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<b>APPLICATION NO.</b>	18/01719/FULLS
<b>APPLICATION TYPE</b>	FULL APPLICATION - SOUTH
<b>REGISTERED</b>	10.07.2018
<b>APPLICANT</b>	Mr John Kelly
<b>SITE</b>	Grain Buildings, Forest Of Bere Estate, Moor Court Lane, SO20 6RA, <b>KINGS SOMBORNE</b>
<b>PROPOSAL</b>	Change of use of land and buildings from sui generis (agricultural buildings) to B1 (light industry and offices) and B8 (storage).
<b>AMENDMENTS</b>	Commercial vehicle routing 22.08.2018 Transport Statement, Paul Basham associates January 2019.
<b>CASE OFFICER</b>	Ms Astrid Lynn

Background paper (Local Government Act 1972 Section 100D)

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## 1.0 INTRODUCTION

- 1.1 The application is presented to Southern Area Planning Committee as a referral from the 30 October 2018 Southern Area Planning Committee.
- 1.2 Members attending the 30 October 2018 Southern Area Planning Committee, deferred the case pending receipt of further information with regards highways matters, specifically:
- Calculations regarding vehicle movements to and from the site;
  - Success of the existing Forest Extra allowed appeal routing agreement; and
  - Details of the Forest Extra proposed passing places and timescale for their implementation.

## 2.0 SITE LOCATION AND DESCRIPTION

- 2.1 The site is located in the countryside within the Parish of Up Somborne, to the south of Moor Court Lane.
- 2.2 Diagonally opposite the site, to the north of Moor Court Lane/Chalk Vale, is the established Forest Extra commercial site allowed at appeal in 2015.
- 2.3 Farmland surrounds the remainder of the site. The village of Up Somborne, which comprises a largely linear development, lies to the north west, predominantly along Strawberry Lane.
- 2.4 The site is currently a complex of 2,026<sup>2</sup>m of agricultural steel portal buildings with associated grain silos. Building 'A' measures 1000<sup>2</sup>m, Building 'B' measures 87<sup>2</sup>m, Building 'C' measures 668 <sup>2</sup>m and Building 'D' measures 251<sup>2</sup>m.

2.5 These buildings have until recently been in agricultural use; however the applicant submits that this use has now ceased, that the buildings are not as suitable for modern agricultural use as others elsewhere on the estate, and no expressions of interest for this use from other users, have been received by the owners.

2.6 The site lies within flood zone 1, where there is a low probability of flooding.

2.7 Moor Court Lane is a metalled road until it is adjacent to the application site, and to which it provides access. Further to the east, this Lane is an unmade track.

### 3.0 **PROPOSAL**

3.1 The proposal is to change the use of the land and buildings from agricultural use, to B1 (a) and (c) (light industrial and offices) and B8 (storage) use.

3.2 No alterations are proposed to the buildings, land, or access.

3.3 Vehicular access would remain as existing, from Moor Court Lane.

### 4.0 **HISTORY**

4.1 None on site.

4.2 Diagonally opposite site: Forest Extra:

4.3 **12/01765/FULLS** Retrospective application for a Material Change of Use to Class B1 Offices, Class B2 Industrial and Class B8 Storage and Distribution Uses (mixed use). Refused 17.12.2013. Appeal Withdrawn. 24.09.2015.

4.4 **12/01746/CLPS** Certificate of Lawful Proposed Development for B2 Industrial Use. Not Issue Certificate. 10.10.2012. Appeal Allowed 24.09.2015.

4.5 **13/0970/PP** Enforcement appeal Allowed subject to a S.106 agreement and seven conditions. 24.09.2015:

4.6 The S.106 Agreement included clauses to require a

- Transport Contribution £ 25,317.65 and
- Traffic Regulation Order contribution £7,500.00 and
- Lorry Routing Agreement.

