

NOTICE OF MEETING

Meeting: PLANNING COMMITTEE

Date and Time: WEDNESDAY, 14 JULY 2021, AT 9.00 AM*

Place: COUNCIL CHAMBER - APPLETREE COURT, BEAULIEU ROAD, LYNDHURST, SO43 7PA

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PUBLIC PARTICIPATION:

Members of the public may listen to this meeting live on the Council's website at the following link:-

<https://democracy.newforest.gov.uk/ieListDocuments.aspx?CId=504&MId=7252>

*Members of the public are entitled to speak on individual items on the public agenda in accordance with the Council's public participation scheme. To register to speak please contact Planning Administration on Tel: 023 8028 5345 or E-mail: PlanningCommitteeSpeakers@nfdc.gov.uk

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This Agenda is also available on audio tape, in Braille, large print and digital format

AGENDA

NOTE: The Planning Committee will break for lunch around 1.00 p.m.

Apologies

1. DECLARATIONS OF INTEREST

To note any declarations of interest made by members in connection with an agenda item. The nature of the interest must also be specified.

Members are asked to discuss any possible interests with Democratic Services prior to the meeting.

2. PLANNING APPLICATIONS FOR COMMITTEE DECISION

To determine the applications set out below:

(a) **Land North of Salisbury Road, Calmore, Netley Marsh (Application 20/10997) (Pages 5 - 78)**

Outline planning application with all matters reserved, except means of access to the highway network (junction arrangements) and associated highway improvements, for the demolition of existing buildings and the residential (C3) development of the site with up to 280 dwellings, Alternative Natural Recreational Greenspace, informal and formal open space, together with associated drainage, utilities and all other associated and necessary infrastructure

RECOMMENDED:

Delegated Authority be given to the Executive Head of Planning, Regeneration and Economy to **GRANT PERMISSION** subject to the completion of a Section 106 agreement and the imposition of conditions.

(b) **South Lawn Hotel, Lymington Road, Milford-on-Sea (Application 20/11474) (Pages 79 - 94)**

Proposed extension to provide 24 bedrooms, associated landscaping and replacement manager's flat

RECOMMENDED:

Grant Subject to Conditions

(c) **24 Poplar Drive, Marchwood (Application 20/10136) (Pages 95 - 112)**

Demolition of attached garaging and erection of infill dwelling (Outline application with access & layout details only)

RECOMMENDED:

Delegated Authority be given to the Executive Head of Planning, Regeneration and Economy to **GRANT PERMISSION** subject to the completion of a planning obligation entered into by way of a Section 106 Agreement (or unilateral undertaking) and the imposition of conditions.

(d) **2 Hursley Drive, Langley, Fawley (Application 21/10089) (Pages 113 - 118)**

The application proposes the erection of a detached, single storey timber clad summerhouse within the garden of the property.

RECOMMENDED:

Grant Subject to Conditions

(e) **The Lillies, Cooks Lane, Calmore, Totton (Application 21/10852) (Pages 119 - 130)**

Variation of Condition No.2 of Planning Permission 21/10428 to allow a single-storey garage to side of each unit, changes to internal layouts and changes to external fenestration

RECOMMENDED:

Delegated Authority be given to the Executive Head of Planning, Regeneration and Economy to **GRANT PERMISSION** subject to the completion of a S106 planning agreement or unilateral undertaking and the imposition of the conditions.

Please note, that the planning applications listed above may be considered in a different order at the meeting.

3. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT

Please note that all planning applications give due consideration to the following matters:

Human Rights

In coming to this recommendation, consideration has been given to the rights set out in Article 8 (Right to respect for private and family life) and Article 1 of the First Protocol (Right to peaceful enjoyment of possessions) of the European Convention on Human Rights.

Equality

The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty *inter alia* when determining all planning applications. In particular the Committee must pay due regard to the need to:

- (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

To: Councillors:

Christine Ward (Chairman)
Christine Hopkins (Vice-Chairman)
Ann Bellows
Sue Bennison
Hilary Brand
Rebecca Clark
Anne Corbridge
Kate Crisell
Arthur Davis
Barry Dunning

Councillors:

Allan Glass
David Hawkins
Maureen Holding
Mahmoud Kangarani
Joe Reilly
Barry Rickman
Tony Ring
Ann Sevier
Beverley Thorne
Malcolm Wade

Application Number: 20/10997 Outline Planning Permission

Site: LAND NORTH OF, SALISBURY ROAD, CALMORE, NETLEY
MARSH SO40 2RQ (NB: PROPOSED LEGAL AGREEMENT)

Development: Outline planning application with all matters reserved, except means of access to the highway network (junction arrangements) and associated highway improvements, for the demolition of existing buildings and the residential (C3) development of the site with up to 280 dwellings, Alternative Natural Recreational Greenspace, informal and formal open space, together with associated drainage, utilities and all other associated and necessary infrastructure

Applicant: Bloor Homes Ltd & Trustees of Barker Mill Estates

Agent: Luken Beck

Target Date: 09/12/2020

Case Officer: Ian Rayner

Extension Date: 12/03/2021

1 SUMMARY OF THE MAIN ISSUES

This is a significant development proposal which forms a major part of the one of the Council's largest Strategic Site Allocations.

The key issues are:

- 1) The principle of development, having regard to local and national planning policies.
- 2) The relationship of the proposed development to the wider strategic site allocation (as defined by Policy Strategic Site 1).
- 3) The quantum and mix of development.
- 4) The location of built development; the layout and landscape impact of the development; and the density and scale of development.
- 5) The quantum and quality of green infrastructure (including ANRG land and Public Open Space).
- 6) The transportation impacts of the development, including the suitability of the access arrangements and whether sustainable travel modes are adequately promoted.

- 7) Ecological impacts: in terms of on-site impacts and achieving Net Biodiversity Gain; in terms of wider off-site impacts on designated sites; and in terms of achieving nutrient neutrality in respect of nitrates.
- 8) Air quality, noise and amenity Impacts.
- 9) Flooding and drainage.
- 10) Heritage impacts.
- 11) Affordable Housing provision.
- 12) Infrastructure provision, including education requirements.
- 13) Whether the proposals constitute a sustainable and safe development.

This application is to be considered by Committee because of the strategic significance of the proposed development and due to the application being of notable public interest.

2 SITE DESCRIPTION

The application site

2.1 The application site extends to 18.66 hectares and is an area of mainly agricultural land to the north of Totton, within the parish of Netley Marsh. The site, which is irregularly shaped, is set to the north of Salisbury Road (the A36) and to the east of Green Lane and Hill Street. The south-western corner of the site extends almost up to a slip road that gives access from Salisbury Road onto the A326 Totton Western Bypass.

2.2 The site currently has an open, rural character. The only existing buildings on the application site are a small group of agricultural buildings (of mainly modern construction) that are set close to Salisbury Road. There are areas of hardstanding around these buildings, but otherwise the site is comprised of a number of individual fields laid to permanent pasture and grazed by livestock. The fields are bounded by hedgerows, some of which provide strong green corridors, and some where the vegetation is more intermittent. The most significant natural feature on the application site is Hatton's Plantation, which is a small, triangular area of woodland in the south-eastern part of the site, adjacent to Green Lane.

2.3 The application site has a particularly long and relatively exposed northern edge, much of which is unmarked by existing physical features, the edge simply running through the middle of existing fields.

2.4 There is a high voltage overhead electricity cable that extends across the northern part of the site.

2.5 The application site is gently sloping. The lowest part of the site is in the south-eastern corner, at the intersection of Green Lane with Salisbury Road. The land rises gently upwards from this south-eastern corner to the site's northern edge, which forms a higher, more elevated area of land, before the land starts to drop away more steeply to the north of the application site.

2.6 A 450 metre section of Salisbury Road is included within the application site as a result of the proposed highway works.

The areas surrounding the application site

2.7 The south-western corner of the application site largely wraps around 2 existing residential properties - Brook House and Four Winds. These 2 properties are both set within large garden plots.

2.8 The north-eastern section of the application site that extends up to Hill Street abuts another residential property - Carnoustie House - which is again set within its own large garden plot.

2.9 Green Lane, which abuts a significant length of the site's eastern boundary is an unmade track that forms a public footpath. There is another public footpath that abuts the site's south-western corner.

2.10 Open fields extend northwards from the application site to the M27. As indicated above, the land drops away from the site's northern edge, with the land to the north of the application site having a relatively open, rural character.

2.11 Hill Street to the east is a quiet, rural lane, lined by a scattering of dwellings and a large nursing home (Colbury House). Beyond Hill Street, to the east, is Testwood Lakes.

2.12 South of Salisbury Road, Pauletts Lane extends southwards from the application site's south-eastern corner. The land to the south of Salisbury Road is still rural, but with a more enclosed character, including a small industrial estate at Brookes Hill (formed from the conversion of former agricultural buildings).

3 PROPOSED DEVELOPMENT

3.1 The submitted application comprises the following:

"the demolition of existing buildings and the residential (C3) development of the site with up to 280 dwellings, Alternative Natural Recreational Greenspace (ANRG), informal and formal open space, together with associated drainage, utilities and all other associated and necessary infrastructure."

The application has been submitted as an outline planning application with all matters reserved, except means of access to the highway network (junction arrangements) and associated highway improvements. It should be noted that the application as initially submitted comprised "up to 300 dwellings", but during the course of the application the description of the application has been amended, so that a lower figure of "up to 280 dwellings" is now what is formally proposed.

3.2 Aside from a Site Location Plan, the application is supported by an Access Strategy Plan which illustrates the proposed access arrangements. These access arrangements for detailed approval include:

- The primary access into the development, which would be in the form of a new 4-arm roundabout onto the A36, with the southern arm providing continued access into the Brookes Hill Industrial Estate;
- A secondary access into the development, approximately 190 metres to the east of the primary access;
- Realignment of the existing carriageway;
- The provision of a 3 metre wide linking footway and cycleway between the 2 access points;
- 2 new bus shelters (1 on either side of the road);
- A new 3 metres wide shared footway / cycleway to the south side of Salisbury Road, linking to Pauletts Lane.

3.3 The application is accompanied by two Parameter Plans, which are for detailed approval, comprising:

- a) a land use and access parameter plan, which defines the areas of the site where built residential form would be provided, the areas where Public Open Space would be provided and the areas where Alternative Natural Recreational Greenspace (ANRG) would be provided.
- b) a tree, hedgerows and demolition parameter plan, which defines the existing trees, woodland and hedgerows that would be retained, the trees and hedgerows that would be removed, and the buildings that would be demolished.

3.4 The application is also supported by 2 illustrative plans: an illustrative masterplan that provides an indication of how the development could be laid out; and a landscape and ANRG Framework Plan that illustrates how the green infrastructure could be laid out. In addition, an illustrative layout plan was submitted for the northern edge during the course of the application.

3.5 The application is also supported by a comprehensive suite of reports that aim to show how the development satisfies particular needs and policy requirements. These reports include all of the following:

- A Planning Statement
- A Design and Access Statement
- A Statement of Community Involvement
- A Sustainability Statement
- A Framework Construction Environmental Management Plan
- An Ecological Impact Assessment
- Information for a Habitats Regulations Assessment
- An ANRG Habitat Creation and Management Plan
- A Built Heritage Statement
- An Archaeological Desk Based Assessment
- A Geo-Physical Survey Report
- An Arboricultural Assessment and Method Statement & Tree Protection

Plan

- A Landscape and Visual Assessment
- A Play Strategy
- A Transport Assessment
- A Residential Travel Plan
- A Flood Risk Assessment and Drainage Strategy
- A Utilities Report
- A Desk Top Survey Geo-environmental Assessment
- Winter Groundwater Monitoring
- A Geo-Environmental Site Investigation Phase II & Phase III
- A Noise Assessment
- An Air Quality Assessment

4 RELEVANT PLANNING HISTORY

Applications affecting the application site

4.1 Request for an EIA Screening Opinion under Regulation 6 of the Town & Country Planning Act (20/10464) - EIA not required 19/6/20

Applications affecting the wider Strategic Site 1 allocation

4.2 Up to 80 dwellings; open space; drainage (Outline Application with all matters reserved) (15/11797) - refused 11/8/16; appeal allowed 29/9/17

4.3 Development of 80 dwellings comprised of: 19 detached houses, 20 semi-detached houses, 4 mid-terraced houses, 1 block 6 flats; detached garages; parking; landscaping; open space; bin & cycle stores; substation (details of access, layout, scale, appearance and landscaping development granted by Outline Permission 15/11797) (19/10703) - granted 22/10/20

4.4 Request for an EIA Screening Opinion in respect of a Development of up to 225 residential dwellings with gardens and off-road parking; Provision of public open space (POS) (approximately 2 hectares) and Alternative Natural Recreational Greenspace (ANRG) (approximately 4.8 hectares); Provision of a Local Equipped Area for Play (LEAP); Retention of existing vegetation (trees and hedgerows) including Bog Plantation (21/10564) - EIA required 16/6/21

4.5 Request for an EIA Screening Opinion in respect of 80 residential dwellings with associated alternative natural recreational greenspace (ANRG), public open space, landscaping, means of access and ancillary infrastructure (Screening Opinion) Strategic Site SS1 (20/10379) - EIA not required 4/6/21

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Policy STR1: Achieving Sustainable Development

Policy STR3: The strategy for locating new development

Policy STR4: The settlement hierarchy

Policy STR5: Meeting our housing needs

Policy STR7: Strategic Transport Priorities
Policy STR9: Development on land within a Minerals Safeguarding Area or Minerals Consultation Area
Policy ENV1: Mitigating the impacts of development on International Nature Conservation sites
Policy ENV3: Design quality and local distinctiveness
Policy ENV4: Landscape character and quality
Policy HOU1: Housing type, size, tenure and choice
Policy HOU2: Affordable housing
Policy HOU3: Residential accommodation for older people
Policy CCC1: Safe and healthy communities
Policy CCC2: Safe and sustainable travel
Policy IMPL1: Developer Contributions
Policy IMPL2: Development standards
Policy IMPL3: Monitoring

Local Plan Part 2: Sites and Development Management 2014

DM1: Heritage and Conservation
DM2: Nature conservation, biodiversity and geodiversity

Supplementary Planning Guidance And Documents

SPD - Mitigation Strategy for European Sites
SPD - Parking Standards

Relevant Legislation

- Town and Country Planning Act 1990
- Town and Country Planning (Environmental Impact Assessment) Regulations 2017
- The Conservation of Habitats and Species Regulations 2017

Relevant Advice

National Planning Policy Framework
National Design Guide
National Model Design Code

Constraints

Historic Land Use
Aerodrome Safeguarding Zone
Tree Preservation Order: 1425/18/88/G20

Plan Policy Designations

New Housing Land Allocations
Built-up Area

6 PARISH / TOWN COUNCIL COMMENTS

6.1 Netley Marsh Parish Council

Recommend Permission but would accept a delegated decision

Netley Marsh Parish Council policy is to retain the rural nature of the parish as far as possible and ensure that overall design reflects the nature of the parish and adjacent National Park. There is concern regarding density; and the Inspector's ruling requiring a minimum of 1000 properties in the total development rather than the 900 originally planned was noted with regret. Concerns regarding access were expressed, including construction access, which was of particular concern.

