore court car sales; hand car wash and valeting services (Retrospective)	13/05/2016	Grant Temporary Permission	Decided
15/11627 Use as 1 flat (Lawful Use Certificate for retaining an existing use or operation)	12/04/2016	Was Lawful	Decided
92/NFDC/49447 Canopy/underground storage tank/relocate pump island/alts :	15/05/1992	Granted Subject to Conditions	Decided
89/NFDC/40768 Extension to offices/shop & workshop	11/05/1989	Granted Subject to Conditions	Decided
81/NFDC/19545 Construction of a fore court canopy and an 8,000 gallon underground petrol tank.	14/07/1981	Granted	Decided
80/NFDC/17506 Alterations and addition of a store and 1st floor office accommodation and toilets.	09/10/1980	Granted Subject to Conditions	Decided
80/NFDC/17068 Addition of a flat over existing showroom (associated with business).	08/08/1980	Granted Subject to Conditions	Decided
XX/LYB/11695 Rebuilding and enlarging of existing engineering workshop.	18/11/1968	Granted Subject to Conditions	Decided
XX/LYB/09111/1 Petrol filling station.	12/08/1966	Granted	Decided
XX/LYB/09111 Garage and filling station.	03/03/1964	Granted Subject to Conditions	Decided

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Policy STR1: Achieving Sustainable Development

Policy STR3: The strategy for locating new development

Policy STR4: The settlement hierarchy

Policy ENV3: Design quality and local distinctiveness

Policy ECON2: Retention of employment sites and consideration of alternative uses

Policy ECON5: Retail development and other main town centre uses

Policy CCC1: Safe and healthy communities

Policy CCC2: Safe and sustainable travel

Local Plan Part 2: Sites and Development Management 2014

DM1: Heritage and Conservation

DM2: Nature conservation, biodiversity and geodiversity

DM16: Within town centres, outside Primary Shopping Areas and Secondary Shopping Frontages

DM19: Small local shops and public houses

Supplementary Planning Guidance And Documents

SPD - Air Quality in New Development. Adopted June 2022

SPD - Design of Waste Management Facilities in New Development

SPG - Milford-on-Sea - A Conservation Area Appraisal

SPG - Milford-on-Sea Village Design Statement

SPD - Parking Standards

Neighbourhood Plan

N/A

National Planning Policy Framework

NPPF Ch. 6 - Building a strong, competitive economy

NPPF Ch.7 - Ensuring the vitality of town centres

NPPF Ch.11 - Making effective use of land

NPPF Ch.12 - Achieving well-designed places

NPPF Ch.16 - Conserving and enhancing the historic environment

National Planning Policy Guidance

Town Centres and Retail

6 PARISH / TOWN COUNCIL COMMENTS

Milford on Sea Parish Council

The Parish Council recommends PAR 4: We recommend REFUSAL for this proposal.

The proposed redevelopment of the site at 20 Keyhaven Road raises serious concerns regarding its impact on the surrounding residential environment, local infrastructure, and community wellbeing. Located within a predominantly residential and conservation area, the proposal for a convenience store with associated parking and deliveries presents multiple planning conflicts — ranging from significant noise disruption and visual intrusion to risks to highway safety, residential amenity, and the character of the area. This representation outlines the various adverse effects of the development, referencing professional assessments, planning policy conflicts, and local conditions that collectively argue against the approval of this application.

Please find reasons for the Parish Council's recommendation for refusal below.

- Impact on residential amenity of adjacent neighbouring properties, in respect of light, visual intrusion and privacy;
- Impact on the character and appearance of the area, including Conservation area and adjacent listed buildings;

- Impact on highway safety, including matters relevant to car parking and servicing;
- Impact on Vitality and Viability of Village Centre;
- Impact on public health and safety (land contamination, air quality, hazardous substance);

Considering the documented adverse impacts on residential amenity, heritage assets, local infrastructure, and public health and safety, the Parish Council believe this proposal is wholly incompatible with both local and national planning policy and the distinct character of the area. The Milford-on-Sea Parish Council urges New Forest District Council to refuse this application.

Following re-consultation:

The introduction and conclusion stated above are repeated, as are the headings forming the objection. In addition to these concerns, the impact on ecology and protected species, with particular reference to a badger sett, is included in the revised comments.

7 COUNCILLOR COMMENTS

Cllr Hawkins: Requests the application is reported to the Planning Committee

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

Environmental Health (Contaminated Land)

No objection subject to standard contamination conditions

HCC Highways

No objection, request conditions and an informative.

This response is based on receipt of a revised site plan showing the area to be stopped up, a delivery management plan, revised tracking for motor vehicles and a road safety audit. The suggested informative requires a S278 license agreement with the Highway Authority.

Archaeologist

No objection

Conservation

Comment only

Planning Policy

No policy objection

Environmental Health (Pollution)

No objection subject to conditions relating to noise mitigation, delivery restrictions and the submission of a Construction Environmental Management Plan (CEMP)

Ecology

No objection subject to condition

9 REPRESENTATIONS RECEIVED

The following is a summary of the representations received following the initial notification.

Against: 629

The main concerns relate to highways related matters and the view that such a facility is not required or wanted in Milford on Sea.

A petition of signatures has also been received in objection to the proposal.

NEED

- village already has excellent grocery facilities
- another supermarket/Tesco isn't necessary
- there is no proven need for an additional store
- proposal would have a significant impact on existing village shops (butchers, florist, greengrocer's, bakers, newsagent, delicatessen, chemists, cafes & restaurants), undermining their viability
- One Stop stocks Tesco products
- would result in job losses to existing retail premises and then closure of shops (including the Post Office)
- economic displacement would cause irreparable damage to the commercial diversity of the village
- chain convenience stores are out of keeping with heritage of high street
- independent stores create the village atmosphere and community spirit
- proposal is not economically viable
- retail impact assessment based on out of date report
- previous hardware store didn't impact on other shops
- not enough spending capacity in the village

HIGHWAYS

- access and parking locally is already difficult, particularly in Lawn Road
- roads are congested
- Keyhaven Road is too busy and narrow for a Tesco store
- delivery trucks will be dangerous in a congested area
- pot holes will become worse
- increased traffic generation
- access to/egress from the village is difficult at present
- increased chance of accidents
- the site has limited access for deliveries and turning
- would increase difficulties for pedestrians, particularly children and the elderly
- inadequate parking provision
- excessive parking provision
- traffic congestion is increasing due to inadequate planning measures for new builds
- deliveries for existing convenience stores is bad enough
- fore court parking would increase traffic hazards
- traffic survey done in winter instead of summer
- where will staff park?
- parking will be used by industrial estate
- Lawn Road will become an overflow car park
- traffic enforcement is non-existent in Milford
- traffic will be really bad at school pick-up or drop-off time
- school children queue for their bus along Keyhaven Road
- concern for pedestrian safety, particularly vulnerable groups
- existing public parking in the village is inadequate
- Keyhaven Road will become much busier as people won't walk to the store

