

## DELEGATED OFFICER REPORT

**Application Ref:** F/24/97441

**Site Address:** UNITS 6 & 10, BARTON PARK, CHICKENHALL LANE, EASTLEIGH, SO50 6RR

**Case Officer:** David Huckfield

**Description** Elevational alterations to Unit 6 including addition of cladding and changes to fenestration, alterations to roof with addition of solar panels, and internal works. Demolition of Unit 10 to form new service yard for Unit 6 to include resurfacing and drainage works, and erection of palisade boundary fencing and access gates.

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| <b>Particular Site Constraints?</b>                                                                       | <b>Yes</b> <input checked="" type="checkbox"/> | <b>No</b> <input type="checkbox"/> |
| Within the Urban Edge<br>Existing Employment Site<br>Within Eastleigh River Side (Local Plan Designation) |                                                |                                    |

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| <b>Planning History?</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>Yes</b> <input checked="" type="checkbox"/> | <b>No</b> <input type="checkbox"/> |
| EAB06651 – Construction of access roads – PERMIT (1970)<br><br>EAB6806 – Barton Industrial Estate (former Eastleigh Carriage and Wagon Works) – Alterations to existing buildings [to form industrial / warehouse unit] – PERMIT (1971)<br><br>Z/15620/000 – Unit 10 – New office entrance and three windows, new factory personnel door signs, part illuminated – PERMIT (1974)<br><br>Z/15620/001 – Unit 10 – Externally illuminated advertisement sign – CONSENTED (1974)<br><br>Z/15620/002 – Unit 10 – Construction of 5 windows and internal alterations to provide an extra floor – PERMIT (1976)<br><br>Z/15620/003 – Unit 10 – Erection of portakabin to be used as a restroom – PERMIT (1982)<br><br>EAB08566 – Unit 6 – Change of use from industrial to warehousing – PERMIT (1974)<br><br>A/15024/002/00 - Unit 6 – Erection of painted wall sign – CONSENTED (1974)<br><br>A/15024/004 – Erection of painted wall sign – CONSENTED (1975)<br><br>Z/15024/010/0 – Unit 6 – Generator housing and oil tank storage compound – PERMIT (1978)<br><br>Z/15024/011/00 – Unit 6 & 10 Barton Park – Alterations to existing doors between units 6 and 10 – PERMIT (1980)<br><br>Z/15024/012/00 – Unit 6 – Bricking up of shutter door openings, form emergency doors and rendering of exterior – PERMIT (1983)<br><br>A/15024/013/00 – Unit 6 – Unilluminated wall sign – CONSENTED (1983)<br><br>Z/15024/014/00 – Unit 6A North – Use of unit for Class X purposes deleting condition No.2 of DP 15024 – PERMIT (1983) |                                                |                                    |

Z/38090/000/00 – Part Unit 6 – Change of use from warehouse (Class B8) to indoor football centre and children's play area (sui generis) with associated facilities.  
TEMPORARILY PERMIT – 10/01/2002 (limited period terminating on 25/10/2008).

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| Publicity:                          | Letters <input checked="" type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Site Notice <input checked="" type="checkbox"/> | Newspaper <input type="checkbox"/> |
| Representations                     | None received.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                 |                                    |
| Consultation Responses (Summarised) |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                 |                                    |
| Eastleigh Town Council              | No Objection                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                 |                                    |
| HCC Highways                        | <p>In regard to application F/24/97441, having reviewed the information contained within the application pack, there would be no objection to the proposals from a highway perspective.</p> <p>It would not be anticipated that there would be an increase in trip rates associated with the site, given the service yard is gained at the loss of an existing industrial unit, and the additional space provided for the service yard will improve the ability for vehicles to enter and exit the site in a forward gear out onto the private industrial estate roads.</p> <p>In terms of the gates, whilst it would be the normal situation to request that gates are set back into site to allow a vehicle to fully pull off the roadway and wait for gates to open, the gates proposed are acceptable in this situation. The roads are not only private, but are also subject to a 10mph speed restriction, and as such the potential for a rear end shunt (as a vehicle unexpectedly waits to enter site with gates closed) is minimal, and would have no effect upon the local highway network.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                 |                                    |
| Environmental Health                | <p>Noise – Noted that the site has an extant B8 use. Clarity is sought as to whether this use is subject to any existing conditions to control noise. The site is adjacent to a residential use to the North with an intervening boundary brick wall of modest height. This presents a poor spatial relationship between these uses posing a risk to residential amenity due to the emission of industrial noise. However, no complaints have been received relating to noise from the current occupiers of this industrial unit or others listed on the current Council database.</p> <p>Leaving aside the current extant position; the correct consideration now is whether the proposal would increase the risk of unacceptable impacts upon residential use into the future. No information has been provided to assist in assessing this risk. Considering the existing context, the main new feature of concern in this regard is the new yard area positioned adjacent to residential use that is created by the demolition of Unit 10. Further information is therefore sought on the nature of the use and activities that will occur.</p> <p>Air Quality - It is noted that the site has extant B8 use. No information has been provided in relation the anticipated number and regime of vehicle movements, type of fleet, etc as well as any plan/actions to be taken considering the proximity of the proposed site to the Eastleigh Air Quality Management Area.</p> <p>Conditions are recommended to cover land contamination and construction management measures, as well as hours of operation of</p> |                                                 |                                    |

