

APPENDIX A

Officer's Report to Southern Area Planning Committee on 15 March 2016

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| APPLICATION NO. | 15/00294/FULLS |
| APPLICATION TYPE | FULL APPLICATION - SOUTH |
| REGISTERED | 10.02.2015 |
| APPLICANT | Bericote Properties Limited |
| SITE | Alpha Park, Electron Way, Chandlers Ford, SO53 4SA, VALLEY PARK |
| PROPOSAL | Erection of three detached industrial/distribution units (B1(c)/B2/B8) including access and servicing arrangements, car parking, landscaping and associated works. |
| AMENDMENTS | 08 Feb 16, 03 Nov 15, 07 August 15 |
| CASE OFFICER | Rachel Illsley |

Background paper (Local Government Act 1972 Section 100D)

1.0 INTRODUCTION

1.1 This application has been referred to Members for determination as it proposes major development and is considered to be of more than local significance.

2.0 SITE LOCATION AND DESCRIPTION

2.1 The site is currently contains a vacant factory/warehouse building, which measures approximately 15,432sqm in area, and a separate two storey building which provides office accommodation – this building is also currently vacant.

There are two vehicular accesses to the site, one from School Close and the second from Electron Way.

2.2 The application site measures approximately 3.4 hectares, with the majority of the site falling within Eastleigh Borough Council's (EBC) administrative area. A duplicate planning application has been submitted to EBC, which has now been approved under delegated powers.

2.3 The site is surrounded to the north and west by residential development, with Alpha Brook running along the northern boundary of the site. There is a substantial tree belt which lies along the western and northern boundaries, providing an element of screening for the nearby residential properties. Further industrial units lie to the east of the site, in Electron Park, with further industrial units also lying to the south, with a mix of uses and variations in design between buildings.

2.4 Ground levels fall away towards the northern site boundary, with a very gentle downhill slope across the site, from south to north.

3.0 PROPOSAL

- 3.1 The application seeks planning permission for the erection of 3no buildings, to be used for B1c, B2 and B8 purposes. The existing vehicular access into the site from School Close will be retained, providing access to Units 1 and 2. The application seeks permission for 24-hour use in each building, to provide ‘flexibility and efficiency’ and to allow for traffic movements associated with the development to be spread out across/outside of peak hours. The site boundaries are to be enclosed with 2.4m high paladin fencing.
- 3.2 Unit 1 would be positioned adjacent to the north-west boundary of the site, on an area which is currently laid to hard-standing and car parking serving the existing building. This area of the site falls entirely within TVBC’s area. The proposed building would provide 1,573sqm of warehouse floor space at ground floor level, with a further area of accommodation at first floor level, providing ancillary office space. Two level access loading doors are proposed within the northern elevation, within the covered service yard area, with the main entrance to the unit within the elevation.
- 3.3 Nineteen car parking spaces would be provided to the south of the building, adjacent to the access point into the site, with 1 motorcycle space as well. A section of 2.4m high acoustic fencing is proposed along the south-west corner of the site, adjacent to the parking area.
- 3.4 Unit 2 would be positioned in the centre of the site as a whole, backing onto the northern boundary of the site. The building measures 4,143sqm in area, which includes an element of ancillary office floor space. An enclosed service yard adjoins the western elevation of the building. The Design & Access Statement (DA) describes the building as being designed for a ‘flexible industrial/distribution’ use.
- 3.5 The boundary between TVBC and EBC areas cuts diagonally across this service yard area, with the western half and access into the site falling within TVBC’s area. The building itself lies entirely within EBC’s boundary.
- 3.6 Unit 2 would be served by 37no car parking spaces, 25no van spaces and 2no motorcycle spaces, positioned to the south of the building. A second service yard area is also proposed to the south of the building. Loading bays are shown on the western elevation, within the covered service yard area, and on the eastern section of the front (south) elevation of the building.
- 3.7 Unit 3 would be positioned within the eastern section of the site, served by two vehicular access points from Electron Way. This section of the site falls entirely within EBC’s administrative area. The building would measure 7,833sqm in area, again including an area of ancillary office floor space and again, is described as being designed for a ‘flexible industrial/distribution’ use.
- 3.8 A total of 79 parking and 2no motorcycle spaces area proposed to the east of the building, with the service yard area adjacent to the eastern and southern elevations and loading bays positioned in the eastern elevation.

A number of HGV parking bays are also proposed in the south-east corner of the site. A further section of 5m acoustic fencing is proposed along the northern and eastern boundary of this service yard area.

3.9 The application is supported by the following documents:

- Framework Travel Plan
- Unit 1a and 1b Noise Management Plan
- Biodiversity Assessment
- Air Quality Assessment
- Statement of Community Involvement
- Transport Assessment
- Flood Risk Assessment, Hydraulic Modelling & Drainage Strategy Report
- Noise Assessment
- Design & Access Statement
- Tree Survey Report

3.10 **Community Engagement**

Both the Localism Act 2011 and the NPPF set out the importance of pre-application community engagement in respect of development proposals. The application is supported by a Statement of Community Involvement, which summarises the consultation undertaken by the applicants prior to the application being submitted, as set out below:

- Letter sent to all properties within 0.5 mile radius of site, informing residents of the application
- Letter to local Ward Members (TVBC & EBC) informing them of proposals and launch of public engagement programme
- Creation of dedicated email and freepost address
- Individual replies to letters and telephone calls

3.11 In the feedback received, the following issues were raised by residents:

- Concern re 24 hour use of the site
- Support for regeneration of the site and job creation
- Concern re noise, increased traffic and congestion
- Concern site is too close to residential properties
- Need to provide sufficient parking for staff
- Need to ensure environmental protection is sufficient
- Encourage use of public transport for workers
- Dissatisfaction with length and extent of consultation
- Concern re flooding

4.0 **HISTORY**

4.1 F/15/75988 - Construction of 3no. detached industrial/distribution buildings (B1c, B2, B8) including access and service arrangements, car parking, landscaping and associated works.

- This application has now been approved by Eastleigh Borough Council.

5.0 **CONSULTATIONS**

5.1 **Policy** - no objection (summarised):

- Site lies within settlement boundary of Valley Park
- Policy ESN15 – although vacant, site is in established employment use and policy presumption is that it is to be retained as such
- Policy ESN16 – As site is within settlement boundary, employment use is permitted subject to impact on character and appearance of area, or to amenities of occupiers of nearby premises
- In Revised Local Plan, site lies within proposed settlement boundary of Valley Park and under Policy LE10, site is in established employment use and policy presumption is it is to be retained as such
- As part of School Lane Industrial Estate, it is defined as a Strategic Employment Site
- Proposal constitutes redevelopment of an existing employment site which would be retained in employment use, and has been vacant for number of years
- Economic and employment benefits of proposals are a material consideration
- NPPF is material consideration – para 14 highlights presumption in favour of sustainable development and three dimensions of sustainability, which includes economic role
- Should seek BREEAM ‘waste and energy’ very good in accordance with ‘Infrastructure and Developer Contributions’ SPD

Additional comments – dated 25.11.15 (summarised):

- The part of the site within TVBC now proposed to be redeveloped for two units, Units 1a and b
- Amended site layout does not raise any new planning policy issues, therefore no further comments.