- the car wash caused queues
- people won't use public car parks to access Tescos
- people will overstay the parking
- car park bollards would limit pedestrian circulation space
- lazy drivers park on double yellow lines already
- Transport Statement is poor
- could impact on access to adjacent commercial premises
- site is inadequate to cater for HGVs
- drivers won't have visibility of pedestrians when leaving the site

OTHER

- would encourage youths to hang around - increased crime and anti-social behaviour
- poor air pollution from exhausts
- would set a precedent for commercialisation of the village
- drainage is compromised close to the site
- planning should support Council Tax payers
- petrol station with garage/workshop would be more beneficial
- site should be sold for social housing or used as a community space, recycle cafe, creche, gym, library, climbing centre, school, swimming pool or ice cream parlour
- the revenue the village contributes towards rates, taxes, rents and tourist spending should be considered
- noise and disturbance from delivery lorries, early and late night opening
- site is too small for shop, parking and delivery area
- there are Tesco stores in Lymington and New Milton (as well as Aldi, Lidl, Waitrose and Marks and Spencers)
- people drive to an all hours shop
- signage would not be in keeping with the area
- proposal would make the village less safe for its residents and visitors
- existing convenience stores do not sell flowers or newspapers due to specialist shops
- would have a negative impact on the Conservation Area
- appears to be contrary to policies supporting rural communities and local businesses
- site is away from the village centre and shouldn't be allowed
- contamination issues need to be addressed
- It will not help tourists support the village
- inaccuracies in Transport Statement
- existing buildings are poor quality and should be demolished
- proposal conflicts with the Village Design Statement
- aluminium and glass shop front not suitable for a coastal village
- light pollution
- should be located at Manor Road if required
- too far for most people to walk to
- decontamination would have an adverse impact on the neighbourhood
- bad idea to locate it away from the compact village centre
- the proposal would overlook existing properties
- impact on NFDC business rates
- on site parking would encourage people to drive
- highly packaged convenience foods would increase litter
- shop would overlook existing residents
- opening hours likely to be out of step with their businesses
- jobs have already been advertised for the store
- no bus stop within 50m
- should be located elsewhere (Manor Road development/A337) if required
- couldn't find a worse site

- reduced incentive for the upkeep and maintenance of buildings and public spaces
- it would decrease footfall
- would hinder farm traffic along Keyhaven Road
- contrary to the supporting information, Laundry Lane workers have access to the convenience stores in the village 3 minutes away, the site is within easy walking distance of existing village shops
- loss of property value
- impact of works to fuel tanks on nature reserve
- the fire escape to the rear of the existing workshop needs to be maintained
- specialist shops would be replaced with tattoo parlours, vape shops, nail bars or charity shops

PETITION

A petition against the proposed development has been received. The supporting letter with the petition advises that many of the 1103 signatories have signed as they are unable to navigate online systems. It does not refer to any specific reasons for their objection.

For: 12

- would be beneficial for Lawn Road residents
- easy to walk to
- more up to date for village which is behind the times
- existing shops are too expensive and lack variety of essentials
- good for more jobs to be available
- existing shops are not accessible for wheelchairs or prams
- existing building is an eyesore
- deliveries would be by smaller vehicles rather than articulated lorries
- should have little impact on the aesthetics of The Green which has Boots, Co-op and One Stop signage
- Brockenhurst, with a smaller population to Milford, thrives with Tesco and two other convenience stores as well as independent shops
- census appears to suggest that the economy is large enough for all stores, particularly in view of new development (New Lane, Bradley Road, Manor Road)
- helpful to have on site parking
- village needs to cater for expanding population
- other shops will still get trade due to Post Office and Evri facilities
- Tesco is no threat if your customers are loyal
- will enable those who don't drive to shop in Tesco
- more choice for tourists

Neutral: 1

- cycle stands should be covered
- lighting in car park is unclear
- pedestrian route to shop is unclear
- consideration should be given to installing bollards on the pavement
- delivery times should be secured by condition

Following the receipt of amended plans at the end of 2025, further representations have been received from local residents. Those remaining in objection to the proposal have made the following additional comments:

- buildings along Keyhaven Road are now predominantly residential
- reduction in parking does not help
- amendments are cosmetic/irrelevant
- the road floods near the site
- applicant has let the site fall into disrepair

- young people are currently priced out
- villagers should have a say on what goes on in their village
- existing retailers in the village have been for sale/rent for 2 years
- travelling through the village with a boat can be slow and frustrating
- Policy officer is wrong
- impact on property values
- two shops have closed in January 2026
- if Councillors agree to the proposal they will be destroying the charm of Milford on Sea
- can't provide parking and safe pedestrian access
- damage to listed buildings through vibration

A representation in support has advised that a new Tesco Metro in New Milton has provided a lifeline for the elderly and turned a tatty site into a thriving hub. A further letter of support advises that Tesco gives a lot to local charities and deliveries to other (of their) local shops have no issues.

10 PLANNING ASSESSMENT

Principle of Development

Policy ECON2 of the Local Plan Part 1 states that employment sites that remain suitable for employment use will be retained for continued employment use wherever possible. Other uses that require planning permission will be supported provided that:

ii. For other non-employment uses, it is demonstrated that the employment site is no longer suitable or viable for continued employment use, by submission of proportionate evidence showing that:

- a. The condition of the site or building renders it unsuitable for its present or any other realistic and appropriate employment use, and it would not be viable to refurbish or redevelop the site for an alternative employment use; and/or*
- b. The site has been actively but unsuccessfully marketed for employment use on unrestricted terms fair to potential occupiers and at a realistic price, for a minimum period of twelve consecutive months prior to the date at which the planning application for an alternative use was submitted.*

And in addition to ... (ii)

iii. The alternative use would not have a significant detrimental impact on the operation of other businesses in the local area.

Whilst a retail Class E use is not defined as an employment use in paragraph 7.5 of the supporting text to this policy, the proposal would, nevertheless generate employment.