The conditions included:

1. No machinery shall be operated on the land, no process shall be carried on and no deliveries taken at or dispatched from the land except between 0730 hours and 1800 hours Mondays to Fridays, and 0830 to 1300 hours on Saturdays. None of these activities shall take place on any Sunday nor on any day that a Bank or Public Holiday.
2. No machinery shall be operated, no work shall be carried out and no storage of materials, plant or equipment shall take place outside of the building.

3. Within three months of the date of this permission, a scheme of noise control measures shall be submitted for approval to the Local Planning authority for approval. It shall include an assessment of noise by a competent noise control professional, sound testing to verify the performance of the building for preventing the escape of noise for noise control measures, particularly in respect of insulating the building, controlling breakout noise from noisy internal operations and arrangements for the testing of wood chippers. The use hereby permitted shall cease immediately if the noise scheme to be undertaken in accordance with the approved details is not carried out within three months of the date of its approval and thereafter retained.
4. The fire exit doors on the western elevation except for the explicit purpose of emergency entry to or exit from the premises, shall be kept closed at all times unless an alternative internal lobby arrangement for each door is submitted to and approved in writing by the Local Planning Authority, The arrangement of the new lobby shall be provided within two months of the date of approval and in accordance with the approved lobby details.
5. All site based vehicles (e.g. forklift trucks and Lorries) which are fitted with reversing alarms shall use a white noise type reversing alarm instead of a 'bleeper' type alarm.
6. No paint spaying activities, with the exception of paint applications by hand held spray cans shall take place at any time on the land.
7. Within one month of the date of this permission, details of parking spaces and manoeuvring space to enable large vehicles to turn around and enter and leave the site in a forward direction shall be submitted to the Local Planning Authority. There should be sufficient space for five Lorries and 31 vehicles (unless the Local Planning Authority approves a lesser number); including disabled spaces and any new surfacing of the open areas around the building should be included. The approved parking and turning scheme shall be implemented within two months of its approval.

## 5.0 **CONSULTATIONS**

5.1 **HCC Ecologist-** No objection subject to an informative.

5.2 **HCC Highways-** No objection subject to conditions. (Summarised)

The application proposes a change of use from agricultural to B1 (light industry and offices) and B8 (storage). The existing ground floor area of 1845m<sup>2</sup> is to be maintained. The submitted Transport Statement specifies a likely 50/50 split between B1 and B8 uses.

5.3 It has been determined that there are none or not enough comparable sites contained within the TRICS database to provide a representative dataset for the proposal in terms of location, land use and size. As such, a first principles approach utilising a comparable site has been utilised. Whilst this approach is provided within the submitted Transport Statement, the applicant is requested to provide their TRICS research to this effect for review and comparison.

The site in question is the nearby Forest Extra site. An application was submitted in 2012 for this proposal and whilst that application was refused, it was not refused on highways grounds and an appeal for a lawful B2 use was granted.

- 5.4 Whilst TVBC raised no highways objections initially to the proposal with regards to traffic generation in September 2012, a number of representations were received and to further explore the traffic impact of the proposal a classified turning count was undertaken between April/May 2013 by TVBC. The results were provided within a Technical Note dated 1 October 2013. The results of the classified turning count survey demonstrated a total of 142 vehicle movements on Chalk Vale and 218 movements on Sparsholt Road daily for a 12-hour period 0700-1900hrs.
- 5.5 TVBC raised an objection with regards to the local highway network being inadequate to accept the type of vehicles being generated, however it was decided that if the applicant was willing to fund a scheme for the provision of passing places and to fund the cost of a Traffic Regulation Order for a lorry restriction on Strawberry Lane and secure a lorry routing agreement then the objection would be overcome.
- 5.6 The funding of the above and the lorry routing agreement was secured through the Section 106 for the Forest Extra site. Whilst the Lorry routing agreement is in place as well as width restrictions on Strawberry Lane, the scheme for the implementation of passing places has not yet been implemented, however the implementation of the scheme is understood to be imminent as confirmed by HCC Highways colleagues.
- 5.7 Whilst the eventual use at the Forest Extra site related to B2, the application in highways terms was assessed for a material change of use to a mix of B1 Offices, B2 Industrial and B8 Storage and Distribution. As such, the trip rate information utilised within the assessment of that application would be considered comparable regardless of the fact that the end use was/is predominantly B2.
- 5.8 In order to test the robustness of the trip generation data utilised, a Manual Classified Turning Count was undertaken in 2019. The results of which demonstrated lower trip rates than those found in 2013. This would correspond with the end use being wholly B2. In line with the above, Highways Development Planning would maintain its consideration that the data utilised is comparable.
- 5.9 The current application, however, proposes a mix of B1/B8 and whilst the information submitted by the applicant suggests a likely split of 50/50 within the updated Transport Statement there is a concern with regards to the control of this. If planning permission is granted by TVBC then there will either need to be some form of control regarding the provision of a 50/50 split, or if that control is not achievable then further assessment would be required based upon different ratios of B1/B8 due to the differences in trip rates associated with the two uses.

