

(BIFOHH, Bishopstoke, Fair Oak and Horton Heath Local Area Committee,
29th November 2023)

Application Number: C/23/95647
Case Officer: Rachael Morris
Received Date: 17/07/2023
Site Address: BISHOPSTOKE MEMORIAL HALL, RIVERSIDE,
BISHOPSTOKE, EASTLEIGH, SO50 6LQ
Applicant: Eastleigh Borough Council
Proposal: Demolition of existing memorial hall, parish office and
storage shed this will also encompass the hedge line
adjacent the building.

Recommendation: Subject to:

- A Habitats Regulations Assessment (HRA) being written and sent to Natural England.
- A response from Natural England on the HRA.
- A Construction Environmental Management Plan (CEMP) agreed with consultees.

To delegate back to the Service Director for Planning and Environment in conjunction with The Chair and Vice Chair to GRANT CONSERVATION AREA CONSENT with the following conditions:

CONDITIONS AND REASONS:

1. The demolition hereby permitted shall be implemented in accordance with the following plans numbered: LOC 01 and 180820-1150
Reason: For the avoidance of doubt and in the interests of proper planning.
2. The demolition hereby permitted shall start no later than three years from the date of this decision.
Reason: To comply with Section 91 of the Town and Country Planning Act 1990.
3. No excavation, demolition or development related works shall take place on site until a scaled and referenced tree protection plan and tree works schedule, as per British Standard 5837:2012 (Trees in Relation to Design, Demolition and Construction – Recommendations), are submitted and approved by the LPA. The approved documents must be adhered to in full and may only be modified subject to written agreement from the LPA.
Reason: to retain and protect the existing trees which form an important part of the amenity of the locality.

4. No demolition works shall commencement until an Asbestos Management Plan has been submitted to and approved in writing by the Local Planning Authority, in order to ensure on-site workers and adjacent sensitive receptors are adequately protected from the asbestos identified within the existing structures' fabric. The demolition works must accord with these approved details.
Reason: In the interests of amenity and protection of human health.
5. A site-specific remediation Method Statement to detail how the possible pollutant linkages (asbestos) will be effectively managed and mitigated should be submitted to and approved by the Local Planning Authority, followed by a verification report, including: a. verification data of remanent soils after demolition works (sample locations/analytical results, as built drawings of the implemented scheme, photographs of the remediation works in progress, etc. to ensure material left in situ is free from contamination; b. Certificates demonstrating that imported and/or re-use soils are suitable for the intended purpose and; c. evidence that any excavated soils is appropriate disposed of.
Reason: To ensure that risks from contaminated land to future users and neighbours are minimised.
6. In the event that previously unidentified contamination is found when carrying out the approved development it must be immediately reported to the Local Planning Authority. Work shall then cease until an investigation and risk assessment, and where required a remediation scheme, has been submitted to and approved by the Local Planning Authority. Where a remediation scheme is required by the Local Planning Authority, the development shall not be brought into use until a verification report for the remediation work has been submitted to and approved by the Local Planning Authority. All works shall be undertaken by a competent person in accordance with UK Land contamination risk management (LCRM) national guidance and best practice as outlined in BS10175:2011+A2:2017.
Reason: To minimise the risk from land contamination for the safety of the occupiers of nearby properties and potential site users.
7. The submitted and approved Construction Environmental Management Plan (CEMP) shall be adhered to in full.
Reason: to ensure demolition is handled in an appropriate manner.
8. The submitted Bat Surveys & Ecological Update Report, referenced Rev 1 17 11 23, shall be adhered to in full, including the Section 5 Interpretation and Evaluation.
Reason: To ensure biodiversity enhancement and species protection in accordance with policy DM11 of the Eastleigh Borough Local Plan 2016-2036.

Note to Applicant: Vegetation clearance and demolition shall be undertaken outside the bird nesting season (ie between Sept-end Feb) unless otherwise

thoroughly checked by a qualified ecologist. If there are any active nests, a 5 m buffer shall be erected to protect the nest from disturbance until the young have fledged and left the nest.

Note to Applicant: In accordance with paragraph 38 of the National Planning Policy Framework (Sept 2023), Eastleigh Borough Council takes a positive approach to the handling of development proposals so as to achieve, whenever possible, a positive outcome and to ensure all proposals are dealt with in a timely manner.