Policy ECON5 seeks to support town and village centres by applying a 'town centre first' approach in determining proposals for retail uses. This application relates to retail development and under i.a) of the policy, the proposal should be consistent with the scale and function of the settlement. In this case, Milford on Sea is designated as a main village in the Local plan Part 1 and is therefore considered an acceptable location for small to medium sized developments. The proposal represents a small scale development. As the site is outside of any town centre and local shopping frontage, clause ii of the policy also applies to this application. The relevant parts of the policy are as follows:

i. Development proposals for the Main Town Centre Uses will be favourably considered on environmentally appropriate sites in the settlements identified in

Policy STR4: The settlement hierarchy provided that:

a. The proposal is consistent with the scale and function of settlement in accordance with Policy STR4: The settlement hierarchy;...

ii. Other than as set out in Saved Policy CS21: Rural economy or in the Site Allocation Policies, development proposals for Main Town Centre Uses will only be supported in more peripheral locations within or outside defined built-up area boundaries where supported by robust evidence submitted at planning application stage to demonstrate that:

a. There is a local need and no suitable town centre or edge-of-town centre sites that are available to address that need; and

b. The location is, or will be made, accessible by a choice of transport modes including safe and convenient pedestrian and cycle access; and

c. That there would be no significant adverse impact on the vitality and viability of town centres and large villages.

Policy DM19 of the Local Plan Part 2 states that convenience stores of up to 280m² will be permitted where they provide for the day to day needs of the community which would otherwise not be provided for.

NPPF paragraphs 88 and 89 support the development of accessible local services such as shops advising that the use of previously developed land, well-related to existing settlements should be encouraged. National Planning Policy Guidance relating to town centres and retail advises that the impact test is only a requirement for proposals which exceed 2,500m². This is also reflected in paragraph 94 of the NPPF.

The site is currently considered to fall into a sui generis use, akin to an employment use at present. With regard to policy ECON2, the proposal would provide a supporting service to businesses or the workforce in the area. The submitted Planning Statement states that the site has been considered for an alternative B2 (General Industry) use to reflect those to the south within the adjoining industrial estate. However, this type of use was ruled out for the site by the applicant in view of potential harmful impacts on residential amenity and potentially the conservation area. The site has been marketed for employment use for several months prior to the submission of the application but there has been no interest. Having regard to the policy therefore, consideration has been given to the marketing that has been undertaken, the possibility of alternative employment uses and their impact on the amenities of the local area, both visual and residential. In addition to this, although the proposed retail use does not include a typical employment use as defined in paragraph 7.5 of the Local Plan (namely uses within the former B1, B2 and B8 categories), it would create employment opportunities locally. As such the justification for the loss of employment space is sufficient and therefore the proposal is considered to comply with Policy ECON2 of the Local Plan Part 2.

The application site is not in a defined town centre, nor is it within a primary or secondary shopping frontage as defined in the Local Plan. The retail use is however, a "main town centre use" for planning policy purposes and therefore policy ECON5 is relevant in terms of the proposed use and the fact that the site is in a peripheral location from the village primary shopping frontage. As such, having regard to policy ECON5, the application has been supported with a retail impact assessment. The retail impact assessment addresses the site in location to other potential available sites as well as the impact upon the vitality and viability of the nearby centre and the need for a further retail use in this location.

Section 5 of this assessment relates to a retail sequential test. In this case, whilst the site does not lie within the local shopping centre, as it is 300m from the defined frontage, it can be considered an edge-of-centre site. Other potentially sequentially preferable sites within the defined local shopping frontage have been considered although 32, High Street (the Lazy Lion) was the only site identified as being worthy of further consideration within the proximity of the application site. Having regard to the proposed use, it was considered that whilst the floor space of 32, High Street is comparable to the current site, it is spread over three floors which would not be suitable for a convenience store without significant physical intervention. No. 32, High Street is also Grade II listed which would limit such possibility for internal and external alterations. Furthermore, as a public house, the change of use of 32 High Street would also be in conflict with Local Plan Part 2 Policy DM24.

There have been several representations submitted suggesting that there is no local need for the proposal in Milford on Sea given that there is already a Co-op and One Stop convenience store together with a range of independent stores such as butcher, bakery and news agents in addition to larger supermarkets being available in nearby New Milton and Lymington. Section 6 of the retail impact assessment considers the need for a further retail outlet within this local area. It should be noted that the supporting text relating to policy ECON5 does not require a retail impact assessment for stores under 500m² GIA (gross internal area) and the National Planning Practice Guidance (NPPG) relating to town centres and retail advises that the impact test is only a requirement for proposals which exceed 2,500m² and this threshold is reflected in paragraph 94 of the NPPF. The proposal is for a GIA of 403m² with the shop floor being just 250m² and so does not meet any of these thresholds.

Nevertheless, in view of the two nearby towns (New Milton and Lymington) being in excess of 6km from the site, the proposal has been considered in light of the local provision in Milford on Sea which is located 108m from the site. The information provided within the retail impact assessment includes the type of shopping likely to be undertaken at the proposed store (top up shopping) together with the population size, expenditure per capita and estimations of existing turnover and capacity (size) in the two existing convenience stores which are the most comparable sites in the local shopping frontage. As the retail evidence base for the NFDC area dates back to 2010, the submission relies on a more recent household survey data on behalf of three local authorities in the area which includes survey data relating to the New Forest. The Office for National Statistics (ONS) population data for 2021 has also been used.

The data presented in Table 7 of the Retail, Sequential and Impact Assessment (RSIA) shows the estimated turnover for the existing convenience stores, (based on their floor space and sales densities taken from The Co-operative Food Financial Year 2023 Report and a news item about One Stop within 'The Grocer'), plus the proposed convenience store, (based on published average sales densities contained within the Experian Retail Planner Briefing Note 21 (February 2024)) in terms of top up shopping. Overall, this would amount to between £4,949,830 and £5,001,519 over the next five years.

The forecast for available top up convenience shopping would be between £5,816,223 and £5,843,184 over the same period, meaning that the village would have a surplus top up shopping capacity of between £866,393 and £841,665 over the next 5 years should the proposal go ahead. Further, the RSIA suggests that whilst there are a variety of other shops within the village, they have limited floor areas and offer specialised goods, therefore providing different offers to the proposal. On this basis, it is not considered that the proposal would saturate the retail options within the village.