6.0 **REPRESENTATIONS** Expired 19.10.2018

6.1 **Kings Somborne Parish Council – Objection.** (Summarised):

- Support residents objections;
- Objections are based on highways issues and the lack of supporting infrastructure to enforce restrictions cited;
- Additional passing places required along Chalk Vale have not been constructed;
- The Traffic regulation order is not enforced & warning signs are ignored by drivers due to lack of police presence;
- Inaccuracies in highways matters;
- Potential increase in traffic flow in this very rural environment;
- If approved the installation of adequate passing places should be mandatory and installed prior to the commencement of development.

6.2 **33 letters of objection** from 31 local residents have been received. These are summarised below:

**Lack of highways infrastructure**

- Errors in applicants assessment of the local road network: submitted photographs fail to show narrow lanes and blind corners on Strawberry Lane, Chalk Hill and Chalk Vale;
- No information provided in respect of the road width of Strawberry Lane;
- Chalk Vale is not subject to a TRO, Strawberry Lane has a vehicle width restriction, 6'6" except for access,
- Chalk Hill has a vehicle weight restriction 7.5 tonnes.
- The Highways Technical note states that '*the final 0.6km section between Gypsy Lane and Strawberry Lane offers reduced opportunities for passing ...*'
- The Commercial Routing Agreement fails to clarify:  
The definition of commercial vehicles;  
How the Estate will notify tenants and operators the required access route;  
Who will be party to the agreement as well as TVBC;  
If the Estate is a legal entity?
- It is incorrect to state that application 12/01765/FULLS was refused for unrelated highways matters;
- The two refusal reasons are copied in the response and include reference to excessive number and size of vehicles on the local road network; and the absence of a required legal agreement for off-site highways works and road network restrictions.
- The trip records submitted date to 2013.
- Recent occupants included a balcony constructor and a wood chipper. Vehicle trips would be different depending on survey times. The proposal cannot be properly assessed until tenants have been selected and likely traffic volumes reviewed;
- Internal floor space was used as a measure for calculating trip generation for the Forest Extra site, which equates to the same site area as this application which would therefore mean similar trip levels;

- The application proposed routing arrangement differs to that allowed at Forest Extra in that it excluded access via Chalk Hill;
- Three passing spaces is insufficient to avoid damage to verges, vehicles often have to pass where only room for one vehicle;
- Forest extra are already having a severe impact on the road network and the Forest of Bere Estate development will make this worse;
- Pre-application advice provided in the application confirms that the development is acceptable subject to provision of both agreed passing space highways and landscape mitigation, these passing spaces have not yet been provided;
- A definition of commercial vehicles and the defined traffic regulation route is requested.
- It is unclear which vehicles are to be included in a 'routing agreement'; nor is the route clear.
- Which highways improvements are to be funded?
- A routing agreement is not enforceable, therefore the application should be refused;
- Police have insufficient resources to monitor any enforcement of signage.
- HGV drivers do not know of the existence of the TRO, nor do they know the area or roads networks;
- The development should be refused based on the speculative nature of vehicle volume and type;
- Refusal should also be based on lack of passing spaces even if the 3 proposed are provided.
- An estimated 10 or 12 employees are noted, however 45 parking spaces are requested indicating the potential for more activity and traffic.
- Not against job creation in the area, but the infrastructure as it is, cannot sustain any further traffic;
- Traffic has increased X10 accessing Forest Extra, with 90% bypassing Chalk Vale, despite the TRO;
- Boutique businesses are proposed for a building of 2,000<sup>2</sup>m which is considered modest and is questioned.
- The application is not compliant with policy T1 of the Local Plan: the development will intensify the site use and increase traffic in the surrounding road network.