Additional comments – dated 12.02.16 (summarised):

- Amended plans do not raise any new planning policy issues – therefore no further comments to make

5.2 **Environmental Health** – objection (summarised):

- Objection on grounds of likely significant detriment to amenities of nearby residents
- Site layout is not optimal and fails to avoid and reduce to a minimum noise impacts, contrary to para 123 of NPPF
- Do not agree that noise assessment submitted constitute a worse-case assessment and do not agree with conclusions of the report which suggest noise impact of 24 hour use should be of no concern to residents

Additional comments – dated 27.08.15 – objection

- Objection – concern about proposal for 24 hour use for Unit 2 with Class B8 use with proposed layout
- Not confident that controlling conditions would adequately address concerns
- Do not object to Unit 1, subject to conditions

Additional comments – dated 16.11.15 – no objection:

- No objections subject to conditions being applied
- Unit 1 - combination of layout and acoustic screening provided is satisfactory
- Some additional noise and other controls still warranted as precise use/mode of operation not known and proposed units are relatively close to residential properties, so precautionary approach should be adopted
- Unit 2 – previous concerns addressed by alteration of scheme to provide enclosure of service yard
- Benefit of enclosing service yard offsets areas of likely impact under-prediction and uncertainty set out in previous comments
- Represents an acceptable scheme, subject to conditions, taking account of current and historic consents on the site
- Applicant has also submitted suggested Noise Management Plan
- Unit 3 – recommend to EBC that the Noise Management Plan referred to in consent for Unit 3 covers closure of fire exit door on northern elevation
- Noise Management Plan – proposed in support of 24hr use of Unit 2 only, which contains many controls which if faithfully applied, would be helpful in controlling impact to local residents
- Recommend conditions in respect of following issues:
 - Noise from external fixed plant and machinery
 - Prohibition of external storage
 - Prohibition of use for refrigerated storage
 - Noise barrier specification
 - Closure of specified fire exit doors
 - Vehicle reversing alarms
 - Hours restriction to Units 1a and 1b
 - Unit 2 Noise Management Plan
 - Demolition and Construction Management Plan
 - Ground investigation

Additional comments – dated 24.02.16 – no objection:

- No objections subject to conditions being applied
- By providing Unit 1 service yard enclosure in addition to similar enclosure for Unit 2, the proposal improves upon the noise mitigation measures put forward in Nov 2015 scheme
- The Nov 2015 scheme was already an improvement to previous scheme, without any enclosures, which was approved by EBC
- Satisfied that the noise assessment has been amended to assume worst-case levels of activity
- Satisfied that the layout minimises noise emissions so far as reasonably practicable
- The Unit 1 and 2 buildings will provide some beneficial screening to other industrial units in the area

- The site and existing building already have a permitted industrial use with no hours restriction and poor boundary noise screening, meaning that the proposed scheme should be balanced against the risks of impact to neighbours' amenity if the existing building were retained and re-occupied

5.3 Landscape – no objection (summarised):

- Important structural tree belt along western and northern boundaries, providing buffer between industrial estate and residential properties beyond
- Tree belt is to be retained with only a small number of trees felled
- No landscape objection subject to condition re hard and soft landscaping and long term management/maintenance plan for existing and proposed structural planting

Additional comments – dated 24.11.15 (summarised):

- Units 1a and b have altered footprints and car parking/servicing yard arrangements have altered significantly
- Amendments do not alter previous response

Additional comments – dated 22.02.16 – no objection:

- No landscape objection subject to conditions re hard and soft landscaping and long term management/maintenance plan for existing and proposed structural planting

5.4 Trees – no objection (summarised):

- Tree survey and arboricultural report present fair and reasonable reflection of trees and tree protection measures
- Does not appear to take account of proposed 5m acoustic fence adjacent to the trees within the TPO
- Need to secure method statement to demonstrate this can be achieved with no detrimental impact to trees being retained

Additional comments – 01.09.15 – objection:

- Insufficient information to make informed judgement on amended application
- Amended layout impacts upon a number of trees – tree report should be updated to reflect amendments to proposed layout
- Arboricultural Method Statement in respect of 5m acoustic fencing still required

Additional comments – 11.01.16 – no objection

5.5 Ecology

- No concerns over this proposal
- Submitted FRA includes surface water drainage strategy and identifies that proposed system will be sufficient to address any impacts on adjacent water course

- Biodiversity appraisal considers necessary ecological impacts and generally support findings of the report
- Suggest informative note re nesting birds

Additional comments – dated 09.09.15 (summarised):

- No concerns over biodiversity and comments remain as original response

Additional comments – dated 18.11.15 (summarised):

- No concerns over biodiversity and comments remain as original response

5.6 **Economic Development** – no objection:

- Support application subject to appropriate mitigation of any impact on nearby residential properties
- Will bring unused commercial land back into productive economic use, provide additional premises for local business and employment opportunities for residents

5.7 **Highways** – no objection subject to conditions

Additional comments - dated 27.08.15 – no objection:

- No objection subject to conditions

Additional comments – dated 15.02.16 – no objection

- No objection subject to condition re parking provision

5.8 **HCC Highways** – no comment:

- Due to size and nature of development, highways advice should be provided by engineers at the LPA under the terms of the Agency Agreement
- Due to site crossing TVBC and EBC boundary, highway response for Eastleigh has been provided by EBC engineers

5.9 **Environment Agency** – no objection (summarised):

Additional comments dated 03.09.15 – objection (summarised):

- In absence of acceptable Flood Risk Assessment, EA objects and recommend refusal
- Need to understand effect of proposed development on flood risk – applicant needs to run flood modelling of events to include proposed development
- Does not seem to be any representation of impermeable noise barrier mentioned within the model

Additional comments – no objection (summarised)

- No objection to proposed information

- Unit 2 and 3 will remain partly within flood zone 3 but mitigation proposed to raise finished floor levels to 300mm above predicted flood levels
- Flood storage compensation provided to account for change in layout on site, which includes 20% betterment in storage availability
- Prior written consent of the EA is required for any proposed works or structures in, under over or within 8m of the top of the bank of the Chandler's Ford stream, which is designated main river

Additional comments – dated 19.11.15:

- No further comments to add

5.10 **Eastleigh Borough Council** – no objection (summarised):

- EBC has granted permission for the proposed development which falls within its administrative boundary, imposing a number of conditions
- Provision of covered service yard to Unit 2 is considered to be an improvement providing acoustic benefits to local residents
- Main doors to Building 1 are orientated away from residents and 5m high acoustic barrier proposed to screen parking area
- EBC raises no objection to proposed amendments, subject to appropriate conditions including Noise Management Plan to cover operation of Unit 2

6.0 **REPRESENTATIONS** Expired 13.03.2015

6.1 **Valley Park Parish Council** – objection (summarised):

- Support economic development in School Lane Industrial Estate and creation of 180 employment opportunities
- Important that proposed development does not have detrimental impact on existing residents
- Strongly object to design of Unit 1 – service bay should be moved to side of Unit 1 on inside of industrial site, as per other 2 units
- Unacceptable to expect residents to experience noise from operations taking place outside of 7am to 6.30pm weekdays and 7am to noon on Saturdays
- All operations outside these hours should take place inside with all doors/windows closed
- Should be no outside operations taking place on Sunday
- Also require condition to ensure only electric fork trucks used
- Office space should be allocated in Unit 1 at end which adjoins residential areas
- Sufficient parking facilities should be allocated to prevent overspill parking
- Request application is submitted to SAPC for determination

Additional comments – dated 19.08.15 – objection:

- PC continues to stand by previous objections and is concerned that the part of the site within TVBC has extant permission for B1(c), B2 and B8

Additional comments – dated 20.11.15 – objection:

- The Parish Council strongly objects to this application and the original reasons for objection still stand

Additional comments – dated 24.02.16 – objection:

- The PC supports economic development in School Lane Industrial Estate and welcomes creation of 180 employment opportunities
- Latest amendments will have number of detrimental impacts on existing nearby residents
- VPPC strongly objects on a number of grounds
- Application now provides 2 service yards on north/north-west boundary of site – no amount of screening or acoustic barriers will mitigate noise levels that these service yards will generate
- Unit 1 is proposed for 24 hour working operation – this was previously objected to by TVBC Environmental Health Officer
- Covered service yards will have open louvres of considerable area on vertical walls facing properties in Valley Park – will allow a loud noise path directly to residential housing
- Heavy vehicles will be coming into site from School Close on 24hr basis – would be totally unacceptable for people living close to site
- Report for previous proposals recommended working hour restrictions for Units 1a and b to safeguard amenity of nearby residential properties
- Also required site based vehicles to be fitted with a directional white noise reversing alarm and placed hours restriction on use of such vehicles
- These conditions demonstrate that noise is major consideration
- Revised noise assessment makes no allowance for the accumulative noise output of all 3 units simultaneously
- Site is partially located on both flood zones 2 and 3 – buildings will require significant ground works and foundations
- Tree Survey report makes no reference to how tree roots will be protected
- VPPC request that viewing panel is carried out by TVBC Councillors

6.2 Hampshire Chamber of Commerce – no objection (summarised):

- HC's Planning & Transport Committee welcomes regeneration of derelict industrial site and gives strong support to its use as a distribution unit
- Supportive of the view in current PUSH and Solent LEP documents that there is a shortage of distribution units and land for logistics in South Hampshire
- Wish to see commitment to provision of long term travel plan which encourages use of Chandlers Ford station, contributes to funding of inter-station commuter bus X5 and ensures membership of Chandlers Ford commuter forum