The RSIA also states that the figures do not include the potential for the population of Milford on Sea to increase in the stated time and Members will be aware that there is an extant outline planning permission for 170 new dwellings to the north of Manor Road within the village, with the reserved matters for this site currently subject of a new planning application (Strategic Site Allocation - SS7). This forecast growth is considered to account for the surplus capacity in the village and as such, the proposal would not give rise to significant adverse impacts on the vitality and viability of the main shopping frontage in the village through a saturation or over provision of top up retail options.

Local residents have noted this potential increase in housing with some suggesting that the Manor Road site would be a preferable location for the convenience store whilst others accept that the village could support a further retail unit in view of this extant permission. The Council's Planning Policy Team has assessed the retail impact assessment and has concluded that the methodology followed in the documentation appears to be consistent and proportionate with national policy and guidance. Based on the information submitted within this assessment together with the supporting planning statement, it is considered unlikely that there would be a significant adverse impact on the vitality and viability of the Milford on Sea defined local shopping frontage as a result of the current proposal and the proposal would therefore comply with Policy ECON5 of the Local Plan Part 2.

The sales area of the development proposed is 250m², within the maximum threshold set out by Policy DM19 of the Local Plan Part 2. However, it is accepted that the village contains other convenience stores, as well as several specialist shops and as such, the proposed development would not be entirely consistent with Policy DM19 in terms of providing for day to day needs which might not otherwise be met. However, the supporting material provided by the applicant in the Planning Statement and in the RSIA is considered by the Planning Policy team to provide sufficient evidence that this proposed development would provide for the day to day needs of the community in addition to those already in operation, it is located within the community being served, and as such, there can be considered to be a need for the development, particularly in light of the future expansion of the village.

To conclude on the principle of the proposed use, it is considered that the submission has adequately demonstrated that there is little or no interest in continuing a traditional employment use at the site, that there is sufficient capacity within the village to accommodate another convenience store without significantly harming the vitality and viability of the existing shopping frontage and that it would serve the local population. As such, the proposal is considered to comply with Policies ECON2 and ECON5 parts ii.a) and ii.c) of the Local Plan Part 1 and Policy DM19 of the Local Plan Part 2.

Site layout and impact on the character and appearance of the Conservation Area

Policy ENV3 requires development to be contextually appropriate and sympathetic to its environment. Policy DM1 of the Local Plan Part 2 requires development to conserve and seek to enhance the historic environment, having regard to the importance of the heritage asset. The Conservation Areas and Listed Buildings Act 1990 places the following statutory duty on Local Planning Authorities: Section 72 sets out that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area. Chapter 16 of the NPPF refers to the historic environment with paragraph 212 relating to the consideration of the impact of a proposal on the significance of a designated heritage asset.

Conservation Area Impact

The application is supported with a Heritage Statement which identifies the nearby heritage assets (listed buildings and conservation area). Whilst there is no reference to the existing setting of these assets, reference is made to the Milford on Sea Conservation Area Appraisal which identifies the site as an opportunity for site enhancement, stating that it (the site) '*contributes very negatively to the appearance of the street*' and has '*an extremely dominant projecting canopy and an ugly premises to the rear of the fore court*'. With the removal of the canopy and refurbishment of the building including improvements to its appearance together with less clutter to the fore court, the Heritage Assessment has concluded that the proposal would result in significant benefits to the setting of the listed buildings and conservation area.

At present, the site is fenced off from the public highway and has a negative impact on the Milford on Sea Conservation Area. The proposal would refurbish the existing building on site, remove the petrol station canopy and provide a more formal fore court layout, accommodating parking, cycle stands, residential bin stores and turning facilities. One of the initial concerns raised by the Conservation Officer related to the loss of the front boundary wall. Although this wall was provided during the use of the site as a hand car wash and is not considered to have any historic merit, the proposals have been amended to address this and a wall not exceeding 600mm high is to be reinstated along much of the front boundary. This is welcomed as it provides definition between public highway and private fore court and reflects the front boundaries in the immediate area.

It is not considered that the proposal would adversely affect the character or the appearance of the Milford on Sea Conservation Area or harm the setting of nearby listed buildings. In addition, the proposal would offer an enhancement through the refurbishment of the building and its subsequent occupation, thus complying with Policy DM1 of the Local Plan Part 2.

Visual impact

The fore court of the premises has previously been used for car washing and the sale of motor vehicles where much of the frontage would be covered in cars. The proposal would provide a more formal frontage with designated parking areas, cycle parking and access/turning areas. Given the nature of the proposed use, the use of this area would be very fluid, unlike the display of vehicles for sale. The existing unsightly concrete surfacing would also be replaced with other materials, details of which can be requested through a suitably worded planning condition.

Removal of the fore court canopy would allow for the building to be read within the street scene albeit set back from the front boundary. The frontage element is presently partly rendered and partly painted brick work and as part of the proposals, the whole building would be finished in render. The workshop element to the rear which is currently clad in black sheeting would also be rendered. The existing cladding is not representative of the local area and its removal would be seen as a visual enhancement. Combined with the proposed anthracite grey aluminium framed windows and doors, it is not considered that the proposed finish of the building would be harmful to the character or appearance of the area.

Many local residents and the Parish Council have raised concern about the impact of lighting on the Conservation Area. Having regard to this, the existing openings at ground floor level to the northern and eastern elevations are to be reduced from the existing situation. This includes the loss of two windows, the removal of a door (with small window) and reduction in the existing glazed shop door size to the eastern elevation. To the northern elevation, two large glazed areas are proposed, a total glazed length of 7.7m with a 2m break between the two openings. At present, there

are two large glazed openings which extend to 8.5m with a break of just 0.7m between them. Whilst it is accepted the premises are currently vacant, a more significant level of glazing could be illuminated without the need for planning permission and there are no restrictions on current opening hours.

The current proposal would have a reduced level of glazing overall, the illumination of which could be controlled with restrictions on opening hours, thus minimising the impact of illumination on the Conservation Area. The proposal does not include any external lighting and any external advertisements would be subject of a separate advertisement consent application.

The applicant has advised that commercial waste is stored in the back of house area, collected on a daily basis by the delivery vehicles and sorted by the retailer off-site. There are therefore no requirements for external bin storage for the store and details of the appearance of the residential waste store can be provided through a suitably worded condition.

Subject to appropriate conditions, the proposal would ensure the removal of unsightly elements present within the site and would improve the appearance of the existing building and the site through substantial refurbishment. Overall, it is considered that the proposal would be sympathetic to its environment and compliant with Policy ENV3 of the Local Plan Part 1.