### 6.3 Amenity impacts

- There are residential properties on both Chalk Hill and Chalk Vale;
- The noted PROW is only one of a number in existence;
- An HCC bicycle route is also designated along approach routes;
- Forest Extra traffic has previously forced pedestrians to get up on to the bank at the side of the Strawberry Lane where they were afraid of slipping down under the wheels of the lorry;
- Why should the village of Up Somborne, Chalk Vale and Chalk Hill suffer and not the tenants of the applicant.

- There are no pavements on these lanes.
- Drivers of deliveries to Forest extra disregard the routing agreement, recently one reversed up Strawberry Lane.
- Passing places will become overnight parking places for lorries accessing either industrial estate;
- Noise nuisance and traffic volumes will double destroying the tranquil nature of the area;
- Whilst the applicants efforts to create additional income for his estate is appreciated, the development cannot justify the detrimental effect on the entire village and wider community;
- Recent increase in the use of the Lane as a short cut from the main Romsey Road.
- The new units proposed will also require workers car and delivery vans;
- Proposed passing spaces will lead to an accumulation of litter; overnight parking by lorry drivers and travellers;
- The LPA should promote sustainable and healthy transport options, not degrade cycle routes;
- The Council are installing fitness equipment in the recreation ground for the good health of the community, and lives will be endangered getting to the facility if this application is approved as there are no footpaths;
- The lanes are regularly used by walkers, cyclists and horse riders who are increasingly endangered by the increased road traffic.
- It is counter intuitive to allow development of a de facto industrial estate at the top of a quiet and peaceful hamlet;
- The application seeks to operate on Saturdays, a busy community time raising potential road safety issues, such operating times would make weekends a no-go area as well as week days;
- This would blight the area.

#### 6.4 Landscape impacts

- Use of verges for passing traffic often uses private land, harmful to the eco-system;
- Loss of ancient hedgerows.
- The development will change the character of the area by the in-combination development with Forest Extra;

#### 6.5 Change of use

- Though the application suggests that up to 10 employees will be employed, the *Employment Density Guide 3<sup>rd</sup> Edition* (2015), by The Homes & Community Agency, indicates that B8 uses for a 2000<sup>2</sup>m shed would equate to 21 – 29 employees; and B1 use employment would increase to 153-250 for 2000<sup>2</sup>m.
- A road traffic accident will occur at some point and the risk is increased as a result of the proposed change of use and associated traffic intensification;
- The proposed 3 passing bays that have yet to be constructed may facilitate passing at these points, but provide no benefit on the narrow approach road closer to the site;

- Up Somborne is a thriving village. HGV's and speeding white vans already make it challenging to walk safely on the roads, which the proposal would add to;
- Houses at the top of Strawberry Lane share the same post code as Forest Extra, and lorries and vans frequently stop outside them looking for Forest Extra, which would only increase with this application;

#### 6.6 **Alternative route**

- An alternative access is from the south across the applicants own land, avoiding the narrow village lanes. This route was rejected by the applicant in his answers to community questions, because it would have to cross his farmyard.
- Even if the TRO worked, this would simply push traffic onto other adjacent unsuitable roads;

#### 6.7 **Ownership**

- The applicant/owner reassures the objectors that they do not wish to cause disruption, but these reassurances do not offer any protection against future owners;

#### 6.8 **Additional commercial local premises**

- There are 14 available commercial properties in a 5 mile radius of the site and 58 within 10 miles;

#### 6.9 **Small scale business**

- The application is for a small scale business, but approval gives no control over possible future significant traffic growth;
- The development proposal is not sustainable.

