



Bourne Valley Associates Ltd

Planning Statement

For

**The retrospective installation of 2 no. fridge
condensing units.**

At

**LJ Smith Family Butchers Ltd, 3 Riverside,
Bishopstoke, Eastleigh, Hampshire, SO50 6LP**

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Issue 1

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1. Introduction

This Statement accompanies and supports a retrospective planning application made to Eastleigh Borough Council. The application relates to the installation of two fridge condensing units at 3 Riverside, Bishopstoke, Eastleigh, Hampshire, SO50 6LP for LJ Smith Family Butchers Ltd. The application is submitted by Bourne Valley Associates, acting as agent on behalf of Mr I Smith, who is the owner and occupier of the property.

2. Site Context

2.1. The Character of the Area

The application site lies within the settlement of Bishopstoke, and within the Conservation Area.

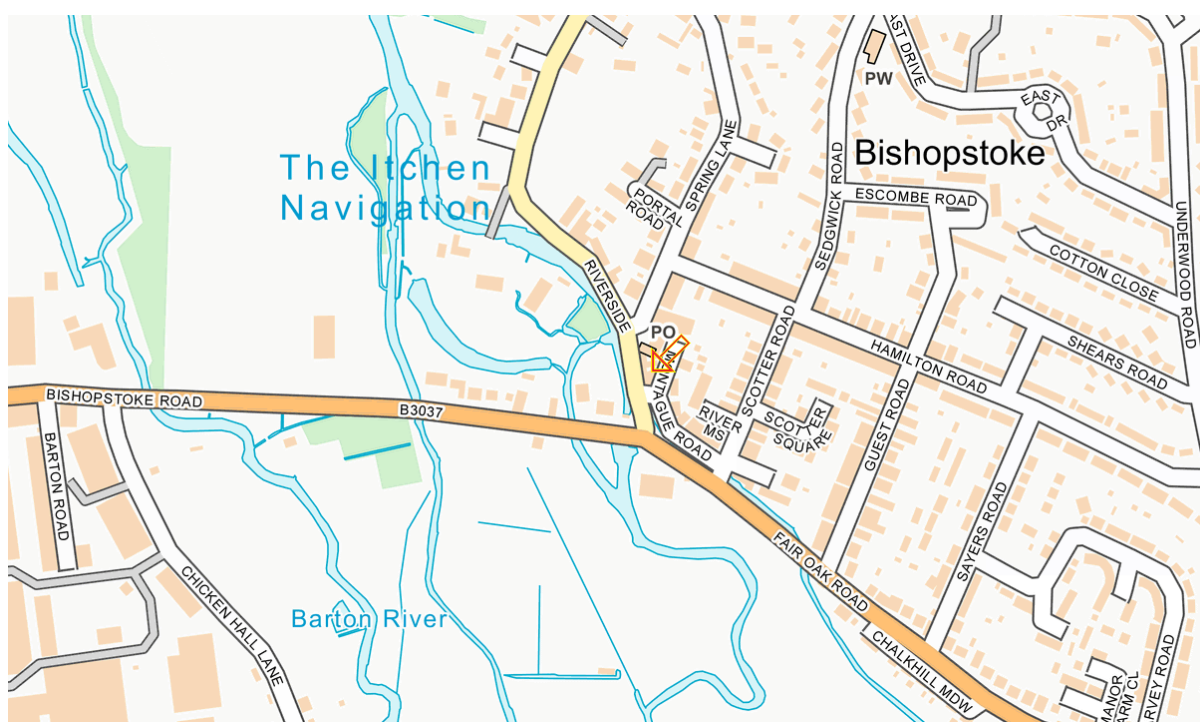


Figure 1 - Location Map

The arrow in Figure 1 shows the application site, but the location plan for the proposal is formally submitted as Drawing 01305-00-A, Sheet 01. The site is not in an elevated position, longer range views are therefore limited.

Figure 2 shows 3 Riverside is a mid-terraced property forming a row of retail outlets that fronts Riverside. 3 Riverside is owned and operated by LJ Smith Family Butcher, they have been operating from the site since 1986. Nos 1- 5 Riverside all have residential flats above, 1a-5a. No. 6 Riverside is a residential dwelling as well as the former post office next door.

