

Introduction

Following a site visit from an NFDC Enforcement Officer, this application comes forward as part retrospective. It can be split into 3 elements:

1. To regularise a breach of conditions at Unit 15 of the historical planning approval under NFDC/93/52745. This includes car parking in relation to vehicle sales outside of an agreed area on the original consent. The application provides clarity for the LPA on the location of the vehicle sales area.
2. Aswell as addressing the breach of conditions, this planning application also retrospectively applies for a change of use of Unit 13 from Light Industrial (formally Use Class B1 now Use Class E) to Use Class B2 (Servicing of Motor Vehicles)

In addition, the application includes a further change of use at Unit 14, from Light Industrial (Use Class E) to Use Class B2 (Servicing of Motor Vehicles).

Finally, as part of the 'tidying' up of the site, an existing sales office linked to the Unit 15 (Car Sales) is to be removed and relocated in a new office, as an extension to Unit 14.

The application is seen as a comprehensive proposal for the rear element of the site, a betterment over the existing and so affords the LPA control when looking at the vast number of different users which could operate under the original consent (now Class E) with the trips and movements associated with them.

Clarification on current Users.

Unit 13. Approved Use = Light Industrial (Class E)

Right-Autos currently operate as 'Servicing of Motor Vehicles'. This is use Class B2 and the planning application for change of use seeks to address this.

Unit 14. Approved Use = Light Industrial (Class E)

Whilst this unit is currently occupied by a Tool Hire and Scaffolding company under Use Class E, it is becoming vacant in December 2023 and Right-Autos are proposing to occupy the unit in the same manner as Unit 13, for Vehicle Servicing under Use Class B2.

Unit 15. Approved Use = Car Sales / Valet

Right-Autos currently operate as a Car Sales provider from Unit 15. This includes a vehicle sales display area, sales office and valet building. This use is as consented under NFDC/93/52745. This includes a vehicle sales display area, sales office and valet building.

Right Autos

Right-Autos is a local business, run by and employing local people, serving the local community. The business is established and providing an excellent service continues to grow and thrive. As noted within the National Planning Policy Framework (NPPF):

'.....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 81]

The expansion of Right-Autos to provide additional services to the community and cater for vehicle servicing and repair is a natural one; given the units adjacent the current car sales unit area becoming vacant, an opportunity therefore exists for a single operator to run from Units 13, 14 and 15 and so less conflict of uses occur.

The rear of the site is convenient for this use, which has an existing suitable building, parking and servicing arrangements already in place.

This in turn will allow Right Autos to be able to provide vehicle servicing / repair and sales all on the same site, with the potential expansion and ability to provide local employment in an area suitable for it.

Site Description

The red-line application site comprises a car parking / servicing area fronting Hampton Lane for the wider Blackfield Business Centre and a rear yard comprising a car sales area and three buildings;

Units 13 and 14 are Industrial in use and of typical design with large up and over doors to allow vehicles within the building. Units 13 and 14 have a large projecting canopy as originally built which provides additional protection from wind and rain.

Unit 15 is brick built of smaller scale, as its approved use as a valet building.

These buildings sit on the North-Western boundary, adjoining the rear of a large commercial unit on New Road.

In-front of these buildings is located an area for the display of vehicles for sale. Whilst it is acknowledged this area is slightly larger and contains more vehicles than originally approved in November 1993, this has been the case for a number of years and so is considered lawful in any-case. this will be discussed in greater detail later in this report.

The site is located within the built up area of Blackfield on the eastern side of Hampton Lane, which runs northwards to the neighbouring town of Holbury. Local shops, services and transport links are all in the immediate vicinity and the area is considered an accessible, sustainable location.

Whilst Hampton Lane has a mix of use classes, the immediate area is seen as a commercial hub with a 'Sainsbury's Local', food-bank, pharmacy, a number of hair and beauty salons, cafe, bistro, social club, Post Office, take-aways, petrol station, 'Tesco Express', hardware store, bakery, car garage, computer shop, dental surgery, domestic sales shop, car wash, all within 200 meters of the site.

In addition, the Blackfield Business Centre itself, which this application site is part of contains a number of commercial units.

The site is therefore in a commercial area, and no change to this is proposed.

As noted above, the buildings on site reflect the use as a commercial business centre, set back over 40 meters from Hampton Lane and all of which turn their back on the surrounding properties to create a courtyard, this provides a physical separation and mitigation from neighbouring amenities. The existing buildings are mostly obscured from public vantage point, being of low form, set back and obliquely located behind neighbouring 2-storey buildings.