Furthermore, the current proposals, would also ensure the long term use of the building which in turn would add to the vitality of and help preserve the Conservation Area. The use of the site as a retail store would not be inappropriate in a conservation area when the Milford on Sea Conservation Area already has convenience stores within it. The proposal is therefore considered to have an acceptable impact on the Milford on Sea Conservation Area and that appropriate regard has been had to the other nearby heritage assets in accordance with Policy DM1 of the Local Plan Part 2 and NPPF Paragraph 212.

Residential amenity

Policy ENV3 of the Local Plan Part 1 requires development to avoid unacceptable impacts such as visual intrusion, overbearing impact, noise and light pollution on residential amenity. Policy CCC1 requires development to take remedial action to address pollution hazards which could otherwise prejudice the health and safety of communities.

Overlooking/outlook

The building currently contains two flats at first floor level, flat one comprising three ensuite bedrooms, kitchen and living/dining room and flat two comprising kitchen, utility room and WC, living/dining room, two bedrooms (one ensuite) and a storage area leading to a roof terrace at second floor level. It is proposed to refurbish these dwellings making minor internal alterations in order to provide flat 1 as a three bedroom flat with open plan kitchen, living, dining room and a bathroom and flat 2 as a three bedroom dwelling with kitchen, living room, store cupboard and bathroom. The loft hatch to the roof would be retained as a roof light with no second floor access.

These works would not involve any additional windows and most existing windows would be used for their existing lawful use. Whilst concerns, including one from the Parish Council, have been received regarding potential overlooking to adjoining properties, given the existing flats on the site, it is not considered that the proposed refurbishment of the existing dwellings would give rise to any unacceptable impacts

on the residential amenities of those living nearby, indeed the loss of the second floor roof terrace would be an improvement in this respect. The proposed retail use would not affect privacy being at ground floor level.

As the proposal would involve the removal of the existing petrol station canopy from the fore court, the outlook from main bedrooms and living rooms from the flats at first floor level would be much improved from the current situation where the canopy obscures the lower 0.3m (approximately) of these windows. This is considered a benefit of the proposal and would comply with Policy ENV3 in terms of outlook for occupants. The retail use (including frontage activity) would not have any overbearing impact on local residents as there are no permanent additions to the built form and the lawful use of the site allows for the temporary parking of vehicles.

Noise

Policy ENV3 of the Local Plan Part 1 requires development to avoid unacceptable impacts such as noise pollution on residential amenity.

The application has been supported with several noise reports relating to different aspects of the proposal (plant, deliveries and car park) together with details of sound insulation to protect the amenities of future occupants of the flats. Some of these reports were specifically requested by Environmental Health during the course of the application in order that internal noise from plant, noise associated with customer and vehicle activity and any emissions arising could be properly considered.

It should be noted that the current lawful use of the site includes 2 residential units above workshop space. Whilst one of these units was issued with a lawful development certificate in 2015, the other was subject of a much earlier planning application where no conditions were imposed in relation to noise attenuation as the ground floor at that time was in 'showroom use'. The proposal has the opportunity to improve the living conditions for those occupying either one of the existing flats and would be beneficial to residential amenity.

With regard to plant noise, the plant room would incorporate Louvre doors fitted with internal attenuators to reduce noise breakout. In addition to this, all plant and associated pipe work would be mounted on appropriately rated anti-vibration supports to minimise structure-borne noise transmission through the building. These are considered to be acceptable mitigation measures to protect future occupants from this type of noise and a condition is recommended to ensure noise levels remain within the appropriate levels during both day and night time. In addition to this, the number (no more than 6 per day, only 2 of which can be HGVs) and timings (0700-2200 Monday to Saturday and 0900-1700 Sundays and Public Holidays) of deliveries are required to be restricted through a suitably worded condition to minimise disruption to local residents.

The details provided in respect of customer noise includes reference to conversational noise from the use of mobile phones or arriving in groups as well as from vehicle movement and is based on a worst case scenario. The assessment concludes that noise levels during peak hours are comparable to the existing ambient noise climate and no significant impact is expected. It is noted that the Parish Council has raised concerns about noise levels where human behaviour plays a part, including where deliveries are involved. However, this issue has been considered by Environmental Health who have advised that a condition relating to adherence with the submitted Delivery Management Plan is recommended to any planning permission. This would restrict the number of deliveries per day and the times during which they can visit.

The sound insulation report considers the impact of refrigeration equipment and activity within the retail area as well as back of house. Although there are no detailed plans of the separation floor at this stage of the development process, the assessment states that it will be in compliance with the store's Shell Specification. The report demonstrates that adequate noise control will be achieved if the separating floor meets the minimum airborne sound insulation. It is considered appropriate to impose a condition requiring compliance with the Shell specification and the mitigation measures outlined in the report.

With regard to emissions (noise, dust, etc.) from the site during the construction period, no details have been provided other than the proposed opening hours. However, this matter can be resolved through the imposition of a condition requiring the submission of a Construction Environmental Management Plan prior to works commencing. It is considered important to restrict the timings and number of deliveries as set out in the Delivery Management Plan together with suitable restrictions on the opening hours of the retail store.

Subject to appropriate conditions relating to noise, emissions, timing restrictions and contamination, the proposal is considered to comply with Policies ENV3 and CCC1 of the Local Plan Part 1 and is not considered to give rise to unacceptable impact on residential amenity having regard to privacy, overbearing impact, and noise pollution issues.

Highway safety, access and parking

Policy CCC2 of the Local Plan Part 1 requires development to provide sufficient car and cycle parking and to provide highways measures necessary to enable the development to be accommodated in a safe and sustainable manner. Policy ENV3 of the Local Plan Part 1 also requires the integration of sufficient parking spaces so that realistic needs are met in a manner which is not prejudicial to highway safety.

An initial objection was raised by HCC Highway Authority. Discussions have been undertaken to address these concerns. During these discussions, it was ascertained that part of the site, including the existing front boundary wall and some of the area proposed to be parking spaces was part of the adopted highway, albeit having been part of the overall site for many years. In order to address this issue as well as the stated concerns, the proposed plans have been amended to identify an agreed area of land within the red site area which would be formally stopped up. This would allow the proposed layout to be implemented without obstructing the highway and it requires a separate procedure under S.247 of the Town and Country Planning Act, 1990, outside of the planning application process but one which is requested prior to the commencement of works should permission be forthcoming.

The majority of objections received, including that from the Parish Council make reference to many highway concerns, in particular those relating to existing levels of on street parking locally, the proposed lack of parking and conflict with pedestrians and the additional traffic, including delivery vehicles.