Access to 3 Riverside by public is gained from Riverside, staff access the property from the rear off Montague Road.



Figure 2 - Aerial photograph

2.2. Planning History

* None available to view online

2.3. The existing property and need for the development

As discussed above the property has been occupied by a family butchers for many years, serving the general public and residents of Bishopstoke and Eastleigh. Two new fridge condensers were installed at the property in July 2025. The condensers serve the existing fridge and freezers located within the buildings to the rear of the property. The new condensers replaced two older units that were previously located in the building affronting Montague Road, as can be seen in Figure 3 below, they were located behind the louvred door in the photograph.

Figure 4 shows the larger of the two condensers 'just' visible from Montague Road, it is to the right of the extract duct serving the Indian Restaurant in no. 4. In terms of visual impact the location of the new condensers is minimal, they are plant and machinery that would be expected to serve a modern retail food outlet.

The condensing units form part of the refrigeration system required to keep the premises' fridges and freezers functioning safely and effectively. Without this equipment, refrigerated storage would fail, stock would spoil and the business would be unable to trade, with obvious consequences for the continued viability of a longstanding local service. The replacement units also represent a practical



modernisation of outdated equipment: they have been installed specifically to replace older, noisier condensers, and their siting has been carefully considered to minimise impacts, being located within the rear/service area above the existing covered walkway, with only very limited visibility in wider public views.



Figure 3 - Photograph of the rear from Montague Road



Figure 4 - Photograph of the rear from Montague Road



3. Design

3.1. Development Concept and Layout

The concept has been explained above, the installation of the condensing units has allowed the business to modernise its equipment, reducing energy consumption and noise.

Two units have been installed, a J&E Hall International JEHS-0300-B2-M-1, this is the smaller unit. The second unit is a J&E Hall International JEHS-0400-B3-L-3. Both serve the existing fridge and freezer located within the building. Figure 5 shows the typical appearance and size of the units. Data sheets are included within this submission that outline the actual size of each unit.

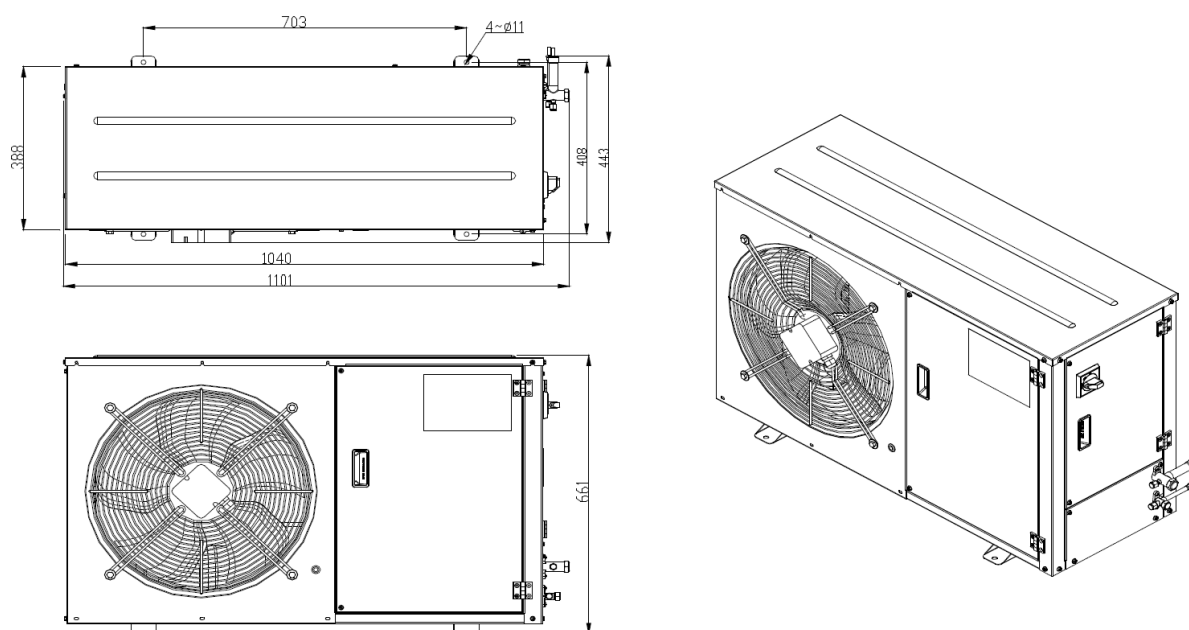


Figure 5 – Typical Condensing Unit Details.

