

Introduction

The proposed redevelopment of the site at 20 Keyhaven Road raises serious concerns regarding its impact on the surrounding residential environment, local infrastructure, and community wellbeing. Located within a predominantly residential and conservation area, the proposal for a convenience store with associated parking and deliveries presents multiple planning conflicts — ranging from significant noise disruption and visual intrusion to risks to highway safety, residential amenity, and the character of the area. This representation outlines the various adverse effects of the development, referencing professional assessments, planning policy conflicts, and local conditions that collectively argue against the approval of this application.

Please find reasons for the Parish Council's recommendation for refusal below.

Impact on residential amenity of adjacent neighbouring properties, in respect of light, visual intrusion and privacy;

With reference to the Delivery Noise Assessment written by Noise Solutions Limited dated March 2025

- At paragraph 9.3 the following is stated in the document.

A significant adverse noise impact is predicted due to main warehouse deliveries to the site, although it must be noted that the site is located on a busy road. All best practical means have been considered to minimise the impact of deliveries including the restriction of delivery hours to ensure deliveries will only occur during daytime hours (not defined), and the inclusion of a suitable noise management plan. The conclusion also considers that the HGV deliveries will be limited to one or two per day per unit and will be of short duration

- The report states that the impact on the local residents will be significant with regard to noise. This could involve activities like sleeping, relaxing, or using the property for its intended purpose.
- The report references a suitable noise management plan which assumes that the store will receive deliveries by HGV once or twice per day. This conclusion fails to address the direct deliveries that would be made to store daily by HGV and vans such as bread, milk and newspapers. Therefore, it would be reasonable to suggest the report is not an accurate assessment.
- At paragraph 7.9 the report outlines the noise management plan for deliveries. With the exception of a mat placed under the tail lift all the control measures rely on human behaviour and as such are at the lower end of the hierarchy of controls that should be applied. The applicant should be requested to identify noise elimination to the receptors through engineering controls or be able to demonstrate that they have used the best practicable means to stop or reduce the noise. When planning store developments, consideration needs to be given to the proximity of delivery bays to residential properties, effectively 'designing out' potential conflict as far as practicable

Noise from commercial premises, including store deliveries, can be considered a statutory nuisance if it is unreasonable and substantially interferes with the use or enjoyment of a home or other premise, or if it injures or is likely to injure health.

- The proposal would have a negative impact on existing residents and their homes in terms of their privacy and light.
- It would create visual intrusion on what is a residential and conservation area.

The Local Plan 2016-2036 in respect of Policy ENV3 Design Quality and Local Distinctiveness states (amongst other relevant points) that:

“New development will be required to:

- Avoid unacceptable effects by reason of visual intrusion or overbearing impact, overlooking, shading, noise and light pollution or other adverse impacts on local character or residential amenity;
- Create buildings, streets and spaces which are accessible to those with disabilities or of reduced mobility, that are safe and easy to navigate, and that minimise opportunities for anti-social and criminal behaviour or other public threats.
- Integrate sufficient car and cycle parking spaces so that realistic needs are met in a manner that is not prejudicial to the character and quality of the street, highway safety, emergency or service access or to pedestrian convenience and comfort.”

The proposed re-development of the site at 20 Keyhaven Road has contravened all of these 3 points. Keyhaven Road is a residential area with housing immediately opposite and adjacent to the proposed site, with the property immediately to the East being within the Conservation Area and listed. All of these properties will be adversely impacted by noise (deliveries, cars), the proposals for noise abatement during service deliveries are minimal and insufficient, reliant on human behaviour as detailed by the Noise Assessment. This is unacceptable in such a densely populated area.

Whilst Milford is by no means a crime hot spot, there are problems particularly in the summer with youths hanging around the Green and outside shops, causing noise, creating litter and drinking underage. The creation of an additional area in which to ‘hang out’ will especially one with a large frontage and an outlet which will open later will exacerbate the problem in a densely populated residential area.

The Parish Council believe there are proposals for a total of 9 car parking spaces, 7 for the convenience store and 2 for the residential flats. No mention or provision has been made in the plans for disabled spaces. This is likely to be insufficient if the Retail Impact Assessment proves correct and additional car parking can be expected along the Keyhaven Road, Carrington Lane and Lawn Road, providing problem and issue for those residents requiring ingress and egress to their properties.

Impact on the character and appearance of the area, including Conservation area and adjacent listed buildings;

This site is located within a conservation area of the village and therefore not suitable for what could be potentially bright lights and illuminations, long opening hours and heavy traffic and vehicle movement out of hours.

- This site is in what is a predominately residential area, the White Horse public house being the latest commercial property to be converted into residential accommodation.
- To consider allowing a small supermarket, with limited parking, on this site would be out of keeping with the street scene and a residential area.
- Given the location and surrounding character, the Parish Council's opinion that the existing building should be converted into affordable homes. The Parish Council would urge that both the applicant and NFDC to consider this.
- If affordable homes were to be considered this would appear to be an ideal site and would align with the government's ambitions to secure sites for new homes. Guidance can be located within NPPF Chapter 5.