It was agreed that traffic concerns were of the utmost importance for both the A36 and A326.

6.2 Totton & Eling Town Council

Recommend permission, but would accept the decision reached by the District Council's Officers under their delegated powers.

It is noted that the application site is part of the wider 'Land North of Totton' strategic site allocated under Policy SS1. It is also noted that there is a footway along the southern side of the site which is suitable for cycling and walking.

There is mention of potential for a primary school to be built; however, this is not included in this phase. It is noted that the nearest school is at Calmore, which is 1.4km from the site. The nearest convenience store and community building are 1.3/1.4km from the site, with Totton Town Centre being 3km away.

It is noted that there are TPO'd trees on the site which will have to be considered as part of the development.

Open space and landscaping has been well considered, which include wildlife habitat and play areas.

Whilst the potential development site has been well thought through and open space/green areas make it aesthetically pleasing, the main concern is the immediate impact on the local infrastructure. Can the local school cope with the additional influx? Local doctors are already overstretched. Impact on local traffic whilst the new access and roundabout are being constructed is also a concern, although this could be controlled via an adequate construction management plan (CMP).

Subject to these areas of concern that need addressing, permission should be granted.

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

8.1 Hampshire County Council: Highways

Response Summary

The Highway Authority raises no objection to this proposal from a highways and transportation perspective, subject a Section 106 Legal Agreement and conditions.

The Section 106 Legal Agreement needs to secure the following mitigation package:

- A Transport contribution of £770,000 towards the following:
 - A contribution of £350,000 towards delivery of a controlled crossing of the A36.
 - A contribution of £420,000 towards an A326/ A36 southbound offslip junction capacity improvement scheme.
- Payment of the Travel Plan approval and monitoring fees and provision of a surety mechanism to ensure implementation of the Travel Plan.
- Implementation of site accesses and sustainable mode improvements (excluding the controlled crossing, which is to be delivered by the HA via contribution) shown on the application drawings, including submission and payment of fees associated with progression of the TRO process for the speed limit reduction.

A condition is needed to secure a Construction Traffic Management Plan.

Pedestrian and Cycle Access

The applicant has proposed the following improvement schemes:

- The provision of a shared use footway/ cycleway along the northern side of the A36 Salisbury Road between the proposed primary (western) roundabout site access and the A36 crossing point in the vicinity of Pauletts Lane. Shared use provision will also be provided on the southern side of the A36 Salisbury Road between the proposed new bus stop and Pauletts Lane.
- The provision of paths within the site, linking with the bridleways Route No.1 Wade Hill Drove and Route No.4 Green Lane.
- Mitigation measures between Pauletts Lane and Calmore Drive roundabout, including a widening of the existing footway along the southern side of the A36 to a shared use footway/ cycleway. The applicant has confirmed delivery of a 2.0m wide facility is achievable throughout (including consideration of arboriculture), whilst maintaining a 0.5m margin to the carriageway.

The applicant has submitted a WCHAR Audit, identifying existing issues with the walking and cycling infrastructure and proposed improvements to sustainable mode facilities. The Highway Authority initially had concerns regarding routes to Calmore local centre and Calmore Infant and Junior Schools. A supplementary Technical Note was subsequently provided, setting out proposed additional improvements to these routes, including the provision of crossing points of Cooks Lane and a short additional section of footway; these proposals are considered acceptable.

All improvement works are shown on drawing A195-22 P2 and are agreed in principle by the Highway Authority. The works would need to be designed in detail and delivered by the applicant via a S278 Agreement.

Regarding crossing of the A36, the only crossing that links to onward routes with pedestrian and cycle facilities is proposed in the vicinity of Pauletts Lane. This is a vital sustainable modes link for the application site. It is agreed that a controlled crossing at this location will ultimately be required to encourage sustainable mode

use should the development come forward. However, there are safety concerns associated with implementing a controlled crossing with very low demand/ usage. As such, an interim arrangement has been agreed with the applicant whereby an uncontrolled crossing, including a pedestrian refuge, is constructed by the developer as shown on drawing A195-14 P3, to be delivered prior to first occupation. A contribution of up to £350,000 towards delivery of a signalised crossing has been agreed with the applicant to enable the Highway Authority to deliver the controlled crossing once the development is sufficiently occupied to generate a safe level of demand for this facility.

Bus Accessibility

The Highway Authority considers the current level of bus services to be adequate to serve the proposed development. The applicant has proposed relocation of the existing bus stops to ensure bus stops are within a 400m walk of the development site. Shelters will also be provided as part of this bus stop relocation. This is considered acceptable.

It is considered the proposed pedestrian, cycle and bus infrastructure improvements will provide appropriate opportunities for sustainable modes access.

Personal Injury Accidents

The Highway Authority does not consider there to be a pattern, common cause or cluster of accidents that would require casualty reduction measures to be provided in order to mitigate the impact of the proposed development. Furthermore, the proposed reduction in the speed limit of the A36 adjacent to the site is supported in principle by the Highway Authority. It is also accepted that the proposals will change the characteristics of the existing road environment and are likely to result in lower traffic speeds.

The applicant has provided additional traffic speed data for the A36, which further supports the acceptability of a reduction in speed limit to 40mph. The applicant should incorporate this speed limit reduction, including submission of a TRO amendment application and payment of associated fees, within the proposed highway works for developer delivery via S278 Agreement.

Vehicular Accesses

The applicant has proposed two accesses to the housing site. The primary vehicular access is proposed from the A36 Salisbury Road, via a new roundabout junction. The secondary access is proposed to the east of the primary access and is designed as a simple priority junction, which will also be utilised for construction. The design of these access has been amended following initial comments from the Highway Authority and subsequent discussions with the applicant.

Further information has been supplied in terms of additional speed surveys, and amendments to the design of both junctions in terms of geometry and layout have been made to address the Highway Authority's concerns. Suitable visibility for vehicles and pedestrians has been demonstrated. The site arrangements shown on drawing A195-14 P3 are agreed in principle.

There are a number of more detailed design points that will need to be addressed at the S278 detailed design stage.

Parking and Internal Site Layout

The details of parking quantum and layout will be required during the reserved matters applications, and the Highway Authority will therefore comment further on the parking provisions at that stage of the planning process.

All the main internal access roads will need to be designed and constructed to adoptable standard, so to ensure the road is suitable for refuse collection by large vehicles.

Trip Distribution and Assignment

A Technical Note has been provided to the Highway Authority, validating the traffic distribution and assignment data. The data submitted is considered acceptable.

Traffic Impact Assessment for Future Years

Following confirmation of appropriate validation of traffic data, modelling which forecasts the impact of the development has been reviewed. The modelling forecasts that the following junctions will operate within capacity in all scenarios, including both future years of 2025 and 2036:

- Site Access Junctions
- A36 Salisbury Road/ A326 Northbound Roundabout
- A36 Salisbury Road/ Pauletts Lane Priority Junction
- A36 Salisbury Road/ Hill Street Priority Junction
- A36 Salisbury Road/ Calmore Drive Roundabout
- A36 Salisbury Road/ Commercial Road Roundabout

In the 2036 scenario, with the full Land North of Totton (SS1) allocation in place, improvements to the A36 Salisbury Road/ A326 Southbound Priority Junction will be required; queues are forecast to increase from 5 vehicles in the 2036 future year (without the development) to 179 vehicles with the full allocation. It is likely signalisation would be required. A contribution of up to £420,000 towards capacity improvements at this junction has been agreed with the applicant and is considered adequate and proportionate mitigation.

Travel Plan

An updated Travel Plan has been submitted in response to a number of initial concerns. This has addressed the Highway Authority's concerns, and the Travel Plan is considered acceptable.

8.2 Hampshire County Council: Education

No Objection but only on the basis that a contribution is secured towards the provision of additional school places. Without such a contribution an objection would

be raised on the grounds that the impact on the existing education infrastructure is not sufficiently mitigated.

The proposed development of 300 dwellings would be expected to generate a total of 90 additional primary age children. This is based on a figure of 0.3 primary age children per new dwelling.

The development site is served by Calmore Infant and Junior Schools. These schools are at capacity and forecast to remain full in the future. Consequently, additional primary school places will be needed to cater for the additional 90 pupils. A contribution is sought from the developer to pay for the expansions required at each school.

Similarly, Testwood College serves the proposed development, but there is a sufficient number of secondary school places available to accommodate the yield from the proposed development.

The County Council has used previous extension projects to derive a cost for the required Infant and Junior School expansion, and this is estimated at **£1,290,000**. This is based on the provision of three additional classrooms to accommodate the pupils from this development (one classroom at the infant school and two at the junior school).

No contribution is required to provide additional secondary school places owing to the surplus places within the existing schools.

In summary, the contribution towards the expansion of Calmore Infant and Junior Schools is necessary as without an expansion they will not be able to accommodate the children from the development. The level of contribution being sought is based on the number of additional classrooms required to accommodate these children at the schools and therefore is fairly and reasonably related in scale and kind to the development.

8.3 Hampshire County Council: Surface Water Drainage

No Objection subject to conditions

The information submitted by the applicant in support of this planning application indicates that surface water runoff from the application site will be managed through permeable paving, roadside swales and 2 attenuation basins. Additionally, surface water will be discharged to the existing ditch network on site at discharge rates of 26.6 l/s (catchment 1) and 20.4 l/s (catchment 2). This is acceptable in principle since the infiltration testing carried out by the applicant confirmed the Withering Formation as practically impervious at the site.

Considering that this is an Outline Planning Application with approval sought for the site access, at this stage the information submitted by the applicant has addressed concerns regarding Surface Water Management and Local Flood Risk.

8.4 **Hampshire County Council: Minerals and Waste**

Do not object. It is noted that the north-eastern corner and a small area in the west of the application site lies within a Minerals and Waste Consultation Area (MWCA). This area is informed by the mineral safeguarding area (MSA) as defined through 'Policy 15: Safeguarding mineral resources' of the adopted Hampshire Minerals and Waste Plan (2013).

The purpose of this policy is to protect potentially economically viable mineral resource deposits from needless and unnecessary sterilisation. The policy seeks to encourage the recovery, where possible, of potential viable mineral resources prior to development.

The area of the application site within the MWCA would not constitute a viable extraction opportunity. However, it is noted that the application site is part of a significantly larger ownership area (not included in the application), the remainder of which almost completely sits within the MWCA for minerals. Therefore, HCC, as the Mineral and Waste Planning Authority would expect any applications coming forward within the remainder of the ownership area to be accompanied by a Mineral Resource Assessment.

8.5 **Highways England**

No Objection - In the case of this development proposal, Highways England's interest is in the A36 and M27, and in particular the M27 Junction 2.

Having reviewed the application, Highways England do not offer an objection to the proposal. However, it is requested that where practicable the construction trips are minimised during the busy weekday peak hours to reduce any potential impact that they could have on the highway network. In addition, it is recommended that a Travel Plan is produced for the development as it could assist in reducing future residents car trips to/from the site.

8.6 **Natural England**

Consider that without appropriate mitigation the application would have an adverse effect on the integrity of the New Forest SSSI, SAC, SPA and Ramsar and the Solent & Southampton Water SPA and the Solent Maritime SAC.

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required / or the following mitigation options should be secured:

- Delivery of the ANRG in line with the Council's mitigation guidance principles and as set out in the attached documents,
- An appropriate financial contribution to the New Forest and Solent recreational mitigation schemes and the strategic air quality monitoring strategy.

Recreational Impacts to New Forest SAC, SPA and Ramsar

This application is in close proximity to the New Forest Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar site. Provided that the applicant is complying with the Council's mitigation SPD, Natural England are satisfied that the applicant has mitigated against the potential adverse effects of the development on the integrity of the European site(s), and **has no objection** to this aspect of the application.

It is noted that in the shadow HRA, the field to the north of the development site is relied upon as contributing to the overall setting and feel of the ANRG section here. If the HRA is to be adopted as the Council's own, it should be satisfied that this can be maintained in perpetuity.

The applicant has advised that the delivery of the ANRG may be phased, in line with development. If this approach is to be adopted, it is recommended that a phasing plan be provided and approved in writing by the Local Planning Authority. The phasing plan should clearly set out the areas of development and mitigation being brought forward at different times and consider how the ongoing development of the remaining phases may impact on the use of the ANRG before the site is completed and if this will negatively impact the number of recreational users.

Impacts on the Solent & Southampton Water SPA

This application is within 5.6km of Solent and Southampton Water SPA and will lead to a net increase in residential accommodation. Subject to the appropriate mitigation (financial) contribution being secured, Natural England is satisfied that the proposal will mitigate against the potential recreational impacts of the development on these site(s). Natural England advise that this needs to be confirmed by the Council, as the competent authority, via an appropriate assessment to ensure there is no adverse effect on the integrity of the site(s) in accordance with the Conservation of Habitats & Species Regulations 2017.

Nutrient neutrality

The application site is within the catchment of the Solent Maritime Special Area of Conservation (SAC) and the Solent & Southampton Water Special Protection Area (SPA). Natural England advises that there is a likely significant effect on the Solent European Sites due to the increase in waste water from the new housing within the Solent catchment.

Natural England is aware that New Forest District Council has a Position Statement on Nutrient Neutrality which provides an interim approach to the issue and requires applicants to prepare a site specific nutrient budget or use a Grampian condition to ensure the provision of an avoidance and mitigation scheme prior to occupation of the development. Natural England recommends that site specific nutrient budgets are agreed at the earliest opportunity.

Provided that the applicant is complying with the requirements of the position statement in full and the development achieves nutrient neutrality through an agreed site specific nutrient budget or through the mitigation package outlined by the Grampian condition, Natural England is satisfied that the applicant has mitigated against the potential adverse effects of the development on the integrity of the European sites, and has no objection to this aspect of the application.