Additional comments – 17.02.16 (summarised):

- Reiterate strong support for this application – will provide modern,

sustainably designed logistics facilities close to motorway network to help serve economy of Southern England

- Such facilities are in short supply and brownfield sites should be reused to provide new floorspace
- Will in turn attract new businesses and jobs and investment
- Chandlers Ford and Eastleigh area long been highly regarded for significant and important role it plays in local economy – upgrading/renewing older industrial spaces is essential if this role is to continue
- Development will provide £12million of private sector investment into local economy and create 180 jobs
- Will be positive economic spin-off for local businesses and contractors and will kick start regeneration of Alpha Park estate
- Strongly support renewal of this existing employment site
- Have to support the need for local sites to keep logistics sector moving
- Well considered proposal that has been amended to respond to feedback received
- Will deliver important employment floorspace without unacceptable impacting on local residents, while supporting local economy

6.3 Nine letters of objection were received in respect of the original submission, raising the following concerns:

Principle

- A 24/7 operation as described should not be allowed as it is far too close to housing
- Area around Unit 1 should only be used as office space and car parking
- Working hours should be restricted to 7am to 7pm
- Nature of distribution units and working methods make the location of the premises so close to residential units totally unsuitable

Noise Impact

- Service area for Unit 1 will be directly behind residential properties and noise from 24/7 works will be heard even with 6m acoustic barrier
- Unit 1 should be altered so service bay can be moved to inside of industrial estate and it could service vehicles on eastern side of building
- Fork lift trucks could off load and reload inside building to keep noise to minimum
- Position of Units 2 & 3 could inadvertently create more noise from Kuehne & Nagel – north of the site will be exposed to noise from rear yard of K&N
- Unit 1 is positioned closer to residential properties with service yard facing houses – will only add to existing noise nuisance
- Does not make sense to allow 24hr use closer to residential properties
- Already problems with K&N overnight operations which is further away than Unit 1
- Noise report provides inadequate assessment of noise
- Noise barriers/acoustic screens will have very little effect in reducing noise due to close proximity of homes

- Totally unacceptable to expect residents to have to tolerate potential continuous noise disturbance and subsequent damage to health and well-being
- Any night-time activities must take place within confines of buildings

Highway Issues

- Diesel HGVs will pollute properties and local pathways
- Possibility of employees parking in Shannon Way or other Closes

6.4 Following the receipt of the amended plans/additional information in August 2015, a further 8 letters of representation were received, raising the following concerns:

Principle

- Units would be situated in close proximity to residential area of Valley Park which until recently, was quiet and peaceful area
- Amended plans do not address previous comments made

Noise

- Re-siting of service yard at south-west end of Unit 2 totally unacceptable – within 40m of closest housing in Valley Park and within 50m of other housing
- No acoustic barriers will reduce noise to acceptable limits, esp at night time
- Recent start of 24hr distribution activities at Kuehne and Nagel has caused unacceptable noise and disruption
- Acoustic fencing does not work as noise levels during night remain unacceptable
- If planning permission granted here for 24 hour use, would make noise levels for residents intolerable
- Level access doors now shown meaning HGVs more likely to be unloaded in service yard by fork lift trucks – will generate unacceptable noise levels
- Revised noise assessment takes no account of this change or of potential noise of HGVs performing very tight turns
- Reversing alarms are particularly loud and known to cause disturbances to residents day and night
- TVBC already had to take measures to reduce noise generated by Kuehne & Nagel – however, remains at unacceptable levels
- Revised noise assessment refers to use of noise measurement receptors – no calibration or calibration certificates are referenced
- Ambient noise background levels in noise assessment are wrong
- Amended plans for Unit 1 show 4 units – four chances of noise at unsociable hours
- All units being so close to private residences should have hours restricted to 7am to 7pm
- Unit 2 will adversely impact residents on northern boundary

Highway Issues

- Intended site access from School Close is no more than 75m from housing in Valley Park – to allow significant HGV movement here would be unreasonable, unfair and totally unacceptable due to noise disturbance
- Intended service road entrance/exit is on 90 degree bend – dangerous and unacceptable
- Autotrack diagram does not address all vehicle movements or HGV manoeuvring to Unit 1
- Combination of HGVs manoeuvring and cars, vans and pedestrians all using same access road is dangerous and not practical
- Greater possibility of staff parking in Shannon Way and surrounding roads as there are more units than previously planned

6.5 Following the receipt of the amended plans, dated 3 Nov 2015, a further 2 letters of representation were received, raising the following concerns:

Noise

- Object to revised layout for Unit 2 and associated noise disruption from 24 hour operation from the entire site
- Unit 2 should load from southern side of building as originally proposed

Following receipt of the final set of amended plans, (Nov 2015), a further 2 letters of representation have been received, raising the following concerns:

Design & Layout

- Can see nothing that addresses concerns with regard to site layout for Unit 2
- Some sensible changes but still long way to go to achieve best out of what will be noisy area

Noise

- In an earlier version of plans, Unit 2 would reduce noise disturbance – not sure why it has changed as this represented best option
- Would have no objection to that version of plans, also supported by EBC Environmental Health Dept – if this advice is ignored, residents will continue to make representations and complaints as necessary
- Any fork trucks must be electric
- Canopy should be fitted with sleeve hanging from top of open area to trap any noise
- Unit 1 must not be allowed to operated 24/7

Highways

- Large HGVs driving in and out general area will be nightmare, let alone smell of diesel

Amenity

- Quality of life for residents is about to go down

6.6 Following the receipt of the latest amended plans, dated 8 Feb 2016, a further 31 letters have been received, raising the following concerns:

Principle

- Wish to support in principle business and employment but ideal location for this use would be adjacent to motorway network
- Chandler's Ford Industrial Estate traditionally been for small business and light industrial use
- Understand economics of granting such applications but concern these are given far more precedent than the bigger picture
- No planning permission has ever been granted by TVBC for industrial use

Noise

- Proposed use of Unit 1 as distribution warehousing with two covered warehouse facilities within close proximity to housing would be inappropriate due to high levels of noise, especially at night
- Would be extremely detrimental to amenity of a wide area
- If approved, need to enforce all recommended restrictions on working hours and types of vehicles allowed
- Would generate too much noise to have two covered working places in that area
- To expect residents not to be affected by a 24 hour distribution warehouse is unacceptable
- 24 hour HGV access with loading and unloading will cause unacceptable noise to residents
- Plans show majority of noise pollution from Unit 1 running alongside Unit 1, adjacent to No 1 & 2 Burnham Beeches, which seems ridiculous planning
- Idea of one large covered area is outrageous – would be far too noisy
- Unit 1 does not have 24/7 usage – lorries servicing Unit 2 would go over this land therefore causing 24/7 noise
- Already subject to Kuehne & Nagel noise levels which is akin to bowling/skittle alley
- 24 hour operations not conducive to restful wind down or acceptable when sleeping with windows open for ventilation
- Voices from delivery drivers carry in middle of night – no amount of acoustic measures can stop this
- Can already here throwing of barrels and movement of lorries almost every night from Kuehne & Nagel site – application site is closer
- Only way to stop this is to ensure 24/7 operations are not permitted under any circumstances
- Already vast amount of noise generated that has increased over last twenty years with noise late into evening which impacts on our lives and is currently unacceptable
- Too much noise as it is in the early hours of morning
- Already have truck and forklift noise to deal with and this will exacerbate the situation

- Revised noise assessment does not address combined noise output of all three units simultaneously nor reference weather conditions during survey
- Noise assessment does not take into account vehicle movements other than docking manoeuvres of HGVs
- Peak noise values are what will cause most impact on nearby residents – loud noises will cause constant annoyance and distress to residents, many of whom are closer than 60m to noise sources
- Noise survey results do not reflect the current background noise levels 0 should be repeated to take recent changes at Kuehne & Nagel into account
- No amount of screening or acoustic barriers will mitigate noise of service yards to a level indicated in noise assessment
- Covered service yards have open louvres on walls facing residential properties – will allow loud noise path directly to the houses
- Construction of enclosed service yards is not of proper acoustic sound absorbing materials – noise and vibration could cause structure to vibrate, effectively amplifying and transmitting noise
- Movement of vehicles to and from site along access to Units 1 & 2 will cause undue and unacceptable noise
- No guarantee vehicles using site will be owned by distribution company – will be impossible to monitor and restrict noise levels as distribution company will have no control over this
- This is speculative development – any noise management plans are pure conjecture and meaningless in context of application