The condensing units have been located on top of the existing covered walkway that serves both no. 3 & 4, as can be seen in figure 6 below.



Figure 6 – Condensing Units located above the existing covered walkway.



4. Heritage Appraisal

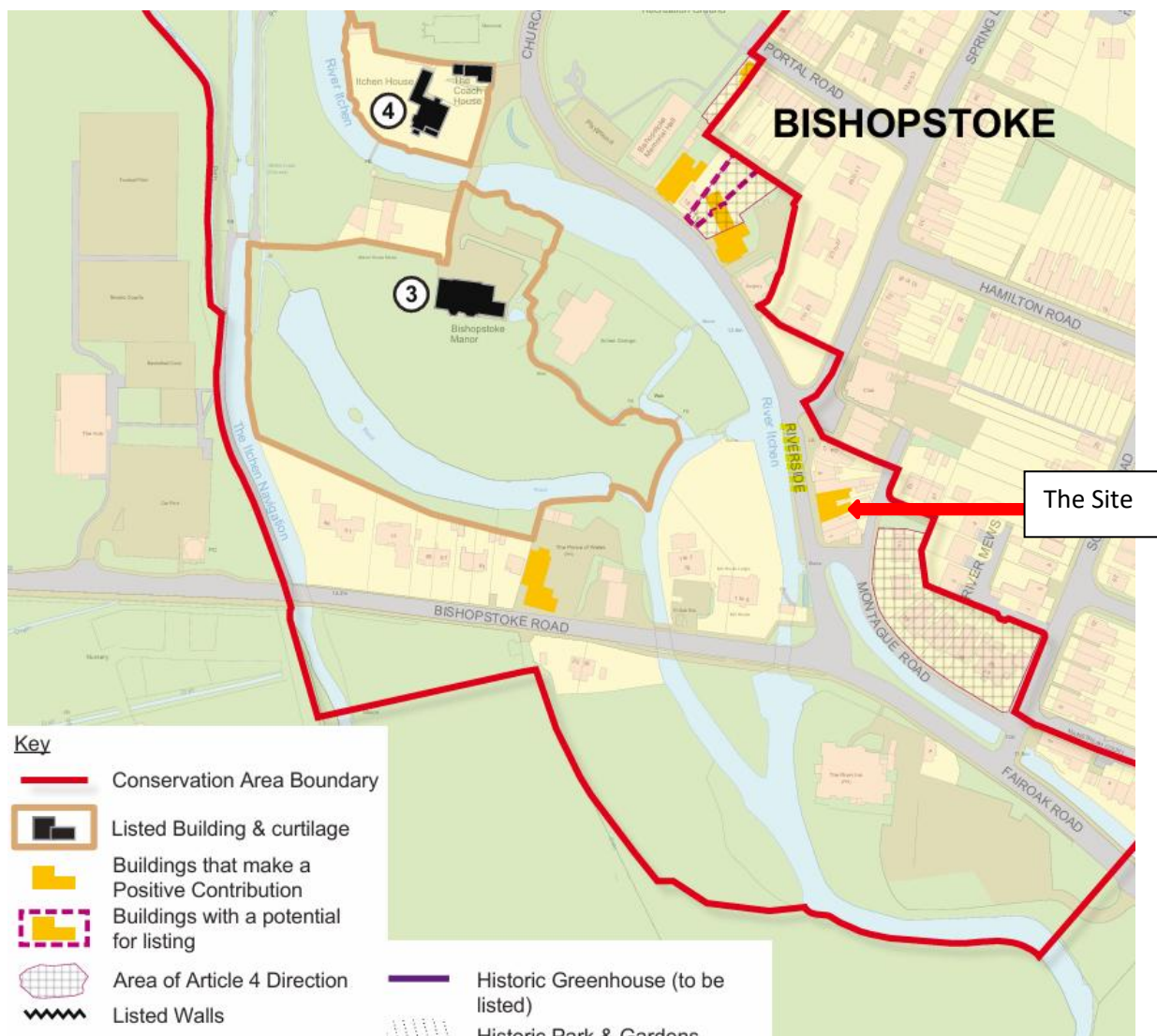


Figure7 – Bishopstoke Conservation Appraisal Map

The application site at LJ Smith Family Butchers Ltd, 3 Riverside, Bishopstoke lies within the Bishopstoke Conservation Area. The Conservation Area is characterised principally by the River Itchen running through its centre and the Itchen Navigation along its western edge, with mature trees providing a strong landscape setting. The first section of the Conservation Area (Riverside) comprises a road directly abutting the river, with a mix of residential and commercial properties positioned at the pavement edge opposite, creating an “atmospheric” river-edge townscape with views along the water and buildings that make a positive contribution to the designated area.

The host building sits within a row that includes commercial premises; the Conservation Area Appraisal identifies “3 and 4 Riverside” as ‘Buildings which make a Positive Contribution’ three-storey commercial units within a row of otherwise two-storey units, included primarily due to their size and presence within the streetscene.



The Appraisal also confirms the presence of listed buildings within the Conservation Area (all Grade II), including The Old Rectory (Church Road), 117 & 119 Spring Lane, The Manor House (Riverside) and Itchen House (Riverside); however, the application site is not in the immediate setting of these listed buildings, and the proposal does not affect their fabric.