Habitat Regulations Assessment

As competent authority, it is the Local Planning Authority's responsibility to produce a Habitats Regulations Assessment and be accountable for its conclusions.

The shadow appropriate assessment produced by the applicants concludes that the Competent Authority can be certain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England would concur with the assessment's conclusions, providing that all mitigation measures are appropriately secured in any planning permission given.

Protected species

Natural England recommend that its standing advice be interpreted for the Local Planning Authority by the Council's district ecologist, or an equivalent independent party with the necessary expertise.

Biodiversity net gain

Natural England welcomes the inclusion of a biodiversity net gain assessment, and has no further comments provided the Council's ecologist is satisfied with the assessment and the proposed biodiversity enhancements.

Landscape advice

The proposed development is for a site within or close to a nationally designated landscape, namely the New Forest National Park. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal.

The application should be carefully assessed as to whether the proposed development would have a significant impact on or harm to the statutory purposes of the National Park.

8.7 Southern Water

No objection subject to condition; advice given

Southern Water has undertaken a desktop study of the impact that the additional foul sewerage flows from the proposed development will have on the existing public sewer network. This initial study indicates that these additional flows may lead to an increased risk of foul flooding from the sewer network. Any network reinforcement that is deemed necessary to mitigate this will be provided by Southern Water.

Southern Water and the Developer will need to work together in order to review if the delivery of Southern Water's network reinforcement aligns with the proposed occupation of the development, as it will take time to design and deliver any such reinforcement.

It may be possible for some initial dwellings to connect, pending network reinforcement. Southern Water will review and advise on this following consideration of the development programme and the extent of network reinforcement required. Southern Water will carry out detailed network modelling as part of this review which may require existing flows to be monitored. This will enable the extent of any works required to be established.

Southern Water endeavour to provide reinforcement within 24 months of planning consent being granted (Full or Outline), although for large developments an extension of the 24-month period may sometimes be needed.

Southern Water hence requests a condition requiring occupation of the development to be phased and implemented so as to align with the delivery by Southern Water of any sewerage network reinforcement required to ensure that adequate wastewater network capacity is available to adequately drain the development.

There will be a need to clarify management details relating to the SuDS scheme that is to be implemented.

Should this application receive planning approval, a further condition is requested requiring that construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority.

Southern Water's investigations indicate that they can facilitate water supply to service the proposed development. Southern Water requires a formal application for a connection to the water supply to be made by the applicant or developer.

8.8 **Southern Gas Networks**

No Objection subject to conditions

The site is crossed by 2 pipelines that are operated by Southern Gas in its capacity of transporter of gas. The pipelines in question transport gas at high and intermediate pressures and, as such, they are particularly sensitive and form a critical part of the gas network.

Southern Gas has engaged with the applicant to address its initial concerns and to discuss how the Development might proceed without adversely affecting the said pipelines. Southern Gas has agreed that the Development can proceed provided that the applicant complies with relevant conditions relating to working practices, construction details and ground level changes, and provided that occupiable buildings / most trees types are not located within a set distance of the pipelines in question.

8.9 **SSE Electric**

No objection raised but advice given on the location of high and low voltage mains cables on or near the site, and the implications these have for development.

8.10 **New Forest National Park Authority**

No objection but concerns are raised

The National Park Authority recognises that this is part of an allocated site within the adopted District Council Local Plan (July 2020). As such, the general principle of development is established within the statutory development plan. The Authority also acknowledges that the concept site masterplans in the Local Plan are illustrative and alternative layouts can be proposed.

The land subject to this outline application makes up part of the larger strategic allocation to the north of Totton in Policy SS1. The Local Plan includes policy safeguards to ensure strategic sites come forward in a co-ordinated manner. The National Park Authority considers that this application does not fully demonstrate how it integrates with the land to the south that is also part of the site allocation. This is important in ensuring a co-ordinated approach is taken to this strategic 1,000 home development and that the necessary services and infrastructure are provided (including land for habitat mitigation). In isolation, the proposals represent a rather piecemeal approach to the strategic allocation that could: (a) jeopardise the delivery of the full range of employment, commercial and other infrastructure envisaged in policy SS1; and (b) result in missed opportunities in terms of large scale greenspace provision and effective habitat mitigation measures.

A 1000-home development would generate a requirement for an area of alternative natural recreational greenspace in excess of 20 hectares. This would be a significant area of new greenspace provision that could contribute to deflecting recreational visits to the internationally protected habitats of the New Forest. We are concerned that this opportunity will be lost if site SS1 is developed in a piecemeal manner, with smaller, incidental areas of greenspace provided that cannot fulfil the same form and function of larger greenspaces.

8.11 **Archaeologist**

No objection subject to conditions

The submitted Archaeology Desk Based Assessment (DBA) and Geophysical Survey reports and the Built Heritage Statement are all fit for purpose. However, due to the site's elevated position and proximity to the River Test, in particular Testwood Lake, it is considered that there is a higher potential to encounter Late Prehistoric material (moderate-high) than is stated in the DBA. There are also a number of undetermined anomalies that have been identified.

It is therefore suggested that the appropriate course of action would be archaeological trenched evaluation to determine the nature, survival, and significance of the most obvious anomalies that the survey highlighted, including evaluation trenching to ensure the 'blank areas' are really devoid of interest. Targeted trenches should also be considered on any areas of significant impact across the rest of the site. This should look to incorporate 5% of the development site area, with trenches no longer than 30m (25m preferred). There is a chance that further investigation and/or monitoring of ground works may be requested subject to the findings.

To this end, conditions are needed to address the following:

- Submission and approval of a programme of archaeological work including a Written Scheme of Investigation before the main development commences
- Securing adherence to the approved Written Scheme of Investigation
- Completion of the site investigation and post investigation assessment in accordance with the programme set out in the Written Scheme of Investigation before first occupation.

8.12 **NFDC Ecologist**

No Objection Subject to conditions:

Designated Sites and HRA

The Information for Habitat Regulations Assessment considers the relevant Natura 2000 sites.

The findings and conclusions are generally accepted and agreed. Natural England's views on this report would be welcomed, notably with respect to the wintering bird surveys and any concerns they may have with the Council adopting it as its own Appropriate Assessment.

Habitats

The Ecological Impact Assessment maps describe the hedgerows present within the application site. An assessment of the value of the hedgerows against the ecology criteria of the Hedgerow Regulations has not been undertaken - i.e. whether they would be classified as 'Important' hedgerows or not. It is suggested that this be provided for the hedgerows shown to be lost or otherwise impacted upon by the proposed development.

The biodiversity net gain statement is clear and easy to follow and a full rationale has been provided for the habitat conditions used within the assessment. It is considered that the requirement for additionality has been satisfactorily addressed. In each instance, a biodiversity net gain greater than 10% for habitats and hedgerows is recorded.

It is noted that 4ha of species-rich wildflower meadow habitat is proposed via reseeded. This is welcomed and forms a large proportion of the habitat provision required to contribute towards achieving biodiversity net gain. Given the previous land use, however, (e.g. cattle grazing) the soils will likely be nutrient enriched, and it is therefore suggested that additional information be sought to establish the suitability of the soils for this habitat creation/enhancement for successful establishment. If nutrient levels are high, one should seek to establish what measures are proposed to reduce nutrients. It is noted that the ANRG Management Plan acknowledges this point. Because this underpins the bulk of the delivery for BNG, it is important to get this right.

As the current application is for outline planning consent, the current information on the distribution of post-development habitats is to a certain extent provisional and indicative. As such, a planning condition is recommended requiring the recalculation of the biodiversity impact at the reserved matters stage. This should capture any changes in the habitats type or the condition of the habitats present, changes to the indicative layout of the development (e.g. increasing net loss), or changes to level of on-site mitigation (e.g. reducing net loss).

The ANRG management plan states that ongoing management work will be undertaken in perpetuity to maintain its amenity and biodiversity value. The management plan also states that the ANRG will be either offered for transfer to the Council or an appropriate conservation organisation, together with a financial contribution sufficient to fund its management in perpetuity. There are questions and costs associated with this that would need to be resolved through the S106.

One aspect that is lacking in the ANRG management plan is monitoring. Given the reliance on the ANRG to provide biodiversity net gain, this should form part of the management plan to ensure delivery of the gains in the long term and identify any remedial works required at the earliest opportunity.

Species: Birds

Wintering bird surveys were undertaken in February and March. This is quite a concentrated period for the surveys being undertaken and one would typically expect them to run from November through to late February. This survey data has been used to inform the Information for Habitat Regulations Assessment report with respect to concluding that the site is not important to the maintenance of SPA and Ramsar qualifying bird populations. There are some concerns about the robustness of this survey data and whether the potential importance / wintering bird concentrations of this site has been underestimated or otherwise missed by virtue of the timing of the surveys.

The EclA includes proposals for the provision of sparrow terraces, commensurate to the needs of at least ten breeding pairs, to be installed on/in new buildings to avoid a net loss of House Sparrow nesting opportunities. There is no provision made for bat roosting opportunities. On an outline scheme of 300 dwellings one would expect more numerous provision of integrated bird nesting and bat roosting opportunities to be incorporated within the building fabric. It is recommended that 1 in 4 of the properties incorporate either a bird box e.g. for swifts, a bat box or other roosting provision, or a bee brick.

Species: Dormouse

The EclA identifies the need for a European protected species mitigation licence with respect to dormouse, a single nest having been identified. It is necessary to consider the three derogation tests of the Habitats Regulations in reaching a decision. The three tests are that:

- The activity to be licensed must be for imperative reasons of overriding public interest or for public health and safety;
- There must be no satisfactory alternative; and
- Favourable conservation status of the species must be maintained.

In its functions, the Local Planning Authority is required to consider the likelihood of a licence being granted (by the licensing authority – Natural England, and 'have regard for the Habitats Directive'). It is considered that the third test is capable of being met and would not be a reason for a licence not to be issued i.e. maintenance of the population of the species concerned at a favourable conservation status. On consideration of the first two tests, this is a matter for the Case Officer, as these matters relate to wider planning considerations.

Species: Bats

The bat transect route does not cover the entirety of the site. This is noted and explained in the limitations section due to health and safety concerns. This and the measures taken to mitigate this are accepted. It is considered that an adequate appraisal of bat activity on-site has been undertaken.

Layout & General

The proposed layout is broadly supported: the habitats of greatest value have been retained and incorporated into the masterplan, and ecological connectivity is maintained.

Conditions

If the Local Planning Authority is minded to grant the application, it is recommended that there be suitably worded planning conditions to secure the following:

- Biodiversity Net Gain - Recalculation of the biodiversity impact at reserved matters stage to capture any changes in the habitats type or condition of the habitats present, changes to the layout of the development or level of on-site mitigation;
- Landscape and Ecology Management Plan (LEMP);
- Sensitive lighting strategy in line with BCT/ILP Guidance;
- Bird, bat or invertebrate enhancement on 1 in 4 properties;
- Mitigation measures as set out in the EclA.

8.13 Environmental Health (Contaminated Land)

No objection in principle to the proposed development as submitted. However, it is considered that the planning permission should only be granted to the proposed development as submitted if a standard planning condition is imposed. This is to ensure that any potential contamination that could pose risks to human health and/or the environment found during the proposed development on this site will be dealt with in accordance with DEFRA / Environment Agency's technical guidance.

8.14 Environmental Health (Air Quality)

No objection on air quality grounds subject to conditions.

The applicant has submitted a detailed air quality assessment to predict air quality emissions from the development site on the local area and the potential impact of current pollutant concentrations on the end users of the site.

The air quality assessment uses current guidance documents and recommended methodologies, including the emission factors for vehicles and identification of relevant receptors. Overall, the air quality assessment is conservative and represents a worst-case scenario. The air quality assessment concludes that:

- Dust impact from the construction site would be 'not significant' if appropriate dust mitigation measures are implemented throughout the construction of the development.
- The impact from vehicle emission on the local air quality is negligible.
- The impact from current pollutant concentrations on the site end users is negligible.

These conclusions are agreed based on the submitted report and proposed vehicle numbers used within the assessment.

It is recommended that planning conditions secure a site specific Dust Management Plan (DMP) as part of a broader Construction Environmental Management Plan (CEMP), noting that the CEMP (and DMP) would require regular review and update, particularly taking into account new residents moving onto the site whilst construction continues.

It is also recommended that there is a planning condition to support low emission vehicles as part of the development, with the submission of an electric charge scheme as part of their application.

8.15 **Environmental Health (Noise)**

No objection on noise grounds subject to conditions

The applicant has submitted an environmental noise assessment to measure the existing noise climate of the proposed development site from three locations and the potential impact the existing noise climate may have on the end users of the site. The report focuses on road traffic noise and internal noise levels of the proposed dwellings of the development.

The noise assessment has referred to current guidance documents and recommended measures to be incorporated into the scheme to mitigate any potential adverse noise impacts on the proposed dwellings.

Conditions are needed to secure the following points:

- internal and external noise levels for the residential accommodation should not exceed the minimum standards
- a noise management plan (NMP) should be agreed
- construction hours should be restricted
- A Construction Environmental Management Plan (CEMP) should be agreed

8.16 **NFDC Drainage**

No comment - Due to the size and nature of this proposed site, surface water drainage advice should be sought from the Flood & Water Management Team at HCC.

8.17 **Service Manager (Housing Strategy and Development)**

No Objection subject to conditions / S106 obligations

Whilst it was very pleasing to see the overall commitment to meeting the Council's affordable housing Policy requirements, it was disappointing to note the absence of detail surrounding the proposed mix of affordable housing accommodation, especially given previous discussions held with the Applicant. Such detail is necessary at Outline stage to provide a framework for structured and controlled negotiations as phases come forward.

Although previous discussions in April 2020 reflected a specific sub-phase, it is considered that the same proportions would be suitable for the overarching development and for incorporation into a S106 agreement, and the suggested proportions fit within the Local Plan Figure 6.1. (Scope can be incorporated to permit changes in the future, but only if agreed in writing with the Council and if agreed as part of a reserved matters application).

8.18 **NFDC Environmental Design (Urban Design & Landscape)**

Summary

Objects to the application: the proposal has not been shown to be functional, appropriate or attractive.

Two fundamental objections to the application were initially raised: that of a density unproved by any demonstration of an innovative design to justify increased density; and that of a green infrastructure which, although satisfactory in many ways, remains undesigned as a setting for the development and to accommodate the use and pressures that it will be subject to.

For the first objection, more work was needed to either reduce the proposed number of dwellings in line with the design philosophy that was submitted, or a fundamentally different design philosophy needed to be proposed and the uplift in dwelling numbers justified by adequate design explanation.