Report:

1. This application has been referred to Committee because it is a Council scheme.

Site Characteristics and Character of the Locality

2. The site of Bishopstoke Memorial Hall is located opposite the River Itchen at the edge of Bishopstoke Conservation Area. The building is adjacent to The Anglers Inn Public House which is a Victorian building and makes a positive contribution to the Conservation Area and street scene. In addition, other buildings in the street are also noted to make a positive contribution such as 3 & 4 Riverside, 14 Riverside, 15 Riverside and The Old Anchor Inn, Riverside.
3. The Bishopstoke Conservation Area Appraisal and Management Proposals Supplementary Planning Document describes the area as follows "The first section is known as Riverside, and consists of a road directly abutting the river, with a mix of residential and commercial properties sited at the pavement edge on the opposite side. Whilst this is an atmospheric area, with sweeping bends and views along the water, it does suffer from the intrusion of the modern car, which tends to dominate the scene. In addition, as a result of highway safety issues, railings are sited on the wall which bounds the river."
4. The building has not been in an active community use for approximately 3 years.

Description of Application

5. The application is for the demolition of the existing memorial hall, parish office and storage shed which will also encompass the hedge line adjacent the building. There are plans to replace the building with a similar community focused use in the future.
6. The application is accompanied by the following reports and technical assessments, which can be found [here](#):
 - Heritage Statement

- Pre-demolition Audit
- Structural Survey & Appraisal
- Preliminary Roost Assessment
- Bat Surveys & Ecological Update Report

Relevant Planning History

7. Z/04313/001/00 - Erection of Storage Shed – Permit – Sept 1988

Representations Received

8. 1.no Objection
 - Question why the hedgerow is to be removed.
 - Trees in place provide a noise barrier to any music on site.
9. 1.no Comment
 - Neighbour consultation

10. Bishopstoke Parish Council – No Comment

Consultation Responses

11. EBC Ecology – No objection subject to conditions.

Update: The updated ecology report by HES has looked at all aspects of the site and all potential constraints. Provided the recommendations in the report are secured through a planning condition and thereafter implemented in full then there is no further ecological concern or objection.

Original comment: The site is across the road (approximately 20 m) from the River Itchen SAC and SSSI. It is in a red great crested newt impact risk zone with a record of great crested newts across the road approximately 150 m from the site. The Memorial Hall has been assessed as having moderate bat roost suitability and requires two bat activity surveys, at least two weeks apart during the survey season. The other two buildings, the Parish Office and the shed were assessed as having negligible bat roost suitability however the shed must be demolished carefully by hand due to its construction and the inability of the surveyor to access the interior.

12. EBC Environmental Health – No objection subject to conditions.

Site specific remediation Method Statement will be required to detail how the possible pollutant linkages (asbestos) will be effectively managed and mitigated, including a discovery strategy for any unexpected contamination that may be encountered, followed by a verification report post demolition, including validation testing on soil samples to ensure there will be no risk of contamination to future land users or controlled waters.

As it is not clear on what the plans are for future development of the site, these results should be screening against a Public Open Space – Park CLEA scenario (assuming the site will be part of the open public space). According to the report 'Bishopstoke Memorial Hall. Breeam Pre-demolition Audit' prepared by Ridge and Partners LLP (May 2023), asbestos containing materials (ACM) were identified within the building's fabric, including roof covering, front and rear gables, rainwater goods and external soffits. Therefore, it is recommended that an Asbestos Management Plan should be submitted to and approved in writing by the Local Planning Authority prior commencement of works. As soils are possibly hazardous due to asbestos used in the building, any excavated soils should be appropriately tested, classified, and disposed of. Evidence of these activities should be presented in a verification report.

13. EBC Tree Officer – No objection, subject to the request of a tree protection plan, which should include a statement on required facilitative pruning.

14. Built Heritage Consultant – No objection.

This hall is at the centre of the Bishopstoke Conservation Area with the rear boundary of the site against the eastern boundary. The nearest listed buildings are Itchen House and Bishopstoke Manor which are both currently shielded from the site by verdant vegetation and trees. A little further away to the north on the other side of the Recreation Ground is The Old Rectory which has a clear view of the side of the building but given the distance its setting is only minimally affected.

The existing structure unfortunately makes no positive impact on the setting of Riverside and in fact has a negative impact, so its loss will allow a new structure to actually enhance this central part of the Bishopstoke Conservation Area.

15. Hampshire Highways – No objection subject to a condition.

The application is for the demolition of the memorial hall and associated infrastructure, which in itself appears a simple operation. However, due to the location of the site, where road obstruction, parking, and dirt transfer issues would potentially cause a highway issue. Therefore a Construction Environmental Management Plan (CEMP) shall be agreed and then conditioned.