Parking

The recommended level of parking for three bedroom properties within the NFDC Parking Standards SPD is 1.9 each if provided communally. For the store element, the proposed floor space would generate a recommended parking provision of 17.8 spaces. This figure does not differentiate between customer and staff parking. The cycle parking provision for a retail store of this size would equate to 1 long stay and two short stay spaces.

The existing fore court does not have any designated parking bays marked out on it although in the past, there have been spaces indicated for MOTs to the east side of the building.

The current scheme would make provision for 2 parking spaces for the flats which is 1.8 spaces below the recommended standard. However, this offers each dwelling a designated parking space where none currently exists and this represents an improved parking arrangement.

Eight parking spaces are proposed for the retail store (including an accessible bay) which represents a shortfall of 10 spaces against the recommended standard. Principle PS13 within the Parking Standards SPD requires departures from the parking standards to be justified using a robust evidence base. The submitted Transport Statement provides evidence which demonstrates that during peak hours, the number of vehicles present is likely to be 7 and the proposed number of parking spaces to be provided would cover this peak hour flow. This evidence uses TRICS (Trip Rate Information Computer System) data and includes consideration of the length of time visits to a convenience store would take (between 5-10 minutes) and the number of trips likely (up to 32 per hour at peak times). The developer has advised that these spaces would be for customers only with reference made to staff cycling to work. The proposal includes adequate cycle parking provision for the size of the retail store.

Within the Parking Standards SPD, it is noted that 80-90% of dwellings in Milford on Sea are within 800m of the local shopping frontage with only the towns of New Milton and Ringwood together with the wider Hythe and Dibden area having fewer dwellings this close to such facilities. These locations are much larger than Milford on Sea and the location of the proposed store would bring additional dwellings within 800m distance and the possibility of more people walking to the store either from home or one of the village's main car parks which is less than 185m from the proposed store, where customers could park and undertake multiple shop visits. There is also likely potential for customers to visit the store on foot which would reduce parking requirements. Consideration is also given to the settlement hierarchy which defines Milford on Sea as a main village which by definition has access to a range of facilities including a regular public bus service.

Access

The site benefits from access points on both Keyhaven Road and Laundry Lane. These are both proposed to remain with entrance to the site being off Laundry Lane and the exit to the west off Keyhaven Road. Careful consideration has been given to the one-way system through the site and the location of the parking spaces. Plans have been provided indicating swept path movements for vehicles accessing each parking space and this demonstrates that all parking spaces are accessible without significant manoeuvring within the site. Swept path movements for the delivery vehicles have also been provided to demonstrate that the delivery zone is accessible to all vehicles required to use it, even if all parking spaces are in use.

The application is further supported with details of appropriate visibility splays which allows for a front wall of up to 600mm high, providing definition to the fore court without harming highway safety. The visibility splays are for both vehicles and pedestrians using the site and will provide safe and convenient access.

Many concerns received relate to access through the village, particularly in light of deliveries which are made to the other convenience stores in the village which seem to cause concerns on a regular basis. It is noted that the One Stop shop does not have any designated parking for either customers or deliveries and such visitors have to rely on the public highway or car parks. The Co-op has a small in/out lay by

facility - which is part of the adopted highway - which is also used for up to 3 customer parking spaces albeit the middle space can be blocked in. The current proposal would therefore appear to be the only convenience store in the village with a designated off road delivery area and parking facilities.

Traffic generation

The application has been supported with a survey recording speeds and numbers of vehicles during the last week of January 2025. Whilst it is noted that many local residents do not believe that the survey was carried out at the appropriate time of year, the Highway Authority considers that the surveys are acceptable. This is due to the surveys being carried out during a 'neutral period' in order to assess the impact during the busiest peak periods during normal operation of the highway. Holiday traffic using Keyhaven Road would occur outside of the normal peak periods when there would be likely to be less traffic on the road. The Hampshire and Isle of Wight Traffic collision data has also been provided, confirming that there have been no accidents in the immediate vicinity of the site in the last five years. This data is also acceptable to the Highway Authority.

The TRICS database has been used to establish the trip generation for the existing lawful use of the site (both vehicle repair garage and car showroom) and this indicates that the historic use could generate up to 59 two-way daily trips. The same database estimates 64 vehicle movements in the morning peak hour and 56 movements in the afternoon peak hour for the current proposal. Whilst the Highway Authority acknowledges that not all trips to the new retail store would be entirely new to the highway network, as some would be pass-by, linked or diverted trips, there would be a significant proportion of additional trips generated by the store. However, taking into account the existing traffic volumes and nature of the local network, the Highway Authority considers that the proposed development is not expected to result in a severe impact on highway operation and as such, have raised no objection to the proposal in this respect.

Conclusion

It is acknowledged that within the objections raised above, many relate to highway matters. The developer has worked with the Highway Authority to address initial concerns raised and this has resulted in the scheme demonstrating that the site can accommodate delivery vehicles without impacting on the customer parking facilities. Customers should also be able to access and leave all parking spaces without impacting on deliveries. The proposal provides residential parking facilities for the two existing flats where they have no parking at present, Whilst the overall level of parking is below the recommended standards within the Parking Standards SPD, the existing shortfalls need to be considered along with the sustainable location of the site in settlement hierarchy terms. In addition, the developer has indicated that the peak number of visitors to the site is likely to be less than the number of spaces being provided as the proposal is predominantly intended to serve the local population who could walk to the shop. It is also noted that neither existing convenience store within Milford on Sea has any access to either parking or delivery facilities.

Upon review of the amended and additional information provided during the course of the application, the Highway Authority is satisfied that the proposal is acceptable and no highway objections are raised. Conditions relating to highway matters and an informative are recommended in order to ensure compliance with Policies ENV3 and CCC2 of the Local Plan Part 1.

Ecology

Policy DM2 of the Local Plan Part 2 states that development will not be permitted

which would adversely affect species of flora or fauna which are protected. The latest objection from the Parish Council has raised concern that the proposal would harm a badger sett to the rear of a property on Keyhaven Road. The site itself does not contain suitable habitat for a badger sett to be present and it is considered unlikely that an offence would occur via damage or interference with a sett. However, there is a risk that during construction any excavations left overnight may cause a risk to badgers, as individuals may become trapped. As such, a condition is recommended to ensure that any open trenches are covered overnight, or fitted with a ramp so that if an individual badger (or other mammal) does become trapped, it is able to leave of its own accord.

The site does not presently have any habitats exceeding 25m² within its boundaries and it is therefore exempt from the mandatory biodiversity net gain.