The proposal comprises the retrospective installation of two fridge condensing units, which serve the existing refrigeration equipment within the butcher's premises. The submitted information confirms that the units are located to the rear, with the larger unit only "just" visible from Montague Road, and that both units are positioned above the existing covered walkway serving Nos. 3 and 4.

In heritage terms, the key consideration is whether the development preserves the character and appearance of the Conservation Area. Given the rearward siting, the limited visibility in public views, and the fact that the units are small-scale items of functional plant associated with an established commercial use within Riverside, the proposal does not alter the principal Riverside frontage, does not affect the river-edge townscape qualities identified in the Appraisal, and does not interrupt the identified positive views along Riverside and towards the River Itchen. Overall, the proposal results in no harm (or, at worst, negligible harm) to the significance of the Bishopstoke Conservation Area and therefore preserves its character and appearance.

4.1. Listed buildings/structures

The Bishopstoke Conservation Area contains a number of Grade II listed buildings, including The Manor House (Riverside), Itchen House (Riverside), The Old Rectory (Dutton Lane), 117 & 119 Spring Lane, and (nearby) St Mary's Church, 148 Church Road and Stoke Lodge (Church Road).

However, none of these listed buildings is adjacent to, within, or forms the curtilage of No. 3 Riverside, and the application is purely for two small items of plant on the rear of the commercial terrace (above the existing covered walkway serving Nos. 3 & 4).

In setting terms, the condensers are only "just" visible from Montague Road and read as typical service equipment for a modern food outlet, so there is no meaningful change to the setting or significance of the listed buildings (no demolition/alteration to historic fabric, no change to key views, and no works to boundary treatments) as shown in Figure 8 below.