16. Hampshire Archaeology – No Objection.

The site lies within the historic core of Bishopstoke, within an area of archaeological potential related to the origins and development of the settlement. The proposed demolition of the existing memorial hall is unlikely to create any below ground impacts in areas of the site that

have not already been impacted by the original construction of the hall. Therefore, the proposals are unlikely to have an archaeological impact. On this basis, no archaeological issues.

It should be noted however, that depending on the scale and location of any future redevelopment of the site, archaeological matters may be a consideration. It is highlighted within the submitted documents that the Memorial Hall was erected in memory of those who died during the first world war. However, the documents (including the heritage statement) do not make it clear as to whether any specific element of memorialisation (such as a plaque, list of names, artwork etc.) is included within the fabric of the building or within the grounds. If any such items of memorialisation are present within the building, they should be protected from demolition and retained so that they can be reincorporated into any future redevelopment of the site.

17. The Garden Trust – No Comment

18. Hampshire Garden Trust – No Comment

19. Historic England – No comment required.

Policy Context and Designations Applicable to Site

- Within Built-up Area Boundary
- Within Established Residential Area
- Within Designated Conservation Area

Eastleigh Borough Local Plan 2016-2036

20. The Eastleigh Borough Local Plan 2016-2036 has full weight. The most relevant policies are:

Strategic policies:

- S1 (Delivering Sustainable Development);
- S2 (Approach to New Development);

Development Management policies:

- DM1 (General Development Criteria);
- DM2 (Environmentally Sustainable Development);
- DM6 (Sustainable Surface Water Management and Watercourse Management);
- DM11 (Nature Conservation);
- DM12 (Heritage Assets);
- DM13 (Transport);
- DM14 (Car Parking);
- DM36 (Community, leisure and cultural facilities)

Hampshire Minerals and Waste Plan

21. Policy 15 – Safeguarding of Mineral Resources.

Supplementary Planning Documents

- Quality Places (November 2011);
- Biodiversity (December 2009);
- Bishopstoke Conservation Area Appraisal and Management Proposals (2011)

National Planning Policy Framework

22. At national level, the National Planning Policy Framework (Sept 2023) (the 'NPPF' or the 'Framework') is a material consideration of significant weight in the determination of planning applications. The National Planning Policy Framework (the 'NPPF' or the 'Framework') states that (as required by statute) applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise and sets out a general presumption in favour of sustainable development unless material considerations indicate otherwise. Agent of Change principles protect existing businesses.

23. Paragraph 202 states "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."

24. Paragraph 207 states "Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes ... less than substantial harm under paragraph 202, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole".

National Planning Practice Guidance

25. Where material, the Planning Practice Guidance which supports the provisions and policies of the NPPF should be afforded weight in the consideration and determination of planning applications.

Assessment of Proposal: Development Plan and / or Legislative Background

26. Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 require a Local Planning Authority determining an application to do so in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the Policies of the Eastleigh Borough Local Plan 2016-2036 and the Hampshire Minerals and Waste Plan 2013

(which is not applicable in this case). The NPPF and the Planning Practice Guidance constitute material considerations of significant weight.

27. The site also lies within a Conservation Area and Section 71(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 states:

“In the exercise, with respect to any buildings or other land in the Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area”.

Principle:

28. The Bishopstoke Conservation Area Appraisal and Management Proposals SPD states that the Memorial Hall is an important building for Bishopstoke's community and has a local significance as it was erected in memorial of the fallen in the two world wars. Nonetheless, paragraph 6.3.3 states that the building itself is not of a robust construction and does not enhance this prominent site within the conservation area.
29. Should an opportunity arise to improve the facility on this site, Eastleigh Borough Council will seek to ensure a design is provided which offers both improved facilities and enhanced visual amenity, through significant community consultation and involvement. Immediate improvement will be achieved by the proposed planting across the rear of the building in Glebe Field.

Impact on the Conservation Area:

30. Policy DM12 of the Eastleigh Borough Local Plan (2016-2036) states that development of a heritage asset or within its setting will be permitted provided it does not harm or detract from the significance or special interest of the asset and sustains and enhances its special character and qualities. ... Development which involves the demolition or destruction of any part of other heritage assets will not be permitted unless its removal or replacement would enhance or better reveal the significance of the asset. In these circumstances, the developer will be required to record and advance understanding of the significance of any heritage assets to be lost, in a manner appropriate to their importance and the impact, and to make this evidence publicly accessible.
31. The existing Memorial Hall is located adjacent to a recreation ground and as such is on the border to an area of open space. The loss of the built structure is not considered to leave an awkward or unsightly gap in the street scene and the removal of the rather utilitarian structure is likely to enhance the street scene.