The second objection simply needed additional work to provide a proper landscape framework (advised in the Mitigation SPD appendix 4), designed to accommodate the recreational uses and inform or complement the built areas to create an attractive and useable setting.

Various pieces of additional information were subsequently supplied to seek to justify the dwelling numbers proposed. From these, it is considered that the applicant could possibly make a case for a rise in dwelling numbers up to around 230 dwellings if they were prepared to undertake to demonstrate that the design quality would justify such enhancements. Such a demonstration by the applicant is done in part, and the information regarding the northern edge of the development is welcomed. However, the revision to the proposal, reducing the application number to 280 dwellings, remains unjustified in terms of design and there is no evidence to suggest why this site should accommodate densities, which when read against the design intentions of the Design & Access Statement and masterplan, would constitute a form of greatly condensed suburbia which is inappropriate in this location.

It is fully appreciated that delivering as many homes as possible is of great importance, but this place once built, will remain in its essential essence (street layout, block sizes, plot sizes), with movement only towards further urban creep (or hardening of surfaces) as time goes on.

Quality of design and the space afforded to allow well-designed streets and places both remain vital. The National Planning Policy Framework asks Local Planning Authorities to ensure that design quality is considered throughout the evolution and assessment of proposals and, although there are many occasions throughout government planning guidance where higher densities are sought, these are always tempered with a need to show good design quality.

If the densities proposed are to be successful then the design characteristics that are illustrated and described will need to improve markedly going forward, and the assumptions that simply condensing the use of standard housing types and forms (squeezing streets, parking and garden settings) would be acceptable, will not do. To achieve the numbers proposed, such assumptions would have to be dropped in favour of far more bespoke layouts with innovative courtyards, reduced space taken up for cars and a far greater proportion of connected buildings included (terraces, flatted groups etc).

With respect to concerns that the landscape proposals were not designed as a coordinated framework, the Council has since adopted an SPD on mitigation space which includes guidance on submissions. No further work has been carried out in this respect and therefore, the initial concerns remain.

Overall, whilst it is always possible to build denser and build higher to get greater numbers, the Council has set out what it expects to achieve on this site given the context, character and the rural edge location – well away from town or village centre facilities. The allocation of such sites was based upon the idea that context would influence the site's intensity of built form. It is recognised that there is a lot of support for denser schemes but not for condensed suburbia that does not create good places.

Illustrative Masterplan

With innovative design and shallower building depths, the suggested blocks might be possible and in such a layout would surely create a pleasant place to live and visit. However, there is nothing to demonstrate that the perimeter blocks work as illustrated or that they can take the number of dwellings applied for. There are particular concerns about rear garden sizes and the ability to provide taller growth within rear gardens or street trees to the front.

Landscape & ANRG Framework

This accords with previous advice in broad terms, and (accepting some compromise) provides two main spaces that meet the dimensional criteria for ANRG and which are satisfactorily joined through POS provision, thereby creating a valuable network of green infrastructure that really embraces the spirit of the ANRG and Masterplanning guidance that has been offered. Subject to a more considered design for the spaces and a positive management commitment, this is likely to represent a good offer for all the required forms of public greenspace and the setting of the development.

It is important that the design of this framework is developed alongside the design of the developable areas. The submitted plan shows an approximation of different landscape treatments, but these cannot yet be approved as the design has not yet taken place.

It is noted that the proposed road would sever part of the ANRG along the north-west margin unless crossing is easy and the road does not dominate. The Design & Access Statement illustrates how this can be achieved, subject to detailed design.

Along Salisbury Road, the green margin will create a good setting for development resulting in a more developed but still relatively green character for Salisbury Road.

There are a number of detailed points / areas (affecting tree planting, boundaries connections and footpaths) where further work is needed.

Design and Access Statement: Open Space, Play and ANRG

This supports the framework drawing, which accords with the advice offered in the council's guidance documents. Some broad amendments are needed but, in essence, this proposal can provide a valuable contribution to the amenity, setting and green infrastructure for the development.

The landscape design needs to be far more considered going forward - simply trying to rewild the whole of the green infrastructure will not work unless it is designed to accommodate the lives and lifestyles of a 21st Century development. Going forward, there needs to be a clear and legible layout that determines the locations of tree groups, hedgerows, shrub groups and differing meadow treatments.

The specific document entitled 'Play Strategy' is interesting and suggests natural play in a very positive way. However, as a council we have been trying to ensure that natural play is achieved whilst also ensuring that adequate fixed equipment is included in a way that is sympathetic to the landscape. In that, it may be necessary to seek a greater commitment to actual equipment to augment the imaginative designs that are suggested.

Design and Access Statement: Building Heights and Density

It is noted that the applicant's Design and Access Statement speaks of 2½ and 3 storey buildings in 'key locations'. This might seem fine, but there is concern that later in the document it explains how 'key locations' might well mean whole groups of buildings.

It is noted that there is description of varying densities to provide balanced communities and legibility. This section of the Design and Access Statement, in combination with the key study areas that illustrate intended character, is critical in demonstrating how an increase in dwelling numbers can be accommodated – however, it fails in that mission.

A number of illustrations highlight some of the concerns relating to the numbers of dwellings that are proposed - i.e. a condensed suburban 'anywhere' housing as opposed to rural edge garden settings, transitioning to enriched and intimate communities.

There is not enough consideration of the spaces, the gaps, the proposed landscape, building forms and especially the variation of urban grain through the scheme where actual and visibly lower density can be seen to transition through to more intimate streets, creating a sense of real character.

Habitat creation and management plan

The management intentions for the whole landscape framework need to be understood. It is important that the land management proposal addresses not just ecological aspects but the whole of the green infrastructure. A schedule will need a layout plan that shows the different landscape types. The framework as presented so far does not do this adequately enough for a management plan to be developed and, as a result, the management plan is starting to attempt to set design criteria – often inappropriately.

This plan may be relatively comprehensive for ANRG in terms of ecological conservation but some of the suggested design solutions are inappropriate or premature. There is a need to consider landscape design more thoroughly. There needs to be a clear sense of design and purpose, together with clear management policies. The aims and objectives of the green infrastructure need to be addressed more comprehensively. It needs to be recognised that ANRGs are recreational spaces: they should adopt the most suitable opportunities for habitat enhancement where it works with recreational use and attractiveness, but they must remain recreational.

8.19 **NFDC Conservation Officer**

Concerns raised

Designated Heritage Assets

Concurs with the findings of the submitted heritage assessment for The Cottage and associated Granary building. Notes that the scheme has pulled away from the western side of Hill Street and left large landscape gaps along this edge. From a site visit and assessment, it is considered that this negates any direct impact on the setting of these two listed buildings. There is the question of wider landscape context and how this contributes to these assets, but if there is any harm here it could only be said to be at the lower end of less than substantial. As such, design mitigation in line with the National Design Guide could be employed to balance any smaller elements of harm.

Non-Designated Heritage Assets

The heritage addendum submitted that considers non-designated heritage assets has been reviewed. There is concern that it may not have picked up on all non-designated heritage assets within the local area. There is therefore a question as to whether a broader assessment should have been undertaken.

Impacts on wider setting and local context

It is fully understood that the scheme is in outline. However, factors which contribute to heritage assets can easily be impacted upon if the scheme itself lacks any response to local distinctiveness. Being able to see something in a key view may not

be a negative, so long as the design response is a positive one. Based on the illustrative layout and design concept, there is a concern that this would be a standard, suburban layout which would have a detrimental impact upon the setting and landscape relationships of adjacent heritage assets and local context.

8.20 **NFDC Tree Officer**

No objection to this proposal on tree grounds, subject to conditions.

The site includes a small copse that is protected by a woodland Tree Preservation Order. The majority of other trees on the site are within the field boundary hedgerows. There are a number of Tree Preservation Orders covering these trees.

The proposed main access to the site will result in the removal of a group of trees that are fronting Salisbury Road. These trees do provide public amenity and it is unfortunate that they will be lost. However, there are plenty of opportunities within the site to mitigate this loss through replacement planting, and in the longer term the removal of these trees will not have a significant impact.

The applicant is retaining the majority of trees, and the linear tree groups form the overall layout of the ANRGs. The categorisation of the trees within the submitted Barrell Tree Consultancy Arboricultural Assessment and Method Statement Ref 18071-AA-PB dated 14/08/20 is agreed. It is also agreed that the retained trees can be sufficiently protected throughout the construction of the development.

There are a number of design elements in this scheme that will increase the human activity/impact on trees that have historically been growing within agricultural hedgerows. As part of reserved matters, careful consideration will need to be given to minimise the impact humans will have on these trees. There are a number of veteran oak trees in the northern part of the site that would be particularly vulnerable to root area compaction from pedestrians.

As part of reserved matters, the applicant will need to submit further details/an Arboricultural method statement regarding the construction of any built structures within the root protection areas of trees, including roads, paths and the raised walkway shown through the woodland copse.

Tree planting within the scheme can also be considered as a reserved matter, although if structural tree planting is to take place within private gardens, there must be enough space for the trees to prevent future conflict with home owners/occupiers.

8.21 **NFDC Open Spaces Development Officer**

No Objection, but a number of detailed comments and observations are made in respect of the play areas, access paths, drainage / SUDs features, landscaping, maintenance access and maintenance of ecological features. Clarification is sought on a number specific points.

8.22 **NFDC Building Control**

Full design details of the provisions for fire brigade access should be provided. A full drainage design strategy should also be provided.

8.23 **NFDC Waste Management**

Building regulations will need to be followed to ensure waste collection vehicle access and bin carry distance standards are achieved. Site designs must incorporate the installation of sufficient Public Waste Bins in appropriate locations and to an agreed standard style.

8.24 **Health and Safety Executive**

Do not advise against the granting of planning permission

9 REPRESENTATIONS RECEIVED

9.1 5 letters of objection or concern from local residents on the following grounds:

Principle of Development

- loss of a Strategic Gap
- lack of an environmental impact assessment
- lack of comprehensive development

Layout and Design

- the density of development is too high and out of character with the area
- in its current piecemeal form, the proposed development would not provide an integrated extension to Totton
- the number of dwellings is too high

Impact on Landscape

- destruction of an area of agricultural land
- the development should be screened from Hill Street, and there should be no access onto this rural road

Ecology

- destruction of wildlife habitat
- the application does not comply with guidance on achieving nutrient neutrality as there are no calculations and no mitigation strategy in place
- a Grampian condition to address nitrate issues is not considered acceptable

Transport

- additional traffic on unsuitable local roads
- concerns about the potential use of Green Lane by construction traffic
- access to the site would be in a dangerous position
- concerns about additional traffic using Pauletts Lane

Community Services, Infrastructure and Facilities

- concerns about the siting of telecommunications and electricity apparatus
- concerns about safe water supply as existing pipes contain asbestos
- the provision of a new primary school would be preferable to extending existing facilities
- increased pressure on local infrastructure and services that are at maximum capacity
- proposals do not have adequate regard for community health and well-being

Air Quality and Noise

- traffic, light and noise pollution
- contamination and construction management conditions needs to be applied and adhered to

Flooding and Drainage

- concerns that the drainage arrangements and attenuation ponds will be inadequate and will add to existing drainage problems along Green Lane, Pauletts Lane and Salisbury Road
- there needs to be a long-term drainage monitoring and maintenance plan
- concerns about sewerage provision
- increased surface water runoff exacerbating flooding issues

9.2 1 letter from neighbour at Carnoustie House who is in broad agreement with the submitted plans, but with the request that public footpaths be kept a respectful distance away from their boundary, that large screening hedges be planted adjacent to their northern boundary to maintain privacy, and that a suggested playground be set further away from their property to avoid noise and antisocial use.

9.3 1 letter of support: there is a need for new housing, including affordable housing, which will particularly benefit young people.

9.4 1 letter from Hampshire Swifts: Fully supports the comments of the Council's ecologist and recommend that Swift bricks be integrated into the development and secured as a condition of planning permission.

10 PLANNING ASSESSMENT

10.1 The Principle of Development

10.1.1 The application site forms a key part of one of the Council's Strategic Development sites that has been allocated for development in the adopted New Forest District Local Plan 2016-2036. Policy Strategic Site 1 applies. This policy states:

"i) Land to the north of Totton, as shown on the Policies Map is allocated for residential-led mixed use development and open space and will comprise the following:

- *At least 1000 homes, dependent on the form, size and mix of housing provided.*
- *A commercial core west of Pauletts Lane including around five hectares of land for business and employment uses.*
- *A community focal point in a prominent location including ground floor premises suitable for community use.*
- *Contributions to educational provision to include two hectares of land to be reserved for a primary school*
- *On-site provision of formal public open space.*

ii) The Masterplanning objectives for the site as illustrated on the Concept Master Plan are to create a well-designed and integrated extension to Totton whilst maintaining the rural character of Hill Street and Pauletts Lane and a countryside edge to the New Forest National Park. Development will be required to:

- a) Create an integrated network of natural green spaces to frame development, using and enhancing important tree belts, hedgerows and woodland blocks (including Bog Plantation, Hatton's Plantation and Kilnyard Copse), and by making a positive feature of water courses, to connect new greenspace to existing footpaths and rights of way to Loperwood, Sharveshill Plantation, Wade Hill Drove, and Testwood Lakes.*
- b) Set development behind the ridgeline on the northern and north-western edges to maintain an open landscape and an appropriate westbound transition from Urban Southampton to the countryside edge of the New Forest National Park.*
- c) Provide traffic calming and crossing points for the A36 (Salisbury Road) and creating a choice of vehicular routes including an alternative route west of Pauletts Lane between the A36 and Loperwood suitable for two-way traffic including buses, and an east-west pedestrian and cycle route across Pauletts Lane.*

iii) Site Specific Considerations to be addressed include:

- a) The need for an agreed comprehensive development framework for the whole allocation to ensure the effective coordination between multiple land interests to deliver an integrated, whole-site approach to the provision of access, community facilities, open space and natural recreational greenspace for habitat mitigation.*
- b) Design and other appropriate measures to mitigate potential noise and air quality impacts from the M27/A31, A36 and the A326.*
- c) To assess the need for, and to provide where necessary, enhancements to the A326 and A36 junctions to provide safe vehicular access for the development.*
- d) The Grade II listed building Broadmoor Cottage, Pauletts Lane should be retained within an appropriate setting so that its significance can be appreciated.*
- e) The preparation of a detailed site-specific Flood Risk Assessment (FRA) will be required which would demonstrate that there will be no inappropriate development within Flood Zone 3b.*

10.1.2 Policy Strategic Site 1 is accompanied by a concept masterplan that illustrates how the allocation might be developed. It identifies, in broad terms, the areas where residential and employment development could be provided, as well as areas where Alternative Natural Recreational Greenspace (ANRG) and Public Open Space could be delivered. The concept masterplan has been drawn up to show how development within the allocated area can fit its landscape context and deliver a net environmental gain. Whilst the concept masterplan is designed to be illustrative rather than prescriptive, it does provide a framework for shaping development of the allocated area.