Design & Layout

- Layout and use is totally wrong due to proximity of residential housing
- Does not give enough consideration to residents who live in such close proximity
- Would like to see original two smaller units reinstated – wouldn't have such a large amount of traffic and entry point faced away from houses
- Unit 1 would be less than 45m away from some of the houses
- Maintain objection to Unit 2 – original layout was best solution for this unit
- Object to Unit 1 – alternative layout would be better for noise mitigation
- Revised site layout worse – will now be two service yards immediately adjacent and on north/north-west boundary of the site
- Site is partially within Flood Zones 2 & 3 – buildings will require significant ground works and foundations
- Issue of protection of trees only partially addressed in submitted report

Amenity

- 24 hour loading and unloading operation would have enormous impact on nearby residents quality of life
- Daily Telegraph article, Aug 2014, named Valley Park as best place to live in England – concern that application does not take into account reasons people choose to locate in area and why they enjoy living here

Highway Issues

- Will add to pressure of traffic flow along and through already congested industrial estate which frequently impacts on adjacent road networks
- Whole of Chandler's Ford area is becoming more congested as local road network can't cope
- Main industrial estate road suffers frequent flooding in bad weather
- TA references 738 movements per day – assume 370 movements per day to Units 1 and 2 on 24/7 basis
- This entrance has never been used as means of access to the site – to allow use is unacceptable
- Whole layout should be revised to provide all site access from Electron Way

7.0 POLICY

7.1 Government Guidance

National Planning Policy Framework (NPPF)

Test Valley Borough Revised Local Plan (2016)

E1 – High Quality Development in the Borough

E2 – Protect, Conserve and Enhance the Landscape Character of the Borough

E5 – Biodiversity

E7 – Water Management

E8 - Pollution

COM15 – Infrastructure

T1 – Managing Movement

T2 – Parking Standards

LE10 – Retention of Employment Land and Strategic Employment Sites

Supplementary Planning Documents (SPD)

Infrastructure and Developer Contributions

8.0 PLANNING CONSIDERATIONS

8.1 The main planning considerations are:

- Principle of development
- Site Layout & Design
- Trees and Landscaping
- Ecology
- Highway Issues
- Air Quality
- Noise Issues
- Flood Risk & Drainage

8.2 Principle of Development

The application site lies within the defined settlement edge for Valley Park in the adopted Revised Local Plan (RLP) and forms part of an established industrial estate.

- 8.3 Policy LE10 of the adopted Local Plan relates to the retention of employment land, stating that development for an alternative use will be permitted provided that a number of criteria are complied with,

including whether the land is required to meet the economic needs of the area and whether the current activity is or could cause harm to the character of the area or to the amenities of residents. As noted above, whilst the existing building is vacant, the site benefits from an extant planning permission for B2 use and is therefore already considered to be within industrial and employment use. As such, the proposed development to allow for B1c and B8 uses on the site in addition to B2, would mean that the site is retained in an employment use. The proposals are therefore considered to be acceptable in principle, subject to consideration against other policy guidance within the development plan.

8.4 **Sustainable Development**

The National Planning Policy Framework (NPPF) is a material consideration in the assessment of planning applications. Paragraph 14 of the NPPF sets out the presumption in favour of sustainable development, which it says should be seen as a 'golden thread' running through plan making and decision taking. Paragraph 7 of the Framework sets out three dimensions of sustainable development – these being social, environmental and economic. These three elements need to be considered together in order to determine the sustainability of any given proposal.

- 8.5 Paragraph 6 states that the purpose of the planning system is to contribute to the achievement of sustainable development. For the assessment of planning applications, this means approving development proposals that accord with the development plan without delay. As noted above, the site is already in employment use, with unrestricted B2 use permitted on the site, and as such, the principle of industrial uses on the site has already been found to be acceptable. It is also noted that planning permission for the proposed B1(c)/B2/B8 use has been granted planning permission by Eastleigh Borough Council, although this permission relates to an earlier version of the scheme being considered within this report. A further application has since been submitted to EBC, seeking a variation to the existing permission to reflect the changes to the proposed site layout.

- 8.6 In light of the emphasis on sustainable development set out within the NPPF, the proposed development needs to be considered against the three strands of sustainability, social, environmental and economic, to determine whether any adverse impacts of granting planning permission for the proposed development would outweigh the benefits of doing so.

8.7 **ECONOMIC & SOCIAL SUSTAINABILITY**

One of the core principles of the NPPF, as set out in paragraph 17, is to 'proactively drive and support sustainable economic development to deliver the homes, business and industrial units and infrastructure' that the country needs. The application site lies within an established industrial estate but has been vacant since 2008. Planning permission was granted by Eastleigh Borough Council in March 2008,

under application F/07/61840, for the subdivision of the existing unit to provide three individual units for the purposes of B1(c) Light Industry, B2 General Industrial or B8 Storage or Distribution with ancillary offices, servicing, parking, refuse storage and landscaping following the partial demolition of the existing building. However, this permission was never implemented.

8.8 The Planning Statement submitted in support of the application indicates that the proposed development will result in significant investment in the Chandler's Ford area, in excess of £12 million, and would result in the creation of up to 180 jobs. It goes on to argue that these economic benefits should be accorded significant weight in the assessment of the planning application. The Council's Economic Development Officer is in support of the application, stating that the proposals would bring 'unused commercial land back into productive economic use, provide additional premises for local business and employment opportunities for residents'. Further support has been provided by the Hampshire Chamber of Commerce, who refer to the shortage of distribution units and land for logistics in South Hampshire identified within PUSH and Solent LEP documents, as well as the positive economic 'spin-off' effects and support for the logistics industry that would arise from the proposed development.

8.9 The economic and social benefits of bringing the site back into active employment use are material considerations which weigh significantly in favour of granting planning permission, as the scheme would create additional jobs and broaden the employment base within the local area. However, these benefits also need to be considered against the potential environmental impacts of the proposed scheme, in order to determine whether the proposals constitute an acceptable form of development on this site.

8.10 **ENVIRONMENTAL SUSTAINABILITY**

The third strand of sustainability that needs to be considered is that of the environmental impact of the proposed development – this includes issues such as the ability of the site to accommodate the development proposed, the impact in terms of the character and surroundings of the site, as well as ecological and highway impacts and the relationship to neighbouring properties.

8.11 **Site Layout & Design**

As noted above, the application site straddles the boundary between TVBC and EBC, with planning permission already having been granted by EBC under application F/15/75988. This report therefore deals with the elements of the scheme which lie within Test Valley.

8.12 The layout of the site has been amended significantly during the application process in order to respond to and address concerns primarily relating to potential noise impact and flooding issues within the site. As Members will recall, the application was previously on the agenda for the 2 February SAPC meeting, but was withdrawn at the request of the applicant, to allow for further discussion with residents and the Parish Council, with a view to additional revisions being made to the scheme. Amended plans have now been received, which are considered below.