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|                     | the yard and to require the submission of a noise management plan prior to first occupation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Ecology             | <p><i>Following the submission of the required Dusk Emergence Bat Surveys during the course of the application process:</i></p> <p>No objection subject to informatives to cover the unlikely event of bats being found during construction, as well as conditions to cover the recommendations as set out within the submitted surveys, and ecological mitigation / enhancement measures.</p> <p>The <i>de minimis</i> exemption applies to this site under the Environment Act, however some Biodiversity enhancements will be required in accord with Local Plan policy DM 11 and NPPF paragraphs 187d and 192b.</p> |
| Southampton Airport | <p>Request the submission of a glint and glare assessment to address any increased risk to aviation, as well as details of the existing and proposed heights of the building works.</p> <p><i>Following the receipt of a glint and glare assessment which was submitted by the applicant during the application process and the subsequent reconsulting of Southampton Airport on this, no further comments were received.</i></p>                                                                                                                                                                                      |
| Southern Water      | No objection subject to informatives concerning a formal application being required for the connection to a public sewer, drainage provisions, and the possibility of a public sewer crossing the site which, if found may require subsequent investigation.                                                                                                                                                                                                                                                                                                                                                            |

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| <b>Site Visit:</b>                                                                           | <b>Yes</b> <input checked="" type="checkbox"/> | <b>No</b> <input type="checkbox"/> |
| Details: A site visit was undertaken by the Case Officer to assess the proposals in context. |                                                |                                    |

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| <b>Policy:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <p><b>The Development Plan:</b></p> <p>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.</p> <p>The Development Plan comprises the Policies of the adopted Eastleigh Borough Local Plan 2016-2036. The relevant policies to this application are: S1 (Delivering Sustainable Development), S2 (Approach to New Development), S4 (Employment Provision), DM1 (General Criteria for New Development), DM2 (Environmentally Sustainable Development), DM3 (Adaption to Climate Change), DM8 (Pollution) DM11 (Nature Conservation), DM13 (General Development Criteria – Transport), DM14 (Parking), DM15 (Safeguarding Existing Employment Sites), E6 (Eastleigh River Side).</p> <p><b>National Planning Policy and Guidance:</b></p> <p>The latest 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.</p> <p>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.</p> |

**Assessment:**Principle of development and economic sustainability:

The site is within the urban edge, is part of an existing employment site and also falls within the Eastleigh River Side designation in the Council's adopted Local Plan. Policy DM15 seeks to retain employment sites within employment uses, whilst Policy E6 promotes the regeneration of Eastleigh River Side. Policy S4 sets out a strategic vision for the provision of additional employment floorspace within the Borough and seeks the intensification of uses on existing employment sites in order to contribute to meeting existing and future employment needs.

The scheme includes the demolition of Unit 10 which would result in a reduction in the level of employment floorspace within the site (the total net loss would be 932sqm). Whilst it could, therefore, be argued that the proposals in this respect are, as a result, in conflict with the desire of Policy S4 to intensify the use of existing employment sites within the Borough, in this particular case it is considered that this loss of floorspace can be balanced and indeed outweighed by the positive effect that the works will have on the current somewhat tired appearance of Unit 6 which are likely to make it notably more appealing to future tenants and increase the potential for its longer-term occupation for employment purposes. The area where Unit 10 is currently sited would also still be put to a form of employment use, as a yard area ancillary to Unit 6.

Taking account of these factors and despite the reduction in floorspace, it is considered that the proposals still substantively align with the overarching aims of the relevant local plan policies to meet the employment needs of the Borough and promote regeneration and, as such, the development will therefore be economically sustainable.

Design and impact on the character of the area:

The present site is currently comprised of two separate buildings, the larger Unit 6 which occupies the western part of the site and is proposed to be retained as part of the proposals, and the much smaller Unit 10 to the east which is to be demolished to allow for the provision of an external yard area to be used in association with Unit 6 (for B8 usage). Both buildings are sited internally within the confines of the industrial estate and are therefore largely screened from the wider public realm, although some partial closer range views are available from Barton Road to the north.

