

# DELEGATED OFFICER REPORT

**Application Ref:** X/25/100312

**Site Address:** Eastleigh Rail Works, Campbell Road, Eastleigh, SO50 5AD

**Case Officer:** David Huckfield

**Description:** Variation of condition 7 of planning permission F/20/87841 to allow the approved hours of opening to be extended to 0600 to 2300 hours Monday to Friday and 0800 to 2000 hours on Saturdays, Sundays and Public Holidays for Plot 300 only (Class B8 open storage use).

|                                                                                                                     |                                                |                                    |
|---------------------------------------------------------------------------------------------------------------------|------------------------------------------------|------------------------------------|
| <b>Particular Site Constraints?</b>                                                                                 | <b>Yes</b> <input checked="" type="checkbox"/> | <b>No</b> <input type="checkbox"/> |
| Within the Urban Edge<br>Designated Employment Site<br>Within Designated Special Policy Area (Eastleigh River Side) |                                                |                                    |

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| <b>Relevant Planning History?</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <b>Yes</b> <input checked="" type="checkbox"/> | <b>No</b> <input type="checkbox"/> |
| X/24/97800 – Variation of Condition 1 of Planning Permission F/20/87841 to agree revised road widening layout including revised retaining wall alignment, associated fencing, and glazed brickwork adjacent to steps – PERMIT 18/11/2024<br><br>X/23/96250 – Variation of Conditions 36 and 37 to agree extended timeframe for highway and pedestrian improvement works – PERMIT 16/01/2024<br><br>X/23/94970 – Variation of Condition 3 of F/20/87841 to allow open storage use on Plot 305 for an increased period of 10 years – PERMIT 24/11/2023<br><br>X/23/95285 – Variation of Condition 23 of Planning Permission F/20/87841 to agree alternative specification for acoustic fence – PERMIT 24/11/2023<br><br>F/20/87841 – erection of up to 2,444sqm floorspace for B1(c), B2, B8 use, open storage, alterations to access, new footpath and new vehicular access, acoustic barrier and associated works – PERMIT 22/06/2021 |                                                |                                    |

|                    |                                                    |                                                        |
|--------------------|----------------------------------------------------|--------------------------------------------------------|
| <b>Site Visit:</b> | <b>Yes</b> <input checked="" type="checkbox"/>     | <b>No</b> <input type="checkbox"/>                     |
| <b>Publicity:</b>  | <b>Letters</b> <input checked="" type="checkbox"/> | <b>Site Notice</b> <input checked="" type="checkbox"/> |
|                    |                                                    | <b>Newspaper</b> <input checked="" type="checkbox"/>   |

## Representations (Summarised)

A total of 8 letters of objection have been received in relation to the application, with the following matters being raised:

- Increase in traffic including HGVs
- Increase in vehicle movements over the bridge during the hours of darkness
- Pedestrian route and refuge still not having been provided on the bridge
- Highway and pedestrian safety concerns
- Additional noise, disturbance and pollution for residents
- Disruption to wildlife in the area
- Devaluation of property

## Response to comments received:

Devaluation of property is not a material planning consideration and therefore cannot be taken into account in the decision making process. In terms of the matter concerning effects on wildlife, it is not considered that the proposals would have a materially increased impact in this regard such that any mitigation would be necessitated.

The other issues raised which relate principally to residential amenity and highway and pedestrian safety are covered in the section forming the assessment of the proposals further below in this report.

### **Consultee Responses (Summarised)**

|                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Eastleigh Town Council | Objection on the grounds that the safe crossing refuge previously committed to for residents using the bridge has still not been delivered, and that extending the operating hours would heighten safety risks and increase danger to residents.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| HCC Highways           | No objection in principle to the proposal from a highway perspective. As the extended hours will not increase peak-period traffic flows, the Highway Authority has no concerns regarding this proposal.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Environmental Health   | <p>I have reviewed the submitted Technical Note from RSK Acoustics reference 2064005-RSKA-TN-001-(02) dated 27 March 2026.</p> <p>The note presents more detail regarding the proposals around the use of the plot and the proposed activities linked to the tenant EasyStorage. The findings are acceptable as the noise arising from the operation of this tenant are acceptable (no use of plant or loading vehicles/forklifts) and the extension of hours can be accepted.</p> <p>However, if a future tenant occupies the plot and operated differently the risk of noise nuisance is elevated.</p> <p>It is suggested therefore to change the condition to include the extension of operating hours (06:00 and 23:00 hours Monday to Friday and 08:00 to 20:00 hours on Saturdays, Sundays and Public Holidays) but restrict the use of any plant or loading vehicles (forklifts) during these extended hours.</p> |

### **Policy:**

#### **Legislative Background:**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise.

#### **The Development Plan:**

The Development Plan comprises of the policies of the Eastleigh Borough Local Plan 2016-2036 and the application must be assessed against those that are of relevance to the proposed development. The relevant policies in this case are: S1 (Delivering Sustainable Development), S2 (Approach to New Development), S4 (Employment Provision), DM1 (General Criteria for New Development), DM3 (Adaption to Climate Change), DM8 (Pollution), DM13 (General Development Criteria – Transport), DM14 (Parking), E6 (Eastleigh River Side).