10.1.3 The application site forms the northernmost part of the allocated area - i.e. the part of the allocation that is furthest away from the existing built-edge of Totton. It is a part of the allocation that is expected to be developed solely for residential development, together with associated ANRG land and public open space. The Concept Masterplan illustrates the policy requirement for there to be a green buffer along the ridgeline that forms the northern edge of the site. It also identifies existing vegetation of landscape value, which includes Hatton's Copse.

10.1.4 Having regard to the requirements of Policy Strategic Site 1 and the accompanying concept masterplan, it is quite clear that the principle of residential development and supporting ANRG land and public open space on the application site is an acceptable one.

10.2 The Relationship of the Development to the Wider Strategic Site

10.2.1 In terms of its geographical area, Strategic Site 1 is much the largest of the Council's allocated strategic development sites. The allocation extends northwards from the existing northern edge of Totton (Loperwood Lane / Loperwood / Cooks Lane) and encompasses a mainly farmed landscape with small woods, copses and field margins, but with some scattered residential properties and small employment enclaves. The allocation extends between the A326 (The Totton Western Bypass) to the west and Salisbury Road (the A36) and Hill Street to the east. The northernmost extremity of the allocation, alongside Hill Street, extends close to the M27, although a more significant buffer of agricultural land is retained between the allocation and the M27 further to the west.

10.2.2 Strategic Site 1 is in multiple ownership (in contrast to many of the other Strategic Site allocations), and the ownership situation is a relatively complex one. This means that development of the allocation as a single entity is not realistic and that the development of the allocation will inevitably come forward in phases. What is important is that each phase of development has regard to the wider strategic site requirements, provides necessary mitigation and infrastructure, and is developed in a way that does not prejudice the need to ensure that the allocation as a whole is well designed and coherent in terms of its built form, transport connections and green infrastructure.

10.2.3 The application area is the second main part of Strategic Site 1 to be the subject of a planning application for development; the first part that was the subject of an application for development was the southernmost part of the allocation at Loperwood. Here, the initial outline planning application for development, comprising 80 dwellings, actually predated the Strategic Site allocation. Reserved Matters approval for the 80 dwellings was subsequently granted in October 2020. This parcel

of land at Loperwood has the advantage of being relatively self-contained, and development here can be provided without prejudicing development elsewhere within the allocation.

10.2.4 The subject application site forms a much larger element of the Strategic Site than the land with the existing planning permission at Loperwood. It is a distinct part of the allocation, being the main area to the north of Salisbury Road, and an area with clearly defined boundaries. In this respect, the land forms a logical development parcel that can reasonably come forward separately from the land to the south side of Salisbury Road. In addition, Green Lane forms a distinct feature within the landscape, separating this larger parcel of land from most (though not all) of the smaller remaining parts of the allocation area to the north of Salisbury Road outside of the application site. As such, provided that green infrastructure is appropriately located within the development site and there is appropriate connectivity built into the design, there is no reason why this larger area should not come forward independently of the smaller areas immediately to the east.

10.2.5 Because the subject application site has come forward in advance of the major part of the allocation to the south of Salisbury Road, it does potentially mean that any development of this site will, initially at least, be somewhat out on a limb and visually disconnected from the rest of Totton. However, the policy for Strategic Site 1 has no phasing requirements. Therefore, provided appropriate transport connections are secured, there are no sound planning reasons why this development should not be permitted to come forward in advance of development to the south, knowing that, over time, the development of this area should come to be seen as a logical and integrated part of the overall townscape of Totton.

10.3 The Quantum and Mix of Residential Development

Quantum of Development

10.3.1 The supporting text to Policy Strategic Site 1 suggests that the part of the allocation to the north of Salisbury Road can accommodate at least 260 homes based on the masterplanning work that was undertaken through the Local Plan process. However, in considering the capacity of the application site, it needs to be noted that this figure of 260 homes relates not just to the application site but to smaller parcels of land adjacent to Hill Street. It also needs to be noted that the figure of at least 260 dwellings was based on an initial proposed allocation of at least 900 dwellings across the whole allocated site, and not the at least 1000 dwellings that was eventually proposed within the adopted policy.

10.3.2 When one factors in the amount of development that is likely to be appropriate on the Hill Street parcels, and also the overall policy allocation of up to 1000 dwellings, it is considered that the provision of at least 220 dwellings on the application site would be consistent with Policy Strategic Site 1, based on the Council's own masterplanning work.

10.3.3 In proposing up to 280 dwellings, the application is evidently seeking to develop the application site with a materially greater number of dwellings than the minimum policy expectation. However, an uplift in dwelling numbers is not unacceptable in principle; because as the supporting text to the Local Plan notes (at Paragraph 9.33) "*Where added capacity can be delivered in a manner that is well-*

designed and contextually appropriate, provides an acceptable housing mix, fully mitigates its habitat impacts and achieves a net environmental gain, additional capacity will be supported."

10.3.4 As such, to be able to come to a view on whether 280 dwellings is an appropriate quantum of development, it is necessary to consider whether this level of development could be provided in a manner that is contextually appropriate and well-designed, as well as being deliverable with the necessary infrastructure and mitigation land, noting that the provision of a greater number of dwellings leads to a greater green infrastructure requirement to mitigate the increased numbers of dwellings. Only once all of these points have been considered can a conclusion be reached on dwelling numbers and the site's capacity.

Mix of Development

10.3.5 The policies of the Local Plan seek to ensure that new residential development provides a mix and choice of homes by type, size, tenure and cost. Current evidence suggests that there is a need for a greater proportion of new stock to be smaller-to-medium-sized homes (particularly so in the affordable housing tenures). A table within the Local Plan (Figure 6.1) sets out the need for different house types within the District.

10.3.6 The applicant's supporting statement suggests that the proposed development would provide a full range of housing, from 1 and 2 bedroom apartments up to 3 and 4 bedroom family houses, with it being noted that the precise unit size mix will be determined at reserved matters stage. Whilst inevitably the precise unit mix can only be agreed at reserved matters stage, it is considered important that the mix of development reasonably reflects the identified housing need across the district, but taking into account the context of the site on the outer edge of the allocation, where a slightly greater proportion of family homes might be more contextual than in some other parts of the allocation. Accordingly, a condition is considered necessary to ensure that the mix that comes forward at reserved matters is appropriate, having regard to these points.

10.4 The Location, Layout and Landscape Impact of the Development

The Location of Built-form and Green Infrastructure

10.4.1 The submitted parameter plans show that built development would be provided in 2 distinct blocks within the site: a south-western parcel of built-development and a north-eastern parcel of built development. The 2 parcels would be separated from one another by a mature hedgerow field boundary that is one of the most significant landscape features within the development. The 2 parcels would be linked by a single vehicular access. These 2 main parcels of built development would be broadly in line with the Local Plan Concept Masterplan. However, the proposed north-eastern parcel would see built form extending further to the north-east onto an area of land that the Concept Masterplan suggests could be ANRG land. The 'extension' of the developed area in this part of the site would be offset by the fact that the application proposes that an area of land alongside Hill Street be ANRG land rather than an area of dwellings as shown on the Local Plan Concept Masterplan. In essence, the applicants have determined that the provision of green infrastructure alongside Hill Street is a more appropriate design solution than the

provision of housing in this location.

10.4.2 It is considered that there is logic and merit to the proposal to keep the area of land alongside Hill Street as green infrastructure. Hill Street is an attractive rural lane, and by setting built development well away from this lane so its rural character would be better safeguarded. Also, the provision of green infrastructure adjacent to Hill Street would provide a better amenity for existing residents. The 'extended' north-eastern parcel would see an extension of built-form into a relatively open part of the site, but the submitted landscape and ANRG framework plan helps to show how an appropriate landscaped setting could be achieved. As such, with the benefits of leaving the Hill Street land open, it is considered that this would be a justified change from the Concept Masterplan.

10.4.3 There would be a further deviation from the Local Plan Concept Masterplan in the site's south-eastern corner, where the applicant's parameter plans are proposing additional areas of green infrastructure, with a green margin extending westwards along the site's southern boundary with Salisbury Road. The larger area of green infrastructure in the site's south-eastern corner ties in with a drainage strategy that suggests the provision of an attenuation pond in this area. The provision of a strip of green infrastructure alongside Salisbury Road would also have the effect of ensuring that built-form does not intrude unduly within the existing Salisbury Road streetscene.

10.4.4 Overall, it is considered that the deviations from the Council's Concept Masterplan as proposed in the applicant's Parameter Plans are appropriate and justified. The most critical areas of green infrastructure would be secured, and there would be clear benefit in the 'additional' areas of green infrastructure that are proposed.

The Layout of Development

10.4.5 Layout is a matter for details approval at Reserved Matters stage. Nevertheless, this Outline Planning application does set a framework for the proposed layout: through the position of the access points onto Salisbury Road, through the parameter plans, and through some of the other supporting plans and illustrative information, including the Design and Access Statement. The illustrative Masterplan for the development shows how each of the 2 main parcels of built-development is expected to be divided into a number of distinct perimeter blocks, broken up by roads, paths and areas of public open space. Setting aside the issue of numbers, the broad layout that would be expected to result from the submitted parameter plans and other supporting plans and details is one that should work well within this context, noting the further commentary on landscape context below.

The Landscape Impact of the Development

10.4.6 The submitted application is supported by a Landscape and Visual Appraisal which assesses the landscape and visual effects of the development, both in the immediate vicinity of the site and from more distant viewpoints. The appraisal concludes that the landscape value of the site and its immediate context is 'medium'. The appraisal recognises that development will change the character of the site, but concludes that the development would have no more than moderate or minor adverse effects on visual receptors closest to the site in the long term, whilst for

receptors further away, it is concluded that the effects would be negligible. Finally, the appraisal concludes that the site has the capacity to accommodate a well-designed and considered development as, it suggests, is proposed by this application.

10.4.7 The Landscape and Visual Appraisal also concludes that there would be limited intervisibility between the site and the New Forest National Park (set a fair distance away to the west and north-west). The appraisal therefore suggests that the development would not damage or intrude on the special qualities and tranquillity of the New Forest National Park, a conclusion which is accepted.

10.4.8 An assessment of landscape impact is inevitably informed by the fact that the application site is allocated for residential development, with a change to landscape character being an inevitable consequence of the allocation. Against this context, what is important is that there should be a strong landscape framework to the development and that the edges of the site in particular are sensitively handled so that there is not a harsh or unduly urban interface with the areas of open countryside immediately to the north of the application site.

10.4.9 The landscape impact of the development is significantly assisted by the fact that a little over half of the application site (excluding the A36) is proposed to be green infrastructure. This will provide significant opportunities for new tree and hedgerow planting and landscape management that should thereby ensure the development assimilates successfully into its landscape, as well as providing an attractive landscape setting for the built infrastructure.

10.4.10 The submitted landscape and ANRG Framework plan, whilst only illustrative, provides some visual detail to the proposed green infrastructure. Along the site's northern edge, built development would be set back from the most exposed part of the high ground along this boundary, such that there would be a continuous area of green infrastructure along this most exposed part of the development. The depth of green infrastructure would vary, but would as a minimum be 20 metres in depth and in the more open areas in the eastern part of the site be at least 35 metres in depth (and often much more). The creation of this generous depth of green infrastructure along the development's northern edge would help to ensure compliance with the specific policy requirement to set development behind the ridgeline along this edge, and thereby help ensure that built-form does not intrude unduly within the landscape beyond the site.

10.4.11 Of course, landscape impact is affected not just by siting but by scale and intensity of built-form. And because officers have been concerned at how the development might impact on the open rural landscape beyond the site, additional information was requested during the course of this application to better show how the northern edge might be treated. This has resulted in the applicants submitting some more detailed illustrative proposals for the northern edge, where an illustrative layout has been worked up in more detail. This illustrative layout shows how along this edge one might provide a mix of single and 2-storey housing, comprised mainly of detached units with reasonably generous gaps between individual dwellings, such that this part of the development would have a lower density and more spacious feel than other parts of the proposed development. The Council's Urban Design Officer has suggested that the approach suggested to this edge is quite 'pleasant', and that the approach in general terms is appropriate and acceptable. It is, of course,

recognised that what has been submitted is only a part of the picture (as only half blocks have been shown). Furthermore, the importance of providing a relatively soft edge to the northern boundary does have implications for the character and density of development within the site (as will be discussed later in this report). Nevertheless, provided the development broadly accords with the key principles set out in the illustrative northern edge drawings, it is considered that the development would have acceptable interface with the open countryside beyond the site.

10.4.12 Within the site, the illustrative Landscape and ANRG Framework Plan shows how the ANRG land and public open space would provide an attractive and relatively verdant landscape setting for the built-development. As recognised by the Council's Urban Design Officer, there are elements of this Plan that need to be refined, but these largely relate to matters of detail that can be reasonably resolved at Reserved Matters stage.

10.5 The Density and Scale of Development

The Density of Development

10.5.1 Local Plan Policy does not prescribe that development of the application site must be to a particular density. As such, in considering density, what is important is that the proposed density of development (which stems from the number of dwellings proposed) is contextually appropriate and capable of being delivered in a way that is sympathetic to the landscape context. It is important to recognise that density can be a fairly crude measure of a development's impact, and it is the intensity of built form that is ultimately what is important. Nevertheless, for an outline application of this nature, a consideration of density does provide an important indication of a development's character.

10.5.2 Density can be measured in different ways, but excluding the main areas of green infrastructure, a development of up to 280 dwellings would result in a maximum density across the site of around 35 dwellings per hectare. This would fall within the density range that the National Model Design Code suggests one might characteristically see in an 'outer suburban' area. It is a density that represents an efficient use of land within an urban / rural edge context. The density of 35 dwellings per hectare would not be evenly spread across the site. As noted above, a lower density is expected (and indeed necessary) along the site's northern edge, meaning that some of the areas within the site would therefore be of a higher density. This variation in density is considered to be quite appropriate and a way of ensuring that the development is not only contextual but creates a strong sense of place. An overall density of 35 dwellings per hectare, whilst being at the upper end of what might be considered contextual, is not considered to be unduly high. Ultimately, the spatial characteristics of a development will be much more a product of the detailed design than the density of development per se. And clearly, this is something that would need to be carefully considered at reserved matters stage.