The existing buildings are, as noted above, somewhat tired in terms of their condition and appearance, something which is potentially likely to limit their attractiveness and marketability to prospective clients. The application, therefore, proposes the extensive refurbishment of Unit 6 to include the replacement or infilling of existing windows, the over-cladding of the roof and the addition of solar panels, elevational changes including new, enlarged or replacement roller shutter doors, as well as the addition of new flashing and goosewing grey cladding, with the latter to be sited on the building's northern and southern sides. Unit 10 would be demolished in its entirety and replaced by a yard area which will be laid to hardstanding and surrounded by a palisade fence with gated access from its northern side.

These works are considered to be acceptable from a design and layout perspective, with the refurbishment measures to Unit 6 representing a notable uplift on the current appearance of the building and being in keeping with the general improvement works that have been being undertaken to the wider estate in recent years. Whilst the layout and appearance of the yard area will largely be driven by its function and it is likely that any items contained within it will be afforded some degree of visibility from their surroundings owing to the nature of the proposed boundary treatment, they will be in-keeping with the

industrial character of the site and are therefore deemed acceptable from a visual perspective.

Overall, therefore, it is considered that the works will result in a notable uplift in the visual appearance of the site and will appropriately respect its function and character, as well as that of its immediate surroundings.

#### Highway matters:

The proposals will have no impact on the primary access into the industrial estate which is considered to be suitable for the nature of the use proposed. In terms of the application premises itself, the new yard area will be accessed through an automated sliding gate which will be positioned along its northern perimeter. This gate is situated immediately alongside the edge of the access road serving the wider estate. Whilst such close proximity to the road edge would normally be discouraged, in this case the Highway Authority have raised no objections to the particular arrangement proposed, with the private nature of the route, low speed restriction that is in place, and sufficient visibility being available, being material considerations in this regard. The provision of the yard will in itself also improve the ability of vehicles to enter and exit the site in a forward gear from and to the private industrial estate roads.

With regards to the impacts of the proposals on the wider highway network, it is not anticipated that the development would result in an increase in multi-modal trip rates to and from the site, with the building (Unit 6) remaining within B8 use (its current authorised purpose) and the service yard area being gained at the loss of an existing industrial unit (Unit 10). Accordingly, no highway related developer contributions have been sought by Highway Authority.

Finally in terms of parking provision, it is not anticipated that the proposals would result in a material increase in parking demand. As noted above, the existing Unit 6 will remain in B8 use with the new yard area resulting from the demolition of Unit 10 and to be used in conjunction with it, as opposed to being two separate units with two separate occupiers where total parking demand would have likely been higher. In addition, the yard area is potentially likely to be able to accommodate at least a degree of some of the vehicles associated with the future use which would represent an improvement on the current situation.

Taking account of the above factors, the proposals are considered to be acceptable in relation to their highway related impacts and thereby comply with Policies DM13 and DM14 of the Local Plan.

#### Residential amenity:

The site lies in close proximity to the residential dwellinghouses within Barton Road to the north and, as such, there is considered to be potential for the amenity of their occupiers to be impacted by the development proposed. Whilst noting that Unit 6 has an existing B8 use with no restriction on hours of operation and that the site falls within an established and extensive industrial estate and setting, nonetheless the demolition of Unit 10 to create an external yard area is considered to represent a material change in circumstance which has the potential to cause a degree of disturbance, particularly during early mornings, in the evenings and over the night time period, which could be materially greater than within then existing buildings, given that a degree of attenuation would be provided by the structure / envelope of the premises.

In the absence of detailed information being provided as to how the yard will operate and the exact nature of its usage, and whilst noting the contents of the submitted noise assessment, it is still nonetheless considered necessary for additional controls to be imposed. Following discussions with the Council's Environmental Health Officer, it is

deemed that a satisfactory approach would be to restrict hours of operation and deliveries within the yard area and to require the submission of a noise management plan prior to first occupation. This is considered to achieve a reasonable balance between acknowledging the existing use of the site and its context and protecting the amenity of neighbouring residential occupiers. The amenity related considerations associated with the demolition and construction phase can be covered by conditions requiring the submission of a construction environment management plan (CEMP) and restricting hours of work.

With these controls in place, it is considered that the proposals comply with Policies DM1 and DM8 of the Local Plan in respect of the matter of amenity.

#### Ecology:

During the course of the application process, the Council's Ecologist highlighted that, due to the condition of the buildings, there were a number of potential bat roost features present and, as such, bat surveys were required to be undertaken, firstly in the form of a Preliminary Bat Roost Assessment and, subsequent to this, Dusk Emergence Surveys. The Emergence Surveys identified no bats emerging from the buildings and concluded that, whilst they offer features suitable for roosting, the results suggest they are not currently being used by roosting bats, and bat activity in the area is low and concentrated offsite.