#### **National Planning Policy/Guidance:**

The current iteration of the National Planning Policy Framework (the NPPF or Framework) was published in December 2024 and as set out within paragraph 231 the policies contained within it are material considerations which should be taken into account in dealing with applications from the day of its publication. The Planning Practice Guidance (PPG) provides additional guidance in support of the policies within the Framework and is also a material consideration in the determination of the application.

## **Assessment:**

### **Summary of proposal:**

Planning permission was granted in June 2021 for the *demolition of existing buildings and erection of up to 2,444 sq. m of floorspace (GIA) for use within: Class B1(c); Class B2 and / or Class B8; provision for 'open storage' (Class B8) from up to circa 2.5 hectares (part permanent and part temporary); alterations to access including road widening, new footpath and creation of new vehicular access via Campbell Road; installation of acoustic barrier; and associated works including parking, services, landscaping, infrastructure and groundworks*, at Eastleigh Rail Works.

This permission (F/20/87841) was subject to a number of conditions, with this including a restriction on the times when certain parts of the site could operate, be open to customers and receive deliveries (Condition 7). The condition in full reads as follows:

*(7) With the exception of the industrial units (200, 205 and 210) and the uses within Area 1, the development hereby approved as denoted on the approved layout plan (drawing number 18-082 004 Revision P14) shall not operate or be open to customers and no deliveries shall be received to or dispatched from the site except between the hours of 0700 to 2000 Monday to Saturday and not at all on Sundays or Public Holidays.*

The condition was imposed to protect the amenity of the occupiers of neighbouring residential properties. This was in light of the nature of the uses proposed, the potential for noise generation in particular and the proximity of the dwellings in Campbell Road to the parts of the site covered by this condition.

The current application seeks to vary this condition for Plot 300 only in order to allow for extended hours of 0600 to 2300 hours Monday to Friday and 0800 to 2000 hours on Saturdays, Sundays and Public Holidays. The information provided with the application sets out that the plot is intended to be occupied by the drive-up container self-storage company 'EasyStorage', with the extension in hours being sought in order to provide greater flexibility for customers to access their storage facility and to provide operational consistency with another self-storage company which operates elsewhere on the Rail Works site.

As the condition was imposed for amenity protection reasons, the implications of its removal upon the amenity of nearby occupiers forms the principal matter of consideration in assessing the acceptability of the proposals. This is covered below along with, thereafter, the other material considerations of relevance to the application.

### **Impact on the amenity of the occupiers of nearby residential properties:**

As noted above, the application premises lies within nearby proximity to residential properties in the form of the dwellings within Campbell Road which are situated to the south/south-west of the site. The site takes its access from its southern end which leads onto Campbell Road via what is referred to on the site layout plan as Gate 3. This gate lies to the immediate north of No. 1 Campbell Road with a service access (which provides access to the rear of this and the neighbouring residential dwellings) and a 3.5m high acoustic fence in between.

Due to this proximity, it is considered that there is potential for material impacts to arise to the amenity of the occupiers of the properties within Campbell Road as a result of the extended hours. Accordingly, the Council's Environmental Health Officer (EHO) highlighted the need for the proposals to demonstrate that such impacts would not be unacceptable and would not breach relevant noise criteria at these sensitive receptors. Accordingly, additional information has been provided during the course of the application process in the form of an Acoustic Technical Note (ATN). This note considers the contents of the noise assessment which had accompanied the original planning application

(F/20/87841), as well as appraising the potential effects of the activities of the actual proposed end occupier in this case.

The ATN sets out that the proposed occupier represents a lower noise-emitting use than that previously assessed due to the way it operates as well as the nature, type and scale of storage on offer. In this respect, the site will operate as an unmanned facility whereby customers arrive to manually load goods into their container by hand (as opposed to forklifts or other loading plant being utilised). The operators data from their other facilities (which has been adjusted to reflect the size of the Eastleigh site) shows that vehicles using the site comprise of 60% private cars and 40% vans and other light goods vehicles. HGV usage is therefore likely to be limited to the original delivery of the containers due to the limited scale of storage on offer, with an average number of daily customer visits of between 5 and 20 being anticipated. This includes an estimated two vehicle movements (a single visit) occurring during the proposed extended hours of 0600 to 0700 and 2000 to 2300 Monday to Friday and six movements (three visits) during Sundays and Public Holidays between 0800 to 2000. Containers are also fitted with a rubber seal to soften the noise from door closure, and no mobile or fixed plant is used on site.