### 7.0 **POLICY**

#### 7.1 Government Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

#### 7.2 Test Valley Borough Revised Local Plan (2016)(RLP)

COM2: Settlement Hierarchy

LE16 : Re-Use of buildings in the countryside

E2: Protect, conserve and enhance the landscape of the Borough

LHW4: Amenity

T1: Managing Movement

T2: Parking Standards

#### 7.3 Supplementary Planning Documents (SPD)

King's Somborne Conservation Area policy 1987

#### 7.4 Other matters

Kings Somborne Neighbourhood Plan Area Designation December 2015

## 8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- The principle of development
- Highways impact
- Landscape impacts
- Amenity impact

8.2 The site lies in an area designated as countryside according to the Test valley Borough Revised Local Plan 2016, (RLP), policy COM2. This states that development outside settlement boundaries will only be permitted where either a) appropriate for a countryside location in accordance with RLP policies COM8-14, LE10, LE16-18, or essential to be located in the countryside.

8.3 The proposed development is for the re-use of existing buildings in the countryside, which requires compliance with RLP policy LE16, one of the listed policies under RLP policy COM2 a) noted above.

8.4 TVBRLP policy LE16: The re-use of an existing building in the countryside.  
*'The re-use of buildings in the countryside for commercial use (including tourist accommodation) will be permitted provided that:*  
*a) The building is structurally sound and suitable for conversion without substantial rebuilding, extension or alteration; and*  
*b) The proposal would not result in the requirement for another building to fulfil the function of the building being converted; and*  
*c) The proposed use is restricted primarily to the building; and*  
*d) Development would lead to an enhancement of its immediate setting*

*The re-use of buildings in the countryside for residential use will be permitted provided, in addition to criteria a)-d) above, that:*  
*e) The proposal is for occupational accommodation for rural workers; or*  
*f) It is demonstrated that every reasonable attempt has been made to secure commercial use (including tourist accommodation); or*  
*g) There is no other means of protecting and retaining the building which is of architectural or historic merit'.*

8.5 When assessed in relation to RLP policy LE16 the proposal is

- a) For the use of a structurally sound buildings suitable for conversion without substantial rebuilding, extension or alteration; and
- b) The proposal would not result in the requirement for another building to fulfil the function of the building being converted; and
- c) The proposed use is restricted primarily to the buildings; and
- d) Development could lead to a enhancement of the immediate setting, in the provision of landscaping and management of all vehicular transport accessing the site, whereas presently no controls can be exerted over these.

Criteria e) to g) are not relevant in this case.

- 8.6 The development is considered in accord with RLP policy LE16, subject to conditions to ensure no storage should take place outside of the buildings to ensure compliance with LE16 c) and d) above.
- 8.7 The objections raised in respect of the application, relate to their experience of a development allowed by the Inspector at appeal. Planning law requires that this current application is assessed on its own 'material planning' merits, not those of the adjacent development.
- 8.8 Compliance with RLP policy LE16 ensures the development also accords with RLP policy COM2 a) subject to all other material planning considerations. The development is therefore in principle acceptable.
- 8.9 **Highways impact**  
Highways Movement  
Highways impact is assessed within RLP policies T1 and T2.  
Policy T1: Managing Movement addresses impacts on highways, rights of way, pedestrians, cycle or public transport users. This policy requires that development has no adverse impact on the function, safety and character of and accessibility to the local or strategic highways network or rights of way network.
- 8.10 The application is submitted with an amended Transport Statement, (Paul Basham Associates) January 2019. This was submitted after Southern area Planning Committee deferred a decision on highways grounds in October 2018.
- 8.11 This additional Statement updates count survey information from trip rates and trip generation; reviews trip generation for B1/B8 land uses; explains further why the Forest Extra site is considered comparable to the current site (despite its use class being different to that proposed here) and why TRICS data is not available; provides details on predicted trip generation and a commentary on potential relationships between predicted trips and parking.
- 8.12 The response from HCC Highways to this information is one of no objection subject to conditions to ensure the use of the buildings is in a 50/50 split. This would ensure that traffic generated by the proposed activities can be accommodated on the local road network and would not lead to an adverse effect on the safety and free flow of vehicles on the local highway network.
- 8.13 It is considered that appropriate conditions would include a 50% B1(a) and (c) and a 50% B8 floor space restriction. Highways information as submitted and as agreed with HCC Highways Officers clarifies that this would generate a level of traffic that can be accommodated on the local road network and therefore would not lead to an adverse effect on the safety and free flow of vehicles on the local highway network. It has not been demonstrated that a greater proportion of either use can be accommodated safely. The applicant has agreed to such a restriction.