- 8.13 The layout now proposed for Unit 1 has been amended to revert back to a single industrial unit, positioned along the western boundary of the site, with an adjoining covered service yard on the northern elevation of the building, extending over the north-west corner of the site and abutting the internal site boundary with Unit 2. The two loading bays proposed would be in the northern elevation of the building, contained within the covered yard area, with vehicular access to the service yard area being from the eastern elevation. The main entrance to the building would be within the southern elevation, facing towards the proposed site access and the parking area to the south of the building.
- 8.14 Overall, the proposed revised layout and design for this building is considered acceptable, and improves on the previous iteration of the scheme. The alterations to this building, primarily the addition of the covered service yard, are in response to the concerns of residents and the Parish Council in respect of adverse noise impact arising from the site. Enclosing the service yard provides a form of barrier around the north-west corner and northern boundary of the site, with the building itself providing an element of screening to the residential properties to the west. As set out in paragraph 6.6 above, a number of residents remain concerned regarding the siting of the covered service yards for Units 1 and 2 and the potential for adverse noise and disturbance arising from the use of these areas. These issues are discussed in more detail later in the report.
- 8.15 The revised layout for Unit 1 also allows for satisfactory parking provision and manoeuvring space within the site, and the provision of a section of 2.4m high acoustic fencing along the south-west boundary, adjacent to the parking area. In addition, the layout will also allow for areas of soft landscaping, providing an element of relief to the significant areas of hard surfacing within the site. A condition requiring the submission of a detailed landscaping scheme for these areas is recommended.
- 8.16 Unit 2 is also now considered acceptable with the addition of the canopy structure to enclose the service yard on the western side of the building, and remains unchanged from the amended plans submitted in November last year. The service yard enclosure would cover an area measuring 27m by 38m and would enclose the four loading bays within the western elevation of the building. The covered service yard would be positioned adjacent to that now proposed for Unit 1. The siting of these two buildings will now result in a continuous built form along the northern boundary, up to the eastern corner of Unit 2, covering a distance of 168m. Views towards the northern boundary of the site and the proposed new buildings would be filtered by the tree belt which lies adjacent to the northern boundary, which provides an element of natural screening, breaking up the perceived massing and bulk of the built form along this boundary.
- 8.17 It is also noted that the actual building itself and majority of the external areas serving this Unit fall within Eastleigh Borough Council's area and have already been found to be acceptable under planning permission F/15/75988.

- 8.18 The proposed design is quite typical of industrial units and is considered to be in keeping with the general character and appearance of the industrial estate as a whole and an improvement on the appearance of the previous building. The buildings will predominantly be metal clad, with areas of glazing around the main entrance areas. A condition is recommended to require full details and samples of materials to be submitted for approval to ensure a high quality finish and appearance to the units. Similarly, a condition is recommended requiring full details of the proposed 2.4m acoustic fence to be submitted for approval, to ensure a satisfactory overall appearance to this element of the scheme.
- 8.19 Policy E7 of the adopted Local Plan requires all new non-residential buildings of 500sqm or more to achieve the BREEAM ‘excellent’ credit for water consumption. Confirmation has now been received from the applicants that the proposed units will comply with this target, and a condition is recommended to this effect.
- 8.20 Overall, the proposed layout and design of the units is considered to be acceptable and much improved from the plans originally submitted with the application. The proposals are therefore considered to comply with Policy E1 of the Test Valley Borough Revised Local Plan (2016).
- 8.21 **Noise Impact & Residential Amenity**
As noted above, the application seeks permission for 24 hour use across the site and is supported by a Noise Assessment Report, which has been amended and updated during the consideration process. The potential impact in terms of noise and disturbance has been a key consideration due to the proximity of the site to neighbouring residential properties to the north and west of the application site, and again, as noted in paragraph 6.6 above, a number of residents have objected to the proposals on these grounds and remain concerned regarding this impact, following the receipt of the latest amended plans. In assessing this issue, consideration also needs to be given to the fact that planning permission has been granted for Units 2 and 3 of the proposed scheme by Eastleigh Borough Council.
- 8.22 Following the revisions to the layout of Unit 1 and the addition of a covered service yard to both this Unit and Unit 2, and the receipt of additional noise assessment work, the objections raised by the Council’s Environmental Health Officer (EHO) to the scheme as originally submitted, have now been addressed and overcome.
- 8.23 Policy E8 of the adopted Local Plan states that development that could or would potentially generate pollution will only be permitted if it can be demonstrated that there would not be any adverse impact on human health, the environment or general amenity.

This is supported by paragraph 120 of the NPPF which states that to prevent unacceptable risks from pollution (which is defined as including noise), decisions should ensure that new development is appropriate for its location and that the effects of pollution on health, the natural environment or general amenity, should be taken into account.

- 8.24 Paragraph 123 of the NPPF goes on to state that planning decisions should avoid noise from giving rise to significant adverse effects on health and quality of life as a result of new development, and mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions.
- 8.25 The submitted NA report provides noise modelling for the proposed development, based on worst case calculations based on non-refrigerated HGVs, noise from the unloading process, noise from vehicles pulling up to the unloading bay, manoeuvring into position and then pulling away once loading/unloading is complete, as well as other noise sources such as reversing beepers. The calculations presented are based on a maximum of one 'event' per bay per hour.
- 8.26 For Unit 1, the NA considers a worse case scenario of 2 simultaneous delivery/loading events per hour during the day and night, and for Unit 2, a maximum of 4 vehicles loading/unloading simultaneously using the western service yard. The report also considers the southern service yard for Unit 2 and the use of Unit 3 – these elements of the scheme fall outside of TVBC's boundary. In terms of vehicle noise, the report considers a worst case scenario of 18 HGV movements to/from Units 1 and 2 per hour during the night time, 36 movements per hour during the daytime and 20 vans per hour, both day and night.
- 8.27 The report states that noise from the proposed development is not expected to have a significant effect on health or quality of life at nearby properties. The addition of the enclosed service yards to Units 1 and 2 has reduced predicted noise levels at nearby residential properties and that the latest revision to the site layout is a significant additional noise mitigation measure. The report concludes that the proposed development will not have a 'significant adverse impact' on health, amenity or quality of life'. In addition, it states that the proposals will have a negligible effect on the tranquillity of the area and local access to areas of greater tranquillity.
- 8.28 Detailed discussions have taken place throughout the application process with the applicants and officers, regarding the potential noise impact from the proposed development. The revised noise report and amended site layout proposals have been considered by the Council's Environmental Health Officer, again with further discussions being held with the applicants and their noise consultants. A copy of the full detailed consultation response from Environmental Health is appended to this report.
- 8.29 The noise report assesses the potential noise impact in accordance with guidance contained within British Standard 4142, 'Method for Rating Industrial Noise Affecting Mixed Residential and Industrial Areas', which is the most widely used standard for the assessment of environmental noise.

Essentially, this standard requires the new industrial source noise to be predicted (as an average level, over a 1 hour period during the day and a 15 minute period at night), which is then corrected for character features which would make the noise stand out more than otherwise, and then compared against the existing prevailing background noise level, in the absence of the new noise source.

8.30 The outcome of the BS4142: 2014 assessment is a score in decibels (dB). The assessment score will be a positive number if the new industrial noise level exceeds the background sound level and negative number if lower than the background noise level. For decision-making purposes, when interpreting the assessment score (referred to below simply as the 'difference'), the guidelines state the following:

(a) Typically, the greater this difference, the greater the magnitude of the impact.

(b) A difference of around +10 dB or more is likely to be an indication of a significant adverse impact, depending on the context.

(c) A difference of around +5 dB is likely to be an indication of an adverse impact, depending on the context.

(d) The lower the rating level is relative to the measured background sound level, the less likely it is that the specific sound source will have an adverse impact or a significant adverse impact. Where the rating level does not exceed the background sound level, this is an indication of the specific sound source having a low impact, depending on the context.

The guidance further explains that adverse impacts include, but are not limited to, annoyance and sleep disturbance.

8.31 The submitted noise assessment considers the predicted noise impact at a number of receptors around the application site, providing assessment scores for each location. It predicts this impact to be below the first threshold of +5 dB "likely to be an indication of an adverse impact, depending on the context", as set out above. Environmental Health has accepted this conclusion, but has commented that this threshold might be exceeded slightly on the quietest nights. However, the EHO has confirmed that it is not expected that the second threshold of +10 dB ("significant adverse impact") would be exceeded. As such, no objection is raised to the proposals on noise impact grounds, with no significant adverse impact expected to the amenities of neighbouring residents in terms of noise pollution or sleep disturbance.

8.32 In respect of Unit 1, the EHO has commented that the alteration to a single unit with a covered service yard is a superior design to the use of the 5m acoustic fencing previously proposed, reducing noise levels from vehicle movements and outdoor hoods handling operations. The layout also has the advantage of providing additional screening from noise arising from other industrial units within the estate. The provision of the proposed 2.4m acoustic fencing adjacent to the parking area will also provide screening to the car park area, mitigating against the noise of vehicle movements in this area.