Boundaries are a mix of brick wall and close board fence to the NE, S-E, and N-W sides, these share common boundaries with other properties. To the S-W a brick wall with iron gates provide access and security from the private car park, which is for the use of Blackfield Business Centre only.

The site is within the built up area of Blackfield and is included within Policy ECON6 Local Shopping Frontage. It is important to note that no change of use occurs on the frontage and the alterations at the front of the site are seen to strengthen the active shopping frontage.

Access

Access from the highway into the Business Centre car park occurs from two points, its main access from Hampton Lane and a secondary access from Walkers Lane North.

No change to this is proposed.

Units 13-15 are set back from the road, and behind two sets of iron gates. No change to the entrance arrangements for units 13-15 are proposed, however the existing sales office is to be relocated two meters further back from its existing position, with doors fronting the vehicle sales area, this gives the entrance legibility for customers visiting the site and also allows staff to be able to see the forecourt.

A secondary door will be located to the rear of the new sales office building to be used by staff.

Parking

Ample parking exists for the units, with a private car park fronting Hampton Lane, along with a rear area for the parking of cars waiting to be serviced, see proposed site plan.

Parking pressure is considered to be less with a use such as Class B2 given the reduction in visitors when considering the existing Use class E.

Staff members are all local and members staff cycle to work where possible.

Refuse

An existing area for safe refuse storage is located to the front of the yard area, as shown on the application drawings. This is considered a betterment over the historically approved location (located to the very rear of the site) and this has been the location in excess of 10 years.

A skip is located to the rear of the site which allows materials to be separated from the general waste, again this has been the case for many years. Recycling and general waste is then collected by 'Suez Recycling and Recovery' (www.suez.co.uk) and a contract is in place for this.

No change to the current refuse storage occurs.

The change of use to Use Class B2, which has already occurred within Unit 13 provides the safe storage of waste engine oil. This is located in a dedicated, separate storage container within Unit 13. A private collection service operated by 'Waste Lubricating Oils' (www.wastelubricatingoils.co.uk) is in place to collect and dispose of the oil when needed and in the proper manner. As part of the proposals, a separate refuse container for the safe storage of oil is also proposed within Unit 14 and will be also be collected privately.

Currently 2 x 500L containers are stored on site adjacent unit 13, these are collected approximately every 2 months where around 700 kg is the usual amount collected. The last collection reading was 630kg.

'CP Lubricants' (www.cplubricants.co.uk) collect oil from filters when required.

'Tyreland' (www.tyreland.co.uk) collect used tyres when required, these are stacked and stored within the site.

Servicing

The units will retain the existing servicing arrangements; the refuse store as noted above is located to the front of the yard within a clearly marked designated refuse area.

Ample space exists for deliveries and no change to the amount of turning area occurs.

The change of use to B2 at units 13-14 will mean a single user (Right-Autos) occupying both units, this will reduce the amount and type of deliveries under the approved use class E where all manner of deliveries could be made especially when considering that typically deliveries for car parts are made by smaller vans / local couriers.

Scale / Design

The design and scale exists, the only alteration relates to the removal of an existing timber built sales office and its replacement with a single storey building is not considered harmful given it is set beneath the existing canopy of Unit 14. The new office building is modest in size providing 25sq/m (a gain of 19sq/m) and due to its positioning provides a buffer to Units 13 and 14.

Site Photographs



View from Hampton Lane



Vehicle display area in-front of gates



Commercial building behind on New Road



Refuse store area as existing



Unit 13 (retrospective C.O.U to Class B2)



Car parking area adjacent Unit 13



Unit 14 (proposed C.O.U to Class B2)



View to rear of site



Units 10-11



Unit 15 (Valet Area)



Existing air compressor within unit 15



Existing Sales Office building

Proposals:

1. Breach of Conditions (7 & 8) under NFDC/93/52745

Under the original application, approved in November 1993 the car sales element of the site contained conditions to limit the area of vehicle sales and number of vehicles to be displayed to a maximum of 8.

It is evident when looking on site that the vehicle display area exceeds the approved area, which extends beyond the gated frontage and number cars displayed is in excess of 8.