32. As a result, it is not considered that the gap left through the demolition of the building will result in a detrimental impact to the conservation area. The adjacent recreation ground already creates an area of gap in which this site shall extend into.

Loss of community asset

33. Policy DM36 of the Eastleigh Borough Local Plan (2016-2036) states that the loss of existing community, leisure or cultural facilities to other forms of development will not be permitted unless: alternative provision is made which is more appropriate to the needs of the community or is more accessible; or the existing facility can be shown to be surplus to local needs.

34. It is recognised that this Memorial Hall is not architecturally important to the Conservation Area and so its demolition will not detract from the character of the area. This is supported in The Bishopstoke Conservation Area Appraisal and Management Proposals SPD under paragraph 6.3.3, as mentioned in the above principle section.

35. However, it is noted that the hall's demolition would result in a loss of a community building in which is not supported in policy DM36 unless mitigating circumstances apply.

36. While no alternative scheme has been put forward at this stage, it is recognised that there is a commitment from the Parish Council, to replace this building with an enhanced community facility in the future. Nonetheless, we would expect a scheme that enhances the special features in the Conservation Area, in accordance with policy DM1 and DM12.

37. Worthy of note are the other community facilities within the local area, serving the local community, including:

- Bishopstoke Community Centre
- Fair Oak Village Hall
- Y-Zone Youth Centre
- Woodlands Community Centre
- Horton Heath Community Centre

Noise, Air Quality and Land Contamination:

38. During demolition there is a possibility that there could be noise or air pollution as well as possible contamination into the River Itchen. In order to ensure this possibility is reduced, a Construction Environmental Management Plan (CEMP) is required which will go on to inform a Habitats Regulations Assessment (HRA) which will require consultation with Natural England.
39. The building is constructed using asbestos which is required to be demolished with care and appropriate qualified personnel to deal with the potentially hazardous material. However, this is covered by other legislation, The Control of Asbestos Regulations 2012. Nonetheless, an Asbestos Management Plan has been requested via condition.

Ecology and Trees:

40. Policy DM11 requires planning applications, to protect, conserve and enhance all international, national and local nature conservation designations; and networks of natural habitats and features, including the Local Ecological Network, Priority Biodiversity Areas and Priority Biodiversity Links, watercourses, wetland complexes, woodland trees, and trees and hedgerows important to biodiversity and local character; and facilitate their adaptation to climate change wherever possible; and seek a net gain of biodiversity on all development sites.
41. The council's Tree Officer has requested that a tree protection plan is conditioned during the demolition period. This information is to be supplied via condition and installed prior to works commencing.
42. The main building to be demolished has a moderate bat roost suitability and required two bat activity surveys, at least two weeks apart during the survey season.
43. The other two buildings, the Parish Office and the shed were assessed as having negligible bat roost suitability however the shed must be demolished carefully by hand due to its construction and the inability of the surveyor to access the interior.
44. The submitted Bat Surveys & Ecological Update Report will be conditioned in full.

Sustainability Measures and Climate Change:

45. 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 by 2025; (b) work with partners to aim for all projects and services delivered in the Borough to achieve carbon neutrality by 2030; (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 17 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.
46. 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 part of the Strategic Environmental Assessment for the adopted local plan, as is an assessment of climate impacts.

Other material considerations

Equalities Implications:

47. 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.
48. 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 equality implications.

49. Although there would be a physical loss of a community building/facility which has been used by many groups within the community, the building is permanently closed on safety grounds and therefore has not been available for community use for several years. Therefore, the proposals to demolish the building does not materially alter the current provision of community facilities in the local area and does not disadvantage existing groups.

Conclusion

50. To conclude, the proposed demolition would not create an unacceptable gap in the Conservation Area. It is recognised that this existing building does not add character to the Conservation Area and as such its loss will not detriment the special heritage setting.
51. While the loss of a community asset with no replacement is not ideal, there is a clear commitment for a replacement building to take its place in the future which would be assessed to ensure this would be an enhancement to the Conservation Area.
52. Therefore, subject to receiving required information and completing a Habitats Regulations Assessment (HRA) with response from Natural England, the recommendation is to grant to the conservation area consent for demolition.

C/23/95647



Address: Bishopstoke Memorial Hall
Riverside SO50 6LQ

Date: 17/11/2023

Scale: 1:1250