- 8.33 In respect of Unit 2, the EHO has commented that previous concerns have been addressed with the addition of the canopy roof to the service yard area and that this element of the scheme is acceptable, again subject to a number of detailed conditions to safeguard the amenity of neighbouring residential properties, including the requirement for a site specific Noise Management Plan for this unit.
- 8.34 In light of the changes to the design of Unit 1, it is not considered necessary or reasonable to apply an hours restriction to the general use of the building. However conditions are recommended to require noise management plans to be submitted for both Units 1 and 2, as well as hours restrictions in order to control 'break out noise' and odour generating uses outside of normal working hours.
- 8.35 The plans for both Units 1 and 2 show high level louvres within the western and northern elevations, respectively, of the covered service yard areas. Concern has been raised by residents and the Parish that these louvres would result in a noise path directly towards the neighbouring residential properties. However, the louvres are required to ensure good cross-ventilation within the service yards, to prevent the build up of vehicle fumes within these areas and their presence does not undermine the acoustic screening provided by the covered areas. A condition is recommended requiring the details of the louvres to be submitted for approval, prior to installation, to ensure that the indicated noise reduction level for these features is achieved, to minimise the risk of any adverse degree of break out noise. A further condition is recommended to require the roof lights to both covered service yard areas to be non-opening, again to minimise the risk of break out noise.
- 8.36 With regards to the concerns raised by reversing alarms, again the provision of the covered service yards is considered to significantly minimise the risk of any adverse degree of disturbance to residents. The applicants have agreed, in principle, that any fork lift trucks would use white noise reversing alarms and a condition is recommended to secure this. The noise report provides an assessment of predicted noise levels for any such alarms and having considered these details, the EHO has stated that the issue of 'bleeper' type alarms can be satisfactorily addressed via the Noise Management Plans required for both units and as such, no objection is raised to the proposals on these grounds.
- 8.37 Overall, whilst recognising the concerns raised by both local residents and the Parish Council in respect of potential noise impact, the revised scheme is considered to be an improvement on the last proposals, with the provision of the adjoining covered service yards providing significant noise mitigation benefits. Detailed conditions are recommended that require Units 1 and 2 to be constructed, prior to either being brought into use, to ensure that the required level of noise mitigation is delivered on site – in the event that one Unit is built and ready for occupation before the other, alternative mitigation measures to which would deliver the same level of acoustic screening will need to be provided on site, to ensure that the amenities of the neighbouring residential properties are protected. With the addition of these conditions and the other restrictive measures outlined above,

it is not considered that any noise impact would be so detrimental to the amenities of neighbouring residential properties as to warrant a refusal of planning permission on noise impact grounds. It must also be noted that the fall back position for the site is an unrestricted industrial use, which could give rise to significantly greater levels of noise pollution and disturbance to the nearby housing. As such, subject to the recommended conditions, the proposed development is considered to comply with the aims of Policy E8 and the NPPF.

8.38 Air Quality

The application is supported by an Air Quality Assessment report. This concludes that with suitable mitigation measures, the impacts of dust pollution arising from the construction phase of the proposed development would be negligible and that there would be no significant adverse impact in terms of air quality as a result of the operational use of the proposed development. A condition is therefore recommended requiring a Construction Management Plan, which would need to set out measures to deal with dust arising from the associated construction works.

8.39 Ecology

The application is supported by a Biodiversity Assessment, which sets out the results of habitat surveys undertaken across the site in January 2015.

8.40 Designated Sites

The application site does not fall within or lie adjacent to any designated sites of nature conservation. The River Itchen Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI) lie approximately 2.7km to the east of the site, and the Valley Park Woodlands Local Nature Reserve (LNR) lies approximately 0.5km to the west. In addition, the Ramalley Piece/Badger's Copse Site of Importance for Nature Conservation (SINC) lies approximately 0.2km to the northwest of the site. The Biodiversity Report concludes that there will be no adverse impact to these sites as a result of the proposed development.

8.41 However, the Chandler's Ford stream runs along the northern boundary of the site, which is a tributary of Monk's Brook, which feeds into the River Itchen SAC/SSSI. The report states that through the implementation of 'standard safeguarding procedures', the stream and River Itchen SAC can be protected from any direct or indirect effects arising from construction. This is discussed in more detail later in the report, in relation to the proposed drainage strategy.

8.42 Impact on Protected Species

Certain species (European protected species or EPS) are afforded protection under EU law by the Habitats Directive, which is transposed into UK law by the Conservation of Habitats and Species Regulations 2010 (as amended), and commonly referred to as the Habitats Regulations. LPAs are required to engage with the Regulations in the assessment of planning applications, in that planning permission should be granted unless the development is likely to result in a breach of the EU Directive that underpins the Regulations and is unlikely to be granted a European Protected Species licence from Natural England.

8.43 Bats

The report states that no evidence of bats was found and that the existing building and trees within the site are not considered to support features that would provide opportunities for roosting bats.

8.44 Badgers

No evidence of badgers using the site was found, with the site offering limited foraging or dispersal opportunities for badgers.

8.45 Birds

The report states that the site offers suitable opportunities for both nesting and foraging birds.

8.46 Reptiles & Amphibians

The report states that a small area of grassland within the southeast corner of the site offers suitable habitat for reptiles and amphibians, primarily due to the lack of any management of the area over recent years. However, this area is isolated from any other areas of habitat and there are no waterbodies or suitable breeding sites for amphibians.

8.47 The Council's Ecologist has raised no objection to the proposed development, subject to an informative note relating to nesting birds. The proposed development is therefore considered to be in accordance with Policy E5 of the Test Valley Borough Revised Local Plan (2016) and the Habitats and Conservation of Species Regulations 2010 (as amended).

8.48 **Trees & Landscaping**

The application is supported by a Tree Survey Report which has been amended and updated during the determination process. This report covers 42 individual and 21 groups of trees which are located primarily around the perimeter of the site. The tree belts which lie to the west and north of the application site are covered by a Tree Preservation Order. The proposed development requires the removal of 25 individual trees and 5 groups of trees, which are categorised as grade B2 and C2 trees. Pruning works will also be required to a number of the protected trees to the north and west of the site, to facilitate the construction of the proposed buildings. An Arboricultural Method Statement has also been submitted in respect of the construction of the 5m acoustic screen to the north-west corner of the site.

8.49 The majority of the trees to the perimeter of the site will be retained and the proposals are not considered to result in any adverse impact to the protected tree belts enclosing the site. The overall visual amenity and long term retention of these trees is therefore retained. The Council's Tree Officer has confirmed no objection to the revised proposals, subject to the submission of an updated Arboricultural Statement to reflect the changes proposed in the amended plans and any additional tree works that may be required as a result.

- 8.50 Similarly, the Council's Landscape Officer has raised no objection to the revised proposals, subject to detailed hard and soft landscaping proposals being submitted. The inclusion of areas of planting and additional tree planting where appropriate will help to soften the overall appearance of the site and provide some contrast to the industrial form and design of the buildings. Subject to these conditions being applied, the application is considered to comply with Policy E2 of the Test Valley Borough Revised Local Plan (2016).
- 8.51 **Highway Issues**
The application is supported by a detailed Transport Assessment.
- 8.52 Proposed Access
The existing access from School Close in the south-west corner of the site falls within TVBC's area and is to be retained, providing vehicular access to Units 1 and 2 – this access would therefore be used by all HGVs accessing these units. As noted above, Unit 3 is to be served by access points on Electron Way, which fall within EBC's area and as such, are not considered within this report.
- 8.53 The Highway Officer has raised no objection to the proposals on highway safety grounds, nor to the use of the existing access to serve Units 1 and 2. The proposals are therefore considered to comply with Policy T1 of the Test Valley Borough Revised Local Plan (2016) in this respect.
- 8.54 Highway Impact
At the time of the TA being prepared, the lawful use for the site was deemed to be B2 use. The TA states that the proposed development would generate 982 vehicle movements (daily) compared to the 1,035 vehicle movements associated with the consented use. As noted in paragraph 6.6, residents have expressed concern regarding the potential impact to the highway network as a result of the proposed level of vehicle movements.
- 8.55 The Highway Officer has considered the TA report and has raised no objection to the proposals on highway impact grounds. The proposed development would generate a lower overall number of vehicle movements per day and as such, would have no greater impact on the highway network than the existing B2 use. This lower level of movements also means that there is no requirement for contributions towards sustainable transport measures, as there is no additional impact on the highway network as a result of the proposed development. The proposals are therefore considered to comply with Policy T1 of the Test Valley Borough Revised Local Plan (2016).
- 8.56 Parking Provision
A total of 28 parking spaces are proposed to serve Units 1a and 1b, and 37no parking spaces proposed for Unit 2, with the car parking area for this unit falling outside of TVBC's boundary.
- 8.57 Again, the Highway Officer has raised no objection to the proposals on parking provision grounds. The proposals are therefore considered to comply with Policy T2 of the Test Valley Borough Revised Local Plan (2016).