- 8.14 A further condition would provide on-site parking areas for all related vehicles, to protect the visual amenities of the local area and ensure sufficient parking is available to serve the proposed uses
- 8.15 In addition, a condition is required to ensure no goods, plant or material shall be stored in the open (or displayed for sale in the open) on the site. This would limit the available space for storage and therefore reflect the transport statement which is based on floorspace calculations. This would prevent adverse impact on highways safety and protect the character and appearance of the area. In addition it would ensure the delivery and maintenance of adequate parking areas.
- 8.16 Clarification has been received from TVBC Highways that the Traffic Regulation Order associated with the adjacent Forest Extra development has been implemented, and is already in place. HCC Highways has also confirmed that the contribution required for implementing the highways improvements for the Forest Extra site, have been received and works are pending. It is not known if these highways works will have commenced at the time of this Committee although Officers have met with HCC since the Southern Area Planning Committee deferment in October 2019, and it is understood that the design for these passing bays has been commenced and that the works are pending.
- 8.17 These works may be a factor that contributes to the experiences of the local residents. No additional passing spaces are required by this application.
- 8.18 A routing agreement which mirrors that of the Forest Extra development, to avoid constrained local routes such as the residential Strawberry Lane and constricted Chalk Hill is considered a requirement of this development. The applicants have submitted a revised routing agreement which is identical with that agreed on the Forest Extra site. An s106 Agreement is required to ensure compliance with this Routing Agreement.
- 8.19 The drafted legal agreement obliges the operator of the site to inform drivers of the restrictions, in terms of both weight and of the routing restriction for all delivery vehicles.
- 8.20 Highways officers have also provided details of local traffic accident records, which indicate no recorded road traffic safety issues in the immediate area. This is considered indicative of current acceptable highways safety in the immediate area.
- 8.21 Whilst objectors raise concerns with regards the enforceability of the development, the use of conditions in this instance is, in planning terms, appropriate, reasonable and enforceable.
- 8.22 Subject to the highways works and completion of the S.106 Agreement, the development is considered compliant with all highways issues associated with RLP policy T1.

8.23 Parking Standards

Parking standards are addressed in RLP policy T2: Parking Standards and the associated Annexe G. Policy T2 requires that parking is provided as set out in Annexe G, which requires: 1 space per 30<sup>2</sup>m of office space; 1 space per 45<sup>2</sup>m for B1 (b) and (c); and 1 space per 90<sup>2</sup>m of warehousing. Cycle parking to set standards is also required. HGV parking provision should include 1 space per 500<sup>2</sup>m and additional spaces for further floorspace over 2,000<sup>2</sup>m.

8.24 The proposal includes 1,013<sup>2</sup>m of B1(a) or (c), requiring 35 car parking spaces. The provision of 1,013<sup>2</sup>m of B8 use requires a further 12 car parking spaces. Four HGV parking spaces would be required for the entire site. This would require a total of 47 car and 4 HGV parking spaces. The applicant has confirmed that there is space on site for these parking spaces.