The report therefore concludes that noise levels arising from the extended hours are low in absolute terms and remain comfortably below both baseline noise levels and the previously approved cumulative site noise levels (as per the original noise assessment for application F/20/87841), with the additional hours not giving rise to any significant adverse effects at nearby residential receptors.

The Council's EHO has reviewed the information provided and concurs with this conclusion on the basis of the end occupier specified and the operations that they will be undertaking, as well as that HGV access remains restricted as per condition 6 of the original planning approval. They have, however, noted that should a different operator occupy the site for a different form of open storage, there is a risk of additional impacts occurring. In order to negate this risk, it is recommended that a conditional control be imposed which prevents the usage of plant or forklifts on site during the extended hours. This condition has been agreed by the applicant's agent.

With this additional stipulation, it is considered that the proposals would comply with Policies DM1 and DM8 of the adopted Local Plan in respect of the matter of residential amenity.

#### **Other material considerations:**

##### *Highway matters:*

In terms of the highway related impacts of the application, no objection has been raised by the Highway Authority to the proposed variation of condition. It is not considered that the additional time periods proposed would result in a significant material intensification in the number of vehicle movements to and from the site, such that this would unduly impact on the highway network. The access arrangements would also remain unchanged with adequate on-site turning available to enable vehicles to access and egress the public highway in a forward gear and, as noted above, the permitted timings for HGV access remain unchanged from the original approval.

Finally, in terms of the matter of the pedestrian refuge raised by the Town Council and within some of the third party representations received, the timescales for the implementation of this were extended by planning approval X/23/96250 and remain subject to the S278 process with the Highway Authority. No objection has been raised by the Highway Authority to this current variation of condition application on the grounds of pedestrian safety concerns.

Taking account of each of these factors, there is deemed to be no conflict with the relevant local and national planning policies in respect of the highway related considerations associated with the proposals.

### *Climate Change:*

In July 2019, the Council declared a Climate Change and Environmental Emergency. In doing so it agreed, among other things, to: (a) put in place measures to ensure the Council's own operations and functions achieve carbon neutrality; (b) work with partners to aim for all projects and services delivered in the Borough to achieve carbon neutrality; (c) ensure that the Council's procurement policy recognises carbon neutrality as one of its primary considerations; and (d) recognise the urgency of action to mitigate and adapt to climate change in every decision taken by the Council. This is underpinned by the Climate and Environment Emergency Strategy 2020–2030 and the supporting Climate and Environmental Emergency Action Plan – Update June 2020.

The declaration of the Climate Change and Environmental Emergency demonstrates a strong commitment from the Council to achieve net zero. The NPPF, development plan and adopted local plan policy do not set this as a specific target, but it is a material consideration to be considered alongside all other material considerations. In any case addressing climate change is a core part of the NPPF and local plan policy. The need to support the economy is also part of the Strategic Environmental Assessment for the adopted local plan, as is an assessment of climate impacts. When considering the impact of climate change and taking account of the nature of the application, the proposed development raises no significant concerns.

### *Equalities Implications:*

Section 149 of the Equalities Act 2010 created the public sector equality duty. Section 149 states:

- A public authority must, in the exercise of its functions, have due regard to the need to:
  - a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - b. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - c. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

When making policy decisions, the Council must take account of the equality duty and in particular any potential impact on protected groups. It is considered that this application does not raise any equalities implications.

### **Conclusion:**

Part 6 of the NPPF states that planning decisions should help create the conditions in which businesses can invest, expand and adapt, and that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development (Para. 85). The proposals would provide for economic benefits by allowing for additional flexibility and an expanded time period by which customers can access the proposed occupier's facility and, as such, would accord with these provisions of the NPPF.

These requirements are not however unqualified and the NPPF is clear that it should be read as a whole (Para. 3), including in respect of the amenity and highway related provisions it contains. In these respects, and following the submission of additional acoustic information during the application process setting out further details of how the site would operate, the LPA are satisfied that the proposed variation of condition, with the additional restriction on plant and forklift usage during the extended hours, is acceptable and complies with the relevant local and national policies.

### **Recommendation:**

**PERMIT** ☒

**REFUSE** ☐