8.58 Flooding & Drainage

The application is supported by a detailed Flood Risk Assessment and Drainage Strategy, with additional modelling work having been undertaken during the assessment of the application. The northern section of the site lies within Flood Zone 3, which is considered to have a greater than 1 in 100 annual probability of river or sea flooding, and therefore at high risk from fluvial flooding. The southern section of the site and the existing building fall within Flood Zone 1, which has the lowest risk of flooding.

- 8.59 The FRA also confirms that based on the Environment Agency's 'Flooding from Surface Water' mapping, a portion of the site is predicted to be at an increased risk of surface water flooding. The area with the greatest depth of on-site flooding is predicted to be the north-east corner due to a lack of connectivity in this section of the site with the adjoining watercourse to the north.
- 8.60 Due to concerns raised by the EA, additional modelling work has been undertaken in respect of flood events. In terms of the latest revised layout, Units 2 and 3 remain in Flood Zone 3. In order to provide the required parking/working areas and level access, the proposed development will involve re-profiling works across the site to ensure that the floor levels for all units will be a minimum of 300mm above the predicted 1 in 100 year, plus climate change flood levels.
- 8.61 However, the re-profiling works result in a loss of floodplain storage. An area of compensatory storage is therefore proposed in the north-eastern corner of the site, by lowering the car parking area which lies adjacent to Chandler's Ford Stream. This has the effect of increasing the overall floodplain storage within the site. The EA has now confirmed no objection to the proposed development on flood risk grounds.
- 8.62 In terms of surface water drainage, the application proposes a Sustainable Urban Drainage system (SUDs), to ensure no detrimental impact on flood risk to the site or neighbouring areas. The SUDs system will be based around attenuation storage served by gravity fed surface water sewer, which will also include petrol interceptors and silt traps, to safeguard the water quality of the adjacent stream and River Itchen SAC further downstream.
- 8.63 A new foul water drainage network is proposed to serve each individual building, with new connections to the nearest foul water sewer.
- 8.64 No objection has been raised to the proposed drainage strategy and a condition is recommended to require the submission of the detailed proposals for both foul and surface water drainage. As such, the proposals are considered to comply with Policy COM15 of the Test Valley Borough Revised Local Plan (2016).

9.0 CONCLUSION

9.1 In light of the significant amendments made to the proposed development in terms of the site layout, the addition of the canopy to the service yard of both Units 1 and 2 and the provision of acoustic screening to the south-west corner of the site, the proposals are considered to represent an acceptable form of development, which is in keeping with the surrounding industrial estate. The relationship to neighbouring residential properties has been a key consideration in the assessment of the scheme and the need to protect and safeguard the amenities of these properties has largely driven the amendments to the proposals.

9.2 With the addition of the recommended restrictive conditions, particularly in terms of noise and odour generating activities outside 'normal' hours of use, the requirement for site specific Noise Management Plans and restrictions on external activities, it is considered that the proposed development will not result in an unacceptable adverse impact to the residential amenities of these neighbouring properties. The creation of new jobs and associated socio-economic benefits of bringing this site back must also be taken into consideration. Overall, in light of the comments and issues set out above, the proposed development is considered to constitute sustainable development in social, economic and environmental terms, as set out in the NPPF, and the policy guidance within the development plan.

10.0 RECOMMENDATION

PERMISSION subject to:

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

Reason: To comply with the provision of 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 hereby permitted shall be carried out in strict accordance with the following approved plans:**

Location Plan – drawing no 13123 P101 Rev

Site Plan – drawing no 13123 P102 Rev P6

Unit 1 Ground Floor Plan – drawing no 13123 P103 Rev P3

Unit 1 First Floor Plan – drawing no 13123 P104 Rev P3

Unit 1 Proposed Elevations – drawing no 13123 P105 Rev P3

Unit 1 Roof Plan – drawing no 13123 P106 Rev P3

Unit 1 Building Section – drawing no 13123 P107 Rev P3

Unit 2 Ground Floor Plan – drawing no 13123 P108 Rev P2

Unit 2 Office Plans – drawing no 13121 P109 Rev P2

Unit 2 Proposed Elevations – drawing no 13123 P110 Rev P2

Unit 2 Roof Plan – drawing no 13123 P111 Rev P2

Reason: For the avoidance of doubt and in the interests of proper planning.

3. **Prior to the commencement of the development or any phase of the development hereby permitted, the following details shall be submitted to and approved in writing by the Local Planning Authority:**

- a) the details and samples of the materials to be used in the construction of the external surfaces of the buildings;
- b) the details including height and materials of all fences and other means of enclosure, including construction details for the proposed acoustic fencing;
- c) the details and layout of foul sewers and surface water drains;
- d) plans including cross sections to show proposed ground levels and their relationship to existing levels both within the site and on immediately adjoining land;
- e) details of proposed external lighting.

The development shall not be brought into use until the approved details have been fully implemented, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To limit the impact the development has on the locality, in accordance with Policies E1 and COM15 of the Test Valley Borough Revised Local Plan (2016).

4. No external noise-generating fixed plant or machinery (including any extraction systems and any wall fans) shall be permitted to operate without prior approval from the Local Planning Authority. Any items of plant or machinery with a sound power level of 60 dB(A) or lower may be disregarded (due to likely insignificance) for purposes of this condition.

Reason: To safeguard the amenity of nearby residential properties, in accordance with Policy E8 of the Test Valley Borough Revised Local Plan (2016).

5. The combined level of break-out of noise from any plant, machinery and/or equipment (excluding noise from any vehicle movements) inside Unit 1 arising from a General Industrial use (Use Class B2 under the Town and Country Planning (Use Classes) Order 1987 (as amended)) shall not exceed a sound level of 30 dB LAeq(1 hr) between the times 0700 – 1900 hrs and 25 dB LAeq(15 minutes) at all other times. Such levels shall be determined at free field locations representing facades of receptor positions R1 – R5 as shown in the submitted Noise Assessment Report (WYG, February 2016) or an alternative position to be agreed with the Local Planning Authority.

Reason: To safeguard the amenity of nearby residential properties, in accordance with Policy E8 of the Test Valley Borough Revised Local Plan (2016).

6. No odours arising from an odour generating General Industrial process (Use Class B2 under the Town and Country Planning (Use Classes) Order 1987 (as amended)) shall be detectable at the boundary of the property on Sundays or public holidays, nor outside the hours of 07:00 - 19:00 Monday to Friday and 0800 - 1300 on Saturdays.

Reason: To safeguard the amenity of nearby residential properties, in accordance with Policy E8 of the Test Valley Borough Revised Local Plan (2016).

- 7. No external storage of goods or materials shall be permitted across the site, other than within the enclosed service yard areas attached to the northern elevation of Unit 1 and the western elevation of Unit 2.**

Reason: To safeguard the amenity of nearby residential properties, in accordance with Policy E8 of the Test Valley Borough Revised Local Plan (2016).
- 8. No refrigerated storage shall be permitted on the site and no refrigerated lorries and/or refrigerated lorry containers shall be kept on the site without the prior written approval of the Local Planning Authority.**

Reason: To safeguard the amenity of nearby residential properties, in accordance with Policy E8 of the Test Valley Borough Revised Local Plan (2016).
- 9. The noise barriers and service yard enclosures shall be constructed in accordance with the submitted 'Acoustic Attenuation Technical Note' (WYG, dated 23 February 2016). The noise barriers and service yard enclosures shall be provided prior to first occupation of the buildings hereby permitted and in accordance with the approved details and thereafter maintained in good repair so as to ensure continued effectiveness.**

Reason: To safeguard the amenity of nearby residential properties, in accordance with Policy E8 of the Test Valley Borough Revised Local Plan (2016).
- 10. The fire exit door on the western elevation of Unit 1 shall each be fitted with a well-functioning self-closing device and kept closed at all times, except where strictly necessary for access purposes.**

Reason: To safeguard the amenity of nearby residential properties, in accordance with Policy E8 of the Test Valley Borough Revised Local Plan (2016).
- 11. All fork lift trucks requiring the use of an audible reversing alarm shall be fitted with a directional white noise reversing alarm at all times.**

Reason: To safeguard the amenity of nearby residential properties, in accordance with Policy E8 of the Test Valley Borough Revised Local Plan (2016).
- 12. Prior to the occupation of Unit 1 (as shown on drwg no 13123 P102 Rev P6 – Site Plan) a scheme to minimise noise disturbance to neighbouring residential properties shall be submitted to and approved in writing by the Local Planning Authority. The means of noise mitigation shall either comprise the erection of the proposed Unit 2, (as defined on drwg no 13123 P102 Rev P6 – Site Plan) or an alternative means of providing acoustic treatment to the same acoustic value as Unit 2. Development shall be in accordance with the approved details and shall be fully implemented prior to the occupation of Unit 1.**

Reason: To safeguard the amenity of nearby residential properties, in accordance with Policy E8 of the Test Valley Borough Revised Local Plan (2016).

