



Design and Access Statement

Development at:

**Unit 2, Orchard House,
Hamilton Road, Hythe SO45
3PB**

Prepared By

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Introduction & Background

- 1.1 This Design and Access Statement should be read in conjunction with the Management Plan and supporting plans for ***change of use from light industrial to dog day care and grooming (sui generis)*** at the land and property known as Unit 2, Orchard House, Hamilton Road, Hythe SO45 3PB.
- 1.2 The proposal seeks to utilise a vacant commercial premises and provide a much-needed dog day care and dog grooming facility to Hythe and surrounding areas.
- 1.3 It is a fact that, since the onset of the COVID 19 pandemic, dog ownership has risen exponentially. Now that working from home is becoming less commonplace, there is a dire need for dogs to be looked after during working hours and this facility will enable a professionally run establishment to provide such a service within an existing facility with a lawful planning use of light industrial.

Planning History & Proposals

- 1.4 The subject premises (Orchard House) obtained planning permission under LPA Reference 00040172 on 16th March 1989 to serve a joinery firm (Weatherlock) who were operating at Orchard House. This included a workshop, office, reception area and parking area and there was a condition which restricted the opening hours of the business to between 7am and 7pm Monday to Friday and 7am to 1pm on Saturdays.
- 1.5 Later in 1989, there was a successful application to vary the opening hours condition under LPA Reference 00043296. What those hours were extended to is unknown as limited information is available on the application via the New Forest District Council Portal. This permission was granted on 13th December

1989 and can only have increased the hours of operation from that listed on the original permission.

- 1.6 In recent years, clearly the commercial unit has been split into Units 1 and 2. Unit 1 remains in operation via Parrish Engineering who specialise in the manufacture of precision components. The operation of that business will be unaffected by the proposal for the dog day care and grooming business in Unit 2.
- 1.7 The last known user of Unit 2 was a landscape gardener who used the full expanse of the outside and inside areas of the unit and had at least six large truck movements a day according to anecdotal evidence from neighbours.
- 1.8 Aerial photographs provide evidence as to how the unit(s) have been operating throughout the past 25 years or so. The image in Figure 1 below is from 1999 and confirms the existence of a conservatory and a lot of vehicles parked within the site suggesting a vibrant business activity at that point.



Figure 1 - 1999 aerial photograph

- 1.9



Figure 2 - 2005 aerial photograph

1.10 The 2005 image above confirms the existence of large vans within the grounds of the premises and even larger vehicles are present in the 2017 image below.



Figure 3 - 2017 aerial photograph

1.11 Finally, the July 2021 image in Figure 4 confirms that there continued to be a number of vehicles parked outside Unit 2 and that the area to the west of the unit had begun to be used for storage of materials.



Figure 4 - July 2021 aerial photograph

1.12 As such, from the planning history searches it can be deduced that:

A – The Unit has a lawful use under Class E of the Use Classes Order 1987 (as amended). As such, it could accommodate a wide range of uses under permitted development which would include any light industrial use but also could be used for offices, a creche, vehicle servicing, a café, a specialist health or medical use, warehouse, veterinary surgery and many, many other diverse uses allowed under Class E.

B – The Unit is able to operate at least from 7am to 7pm Monday to Friday and from at least 7am to 1pm on a Saturday.

1.13 As such, given the conditions of operation set out within the Management Plan, this proposal will safeguard the immediate future of Unit 2 and allow a small business to grow whilst at the same time improving the amenities of surrounding residents by providing a use which better assimilates with its surroundings than any of the potential alternative uses set out in paragraph

1.12(A) above which would be much more impactful upon the character of the area and neighbours either by way of noise or the amount of vehicle and pedestrian movements required. **This is an important material planning consideration in the determination of this application – not only the lawful alternative uses but also the restricted hours that the dog day care and grooming business will operate under and the other items set out within the Management Plan.**

1.14 For further details of the proposal, see the Management Plan. In short, the dog grooming section of the business will be restricted to the north-western part of Unit 2 and the remainder will be for the use of the dog day care element of the business.