8.25 45 car parking spaces are provided in the submitted plans. Though the submission states that HGVs are unlikely with a B1 Light Industrial use, up to 50% of the site use proposed could be in B8 use. The site is provided with considerable space around the buildings, in excess of the planned parking areas. It is therefore considered that the site can provide for adequate parking provision.

8.26 Subject to these conditions to ensure appropriate division of land uses, parking and to ensure no outside storage, the application is considered compliant with RLP policy T2.

8.27 **Landscape impacts**

Landscape impacts are addressed in RLP policy E2: Protect, conserve and enhance the landscape character of the Borough. Landscape impacts are addressed in terms of impacts in the public domain.

8.28 Landscape impact: On site works

No changes are proposed to the existing site buildings and parking is currently unmanaged on site.

8.29 The landscape character of the area is considered to be rural open countryside with minimal existing site screening. Public views of the site would be visible from Moor Court Lane only, against a backdrop of fields. Soft landscaping would be beneficial to soften the development, in particular the proposed parking areas. This would also enhance a currently hard landscape area which is set within fields. The application also includes storage, which would be visible from the public domain. It is considered reasonable to add the condition to ensure no outside storage is permitted.

8.30 The application is submitted with the benefit of a proposed site plan indicating landscape areas and allocated parking areas. However details of this landscaping is not currently provided, neither is an associated management plan, and would enhance the public view of the site. Subject to such conditions, the application would provide enhancement in the form of additional soft landscaping and would control the visual impact of outdoor uses, including outdoor storage, and is considered compliant with TVBRLP policy E2.

8.31 Landscape impact: Offsite works.

Concerns with regards landscape impacts off site are raised by objectors, including impacts on verges, hedgerows and the character of the area. Whilst most of these concerns relate to the impact from an existing permitted development, which this application is not assessing, the possible in-combination effect requires addressing.

8.32 This development provides a mechanism, via a S.106 Agreement, to control vehicle access routes and to require these to be in place prior to the first use of the development. Once these measures are in place it is considered that they will assist in minimising, as a secondary benefit, the effect of traffic arising from both sites on the local verges."

8.33 The Traffic Regulation Order has only been in place for a year and the required passing spaces for the Forest Extra development are not yet in place. These factors might contribute to the landscape concerns raised by local residents. The site is also currently in uncontrolled agricultural use and contains large buildings able to accommodate numbers of vehicles accessing local roads without restrictions.

8.34 This development would contrast with the existing use because it enables the management of road traffic, and on site use. Control of vehicle manoeuvring on site, hours of operation and outside storage would enable further benefits to local amenity, minimising noise and associated amenity impacts.

8.35 Subject to the completion of the S.106 agreement and the proposed conditions, all concerns raised have been addressed and the development is considered compliant with RLP policy E2.

8.36 **Amenity impact**

Amenity matters are assessed within TVBRLP policy LHW4: Amenity. The rural nature of the development location is noted. Amenity issues raised include the impact of associated vehicles on surrounding rural road networks.

8.37 Though amenity concerns are noted, it is considered that the scheme enables the management of the site traffic, and that essential passing bays will be in place. The proposal is therefore considered in accord with TVBRLP policy LHW4.

8.38 **Other matters**

Biodiversity matters are addressed within TVBRLP policy E5, and no issues arise in respect of the application, given that no changes are proposed to the buildings.

9.0 **CONCLUSION**

9.1 The development proposal does not change buildings on site and enables the addition of a road traffic management scheme, on site controls, parking and landscaping, to enhance the site, highways and amenity of the area. It is in principle acceptable and compliant with all related Local Plan policies.