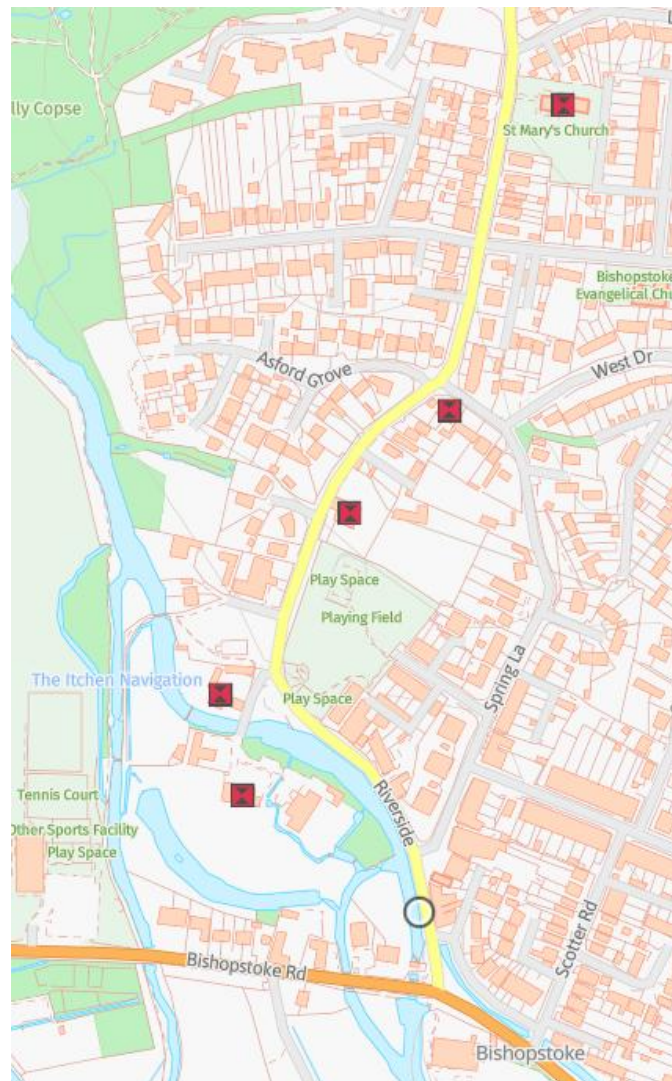


Figure 8 - Magic Maps Listed Buildings

5. Effect on Amenity of Neighbouring Properties

5.1. Visual Impact

The condensing units are positioned above the existing covered walkway serving Nos. 3 and 4 Riverside, meaning they are largely contained within the rear/service area of the premises. As shown on Figure 4, the larger unit is only just visible from Montague Road, located to the right of the existing extract duct serving the Indian restaurant at No. 4.

Given their limited visibility and back-of-house siting, the units will not introduce an incongruous feature in public views. They are modest-scale items of external plant that are typical and expected for a modern retail food outlet, and their presence does not materially alter the character or appearance of the host building or the immediate streetscene.



5.2. Noise

The two new condensing units are replacing two existing units that have now been removed. The existing units were located within the building to the rear of no. 3, these units were 20+ years old and no longer suitable to serve the businesses fridges and freezers. The existing units were very noisy, being several decades old. Data sheets provide demonstrate the noise output for the new units.

The J&E Hall International JEHS-0300-B2-M-1 has a noise rating of 36 SPL @ 10m dB(A). The second unit is a J&E Hall International JEHS-0400-B3-L-3 and has a noise rating of 37 SPL @ 10m dB(A). These figures provide robust objective evidence that the replacement plant is a low-noise specification, notwithstanding that direct “before/after” comparison measurements are no longer possible due to the old units having already been removed.

By way of context, a sound level of around 36 dB(A) is comparable to a quiet indoor environment and is generally at the lower end of what is readily perceptible, particularly where there is normal background noise. At this level it would not be expected to be harmful or intrusive.

By contrast, sustained exposure to noise levels above around 70 dB(A) can begin to cause discomfort or annoyance, and levels above around 85 dB(A) are widely recognised as potentially damaging to hearing with prolonged exposure.

It is worth noting that LJ Smith has never had a noise complaint relating to fridge condensers since it has occupied the premises. This application is accompanied by two neighbour letters, these being the closet residential properties to no.3. The letters are from the tenant in flat 3a, and the owner of no. 12 Montague Road. Both state that the new condensing units cause no noise nuisance and are much quieter than the units that were replaced. The removal of the old units has now highlighted to residents noisy plant associated with the other business uses along Riverside.

In decision-taking, national guidance is clear that the key test is whether noise would result in significant adverse effects, adverse effects, or whether a good standard of amenity can be maintained, having regard to context and mitigation. The Noise Policy Statement for England (NPSE) similarly expects significant adverse impacts to be avoided, and adverse impacts to be mitigated and minimised through reasonable steps. In practice, the accepted methodology for fixed plant affecting dwellings is typically BS 4142, which assesses industrial/commercial sound by comparing the rating level of the specific source against the background sound level, and requires contextual judgement (including acoustic character and “creeping background” from incremental plant).

Given the mixed commercial/residential character of Riverside/Montague Road, and the presence of other established plant serving neighbouring units, the proposal represents a proportionate and amenity-led modernisation of essential refrigeration equipment for a longstanding business use. The units are positioned at the rear and at high level above an existing structure, reducing prominence and helping to limit direct sound transmission pathways to the closest noise-sensitive receptors. The replacement of the condensing units is recognised as a betterment to the noise levels.