However, this has been the case for many years. See below for evidence relating to the display of cars outside of the approved sales area and in excess of 8 vehicles. Clearly, this has occurred for well over 10 years and so the applicant could seek a Lawful Development Certificate on this basis.

This planning application seeks to regularise this and give the LPA control over the vehicle sales area and an agreed number of cars.

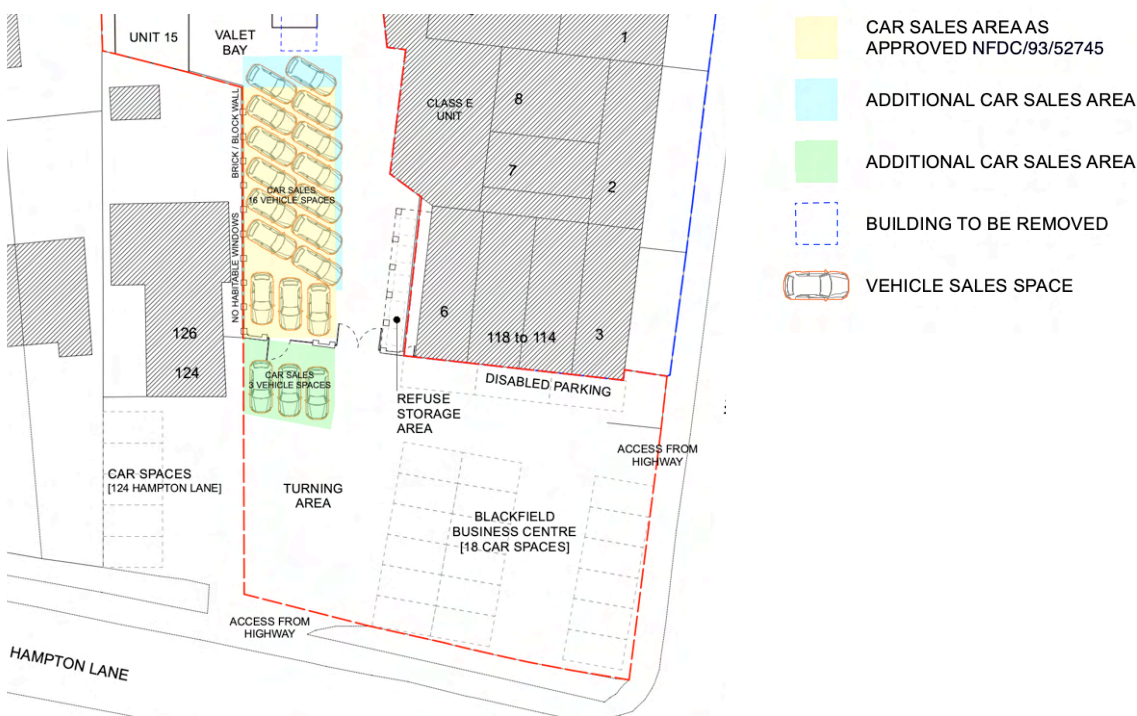
The submitted site plan, drawing number KA/203/J44 A102 highlights the difference between the approved sales area (yellow shading) and what currently exists / is now proposed (blue shading).

Due to being able to organise vehicles in a more efficient manner, the number of vehicles displayed in the rear sales area increases to 16 with only a marginal increase in area used.

In addition to this and as demonstrated to have been the case for over 10 years without detriment to neighbouring amenity, a frontage vehicle sales display area is proposed (green shading), this provides allowance for a further 3 vehicles to be displayed. It should also be noted that this area had originally been approved for customer parking and so no harm occurs. The private car park serving Blackfield Business Centre has ample parking allowance for customers to use, given the low trip rates associated with a small car sales business.

The relocation of sales office allows a slightly deeper

vehicle





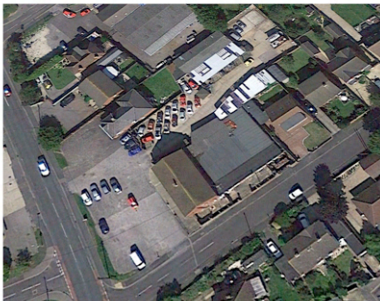
2nd April, 2012 (Google Earth)



2013 (NFDC mapping)



15th April, 2014 (Google Earth)



10th Sep, 2015 (Google Earth)



26th May, 2017 (Google Earth)



6th June, 2018 (Google Earth)



23rd April, 2021 (Google Earth)



18th July, 2021 (Google Earth)



March 2008 (Google Streetview)



May 2011 (Google Streetview)



June 2012 (Google Streetview)



May 2016 (Google Streetview)



June 2019 (Google Streetview)



April 2023 (Google Streetview)

2. Change of use at Units 13 - 14 from light Industrial (Class E) to Vehicle Servicing (Class B2)

Under the original application in November 1993, Unit 13 and 14 was approved as Light Industrial (former Use Class B1).