The proposal does not give rise to any potential harmful impacts on protected species and whilst a badger sett has been referred to in the latest Parish Council objection, any concerns can be resolved through the imposition of a suitable worded condition. The proposal is therefore considered to comply with policy DM2 of the Local Plan Part 2.

Contamination

Policy CCC1 does not permit development unless it is first adequately remediated or made safe for the proposed use and local community.

As a former petrol station for over 60 years, the fore court contains several underground fuel tanks and there remains a diesel pump. Three out of the four diesel tanks have been filled with slurry with the fourth appearing to be operational. Three historical tanks are located further south, closer to the workshop and there are three petrol oil interceptors to the northwest of the site. The submitted desk top study relating to contaminated land confirms that in addition to the on site uses, including vehicle workshop, car bay and hand car wash, the site could be impacted by an off site historical launderette and the on going uses within the adjacent industrial estate.

The report concludes that the majority of impacts offer a moderate or moderate/low risk to human health, buildings and controlled waters, aside from a high impact in relation to potential asbestos within 'made ground' within the site.

The Environmental Health Officer (Contaminated Land) has considered the submitted report and agrees that further investigative works are required to confirm ground conditions, investigate and assess the contaminant linkages identified and clarify the potential for contamination to be present. The Parish Council have expressed concerns about the potential contamination on the site and have indicated they would prefer the further investigative works to be undertaken prior to any permission being issued. Whilst this is noted, it is considered that the matter can be resolved through the imposition of the standard contamination planning conditions which is normal practice in such circumstances.

11 OTHER MATTERS

Most of the concerns raised in the third part representations are addressed in the planning assessment set out above. The following comments are made on other matters that have not been included.

Several representations make reference to alternative uses which they consider would be preferable on the application site. Housing has been suggested many

times, along with uses such as a library, community space, cafe/ice cream parlour, creche, gym, swimming pool and school. Having regard to these suggested uses, it should be noted that the proposed Class E use would also allow for the provision of the cafe/ice cream parlour (Class E(b)), gym, swimming pool (Class E(d)) and creche (Class E(f)) without the need for further changes of use applications (the proposed retail use is Class E(a)). Whilst applications can be amended to address specific issues, it is not the role of the Planning Authority to suggest a different use to that proposed and the current application needs to be determined as submitted and on its merits.

One of the concerns raised locally related to the fire escape at the rear of the building. Having regard to this, it is noted that the site boundary includes a gap between the existing workshop and commercial units to the rear. There are no proposals to extend into this space and an existing window to the rear elevation is proposed to be blocked up which would make the route safer than it is at present.

Comments have been received with regard to the proposed signage for the premises. This does not form part of the current proposals and would require the submission of a separate advertisement consent application.

12 CONCLUSION / PLANNING BALANCE

The application has been supported with a series of documents and surveys to demonstrate that there is capacity for an additional convenience store within Milford on Sea. The Council's Planning Policy team has considered the information which has been provided in accordance with local and national policy and concluded that in principle, there is no objection to either the provision of a convenience store or loss of employment use on this site.

Removal of existing unsightly elements on site, including the fore court canopy together with the refurbishment of the existing building and replacement of unsympathetic cladding offers a significant improvement to the appearance of the site which is considered to enhance the character and appearance of the Milford on Sea Conservation Area. The proposal does not give rise to unacceptable impacts on existing or future residential amenity. Conditions can be imposed to ensure compliance with noise reports and appropriate material finishes.

The applicant has worked closely with the Highway Authority to resolve the initial concerns raised and the proposal is not considered to give rise to unacceptable highway impacts in view of the ability to accommodate off street deliveries without impacting on the access to parking spaces.

The proposal makes good use of an otherwise under utilised site within the Milford on Sea Conservation Area. Whilst it is acknowledged that there has been a significant level of local interest in the proposal, many issues raised are not material planning consideration or able to be controlled under other legislation (e.g. littering and encouraging youths to hang around), others have been considered above and some refer to the possibility of alternative uses. This is not a matter to be considered as part of this application although the grant of permission for the convenience store would not preclude some of the other uses suggested by local residents.

The current proposals have to be considered against the relevant development plan policies and the national policy framework. The recommendation made is based on these taken as a whole in reaching a planning balance. There are no identified material planning considerations that would outweigh the conclusions reached. In this case overall, it is considered that the current proposals would represent a

sustainable form of development within a village context, adding to the vitality of Milford on Sea and would offer an improvement in visual terms to the street scene and this part of the Milford on Sea Conservation Area.

The recommendation for the application is therefore one of approval subject to conditions as it is considered to comply with policies ENV3, ECON5 and CCC2 of the Local Plan Part 1 and policies DM1 and DM2 of the Local Plan Part 2.

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:

23-121-100 - location plan
23-121-101D - existing plans
23-121-102G - proposed site plan
23-121-103A - proposed first floor plan
23-121-104B - proposed elevations

ADL_6436-19A - vehicle tracking for 8.4m rigid vehicle
ADL_6436-20A - visibility splays site access & Laundry Lane
ADL_6436-21A - highway extents and area to be stopped up
ADL_6436-23_1 - vehicle tracking for standard design vehicle (1 of 2)
ADL_6436-23_2 - vehicle tracking for standard design vehicle (2 of 2)

Design, Access, Planning & Heritage Statement dated March 2025
Retail, Sequential and Impact Assessment ref.R01129 dated 6 March 2025
Delivery Noise Assessment ref.93002 dated 24 March 2025
Plant Noise Guidance Report ref.93002 dated 24 March 2025
Plant and Car Park Noise Impact Assessment ref.93002 dated 22 August 2025
Sound Insulation Report ref.93002 dated 20 August 2025
Transport Statement ref.ADL/AM/6436/20A dated March 2025
Delivery Management Plan ref.ADL/AM/6436/13A dated January 2026
Groundworks Statement
Contaminated Land Desk Study Report ref.25-51582 dated April 2025

Reason: To ensure satisfactory provision of the development.

3. Prior to the application of the render, exact details of the proposed render colour 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. Prior to the commencement of the development hereby permitted, full details of the proposed materials to be used in the surfacing of the site, front boundary wall and residential bin store enclosure shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be implemented in accordance with the approved details prior to the commencement of the ground floor use.

Reason: In the interests of the character and appearance of the area and in accordance with policy ENV3 of the Local Plan Part 1 and policy DM1 of the Local Plan Part 2.