## 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 not be carried out except in complete accordance with the details shown on the submitted plans, numbers: WNBU420172\_201A; WNBU420172\_202A; WNBU420172\_203; WNBU420172\_204; WNBU420172\_205.  
Reason: For the avoidance of doubt and in the interests of proper planning.
3. The premises shall be used for: light industrial; offices and storage and for no other purpose; including any purpose in Class B1 and B8 of the Schedule of to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.  
Reason: In order that the Local Planning Authority can exercise control in the locality in the interest of the local amenities in accordance with Test Valley Borough Revised Local Plan (2016) Policies COM2, E2 and LHW4.
4. No goods, plant or material shall be stored outside of the buildings (or displayed for sale in the open) on the site.  
Reason: To prevent adverse impact on highways safety, protect the character and appearance of the area, to ensure the delivery and maintenance of adequate parking areas, and to limit the area available on site for storage uses in accordance with Test Valley Borough Revised Local Plan (2016) Policies T1, T2 and E2.
5. Prior to the commencement of the development full details of soft landscape works shall be submitted and approved in writing, and shall include: planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities.  
The landscape works shall be carried out in accordance with the implementation programme and in accordance with the management plan.  
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 Test Valley Borough Revised Local Plan (2016) Policy E1 and E2.
6. Prior to the commencement of the development a schedule of landscape management and maintenance for a minimum period of 5 years shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas and an implementation programme, shall be submitted to and approved in

writing by the Local Planning Authority. The approved management plan shall be carried out in accordance with the implementation programme.

**Reason:** To ensure the provision of amenity afforded by proper maintenance of existing and new landscape features as an improvement of the appearance of the site and to enhance the character of the development in the interest of visual amenity and contribute to the character of the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1 and E2.

7. No machinery shall be operated on the land, no process shall be carried on and no deliveries taken at or dispatched from the land except between 0730 hours and 1800 hours Mondays to Fridays, and 0830 to 1300 hours on Saturdays. None of these activities shall take place on any Sunday nor on any day that is a Bank or Public Holiday.

**Reason:** In the interest of local amenity and in compliance with Test Valley Borough Revised Local Plan policies COM2 and LHW4.

8. All site based vehicles (e.g. forklift trucks and lorries) which are fitted with reversing alarms shall use a white noise type reversing alarm instead of a 'bleeper' type alarm.

**Reason:** In the interest of local amenity and in compliance with Test Valley Borough Revised Local Plan policies COM2 and LHW4.

9. No more than 1003 square metres (gross internal floor space) of the buildings the subject of this permission (annotated as buildings A, B, C and D on Drw.No.A-WNBU420172\_202A) shall be used for business activities falling within Class B8 of the Town and Country Planning (Use Classes) Order 1987 (including ancillary activities associated with that main use) at any one time.

**Reason:** It has been demonstrated that traffic generated by activity associated with a limited (50% of the overall total floor space available) of floor space in use will generate a level of traffic that can be accommodated on the local road network and therefore would not lead to an adverse effect on the safety and free flow of vehicles on the local highway network. It has not been demonstrated that a greater proportion of either uses can be accommodated safely. The proposal is in accordance with Test Valley Borough Revised Local Plan (2016) Policy T1.

10. No more than 1003 square metres (gross internal floor space) of the buildings the subject of this permission (annotated as buildings A, B, C and D on Drw.No.A-WNBU420172\_202A) shall be used for business activities falling within Class B1(a) or B1(c) of the Town and Country Planning (Use Classes) Order 1987 (including ancillary activities associated with that main use) at any one time.

**Reason:** It has been demonstrated that traffic generated by activity associated with a limited (50% of the overall total floor space available) of floor space in use will generate a level of traffic that can be accommodated on the local road network and therefore would not lead to an adverse effect on the safety and free flow of vehicles on the local highway network. It has not been demonstrated that a greater proportion of either uses can be accommodated safely. The

proposal is in accordance with Test Valley Borough Revised Local Plan (2016) Policy T1.

11. **Parking of vehicles shall only take place on those parts of the site identified as "car parking" on Drw.No.A-WNBU420172\_202A.**

**Reason:** In order to protect the visual amenities of the local area and ensure sufficient parking is available to serve the proposed uses, in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1, E2 and T2.

**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. **Attention is drawn to the requirements of the Agreement dated .... under Section 106 of the Town and Country Planning Act 1990 which affects this development.**
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