The current tenants, Right-Autos have occupied Unit 13 since May 2022. Prior to this it was used by a 'Mercedes' Specialist called 'Mark Halford'. A vehicle ramp aswell as inspection pit was already in situ and it was their understanding the building had a suitable use class to operate as vehicle servicing. Right-Autos are now aware a change of use application is required to Use Class B2.

Unit 14 is currently used by a Tool Hire company under the provisions of the lawful, approved use (NFDC/93/52745). An external area for the storage of scaffolding beneath a large canopy is also being used.

The proposals are for a change of use, no physical alteration of the building is required for this.

Currently, Right-Autos operate three hydraulic vehicle inspection ramps; two within the building and one beneath the canopy of the unit. This is shown on the application drawings (existing site plan refers). The vehicle ramps operate throughout the day and enable the underside of vehicles to be worked upon.

It is proposed that the Use Class B2 business will operate between 08:00 and 18:00 hours Monday - Friday and 08:00 to 13:00 hours on Saturdays with no operation on Sundays or bank holidays. This is inline with the original approval under NFDC/93/52745 and to minimise impact on any neighbouring amenities.

Acoustic Assessment

A manual noise survey was carried out where noise from all tools and equipment associated with the proposed Use Class B2 was measured. It was possible to measure all proposed noise sources as the B2 use is already in operation.

It is intended to use the premises for the servicing and maintenance of cars and small vans only. Cars will be parked in the rear yard to the N-E of Unit 13. They are then to be moved into the building via the roller shutter doors and raised on an inspection lift.

It should be noted that currently an inspection lift is located externally at Unit 13 (see existing plans), as part of the proposals, this will be moved internally, within Unit 14 and so any associated noise will be dampened further still.

Vehicle servicing takes place using hand tools for the vast majority of works. When wheels need to be removed, an electric wheel wrench is used (refer to the noise sources above in table 1).

It is important to note, in terms of noise; the existing tool hire company who operate under the original consent (formerly Use Class B1, now Use Class E) create more noise than the proposed Use Class B2.

The current users at Unit 14 / scaffold hire equipment created noise when moved and knocked; this is in excess of 60dB. In addition an existing Tool Hire company operate adjacent the site from New Road, noise levels recorded much higher readings than the proposed change and so no harm occurs.

Noise Source	Measurement Distance	Measurement dB	Notes
Hydraulic Car Ramp	1 meter	47.5dB	Lowering ramp externally
Hydraulic Car Ramp	1 meter	58.5dB	Raising ramp externally
Wheel Nut Gun	15 meters	68dB	Externally used at Unit 13, measured at point A
Wheel Nut Gun	35 meters	50dB	Externally used at Unit 13, measured at point B
Wheel Nut Gun	22 meters	58dB	Externally used at Unit 13, measured at point C



The closest residential building to Units 13 and 14 is 'Denlee' on Walkers Lane North, this is still some 25m away to S-E of the site and has a 5m deep building (occupied by Baileys Building Ltd) on its rear boundary which creates a physical acoustic buffer with Unit 13-14.

At ground floor level the garden fence between the site and the dwellings will reduce the noise impact due to screening.

To further mitigate against any potential noise implications, the compressor which runs equipment including the wheel wrench gun is to be relocated. It is currently located within Unit 13; the proposal sees this replaced with a new unit located within Unit 14.

This new compressor will then be fed in-line to both Unit 13 and Unit 15. This is a betterment and vast improvement for both Unit 13 and Unit 15 since the compressor will have a built form buffer to the S-W and also to the N-E, thus providing additional mitigation against any noise.

The applicant is also proposing to create a purpose built form housing for the compressor. This will be formed from timber stud partition with insulation between studs and a double layer of acoustic plasterboard to further create an acoustic barrier.

The site is located in a commercial area, within a business centre. There are existing uses which generate similar noise levels in the immediate vicinity during the same operational hours.

The proposed use is therefore not expected to change the acoustic character of the area or be conspicuous by the level of noise generated.