5. No development shall take place, (including any works of demolition), until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved statement shall include scaled drawings illustrating the provision for:

- 1) the parking of site operatives and visitors' vehicles;
- 2) loading and unloading of plant and materials;
- 3) management of construction traffic and access routes;
- 4) storage of plant and materials used in constructing the development;
- 5) vehicle tracking demonstrating that the largest vehicles associated with the construction process can access, egress and turn within the confines of the site; and
- 6) wheel washing, preventing mud on the highway.

Reason: In the interests of highway safety and in accordance with policies ENV3 and CCC2 of the Local Plan Part 1 for the New Forest outside of the National Park.

6. Prior to the commencement of any development (including site clearance, demolition, or preparatory works), a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include, but not be limited to, the following details:

- Site Management
- Contact details of the site manager and emergency contact information.
- Hours of operation
- Environmental Controls
- Measures to control noise, dust, vibration, and odour.
- Pollution prevention measures including spill response and containment.
- Protection of watercourses and drainage systems.

- Waste and Materials Management
- Use of sustainable materials and minimisation of waste.
- Monitoring and Compliance
- Procedures for monitoring environmental impacts and compliance.
- Mechanisms for reporting and addressing complaints.

The development shall be carried out in accordance with the approved CEMP.

Reason: In the interests of the residential amenities of the area and in accordance with policies ENV3 and CCC1 of the Local Plan Part 1 for the New Forest outside of the National Park.

7. Prior to the first use or occupation of the retail use hereby permitted, the noise mitigation measures set out in the "Sound Insulation Assessment Report" prepared by Noise Solutions Ltd (Ref: 93002, dated 20 August 2025) shall be fully implemented in accordance with the recommendations contained therein. The approved measures shall thereafter be retained and maintained in accordance with the approved details for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of residential amenity and in accordance with policies ENV3 and CCC1 of the Local Plan Part 1 for the New Forest outside of the National Park.

8. The development hereby permitted shall not be occupied until the spaces shown on plan 23/121/102 rev.G for the parking of motor vehicles and cycles have been provided. The spaces shown on plan 23-121-102 rev.G for the parking of motor vehicles and cycles shall be retained and kept available for the parking of motor vehicles and cycles for the store hereby approved and existing dwellings 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.

9. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions relating to contamination nos.10-13 have been complied with.

If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 13 relating to the reporting of unexpected contamination has been complied with in relation to that contamination.

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 of 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).

10. An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with the Environment Agency's technical guidance, Land Contamination Risk Management (LCRM).

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 of 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).

11. Where contamination has been identified, a detailed remediation scheme to bring the site 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 must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures.

The scheme must ensure that the site 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.

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).

12. Where a remediation scheme has been approved in accordance with condition 11, the approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

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).

13. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 10, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 11, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 12.

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).

14. Where a remediation scheme has been approved in accordance with condition 11, a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over the period stated in the remediation scheme, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority. This must be conducted in accordance with the Environment Agency's technical guidance, Land Contamination Risk Management (LCRM).

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 DM4 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

15. No activity shall take place on the site in connection with the approved ground floor use other than between the hours of 0600 and 2300.

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

16. All deliveries to the site should be in line with the details provided within the approved Delivery Management Plan (ref. ADL/AM/6436/13A dated January 2026), noting the size of the maximum vehicle size.

Deliveries to the site shall only be undertaken in accordance with the following provisions:

- All deliveries shall be carried out in accordance with the Delivery Management Plan set out in Section 7.9 of the Delivery Noise Assessment prepared by Noise Solutions Ltd (Ref: 93002, dated 24 March 2025), or any subsequent plan approved in writing by the Local Planning Authority,

- No more than two Heavy Goods Vehicle (HGV) deliveries shall be made to the site per calendar day. All deliveries shall be received at the designated service yard as identified in the approved site layout plan,
- Deliveries shall only take place during the following hours:
 - Monday to Saturday: 07:00 to 22:00
 - Sundays and Bank Holidays: 09:00 to 17:00

No deliveries shall take place outside these hours unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and residential amenity and in accordance with policy ENV3 of the Local Plan Part 1 for the New Forest outside of the National Park.

17. The noise mitigation measures outlined in the submitted Plant and Car Park Noise Impact Assessment undertaken by Noise Solutions Ltd (Project Reference: 93002 | Revision: 00 | Date: 22nd August 2025) shall be implemented prior to first use and thereafter adhered to at all times. These details shall include:

- the combined rating level from all plant and equipment as calculated in accordance with BS4142:2014 shall not exceed a rating level of 38dB LAr,Tr between the hours of 07:00hrs and 23:00hrs and 30dB LAr,Tr between the hours of 23:00hrs and 07:00hrs either measured or calculated at a distance of 1m from the facade of the nearest noise sensitive properties; and
- all plant, connecting ducts and pipes entering the building structure, shall be fitted with isolation mounts.

Reason: In the interests of the residential amenities of the area and in accordance with policy ENV3 of the Local Plan Part 1 for the New Forest outside of the National Park.

18. During any excavation works at the site, any trenches shall be covered over at night or fitted with a ramp.

Reason: In the interests of ecology and in accordance with Policy DM2 of the Local Plan Part 2 for the New Forest outside of the National Park.

19. The development shall be implemented in accordance with the approved highway improvement works, including the stopping up works, as shown on approved drawing ADL_6436-21A, prior to the occupation of the ground floor use. The applicant shall provide a copy of the S.247 license to the Local Planning Authority within 20 working days of receipt of the license from the Local Highway Authority.

Reason: In the interests of highway safety and in accordance with Policy CCC2 of the Local Plan Part 1 for the New Forest outside of the National Park.

20. Prior to the commencement of development, a site-specific Dust Management Scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be produced in accordance with the Institute of Air Quality Management (IAQM) 'Guidance on the assessment of dust from demolition and construction' 2014 (as amended) and be implemented, maintained and retained for the duration of the development.

Reason: In the interest of the residential amenities of the area and in accordance with policy ENV3 of the Local Plan Part 1.

Further Information:

Vivienne Baxter

Telephone: 023 8028 5442



© Crown copyright and database rights 2026 Ordnance Survey AC0000820269



New Forest
DISTRICT COUNCIL

Tel: 023 8028 5000
www.newforest.gov.uk

Mark Wyatt
Service Manager
Development Management
New Forest District Council
Appletree Court
Lyndhurst
SO43 7PA

**PLANNING
COMMITTEE**

February 2026

20 Keyhaven Road
Milford on Sea

25/10398

Scale 1:500

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