The Scale of Development

10.5.3 Scale is a matter for reserved matters approval. Nevertheless, it is important to have some understanding of what type of scale will come forward on this site. The applicant's Design and Access Statement suggests that the majority of the development will be 2-storey, but with some 2.5 and 3 storey development in key

locations. And as noted above, there would be some single-storey units fronting onto the site's northern edge. It is felt this suggested scale would be appropriate to the site's context, with some variety helping to create legibility and a stronger sense of place.

10.6 Arboricultural Impacts

10.6.1 The application is accompanied by a detailed arboricultural assessment and method statement which assesses the impact of the development on all of the existing trees on the site.

10.6.2 Most of the trees within the application site form part of field hedgerows, but with Hatton's Plantation forming a more extensive area of woodland. Most of the better quality trees across the site are protected by Tree Preservation Orders, whilst Hatton's Plantation is the subject of a Woodland Preservation Order.

10.6.3 The majority of trees and hedgerows across the site are proposed to be retained, but some are proposed to be removed, including 4 trees that are the subject of a Tree Preservation Order (TPO). These 4 TPO'd trees (all oaks) are situated where the main site entrance is proposed to be created. There are a number of other (non TPO'd trees) in the vicinity of the main site entrance that would need to be removed. The loss of these trees is unfortunate because they do have amenity value. However, the need to create a satisfactory access into the development does inevitably require some tree loss, and given there are significant opportunities for new tree planting within the development, it is considered that the loss of this tree group is justified, a view that is shared by the Council's tree officer.

10.6.4 A section of roadside hedgerow to the east of the main access road, extending to about 170 metres, would need to be removed to achieve necessary visibility splays and the realignment of Salisbury Road, and to provide the proposed secondary access. The landscape and ANRG Framework plan indicates that a new hedgerow would be created to the rear of the removed hedgerow, thereby mitigating the loss of this feature. 2 other main sections of field hedgerow would be lost within the development. From an arboricultural perspective, these hedgerows (which have few mature trees) are not of significant amenity value, and their removal is considered justified to facilitate the development, recognising the opportunities there will be to enhance the levels of tree planting elsewhere within the site.

10.6.5 The Council's tree officer is satisfied that the retained trees would be sufficiently protected during the construction of the development on the basis of the applicant's arboricultural report. The Council's tree officer has noted that there are a number of veteran trees within the northern part of the site that could potentially be vulnerable to root area compaction from pedestrians. However, this is a matter that relates to detailed design and one that would therefore need to be considered at reserved matters stage. Likewise, the impact of all built structures and green infrastructure on retained trees will need to be considered further at reserved matters stage and through planning conditions. For now, the applicant has provided sufficient information to be able to reach a conclusion that the development can be provided without giving rise to unacceptably harmful impacts on trees that are important to the visual amenities of the area.

10.7 ANRG Provision

10.7.1 In accordance with the Habitat Regulations, the Council's Local Plan policies require that the recreational impact of new residential development on European designated nature conservation sites within the New Forest be mitigated. For larger Strategic Sites, the most significant element of such mitigation is expected to be the provision of Alternative Natural Recreation Greenspace (ANRG).

10.7.2 Policy ENV1 of the Local Plan specifically requires that at least 8 hectares of natural recreational greenspace per 1000 population be provided on Strategic Development sites in order to mitigate the recreational impacts of development on designated New Forest European sites.

10.7.3 Because of the outline nature of the application, and because the precise dwelling mix is not yet agreed, it is not possible to specify precisely what quantum of ANRG land needs to be provided. However, using the Council's ANRG calculator (which assumes a mix that is in accordance Figure 6.1 of the Local Plan), the proposal for up to 280 dwellings would generate an ANRG requirement of around 5.89 hectares, which is based on an estimated population of 736 people.

10.7.4 The ANRG land that is defined by the applicant's parameter plan measures 6.69 hectares, which is comfortably in excess of the quantum that would be needed if a policy compliant housing mix were to be provided. It is important that there is some flexibility built into the ANRG provision in case the mix were to ultimately include a slightly greater proportion of family homes. Also, there will be small parts of the 6.69 hectares of ANRG land that may need to be discounted: namely the vehicular access road that will cross the ANRG land, and a SUDS attenuation pond where pedestrian access would inevitably not be achievable. However, even accounting for these points, the quantum of land shown as ANRG land provides sufficient confidence to be able to conclude that the development will deliver a policy compliant quantity of recreational mitigation land.

10.7.5 The landscape and ANRG framework plan helps to demonstrate how the proposed development would accord with the Council's adopted Supplementary Planning Document 'Mitigation for Recreation Impacts on New Forest European sites'. In particular, it shows a couple 'main spaces' of 120 metres diameter - one around Hatton's Copse and the other in the north-east area of the site. There would then be a series of 'secondary spaces' of 60 metres in depth, all connected by linking sections. The framework plan shows how pedestrian and cycle paths can be provided across the ANRG land, and how there are opportunities for habitat creation and enhancement. The submitted Design and Access Statement meanwhile shows how the road design across the ANRG land is proposed to be designed so as not to have the effect of severing the ANRG or compromising pedestrian access. The Council's Urban Design Officer considers that the proposed ANRG land (and public open space) would provide a valuable network of green infrastructure that embraces the spirit of the adopted SPD; and that the proposals are a good offer for all the required forms of public greenspace and the setting of the development subject to a more considered design for the spaces and a positive management commitment. As such, and whilst noting that matter of detail will need to be approved through reserved matters, it is considered that the quality of ANRG land being promoted would be acceptable.

10.7.6 Overall, therefore, subject to securing the ANRG land and its future management through a Section 106 legal agreement, it is considered that the ANRG land would be effective in mitigating the recreational impacts of the development on European sites.

10.8 Public Open Space Provision

10.8.1 The Council's policies require that new residential development makes provision towards public open space, with the expectation for larger developments being that this public open space should be on site. Public Open Space provision is additional to the requirement for ANRG provision and should be provided at a rate of 3.5 hectares of public open space per 1000 population, including all of the following elements:

- 2 hectares of Informal Public Open Space per 1000 population
- 0.2 hectares of Children's play space per 1000 population
- 1.25 hectares of formal public open space per 1000 population

Informal Public Open Space

10.8.2 As with the ANRG provision, the exact amount of informal public open space that needs to be provided will be dependent on the final mix of dwellings. However, based on the Council's calculator that assumes a mix of dwellings that reflects Figure 6.1 of the Local Plan, a minimum of 1.47 hectares of informal public open space should be provided on the application site.

10.8.3 The actual area of proposed public open space as defined by the applicant's parameter plans is 2.51 hectares. This area also includes some land that is needed to meet the requirement for children's play (see below), and an attenuation pond. However, even factoring this in and allowing for potential adjustments to the housing mix, the actual amount of informal public open space being proposed would comfortably exceed the minimum policy requirement.

10.8.4 The areas of proposed informal open space include a large area at the western end of the development, linking areas along the north-western edge, an area to the north of Hatton's plantation where the second attenuation pond would be provided, and areas along the site's southern boundary with Salisbury Road. The informal Public Open Space would include some smaller, narrower areas than ANRG land, but on the ground, it would not be perceived as especially distinct from the ANRG land. Indeed, the ANRG land and the public open space should link together as one extensive area of green infrastructure.

10.8.5 The proposed informal open space, in conjunction with the ANRG land, forms an extensive network of green infrastructure that would be well distributed across the site and offer an attractive amenity for the future residents of the proposed development. The areas of informal public open space and their future management would need to be secured through a Section 106 legal agreement, and their detailed layout and landscape design would need to be secured at Reserved Matter stage. In terms of this outline planning permission, however, what is proposed would be consistent with policy. (Management and biodiversity considerations are considered further in other sections of this report.)

Children's Play Space

10.8.6 Assuming a mix of dwellings that reflects policy expectations, the development would be expected to deliver a minimum of 0.18 hectares of Children's Playspace.

10.8.7 The application is accompanied by a Play Strategy that proposes a number of designed natural play areas that would be integrated into the ANRG land and Public Open Space. These would comprise a Core play area within a central part of the site and 3 smaller secondary play areas within slightly more peripheral areas of the site. Together, these should meet the policy requirement for 0.18 hectares of children's playspace.

10.8.8 The Core play area would actually be located within what the parameter plans define as ANRG land, as would a couple of the smaller areas, whilst the other area would be within an area that is defined as Public Open Space. Whilst the Council's SPD on recreational mitigation is supportive of playspaces being provided within ANRG land provided they are designed so as not to impinge unduly on the amenity value of the surrounding space, they cannot count as ANRG land. As such, (and as noted already) the 6.69 hectares of ANRG land shown on the parameter plan would in reality be slightly less than this figure, but not to a degree where the required level of ANRG provision would be compromised.

10.8.9 The Council's Urban Design Officer has advised that the applicant's Play Strategy document is interesting and promotes natural play in a very positive way. However, he notes that the Council has been trying to ensure that there is also adequate fixed equipment provided within larger developments, but incorporated in such a way as to be sympathetic to the landscape. As such, there is potentially considered a need to augment the imaginative designs put forward by the applicant to ensure the proposed play areas adequately meet the needs of the proposed development. For now, though, it is considered the broad principles for providing children's play space are appropriate, noting that the key play areas and the detailed designs will need to be secured through a Section 106 agreement and approved through Reserved Matters.

Formal Public Open Space

10.8.10 Were formal public open space to be provided on site, the minimum requirement would be 0.92 hectares. However, there is no suggestion that the public open space being promoted on-site through the development would meet a particular need for formal public open space. Indeed, given the fact that the site forms part of a Strategic allocation, it is much more logical for the development to contribute to formal public open space elsewhere, so that formal public open space provision can be delivered in a coherent manner. As such, it is considered appropriate that the development secures an appropriate contribution to formal public open space off the site, something that would need to be secured through a Section 106 legal agreement.

10.9 The connectivity of the Green Infrastructure to the wider Strategic Site allocation

10.9.1 In the interest of good design, it is essential that development of this part of the Strategic Site does not cause there to be a disjointed or disconnected development on the immediately adjacent parts of the allocation. Accordingly, it is considered imperative that there are suitable connections provided between the application site and adjacent land, particularly so that there is good access to the proposed ANRG land and public open space from adjacent land; and to ensure that the ANRG land and public open space that will need to be provided on adjacent land can link in with the application proposals to create a more cohesive whole.

10.9.2 The submitted Landscape & ANRG framework plan shows a single potential linkage to Green Lane in the site's south-eastern corner, but if a well-connected and cohesive allocated site is to be delivered, then there should be an additional connection further to the north along Green Lane, as well as to the west of Carnoustie House (as is actually suggested on the illustrative masterplan). These are details that should be secured by condition.

10.10 Other Mitigation Requirements (International Nature Conservation Sites)

10.10.1 Policy requires that all development involving additional dwellings makes a contribution towards New Forest Access Management and Visitor Management Costs (the New Forest People and Wildlife Ranger service). This contribution cannot be calculated exactly due the outline nature of the application; a precise contribution will be calculated through the submission of reserved matters. What is important for now is that the required mitigation contribution is secured through a Section 106 legal agreement.

10.10.2 Policy also requires that all additional dwellings make a contribution towards monitoring the recreational impacts of development on the New Forest European sites. This contribution is currently sought at a rate of £63 per dwelling, generating a maximum contribution of £17,640. This contribution will need to be secured within a Section 106 legal agreement.

10.10.3 A further contribution required in connection with Policy ENV1 of the Local Plan is one towards monitoring and, if necessary, managing or mitigating air quality effects within the New Forest European sites. This contribution is currently sought at a rate of £85 per dwelling, generating a maximum contribution of £23,800. Again, this contribution will need to be secured within a Section 106 legal agreement.

10.10.4 Finally, for those developments within 5.6km of the Solent and Southampton Water European sites (which the application site is), policy requires mitigation contributions be paid towards the Solent Recreation Mitigation Partnership (SRMP) Mitigation Strategy (Bird Aware). The precise contribution is dependent on bedroom numbers / the precise dwelling mix, and so will need to be determined at reserved matters stage. Again, what is important for now is that the required mitigation contribution is secured through a Section 106 legal agreement.

10.11 Drainage and Flood Risk

10.11.1 The application site falls entirely within Flood Zone 1, which is the lowest flood risk classification. The site is therefore not at risk of fluvial or coastal flooding.

10.11.2 The Council's own Strategic Flood Risk Assessment (SFRA) suggests that a small slither of land (a broken linear strip) in the vicinity of Hatton's Plantation, extending westwards along one of the hedgerow boundaries is subject to a surface water flood risk, as is part of the Highway within the application site.

10.11.3 The application is accompanied by a detailed Flood Risk Assessment and Drainage Strategy, which concludes that the development is at a low risk of flooding from all main sources. The FRA does recognise, however, that there are small parts of the site where pluvial flooding has been recorded (corresponding with the surface water flooding in the Council's own SFRA). The applicant's FRA suggests that this risk would be satisfactorily attenuated by the on-site drainage and flood attenuation features that are to be provided as part of the development.

10.11.4 The applicant's Drainage Strategy suggests that what has been designed would exceed the requirements of the NPPF by providing a comprehensive drainage system which embraces the SUDS philosophy and its key principles. The Strategy aims to manage and reduce the flood risk posed by the surface water runoff from the site. This would be achieved through the provision of a network of trapped gullies, pipes, and Sustainable Drainage Features which would collect the surface water runoff from impermeable areas such as roads, roofs and driveways. This traditional system would work in combination with features such as permeable paving, roadside swales and basins to provide attenuation storage.

10.11.5 The proposed layout of the development, with 2 main parcels of built development being separated by a central ANRG feature, has informed the drainage strategy, such that each of the 2 main parcels would benefit from its own principal attenuation basin: one would be provided in the south-eastern corner of the site within an area of proposed ANRG land, and one would be to the north of Hatton's Copse in an area that is proposed mainly as public open space. The location of these proposed basins has also evidently been informed by the site's topography.

10.11.6 Hampshire County Council's Flood and Water Management team have confirmed that the applicant's drainage strategy is acceptable in principle, having regard to the underlying geology. However, more detailed drainage proposals will need to be agreed through planning conditions and at Reserved Matters stage when detailed development proposals come forward. For now, though, having regard to the comments of the Lead Local Flood Authority, the clear conclusion that can be reached is that the flood risk associated with the development would be acceptable and that an appropriate and sustainable drainage system could be delivered.