Operation is limited to day time periods only. This would have a lower impact than a number of different uses within Use Class E where sound could be constant throughout the day.

The site could potentially have 6 different users given the number of units and potential to build out the 3 x B1 units to the rear of the site where trip rates, noise levels and comings-and-goings could be far higher.

By relocating the position of the existing air compressor for the valet unit (Unit 15) within Unit 14, this is a betterment in terms of impact on neighbouring amenity since any noise created will have a built form buffer.

The new single air compressor proposed specification as below:

Hyundai 3hp 200L Air Compressor (HY3200S)

The compressor is belt driven and so provides efficient, quiet and cool performance.

Size: 980mm (h) x 500mm (w) x 1310mm (l)

It has a noise level of 75dB at 7m.

Given the compressor will be located within the solid structure of Unit 14 which itself is between two further structures, along with a further acoustically treated boxing, the impact is considered to be minimal and lower than that as exists elsewhere in the area.

Along with the use of an air compressor to power a car valet machine and wheel wrench gun, additional services will be carried out on site:

Alloy wheel refurbishment; for this, wheels will be removed and a sub-contractor carries out the refurbishment process from within their own van, this is commonplace within the industry.

Panel Spraying: As above, a sub-contractor is used to carry out minor spray repairs on vehicle panels. The panels will be prepared and sprayed underneath the existing canopy.

The end user, Right-Autos have confirmed no panel beating will take place. Any dents that require removing in order to prepare cars for sale are carried out by a subcontractor.

The commercial use of the site is established and the current proposal is not considered to represent a significant increase of adverse noise impact.

3. Replacement sales / operational office (attached to unit 14)

This element of the application seeks to remove the existing sales office and erect a replacement building set slightly further back in to the site.

The proposed building will be of block construction and so offer thermal improvements aswell as being more secure and set against the existing unit 14.

The existing sales office is awkwardly positioned on site, with an angled entrance doorway to allow manoeuvring for vehicles to enter the valet area. By setting back and squaring off a new building, this allows doors and a window for staff to see customers within the forecourt area.

The proposed building will abut Unit 14, being of single storey height and so sit beneath the existing canopy. It picks up on the S-W building line of the existing sales office and so no harm occurs.

Given it is sited further from the closest neighbouring amenity space, this is seen as a betterment in terms of impact from noise and visually.

The increase in floor area allows for proper circulation, desk spaces and a dedicated area for customers to sit and wait if required in a safe manner.

The new sales office building will also act as a buffer for any noise to the S-W from Units 13-14, again this is seen as a betterment over the existing situation.

The building will be used by Right-Autos as:

1. A sales office,
2. Reception area for the vehicle service units
3. Customer waiting area

Biodiversity Checklist (continued)

As per NFDC Local Requirements, the Biodiversity Checklist has been completed for planning submission. As the site is located within 2km of a The New Forest SSSI, SAC, SPA, Ramsar, further information is provided to demonstrate the proposals have no impact on those designated sites.



The application site is 350 meters from the New Forest designations which are located to the South-West of the site (see map above). However due to the limited scope of physical works required and location of the site within an established commercial area beyond a main road, no harm is envisaged.

Existing buildings at Unit 13 and Unit 14 on the site are not suitable for any potential roosting or nesting with no loft space, these are currently used as car servicing and builders tool hire. Unit 15 is a flat roof brick built structure used as a valet / car wash station.

The site is 100% built form / hardstanding and so no loss of planting or vegetation occurs. Boundaries are of either brick wall or timber fencing and so there is no potential for any nesting birds and therefore no harm that can be alleged in terms of biodiversity.

Conclusion

The application represents the effective reuse of an existing building, and it has been demonstrated that the proposal is sustainable, delivering economic and social benefits.

The operator, Right-Autos is a local business, run by local people. It recognises the area and is dedicated to continue to provide a valuable service to the local community.

As such with Unit 14 becoming vacant and as existing tenants the expansion into Unit 14 is a natural one which will allow the service to continue to be provided.

The increase in vehicle sales area is marginal and has been in-situ for over 10 years without any harm or detriment to the area.

Care has been taken to ensure any potential harm has been mitigated to enable the change of use and alterations to be carried out without impact on any neighbouring amenity.

The applicant looks to the LPA for full support to allow this local business to grow, in a sustainable manner to suit local business needs.