6. Parking

Parking at the property will not be affected or altered as a result of this application.

7. Flood Risk

It is recognised that developments must not increase the risk of flooding within the application site or elsewhere. In this instance it is noted that the application site is located within Flood Zone One and is therefore considered to be at low risk of flooding. The proposal will not increase flood risk.

8. Ecology

The application site is of low ecological value, comprising existing buildings and hardstanding within an established built-up area. The buildings are considered unlikely to offer suitable habitat for protected species, and the proposal does not involve works that would create or remove habitat. The site is entirely hard surfaced and will remain so, with no increase in site coverage or disturbance to any natural features. There are no ecological or biodiversity designations affecting the site and, on this basis, the development is not expected to give rise to any ecology or biodiversity impacts.

9. Planning Policy

9.1. Introduction

This section considers whether the retrospective installation of two fridge condensing units accords with the development plan and other material considerations. In accordance with the plan-led system, and section 38(6) of the Planning and Compulsory Purchase Act 2004, planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The assessment therefore has regard to relevant national policy within the National Planning Policy Framework (NPPF), together with the applicable local planning policies and guidance, and explains how the proposal complies with those requirements (or, where necessary, how any impacts are appropriately mitigated).

9.2. National Planning Policy Framework

The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development, pursued through interdependent economic, social and environmental objectives (NPPF para 8). In decision-taking, the NPPF applies a presumption in favour of sustainable development, meaning that proposals which accord with the development plan should be approved without delay (NPPF para 11). The retrospective installation of two replacement fridge condensing units supports the continued lawful operation of an established local business, without giving rise to unacceptable impacts.



The proposal aligns with the NPPF's objective of building a strong, competitive economy, which requires planning policies and decisions to help create the conditions in which businesses can invest, expand and adapt (NPPF para 85). The replacement equipment is operational plant necessary for the modern running of the butcher's refrigeration systems, helping to safeguard day-to-day business continuity and the service it provides to the local community.

In addition, the NPPF seeks to support the role that town centres play at the heart of local communities by taking a positive approach to their growth, management and adaptation (NPPF para 90). Although the development is minor in scale, it facilitates the ongoing operation of a long-established, locally-serving retail use and therefore supports local vitality and day-to-day service provision.

In design terms, the NPPF is clear that good design is fundamental to high quality, beautiful and sustainable development (NPPF para 131) and that development should function well, add to the overall quality of the area, be visually attractive (as a result of good architecture and appropriate landscaping) and establish a strong sense of place, while also ensuring a high standard of amenity for existing and future users (NPPF para 135). The condensing units are sited on top of the existing covered walkway serving Nos. 3 and 4, where they are largely screened in public views and read as typical service plant associated with a modern food premises, thereby limiting visual effects on the street scene.

Amenity considerations are central to the NPPF's approach to pollution and noise. The NPPF requires that development is suitable for its location and that new development should be appropriate taking account of the likely effects (including cumulative effects) of pollution, including noise, on health, living conditions and the natural environment (NPPF paras 196 and 198). It also embeds the "agent of change" principle: decisions should ensure that new development can be integrated effectively with existing businesses and community facilities, and that existing businesses are not placed under unreasonable restrictions because of subsequent development nearby (NPPF para 200). In this instance, the replacement units are understood to be quieter than the removed older plant, and the application is supported by manufacturer noise data and neighbour comments.

Given that the site lies within a Conservation Area, the NPPF's heritage policies are engaged. The NPPF explains that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance (NPPF para 202). It requires applicants to describe the significance of any heritage assets affected and the contribution made by their setting, to a level of detail proportionate to the asset's importance and the potential impact of the proposal (NPPF para 207). Great weight is given to the conservation of designated heritage assets, and any harm should be clearly justified; where any less than substantial harm is identified, this is weighed against the public benefits of the proposal (NPPF para 215). The NPPF also encourages opportunities for development within Conservation Areas to enhance or better reveal significance, and confirms that elements which positively contribute to significance should be treated accordingly (NPPF paras 219–220), alongside decision-taking that assesses whether benefits (including enabling development) justify conflict with policy (NPPF para 221). As the plant is small-scale, largely screened, and does not involve alterations to key historic fabric or affect nearby listed buildings, it is considered capable of preserving the character and appearance of the Conservation Area, consistent with the NPPF's heritage objectives.



