REF. NO. X/12/71083

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

fencing lead to a conclusion that, on balance, the proposals are acceptable. It is also recognised that the site has been designated as an employment site for a long time, ahead of the designation and development of the Dowds Farm site for housing.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

Permission recommended subject to further conditions

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DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Within Within Designated Employment Area

DEVELOPMENT PLAN POLICIES

- Eastleigh Borough Local Plan Review (2001-2011) 59.BE (built environment), 29.ES (noise), 34.ES (sustainable construction/use),
- Eastleigh Borough Local Plan (2011-2029) Pre-Submission Consultation DM1, DM7
- Supplementary Planning document: Quality Places

NATIONAL PLANNING POLICY GUIDANCE

National Planning Policy Framework

POLICY COMMENTARY

The above policies combine to form the criteria against which this application will be assessed with particular regard to visual and residential amenity.

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

> *"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."*

Policy 59.BE of the Local Plan (DM1 of Pre-submission consultation) requires development to take full and proper account of the context of the site including the character and appearance of the locality and be appropriate in mass, scale, materials, layout, design and siting. It also requires development to avoid unduly impacting on neighbouring uses through overlooking, loss of light, loss of outlook, noise and fumes. Policies 29.ES and DM7 also specifically address noise pollution with a presumption against the grant of permission for development which would cause loss of amenity.

Visual Amenity/Crime prevention

The reduction of the height of the acoustic fencing would result in a significantly improved environment for users of the adjoining public footpaths, making the routes visually more attractive and providing a less enclosed environment which would reduce the risk of or fear of crime.

Residential Amenity

However, the reduction in the height of the acoustic fencing also results in a potential “minor adverse” noise impact from the use of the site. The revised acoustic report and the concerns raised from the 3 neighbour objections have been considered by the Head of Environmental Health who, although with some reservations, has not objected to the proposal.

There are also other noise management requirements required by conditions of planning permission F/11/70040 and the combination of these, the still substantial acoustic fencing now proposed, the Council’s other powers under the Environmental Protection Act which can address noise nuisance, and the significant visual and environmental/crime reduction benefits of reducing the height of the

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THE SITE AND ITS SURROUNDINGS

footpath/residential properties and the site.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
O/08/62724	Outline permission for 3 commercial units for B1/B8 uses (7515sqm) Planning permissions 14894/36 and 14894/42 granted permission for the access road up to the site boundary. Various permissions for remainder of Hamilton Business Park for B1/B2/B8 uses. Detailed permission for adjoining Dowds Farm residential use granted 2007 with provision for part of pedestrian, cycle, and bus link to Charterhouse Way.	Permitted Nov 2009
F/11/70040	Construction of 2no. buildings with a total floorspace of 6373sqm, for use for storage and distribution purposes (B8) or for industrial (B1 or B2) purposes, together with ancillary offices, access, parking and servicing.	Permitted April 2012

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Neighbours	68 neighbouring properties notified. 3 neighbour objections from residents in Barfoot Road and Hansen Gardens (Dowds Farm development to north of site). Objections on grounds of: need for maximum possible protection for residents; possible additional impact on second floor bedrooms than identified; possible additional noise from echo between warehouse buildings.

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Hedge End Town Council	Object
Head of Environmental Health	The original acoustic report and barrier design have been revisited by a second consultant who has concluded, on the basis of a further report and modelling exercise, that a barrier of reduced height will have similar performance to that originally proposed. On this basis I do not object to this proposal, I would caution however that the conclusions of the report are based on modelling of how activities will be carried out on site, and inevitably there is a risk that differences in how activities are actually carried out, or discrepancies in the modelling versus reality may give rise to noise impacts at residential dwellings in the vicinity, consequently reducing the barrier in size reduces the margin of safety to compensate for such discrepancies

POLICY CONTEXT

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PLANNING APPLICATION REPORT

DESCRIPTION/ ADDRESS	-	Amendment to condition 13 of planning approval F/11/70040 to reduce the height of acoustic fencing (plan P015 Revision C to replace plan P015 Revision B). Site D Hamilton Business Park Hamilton Way Hedge End Southampton SO30 2JR

SITE VISIT DATE 17.7.12

ARE PLANS ACCURATE? Yes

HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED? Yes

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	Proposal to reduce the height of the approved acoustic fencing (screening 2 warehouse buildings and external areas) following revised noise studies. Reduction in height on northern boundary from 3m to 2m and on eastern boundary from 4/4.5m to 3m. Also removal of acoustic fencing within car park.
SITE AREA	1.71ha
RESIDENTIAL DEVELOPMENT DENSITY (NET)	n/a
TOPOGRAPHY	The land levels generally fall from Dowds Farm to the north towards Botley Road to the south, and from west to east
TREES	TPO'd trees outside site boundary along footpaths
BOUNDARY TREATMENT	Poor quality chain link fence
SITE CHARACTERISTICS	The application site is the rear part (1.71ha) of Hamilton Business Park and was formerly an open storage area for British Gas. It is currently vacant and has been so for a number of years. The whole site is a designated employment area and units to the front nearest Botley Road have been developed to provide primarily Class B8 storage and distribution units. This urban area is of mixed commercial and residential character
CHARACTER OF LOCALITY	To the immediate south is Unit C (occupied by Comets for their warehousing and distribution use), to the east on lower land is the rear of terraced dwellings in Haileybury Gardens and Charterhouse Way as well as Unit 18 of the Solent Industrial Estate. There are industrial estate units to the west within the Nelson Industrial Estate, and a large telecommunications mast, and to the north is the Dowds Farm residential site with the adjoining phase now complete. A public footpath (no.7) runs round the site to the east and north and there are mature, protected trees along the northern boundary outside the application site. There is existing landscape screening on the bank between the public