10.11.7 It does need to be noted that the attenuation basins and associated swales and ditches would be set into the proposed green infrastructure. The Council's Recreation Mitigation SPD is broadly supportive of this, noting that "Recreational Mitigation Land offers an opportunity for integral drainage design that fulfils the policy requirements for managing surface water from new residential developments". The SPD recognises that there is a need for careful attention to detail to ensure that

SUDS can be managed and adopted without detriment to landscape quality. Obviously, these are matters that need to be considered further at the detailed design stage, but at this outline stage, it is important that the costs of the future management of SUDS are factored into the Section 106 legal agreement.

10.12 On site Ecological Impacts

10.12.1 The application is accompanied by an Ecological Impact Assessment that has assessed the ecological features and interest of the site. The site is not subject to any ecological designation, and nor is the site immediately adjacent to land that is subject to a nature conservation designation (the nearest such land being at Testwood Lakes to the east, which is a Site of Interest for Nature Conservation). The assessment identifies that there are some features / habitats of local importance on the site but these are then characterised as being in either unfavourable or declining condition.

10.12.2 The Ecological Impact Assessment explains that 527 metres of hedgerow would be removed to accommodate the proposed development, with a resulting negative ecological effect. The Council's ecologist has noted that the hedgerows have not been classified against the ecology criteria of the Hedgerow Regulations. What can be said, however, is that those field boundaries on the site that are of greater maturity in terms of the trees growing within them (and that are ecologically valuable as a consequence) would be retained.

10.12.3 The Ecological Impact Assessment also considers the different types of fauna present on the site, including amphibians, reptiles, badgers, bats, dormice, breeding birds and overwintering birds. In the main, having regard to the comments of the Council's ecologist, it is considered that the impact of development on these species has been appropriately assessed.

10.12.4 With respect to dormice, there is a known presence of dormice within the M27 corridor to the north of the site, and a single nest was found during survey work in the south-eastern corner of the application site. Because proposed hedgerow removal could potentially impact on individual dormice, the Ecological Impact Assessment indicates that a European Protected Species Licence will be required. This therefore requires the Local Planning Authority to consider the three derogation tests of the Habitat Regulations. The first test is that any licence must be for imperative reasons of overriding public interest: in this case the significant need to deliver additional housing in the district is considered to form an imperative reason of overriding public interest. The second test is that there must be no satisfactory alternative: in this case, the site is allocated for housing and there are not alternative sites reasonably available which would enable the Council's identified housing need to be delivered. The third test is that the favourable conservation status of the species must be maintained: in this respect, the Council's ecologist is satisfied that the favourable conservation status of the species would be maintained. As such, it is considered that the three Derogation Tests are satisfied and that the development's likely limited impact on dormice would be justified.

10.12.5 With respect to overwintering bird surveys, it is noted that the Council's ecologist has expressed concern that the surveys were limited to certain times during the winter and not therefore fully comprehensive. Nevertheless, there is no suggestion from the survey work that has been undertaken that the site is of

importance for overwintering birds, noting as well that Natural England have not raised any concerns in respect of overwintering birds. As such, given that the Council's ecologist has not objected to the application, there is considered no reason to conclude that the proposal would cause harm to overwintering bird populations.

10.12.6 Without mitigation, compensation and enhancement, the Ecological Impact Assessment recognises that the development would have a negative ecological impact. As such, a number of key mitigation and compensation proposals are put forward. These include: the creation of species rich wildflower meadow habitat within parts of the ANRG land / public open space; the planting of approximately 1400 metres of new native species hedgerows with standards; and the provision of new bird nesting opportunities in the form of sparrow terraces. The Council's ecologist considers that the bird nesting and bat roosting opportunities and enhancements for invertebrates should be more comprehensive than suggested in the applicant's own submission. This point is accepted and is capable of being addressed through planning conditions. Overall, with the mitigation and compensation measures that are proposed, it is considered that the ecological interests of the site would be adequately safeguarded and negative impacts would be adequately mitigated. This said, future management will be critical to securing long-term benefits, and this is discussed further below.

10.13 Achieving Net Biodiversity Gain

10.13.1 There is now a policy requirement for new development to deliver biodiversity net gain, with the target being that a minimum 10% uplift in biodiversity must be achieved. The submitted application is supported by a "Statement of Biodiversity Net Gain". This sets out the various proposed measures that will help to deliver Biodiversity Net Gain, which include those mitigation measures as listed in the preceding paragraph and also enhancement measures that include removal of invasive species from Hatton's Plantation and conservation-led management of this woodland area. The applicant's Statement breaks the site down into a number of units, comprising habitat units and hedgerow units. For the habitat units, the Statement concludes that there would be a 32.8% uplift in biodiversity value, whilst for the hedgerow units the uplift would be 17.6%. The combined uplift in biodiversity value would be 30.4%, which comfortably exceeds the 10% Biodiversity Net Gain that is expected.

10.13.2 The Council's ecologist has confirmed that the applicant's Biodiversity Net Gain Statement is clear with a full rationale. However, achieving Net Biodiversity Gain will be dependent on the deliverability of some key proposals, notably the provision of new species rich wildflower meadow habitat. The Council's ecologist has highlighted the need to secure successful establishment of this area, which it seems is achievable with the right methodology and management. As recognised by the Council's ecologist, there will be a need to recalculate Biodiversity Net Gain at Reserved Matters stage when detailed designs are known and when a more detailed assessment can be made. For now, however, it is considered that the applicants have adequately demonstrated that the minimum 10% uplift in biodiversity across the site can be achieved.

10.13.3 It is important to recognise that the greater proportion of the Biodiversity Net Gain that is proposed would be on ANRG Land and Public Open Space - land that has a recreational function, and land where future management responsibilities

will need resolving through the Section 106 Legal Agreement. The ANRG Habitat Creation and Management Plan that accompanies the application indicates that ongoing management work will be undertaken in perpetuity to maintain its biodiversity and amenity (Net Biodiversity Gain needs to be delivered for a minimum 30 year period). Of course, this means that whoever is maintaining and managing the ANRG land / Public Open Space in future (which potentially in this case could be the Council) will need to have the funds to maintain and monitor these areas in a way that ensures that Net Biodiversity Gain is secured for at least 30 years. These are matters that will need to be addressed and resolved through ongoing Section 106 discussions.

10.13.4 In terms of delivering Net Biodiversity Net Gain on areas that have a recreational function, it is to be noted that the Council's Recreational Mitigation SPD recognises that Public Open Space does not have to be heavily formalised, and that where ANRG land can be appropriately managed, it should embrace an enhancement of biodiversity through habitat creation and retention. As such, creating net Biodiversity Gain is considered to be compatible with the recreational use of these areas. This said, and as noted by the Council's Urban Design Officer, the submitted ANRG Management Plan does have a slight ecological bias. However, through Reserved Matters, conditions and the Section 106 legal agreement, it would be possible to secure a revised management plan that adequately addresses all the specific objectives of the land in question.

10.14 Appraisal of Site Capacity

10.14.1 From the above assessment, it is clear that a development of up to 280 dwellings could be provided on this site and deliver an acceptable housing mix, could fully mitigate its impacts on protected habitats, and could achieve a net environmental gain. The acceptability of the number of dwellings proposed therefore comes down primarily to an assessment of whether such numbers would achieve a well-designed and contextually appropriate development.

10.14.2 As noted above, from the Council's own work undertaken through the preparation of the Local Plan, it was deemed that in the order of 220-225 dwellings could be provided in an acceptable manner on this site. The Council's Urban Design Officer is not convinced, however, that the site can acceptably accommodate the number of dwellings that the applicants are proposing based on the plans and supporting information submitted with the application, the concern being that the greater number of dwellings proposed by the applicants would result in 'condensed suburbia' that would not be responsive or sympathetic to the site's rural edge context. As such, an objection to the application has been raised.

10.14.3 The application as originally submitted was for up to 300 dwellings. Given the material uplift in dwelling numbers over and above the minimum policy expectation, Officers initially asked the applicants to provide a justification for the quantum of development, by showing how a couple of perimeter blocks within the development might work with the numbers of dwellings envisaged. There were particular concerns that a development of up to 300 dwellings might result in too harsh an edge to the countryside beyond the site's northern boundary. This then resulted in the submission of a more detailed illustrative layout for the northern edge (as discussed above). Whilst this illustrative work showed a design that would be quite responsive to the site's northern edge, officers were concerned that to achieve

a responsive northern edge with a scheme of up to 300 dwellings would necessitate lifting the densities within the development (and the intensity of built form) to a level that in places would be likely to appear unduly intense and urban. The applicants listened to Officers' concerns and duly agreed to reduce the proposed dwelling numbers to a figure of up to 280.

10.14.4 Even with the reduction in numbers to up to 280 dwellings, the Council's Urban Design Officer remains unconvinced that the development would be functionally appropriate or attractive enough to suit the context and environment, noting that this is not a place where an urban character would be appropriate. The views of the Council's Urban Design Officer are appreciated. Ultimately, however, a balanced view needs to be reached. As required by the NPPF, it is important that development makes optimal use of land, particularly so where there is a shortage of land for meeting identified housing needs. Of course, this does not justify poor or contextually inappropriate design, but as discussed above, a density of around 35 dwellings per hectare in this location is not considered to be unacceptably high. Having regard to the recognised need to achieve a relatively spacious character to the site's northern edge, and accepting that areas within the development could be of a slightly higher density, it is considered, on balance, that an acceptable design could be achieved across the development based on a maximum dwelling number of 280. In reaching this conclusion, full regard has been given to the applicant's parameter plans, illustrative supporting information, and Design and Access Statement, recognising that some of the illustrative information will need to be refined and modified, and that there is likely to be a need for some more innovative designs when more detailed proposals are worked up.

10.14.5 In reaching a conclusion that a development of up to 280 dwellings would be acceptable in principle, it is important to highlight that the development's precise layout, scale, design and landscape detail will all need to be comprehensively considered at reserved matters stage. Also, because the proposal is not for an exact number of dwellings, it is quite conceivable that through Reserved Matters fewer than 280 dwellings ultimately come forward in order to achieve an appropriate design (although the Local Planning Authority could not at Reserved Matters stage resist a scheme of 280 dwellings on a point of principle). Finally, it is worth emphasising that the significant amount of green infrastructure being provided throughout this development will significantly assist the setting of the development and will enable the numbers of dwellings proposed to assimilate more successfully into the landscape than would be the case for a similar density development that did not have that same level of green infrastructure.

10.15 Transportation Impacts: Trip Generation & Associated Impacts on the Local Highway Network

10.15.1 The application is accompanied by a detailed Transport Assessment, which considers in detail the various transport related impacts of the proposed development, having regard to the wider Strategic Site allocation. Based on the original dwelling numbers that were proposed - i.e. up to 300, the applicant's Transport Assessment has estimated that the proposal would generate approximately 1542 two-way vehicular trips onto the local highway network. The Highway Authority have accepted the applicant's Trip Generation data.

10.15.2 The applicant's Transport Assessment goes on to consider the distribution of trips associated with the proposed development and the impact this will have on a

number of key junctions near to the site in 2 future years: 2025 and 2036. For most junctions, the applicant's modelling indicates that the junctions would all continue to remain within capacity. However, for the junction of the southbound A326 with the A36 Salisbury Road (close to the west of the site), increased queuing is forecast to occur on the assumption that the full Strategic Site 1 allocation is built out. This increased queuing would constitute an adverse impact on the local highway network, and it would therefore need mitigating by way of improvements to the capacity of this junction, potentially including the signalisation of the junction. The proposed development would need to make a proportionate contribution to these works (reflecting its overall contribution to the Strategic Site 1 allocation), and in this case, the Highway Authority have sought a contribution of £420,000, which appears reasonably justified. This contribution would need to be secured through a Section 106 legal agreement.

10.15.3 Subject to the scheme contributing towards improvements to this nearby junction to the west of the application site, and having regard to the comments of the Highway Authority, it is considered that the level and distribution of vehicular traffic generated by the proposed development would not in itself or as part of the wider allocation be harmful to the capacity of the local highway network.

10.16 The Proposed Access Arrangements

10.16.1 The application is proposed to be served by 2 vehicular access points onto Salisbury Road, both of which constitute matters for detailed approval through this outline planning permission.

10.16.2 The Primary Access point into the proposed development would be in the form of a new 4-arm roundabout that would be located to the west of Brook House and slightly to the west of the main farm access that serves the existing farm buildings on the application site. The access would be sited roughly at the point where the access into the Brookes Hill Industrial Estate (on the south side of Salisbury Road) is currently situated, such that the southern arm of the new roundabout would provide continued access into the Brookes Hill Industrial Estate. The proposed roundabout would actually extend to the north side of the existing carriageway and would thereby require a section of Salisbury Road to be realigned to the north of its present alignment.

10.16.3 The proposed roundabout has been the subject of detailed consideration by the Highway Authority, the design being slightly modified during the course of the application (by way of a reduction in the size of the roundabout) in order to address some initial design concerns.

10.16.4 The Secondary Access into the development would be situated about 190 metres to the east of the proposed roundabout, and would be in the form of a simple priority junction. Again, its design has been modified during the course of the application in order to address some initial design concerns.

10.16.5 The section of road where the secondary access point is proposed is currently the subject of a 50mph speed limit and this increases to 60mph just east of the point where the Primary Access roundabout is proposed. It should be noted that the applicants are seeking for the speed limit along this section of Salisbury Road to be reduced to 40mph, which is agreeable to the Highway Authority in principle, although there would be a separate formal process (outside the scope of this

application) that would need to be gone through before the speed limit could be so reduced. However, even on the basis of the existing speed limit, and having regard to speed survey data and the design details that have been put forward, the Highway Authority are satisfied that the 2 proposed access points would have acceptable visibility splays, and would enable vehicles (and other users) to enter and leave the site in a safe and acceptable manner. Furthermore, the Highway Authority are satisfied that the proposed access arrangements would not be detrimental to the safety of vehicles entering and leaving the modified access into the Brookes Hill Industrial Estate.

10.16.6 In terms of the wider Strategic Site allocation, the proposed access arrangements would inevitably have a significant bearing on the access arrangements that might come forward on the south side of Salisbury Road. The new roundabout would be a logical location to serve development to the south. What is key for now is that the proposed access arrangements should not prejudice development coming forward on the southern side of Salisbury Road, and there is nothing either in the applicant's submissions or from the Highway Authority's response to suggest that that would be the case.