13. **Prior to the occupation of Unit 2 (as shown on drwg no 13123 P102 Rev P6 – Site Plan) a scheme to minimise noise disturbance to neighbouring residential properties shall be submitted to and approved in writing by the Local Planning Authority. The means of noise mitigation shall either comprise the erection of the proposed Unit 1, (as defined on drwg no 13123 P102 Rev P6 – Site Plan) or an alternative means of providing acoustic treatment to the same acoustic value as Unit 1. Development shall be in accordance with the approved details and shall be fully implemented prior to the occupation of Unit 2.**
Reason: To safeguard the amenity of nearby residential properties, in accordance with Policy E8 of the Test Valley Borough Revised Local Plan (2016).
14. **Prior to the commencement of the development or any phase of development hereby permitted, a Construction Method Statement shall be submitted to, and approved in writing by, the Local Planning Authority. Construction work shall only take place in accordance with the approved method statement which shall include:**
- a) the location of temporary site buildings, compounds, construction material and plant storage areas used during construction;**
 - b) the arrangements for the routing/ turning of lorries and details for construction traffic access to the site;**
 - c) the arrangements for deliveries associated with all construction works, loading/ unloading of plant & materials and restoration of any damage to the highway;**
 - d) the parking of vehicles of site operatives and visitors;**
 - e) measures to control the emission of dust and dirt generated by construction;**
 - f) a scheme for controlling noise and vibration from demolition and construction activities (to include piling);**
 - g) measures to prevent mud and dust on the highway during construction;**
 - h) protection of pedestrian routes during construction;**
 - i) measures to prevent runoff into the adjacent stream.**
- Reason: To limit the impact the development has on the amenity of the locality, in accordance with Policies E5, E8 and T1 of the Test Valley Borough Revised Local Plan (2016).**
15. **No works pursuant to this permission shall commence until there has been submitted to and approved in writing by the local planning authority:**
- (a) a desk top study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Contaminated Land Research Report Nos. 2 and 3 and BS10175:2001 -Investigation of Potentially Contaminated Sites - Code of Practice;**
- and (unless otherwise agreed in writing by the local planning authority)**

(b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175; and (unless otherwise agreed in writing by the local planning authority)

(c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminated land and/or gases when the site is developed and proposals for future maintenance and monitoring. Such a scheme shall include nomination of a competent person to oversee the implementation of the works.

(ii) The development hereby permitted shall not be occupied or brought into use until there has been submitted to the local planning authority verification by a competent person approved under the provisions of condition (I)c that any remediation scheme required and approved under the provisions of condition (I)c has been implemented fully in accordance with the approved details (unless with the written agreement of the local planning authority in advance of implementation). Unless agreed in writing by the local planning authority such verification shall comprise:

a) as built drawings of the implemented scheme;

b) photographs of the remediation works in progress;

c) certificates demonstrating that imported and/or material left in situ is free from contamination;

d) thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition (I)c.

Reason: To ensure a safe living/working environment in accordance with Policy E8 of the Test Valley Borough Revised Local Plan (2016).

- 16. The development hereby permitted shall not be occupied until space has been laid out and provided for the parking and manoeuvring of vehicles to enable them to enter and leave the site in a forward gear in accordance with the approved plan and this space shall thereafter be reserved for such purposes at all times.**

Reason: In the interests of highway safety in accordance with Policies T1 and T2 of the Test Valley Borough Revised Local Plan (2016).

- 17. No development shall take place until full details of all hard and soft landscape works including planting plans; written specifications (stating cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities and an implementation programme has been submitted to and approved in writing by the Local Planning Authority. These details shall also include; proposed finished levels or contours; means of enclosure and hard surfacing materials (where appropriate). The landscape works shall be carried out in accordance with the implementation programme.**

Reason: To improve the appearance of the site and enhance the character of the development in the interest of visual amenity and contribute to the character of the local area in accordance with Policy E2 of the Test Valley Borough Revised Local Plan (2016).

18. The development hereby permitted shall be carried out in accordance with the measures contained within the 'Tree Survey Report to BS5837:2012', Bericote (jan 2015, Rev A -7 Jan 2016), unless otherwise first agreed in writing with the Local Planning Authority. Any Tree Protection Fencing required shall be erected prior to demolition or construction works commencing on site. Once erected no access by vehicles, storage or use of machinery, equipment or materials shall take place within the fenced area. The fencing shall be retained in its approved form for the duration of the work.

Reason: To safeguard the health, stability and future retention of trees on and adjacent to the site, in accordance with Policy E2 of the Test Valley Borough Revised Local Plan (2016).

19. Prior to the commencement of development or each phase of development hereby permitted, details of a sustainable drainage system shall be submitted to and approved in writing by the local planning authority. The details shall include a timetable for its implementation and a management/ maintenance plan for the lifetime of the development, including any arrangements to secure the effective operation of the sustainable drainage system throughout its lifetime. The system shall be implemented and thereafter managed and maintained in accordance with the approved details.

Reason: To ensure satisfactory drainage for the development in accordance with Policy COM15 of the Test Valley Borough Revised Local Plan (2016).

20. The development hereby permitted shall be constructed in accordance with the Flood Risk Assessment, Hydraulic Modelling and Drainage Strategy Report, ref. R/C14907/F001.03, July 2015, unless otherwise first agreed in writing by the Local Planning Authority and the Environment Agency.

Reason: To ensure that the flood risk is minimised in accordance with Policy COM15 of the Test Valley Borough Revised Local Plan (2016).

21. The development hereby permitted shall be designed and built so that it achieves a standard equivalent to Building Research Establishment's Environmental Assessment Method (BREEAM) 'excellent' credit required for water consumption (reference Wat 1). The development shall not be occupied until written evidence demonstrating that this level of water consumption is achieved for the development has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of improving water usage efficiency in accordance with policy E7 of the Test Valley Borough Revised Local Plan (2016).

Notes to applicant:

1. In reaching this decision Test Valley Borough Council (TVBC) has had regard to paragraphs 186 and 187 of the National Planning Policy Framework and takes a positive and proactive approach to development proposals focused on solutions.

TVBC work with applicants and their agents in a positive and proactive manner offering a pre-application advice service and updating applicants/agents of issues that may arise in dealing with the application and where possible suggesting solutions.

- 2. Permission is required under the Highways Act 1980 to construct/alter/close a vehicular access. Please contact the Head of Highways, Hampshire County Council, Jacobs Gutter Lane Hounslow, Totton, Southampton, SO40 9TQ. (0845 6035633) or highways-transportwest@hants.gov.uk at least 6 weeks prior to work commencing.**
 - 3. Birds nests, when occupied or being built, receive legal protection under the Wildlife and Countryside Act 1981 [as amended]. It is highly advisable to undertake clearance of potential bird nesting habitat [such as hedges, scrub, trees, suitable outbuildings etc.] outside the bird nesting season, which is generally seen as extending from March to the end of August, although may extend longer depending on local conditions. If there is absolutely no alternative to doing the work in during this period then a thorough, careful and quiet examination of the affected area must be carried out before clearance starts. If occupied nests are present then work must stop in that area, a suitable [approximately 5m] stand-off maintained, and clearance can only recommence once the nest becomes unoccupied of its own accord.**
 - 4. With regards to Condition 20, evidence of a suitable BREEAM certificate or written evidence by a BREEAM accredited professional would both be potentially appropriate forms of submission.**
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