9.3. Local Planning Policy

The Eastleigh Borough Local Plan 2016-2036 was adopted on 25 April 2022. It sets out the policies and plans to guide future development to 2036. It is used to determine planning applications in the Borough and replaces the 'saved' policies in the Adopted Local Plan 2001-2011.

The application site lies within the hierarchy of defined centres identified in the Eastleigh Borough Local Plan and is located within the "Riverside, Bishopstoke" Neighbourhood Parade as shown on the policies map. Neighbourhood parades sit at the bottom of the retail hierarchy and generally contain a small number of shops serving local needs.

Policy DM21 (New retail development) supports retail development within defined centres where it is compatible with the role and retail character of the centre.

While the proposal does not create additional retail floorspace, the condenser units are essential operational plant that supports the continued operation of an established local food business within a defined Neighbourhood Parade. The development is therefore consistent with the objectives of DM21 by enabling an existing centre use to function effectively, without undermining the role of the parade or introducing an incompatible activity.

Policy DM22 (Changes of use in retail frontages in defined centres and parades) applies where a proposal involves a change of use or redevelopment resulting in the loss of a Class E use (or other main town centre/community/leisure uses) within defined frontages/centres, and requires (amongst other things) an active ground floor frontage and no adverse effect on amenity or the appearance of the frontage, and no negative impact on the sustainability of the shopping area.

This proposal does not involve any change of use, does not remove any retail/service function from the parade, and does not alter the active frontage. The development is confined to small-scale service plant located to the rear/servicing area and therefore does not conflict with the intent or criteria of DM22.

Policy DM36 (Community, leisure and cultural facilities) supports such facilities in defined centres/parades and resists unjustified loss of existing facilities.

The proposal does not introduce, remove, or displace any community/leisure/cultural facility; it is operational equipment serving an existing commercial unit. As such, the proposal raises no policy conflict with DM36.

Amenity impacts, particularly noise, fall to be considered under Policy DM8 (Pollution) which states that development will not be permitted where it would cause unacceptable environmental impacts through, amongst other matters, noise or vibration.

The Local Plan supporting text recognises noise as a material planning consideration and requires development to avoid significant adverse noise impacts to residential amenities. In this case, the plant comprises modern low-noise units (supported by manufacturer data) and is located within the rear/service area. In addition, third-party neighbour feedback confirms the units do not give rise to a noise nuisance in practice. On this basis, the development is considered compliant with DM8, and (if



the Council considers it necessary) any residual uncertainty can be addressed through a proportionate planning condition securing anti-vibration installation/maintenance.

10. Conclusion

The retrospective installation of two fridge condensing units at LJ Smith Family Butchers, 3 Riverside, Bishopstoke is a minor and necessary operational improvement that enables the continued effective functioning of an established local business within the Riverside, Bishopstoke Neighbourhood Parade. The development does not involve a change of use, does not alter or undermine the active frontage or role of the parade, and is therefore consistent with the objectives of Local Plan Policies DM21 and DM22, with no conflict arising in respect of DM36.

The condensing units are operationally essential to the premises: they enable the refrigeration system to function and keep fridges/freezers at safe temperatures. Without them, refrigerated storage would fail, stock would spoil and the business would be unable to trade. The units have also been installed as a functional replacement for older, noisier equipment, and their position has been selected to minimise impacts, located within the rear/service area above the existing covered walkway with only limited visibility in public views.

In amenity terms, the equipment is modern, low-noise plant supported by manufacturer specifications and neighbour feedback, and it is sited to the rear/servicing area. As such, the proposal will not result in unacceptable impacts through noise and is compliant with Policy DM8, and any residual matters can be secured through proportionate planning conditions where necessary.

The site lies within the Bishopstoke Conservation Area; however, the units are modest in scale, largely screened in public views and do not affect the setting of listed buildings. The development therefore preserves the character and appearance of the Conservation Area and is consistent with the NPPF requirement to conserve and enhance heritage assets in a manner proportionate to their significance.

Overall, the proposal accords with the development plan when read as a whole and with relevant national policy. There are no material considerations that indicate planning permission should be withheld. Planning permission should therefore be granted.