Impact on highway safety, including matters relevant to car parking and servicing;

With reference to the Transport Statement written by ADL Traffic and Highways dated March 2025.

- At paragraph 5.4.3 the document states that, *"It is acknowledged that when deliveries occur, drivers exiting to Laundry Lane may need to encroach slightly to Laundry Lane to see around the delivery vehicle."*
- The document identifies that the delivery vehicle when in the designated unloading / loading position will increase the risk of a road traffic accident on Keyhaven Road due to vehicles exiting Laundry Lane having to nose out into oncoming traffic.
- The control measures identified within the document to reduce the identified risk to a tolerable level are not suitable and sufficient and fail to consider that multiple delivery vehicles could be present at any one time in the day.
- Major retailers rely on direct deliveries from 3rd party suppliers for daily consumables such as bread, milk, other fresh produce and newspapers. This delivery plan may lead to more than one vehicle on site in the morning.
- The scenario of multiple vehicles is made more likely as there is a high probability that the noise generated would result in a restricted delivery window preventing access prior to 7am. Safety restrictions on vehicle movement related to the increase traffic and pedestrians post 8am would likely reduce the delivery window for fresh food and directs to 1 hour.
- In summary the Transport Statement does not provide a suitable and sufficient assessment of the risk and as consequence the control measures to reduce the risk are inadequate. The applicant should be required to provide a complete store delivery risk assessment which outlines all the significant hazards and defines suitable controls to reduce the risk to the lowest level reasonably practicable.

Employers have duties under the Health and Safety at Work etc Act 1974 to ensure so far as is reasonably practicable the health and safety at work of their employees and others who may be affected by their work activities (such as members of the public). These

Regulations also require employers to carry out a suitable and sufficient risk assessment of the hazards involved and to identify measures needed to comply with Health and Safety legislation.

- The Traffic Survey was conducted between the 25th and 31st of January is not a true or accurate reflection of the movements on the associated roads.
- The statistics in the reports suggest that the residents of the potential 170 homes on Manor Road are more likely to walk if a convenience store located on the opposite side of the village as parking is simply not reliable.
- There is no supporting evidence or road safety audit in this application to address access and egress.

Impact on Vitality and Viability of Village Centre;

With reference The Local Plan Part 2 Sites & Development Management states under Policy DM19 – Small Shops and Public Houses that:

“Outside of town centres and defined local shopping frontages, local convenience stores of up to 280 square meters will be permitted where they provide for the day-to-day needs of a community, **which otherwise would not be provided for**, and are located with the community served”.

- The proposal to develop the site at 20 Keyhaven Road, Milford is in clear breach/contravention of this policy as day-to-day needs of the community are currently served by the local Co-Op, One Stop, Village Veg, Coastal Bakery, Boots the Chemist, Milford News and many others.
- The addition of a further convenience store selling identical products to those which are readily available within the village impacts the viability of a number of our local businesses who are reliant on summer trade in order to survive over the slower/winter period.
- A requirement for the need of this additional store has been created by the Retail Impact Assessment in an attempt to provide questionable rationale and not driven by demonstrable need within the Village at any time during the year.
- Decisions should support the role that village and town centres play at the heart of local communities. Planning decisions should support the vitality of existing business and villages.

Impact on public health and safety (land contamination, air quality, hazardous substance;

- In 2012 DEFRA released Contaminated Land Statutory Guidance under the Environmental Protection Act 1990. Within this guidance the Environment Agency issued its Land Contamination Risk Management paper in October 2020 (last updated July 2023). This sets out the various steps an applicant must take when considering development of a potentially contaminated site. This Application is such a site.
- In the NFDC response to the Pre-Application Enquiry ENQ/24/20341/EBUS you clearly stated that a Phase 1 Assessment report should be submitted with any formal planning application. The Design, Access and Planning Statement issued by Pure Town Planning does state (page 38 of 39) that the application is supported by a

Phase 1 Contamination Assessment Report issued by ACS Testing, but no such report appears on the NFDC Portal. Other than this comment the Design Statement makes no reference to contamination and neither does the Applicant's (undated) Groundworks Statement, submitted on 16/04/25.

- The Parish Council understand that a tank with a capacity of 8,000 gallons remains in situ. There is no supporting evidence within the applications that indicates that the tank was decommissioned correctly when the Petrol Station ceased trading.

Milford Parish Council is very concerned about the almost inevitable contamination of this site and the very loose way in which it has been addressed to date.

Closing Statement

Considering the documented adverse impacts on residential amenity, heritage assets, local infrastructure, and public health and safety, the Parish Council believe this proposal is wholly incompatible with both local and national planning policy and the distinct character of the area. The Milford-on-Sea Parish Council urges New Forest District Council to refuse this application.