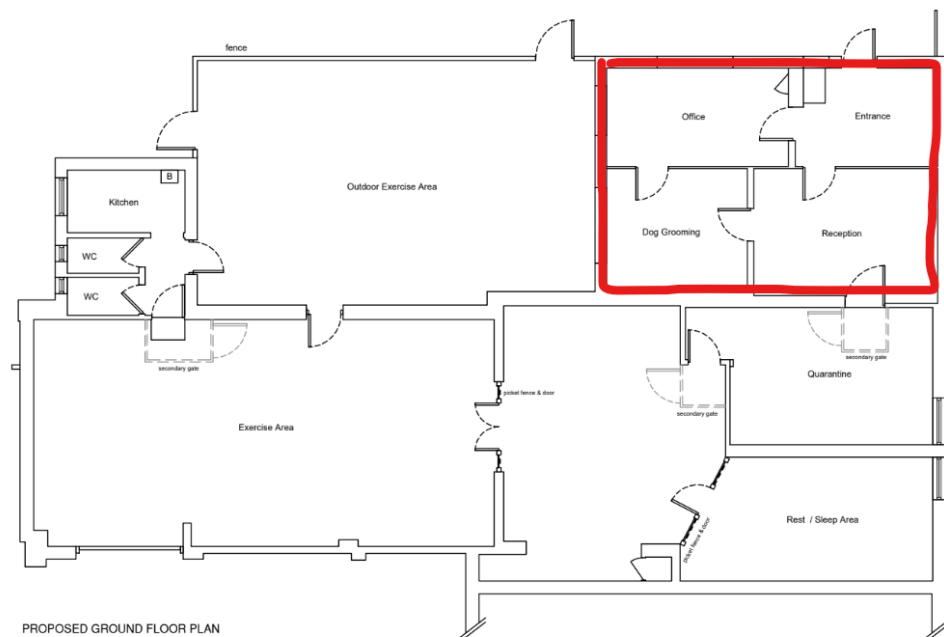


Figure 5 - Red area is for dog grooming element only

The Development Plan

- 1.15 The application site is within the Hythe and Dibden Neighbourhood Development Plan (2018 – 2026) area. The proposal is not contrary to any of the policies listed and seeks to establish a small business within a vacant commercial unit to satisfy a clear demand.

Policies

- C1** The layout and design of all new development and the regeneration of existing development in Hythe and Dibden will be required to demonstrate what steps have been taken to reduce the negative impact of crime, nuisance and anti-social behaviour.

- 1.16 In terms of Neighbourhood Plan Policy C1 (above), the Management Plan sets out the key aspects of how the potential for nuisance will be managed at the site to ensure that there is no harm to neighbouring residential amenity. The dogs will be handled by experts in their field and will only be allowed outside into the fenced area under-supervision and for specific tasks such as toileting and bespoke activities.
- 1.17 There will be a significant buffer zone between the outside area and the nearest residential properties (see Block Plan) and the restricted hours of operation will ensure that there will be zero impact during normal hours of sleep and zero noise at evenings and weekends as the dog day care facility will not be operating.
- 1.18 In any event, nearby residents would need to be mindful of the type of activities and businesses that could operate unfettered at Unit 2 and the

proposal for a well-managed dog day care and grooming facility under limited hours of operation actually serves to protect neighbouring residential amenity and ensures that there is no ground for refusing this application on account of noise nuisance.

- 1.19 The applicant has already consulted with nearby residents who are generally in favour of this proposal.
- 1.20 In terms of the New Forest District Council Local Plan 2016 to 2036 (Part 1), the Proposals Map has been consulted (see below) and it is confirmed that the site is within the settlement boundary of Hythe and there are no restrictive planning constraints.



Figure 6 - Red arrow indicates application site within Proposals Map

- 1.21 In terms of specific Local Plan policies:

STR6 – The proposal contributes to the diversity range of local employment opportunities. It will provide at least two new jobs in Year 1 with the potential for further employment in Year 2 should the business be successful. It brings

back into use a vacant commercial unit with a use that is considered acceptable given that it is surrounded by residential properties.

STR8 – The scheme will provide an important community service and facility in what is an accessible and sustainable location. The dog collection service will also reduce the amount of traffic movements associated with the commercial unit historically.

ENV3 – The operation of the business optimises the existing layout of the premises and therefore no external changes are required to the buildings. The business will function well and is sympathetic to its surroundings (see Management Plan). The potential for noise pollution will be ameliorated by the working hours and Management Plan provisions.

ECON1 – This policy is not considered relevant as the proposal does not involve the intensification of an employment use – this is a use that is compatible with the neighbouring commercial business in Unit 1 and is a ‘small-scale use’ with limited traffic movements in comparison with those uses which could occur at the premises without the need for planning permission.

ECON2 – There will continue to be employment at this commercial unit. In addition, the service provided has the indirect benefit of facilitating the ‘return to the workplace’ following the COVID 19 pandemic by allowing for the care of dogs during normal office hours.

- 1.22 In terms of the National Planning Policy Framework (the ‘NPPF’), the proposal allows ,for the same reasons, for the building of a strong and competitive economy as set out in paragraph 85 of the NPPF.

Summary

1.23 For all of the reasons set out in this Design and Access Statement, this application should be approved.

A – It brings back into use a vacant commercial building.

B – The use proposed is less impactful upon residential neighbours than other potential uses which wouldn't require planning permission under the Use Classes Order 1987 (as amended).

C – The Management Plan sets out operational working practices which will ensure no harm to neighbouring amenity or the character of the area.

D – The business will provide an important local facility and service which allows people to get back into the workplace following the last four years of the working from home era.

E – The business will create employment straight away with potential for additional employment should it prove successful.