The Council's Ecologist has raised no objections to the findings of the survey, with an informative being recommended to cover the unlikely event of bats being found during demolition and construction and the need, in such an occurrence, for works to cease and Natural England to be informed. In addition, the Ecologist has also recommended a further informative to cover the potential for nesting birds to be found during the development works and the implications of this, in light of gulls nests having been identified on the adjacent building, as well as a condition to secure biodiversity enhancements and to cover external lighting measures.

With regards to Biodiversity Net Gain (BNG), the *de minimis exemption* applies to the development in respect of the mandatory provisions imposed by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). This is due to the development not impacting a priority habitat and impacting less than 25sqm of on-site habitat and less than 5 metres of on-site linear habitats such as hedgerows (as the site is substantively presently covered by buildings or areas of hardstanding). The Council's Ecologist has, however, highlighted that there remains a requirement for some biodiversity enhancements to nonetheless be provided in line with local and national planning policy, with suggestions for bat boxes or planting being put forward in this regard. As noted above, it is considered that this matter could be appropriately covered by condition.

Following the receipt and consideration of the requisite bat surveys and subject to the aforementioned conditions and informatives being imposed, the application is considered to be acceptable in relation to its ecological impacts and complies with Policy DM11 of the Local Plan in this respect.

#### Other material considerations:

##### *Air quality:*

Whilst noting the comments of the Council's Environmental Health Officer and acknowledging that vehicles accessing the site may pass through the Eastleigh Air Quality Management Area (AQMA) when travelling to or from the site, as noted within the comments of the Highway Authority and having regard to the existing authorised use of the site which aligns with what is proposed (B8 use), it is not considered that the development will result in an increase in vehicle movements on the highway network or

passing through the AQMA. Accordingly, it is not considered that there will be an increased material impact on air quality in this respect and no further information is deemed to be required in this regard.

#### *Contaminated land:*

Following the initial comments of the Council's Environmental Health Officer (EHO), a Geo Environmental Ground Investigation Report has been submitted in respect of the application site and to inform the development. This has subsequently been reviewed by the EHO who is satisfied with the findings within the report and supports the recommendation contained within it in relation to the need for a Remediation Method Statement. This, along with its subsequent verification, can be suitably covered by condition.

#### *Airport safeguarding:*

As a result of its proximity to Southampton Airport which lies further to the south/south-west, the site is situated within a designated airport safeguarding zone. The Airport have therefore been consulted on the proposals. Within their initial comments, they had highlighted the need for clarification on the height of the proposed development, as well as for a glint and glare assessment to be provided to demonstrate that the solar panels to be sited on the roof of Unit 6 will not create any undue or increased risk to aviation.

The heights of Unit 6 will not be increased relative to the existing long-standing structure and as such will not create an additional safeguarding risk in this regard. To address the other comments of Southampton Airport, a glint and glare assessment has been provided during the course of the application process. This assessment concludes that all solar reflections are acceptable and in accordance with industry best practice and therefore no mitigation is required. Despite reconsultation being undertaken with the Airport, no further comments have been received in relation to this information. On the basis of the conclusions of the submitted assessment, however, and that the solar panels align with those recently installed on other buildings within the industrial estate, it is considered that there are no unacceptable safeguarding implications.

#### *Drainage:*

The site lies within Flood Zone 1 where the risk of flooding from surface water is low and development of the nature proposed is considered to be acceptable in principle. As the application includes the provision of a new yard area in place of the existing Unit 10 which is to be demolished as part of the proposals, however, changes to the existing drainage arrangements are required (the provisions for Unit 6 which is to be retained will be unaltered). The application is therefore supported by a drainage strategy and accompanying layout drawing which proposes a SuDS solution including the provision of an attenuation tank to limit surface water discharge from the new service yard to Qbar, the mean annual greenfield peak flow, with specialist filters to be used to maintain the quality of the surface water discharge. These provisions are considered to be acceptable in this case and will be secured by condition. The matters raised by Southern Water will be covered by informatives to be added to the decision notice.

#### 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 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 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 part of the Strategic Environmental Assessment for the adopted local plan, as is an assessment of climate impacts.

The NPPF supports economic growth and productivity with the aim of building a strong competitive economy, and Policy S2 of the Local Plan sets a target for 103,500sqm of new employment development to be provided within the borough over the plan period. The NPPF, Policies S1, DM2 and DM3 of the Local Plan and the Council's adopted Environmentally Sustainable Development SPD require development to be sustainable in terms of resource use, climate change and energy use. When considering the impact of climate change, the proposed development is expected to be resilient to the potential effects of climate change and is expected to limit impacts on climate emissions as a result of the development or its use.

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 equality implications.

**Conclusion:**

Recommendation:

**PERMIT** ☒

**REFUSE** ☐