10.17 Access for Pedestrians and Cyclists

10.17.1 The provision of safe, convenient and suitable access for pedestrians and cyclists is a key element of delivering sustainable development. The facilities and opportunities for pedestrians and cyclists within the site will need to be considered in detail at reserved matters stage. At this outline stage, however, the Landscape and ANRG Framework Plan illustrates a network of proposed footpaths and cycleways across the site, including potential linkages to existing public footpaths adjacent to the site, which, subject to more detailed design, has the potential to create a development that will provide attractive opportunities for pedestrians and cyclists alike.

10.17.2 The proposed access arrangements show the provision of a 3 metre wide footway / cycleway on the north side of the realigned Salisbury Road, between the proposed 2 access points, which would then extend slightly eastwards of the secondary access point to a proposed pedestrian crossing point. The cycleway would then continue on the south side of Salisbury Road up to Pauletts Lane. Whilst some of these works would be on Highway Authority land, all would be within the defined application site.

10.17.3 The crossing of Salisbury Road that is proposed has been the subject of some debate with the Highway Authority. Providing a crossing is a requirement of Local Plan policy and is considered important from both a safety and a sustainability perspective. A crossing will ensure that there will be safe access across this main road for pedestrians and cyclists, and it will assist in ensuring there is then appropriate connectivity for pedestrians and cyclists to existing facilities within the main built-up area of Totton to the south of the site. Whilst a controlled crossing had been suggested by the applicants initially, the Highway Authority expressed concerns that during the early stages of development at least (before the development is fully built out), this may not prove to be safe due to levels of demand to use the crossing being relatively low. As such, the application proposals now reflect the Highway Authority's preferred position, which is that initially an uncontrolled crossing point should be provided (including a central island refuge),

something which would need to be secured before any dwelling is occupied; and then a contribution of £350,000 needs to be secured through the Section 106 legal agreement to enable the crossing point to be subsequently upgraded to a signalised crossing at a point in time that the development is sufficiently occupied (and thus demand for a crossing is at a sufficiently high level) that a signalised crossing can function safely. Having regard to the Highway Authority's comments, it is considered that the specific proposals for a crossing of Salisbury Road would be appropriate and in accordance with policy expectations. To note as well, there is no objection to the precise location of the pedestrian crossing, which is logical from a sustainability and arboricultural perspective, and acceptable from a highway safety perspective.

10.18 Off site Highway Works

10.18.1 The proposed infrastructure that is being provided for pedestrians and cyclists within the application site will only work if it forms part of a package of off-site works that will ensure the development is well connected to existing schools, shops and employment facilities within Totton. To this end, the applicants are committed to delivering a number of off-site works that will ensure there is the required safe connectivity. The most significant of these works would be the upgrading and widening of an existing footway along the south side of the A36 between Pauletts Lane and the Calmore Drive roundabout. It appears that a 2 metre width can be achieved throughout, whilst maintaining a 0.5 margin to the carriageway and not significantly compromising existing trees (although detailed designs would need to be drawn up outside of this application process). Also to ensure that routes to the Calmore Local Centre and Calmore Infant and Junior Schools are safer, the Highway Authority are requiring the applicants to provide 2 new/upgraded uncontrolled crossing points to Cooks Lane and a short extension of the footway in the vicinity of one of these crossing points. All of these off-site works would need to be secured through a Section 278 Agreement with the Highway Authority. Provided these various works are secured in this way, then it is considered that the development's impacts would be appropriately mitigated in respect of pedestrian and cycle infrastructure.

10.18.2 As noted above, the other key off-site works that will be required to ensure the development's impact on the local highway network is mitigated are the capacity improvements to the A326 south / A36 junction. However, here the development will only need to make a proportionate contribution and would not need to deliver the works in full.

10.19 Bus Infrastructure

10.19.1 The applicant's Transport Assessment notes that there are a pair of bus stops within 650 metres of the site on the A36 Salisbury Road. These bus stops serve a school bus service C7 and bus routes X7/X7R, which in combination provide an hourly service to Totton Town Centre, Totton Railway Station, Southampton and Salisbury, every day except Sundays. The Highway Authority are satisfied that the current level of bus services would be adequate to serve the additional demand generated by the proposed development.

10.19.2 The applicants are proposing the provision of a new bus stop and associated shelter on both sides of Salisbury Road to the west of the Pauletts Lane

junction that would be within 400 metres walking distance of the development site. The Highway Authority have no objection to this in principle, and it is accepted that the proposed bus stops would provide appropriate bus infrastructure for the proposed development.

10.20 Car and Cycle Parking

10.20.1 The applicant's Transport Assessment suggests that both car and cycle parking would be provided in accordance with the Council's parking standards, as set out in the Parking Standards Supplementary Planning Document. This would be appropriate. The detailed arrangements, however, will need to be considered at reserved matters stage as part of a detailed layout. It will be important that the parking is well designed.

10.21 Travel Plan

10.21.1 The application was initially accompanied by a draft residential Travel Plan. This has been updated into a full and final residential Travel Plan in response to a number of initial comments from the Highway Authority. The primary objective of the Travel Plan is to reduce the number of Single Occupancy Vehicle trips. It has been confirmed by the Highway Authority that the travel plan is acceptable and of a good quality. The travel plan is an important element of delivering a sustainable development. It is therefore considered necessary to ensure adherence to this travel plan through a planning condition, and to secure necessary monitoring fees and a surety mechanism for its implementation through a Section 106 legal agreement.

10.22 Noise Impacts

10.22.1 The application is accompanied by an environmental noise assessment which measures the existing noise climate of the proposed development site and the potential impact the existing noise climate may have on the end users of the site. The submitted report focuses on road traffic noise and internal noise levels of the proposed dwellings. As noted in Paragraph 8.15 above, the Council's Environmental Health Officer has considered this noise assessment and agrees with its conclusions, namely that the noise impacts associated with the development would be acceptable subject to adherence to a number of detailed mitigation measures, all of which can reasonably be secured through planning conditions.

10.22.2 The specific mitigation conditions that are needed to ensure the noise impacts associated with the development are acceptable include a requirement to adhere to an agreed Noise Management Plan and a Construction Environment Management Plan, a requirement to restrict construction working hours (to normal working hours), and a requirement to ensure the noise levels within dwellings and their gardens do not exceed national minimum standards, having regard to the site's location. Subject to these conditions, it is considered the development can be provided without there being material harm to the amenities of existing and future residents.

10.23 Air Quality Impacts

10.23.1 The application is accompanied by a detailed air quality assessment which predicts air quality emissions from the development site on the local area and the

potential impact of current pollutant concentrations on the end users of the site. As noted in Paragraph 8.14 above, the Council's Environmental Health Officer agrees with the conclusions of the assessment and the methodology that has been used. As such, with respect to construction related activities, it is considered that the dust impact of the development would not be significant provided appropriate dust mitigation measures are implemented throughout the construction of the development, and this is something that can reasonably be secured through a planning condition requiring the submission and approval of a Dust Management Plan (DMP) as part of a wider Construction Environment Management Plan (CEMP).

10.23.2 The Council's Environmental Health Officer also agrees with the conclusions of the applicant's air quality assessment insofar as there should be a negligible impact on air quality as a result of vehicle movements associated with the development. Additionally, based on current pollutant concentrations, there should be a negligible air quality impact on the end users (future residents) of the site. Overall, therefore, it can be reasonably concluded that the development is capable of being provided without harming air quality, or without there being adverse air quality impacts on future residents.

10.24 Contamination

10.24.1 A Phase II-III Geo Environmental Site Assessment and a Winter Groundwater Monitoring letter report, both dated April 2020, were submitted with the application. Soil sampling and analysis, groundwater monitoring, and ground gas monitoring were all carried out. The various submissions conclude that there is no evidence of active pollution pathways, based on the proposed residential with garden use. No exceedances of appropriate screening criteria were encountered; and levels of contaminants are such as not to pose a risk to groundwater. In addition, screening for gas shows that gas protection is not required in the proposed dwellings. The Council's Environmental Health Officer has considered the reports accompanying the application and is satisfied that there are no unacceptable contamination risks, and that development can reasonably proceed subject to adherence to a watching brief that can be secured by means of a planning condition.

10.25 Impacts on Residential Amenity

10.25.1 There are 3 existing residential properties with garden boundaries that abut the application site: Carnoustie House (fronting Hill Street) and Four Winds and Brook House (which are situated alongside Salisbury Road).

10.25.2 The submitted Parameter Plans show that Carnoustie House, which is set within a generous sized garden plot, would be bounded on 2 sides by ANRG land. The nearest proposed dwellings would be situated roughly 30-40 metres away from this property, meaning that Carnoustie House should not be subject to any harmful overlooking or overbearing impact. The proposal would give rise to some additional activity in relatively close proximity to Carnoustie House arising from use of the ANRG land, but such activity should not cause material harm to the amenities of Carnoustie House, noting that an acceptable relationship to Carnoustie House can be secured through detailed landscape designs that would need to be approved through the Reserved Matters.

10.25.3 The residential property Four Winds would be bounded by Public Open Space on its north-west side, meaning that there would be additional activity in relatively close proximity to that property and its garden. However, it is not considered that the level of activity associated with the use of the land as public open space would be unduly harmful, and again it would be possible through detailed landscape designs (forming part of a Reserved Matters submission) to secure an acceptable relationship to that property.

10.25.4 The property Brook House is also bounded by public open space to the rear, but on its eastern side it would be bounded by what the Parameter Plans define as residential land, so it has the potential to be more affected by built form and roads within the development. Nevertheless, the illustrative masterplan suggests that it would still be possible to provide development in a way that would ensure there is an appropriate green buffer / margin to the boundary with Brook House. Through the detailed designs that would need to be approved through Reserved Matters, there is considered to be no reason why an acceptable relationship to Brook House could not be achieved.

10.25.5 A small number of other properties along Green Lane and Hill Street are set close to areas of proposed ANRG land, and in all cases it is considered that the activity associated with use of the ANRG land would not be harmful to the amenities of these properties.

10.25.6 Overall, the development would impact directly on only a relatively small number of properties, and in all cases, based on the submitted plans, it is considered that an acceptable relationship could be achieved through the submission of reserved matters. Of course, the development would generate additional traffic and activity that would have wider effects, but in the context of the site allocation, these effects would be reasonable and justified.

10.26 Archaeology

10.26.1 The application is accompanied by an Archaeological Desk Based Assessment, geo-physical survey reports, and a Built Heritage Statement. As noted in Paragraph 8.11 above, the Council's archaeologist has confirmed that the submitted reports are all fit for purpose. However, he considers that due to the site's location, there is a greater potential to encounter Late Prehistoric Material than was suggested in the submissions, and he has noted that undetermined anomalies have been identified. Therefore, the Council's archaeologist recommends that archaeological trenched evaluation be undertaken to determine the nature, survival and significance of the most obvious anomalies that the survey has highlighted, including evaluation trenching to ensure the 'blank areas' are really devoid of interest. He also recommends that targeted trenches should be considered across the rest of the application site on those areas significantly impacted by built development. These are all matters that can reasonably be secured through a condition requiring the submission and approval of a Programme of Archaeological Work, including a Written Scheme of Investigation. Subject to such a condition (and related conditions), it is considered that the archaeological interest of the site would be appropriately recorded and safeguarded.

10.27 Heritage Impacts

10.27.1 The application is supported by a detailed Heritage Assessment. The designated Heritage Assets that are in closest proximity to the application site are those at the Thatched Cottage and the associated Granary building. These two Grade II Listed Buildings would be situated in excess of 100 metres away from the nearest elements of proposed built form, although they would be slightly closer to areas of proposed ANRG land. It is considered that because of this degree of separation, the development would not have any direct impact on the setting of these Grade II Listed Buildings, a view that is shared by the Council's Conservation Officer. The Council's Conservation Officer has also highlighted the issue of landscape context and how this contributes to the setting of the 2 Listed Buildings. However, with the generous areas of ANRG land and Public Open Space that are proposed and the degree of separation between the proposed development and the Listed Buildings, it is not considered that the proposal would be harmful to the setting of the Listed Buildings in this respect either.

10.27.2 The Council's Conservation Officer has raised a concern as to how the proposed development might impact on the setting of non-designated heritage assets, noting that the initial Heritage Assessment did not include a detailed consideration of such matters. In response to these concerns, the applicants have submitted an addendum to their Heritage Assessment, which specifically considers the impact of the development on a number of possible non-designated heritage assets, including Colbury House, and various buildings at Brookes Hill, opposite the Thatched Cottage and at Wade Hill Drove. The applicant's assessment concludes that only 2 of these buildings might actually constitute non-designated heritage assets: Colbury House, the significance of which would not be affected; and Brook House, which is considered to have low significance as a non-designated heritage asset. The Council's Conservation Officer remains concerned that a broader assessment of non-designated heritage assets has not been undertaken. Whilst these concerns are noted, it is considered that in the context of the policy allocation the scope of the applicant's consideration of non-designated heritage assets is acceptable, and that there is no reason to disagree with the conclusions that have been reached. Accordingly, having regard to both the scale of impact and the limited significance of the affected non-designated heritage assets, it is considered that the impact of the development on non-designated heritage assets is appropriate and justified. More detailed design impacts can be appropriately considered at Reserved Matters stage.

10.28 Affordable Housing

10.28.1 The target of Local Plan policy is that 35% of new homes in this part of the District should be for affordable housing. This means that up to 98 of the proposed dwellings on this proposed development should be for affordable housing.

10.28.2 With respect to the required Affordable Housing mix, Local Plan policy seeks to secure 70% of affordable homes for rent, split equally between social and affordable rent, and 30% intermediate or affordable home ownership tenures including shared ownership. On this basis, the proposed development should secure up to 34 homes for affordable rent, up to 34 homes for social rent, and up to 30 homes for intermediate tenures.

10.28.3 The proposed scheme seeks to deliver a policy compliant level and mix of affordable housing. Therefore, subject to securing these requirements through a

Section 106 legal agreement, the proposed development would be consistent and in accordance with the Council's affordable housing policies.

10.29 Education Provision

10.29.1 Hampshire County Council have calculated that the development as originally submitted (for up to 300 dwellings) would be expected to generate a total of 90 additional primary age children. The development would be served by Calmore Infant and Junior Schools that are currently at capacity and expected to remain so. As such, there will be a need to provide additional primary school places to cater for the primary school age children that would be generated by the proposed development. Hampshire County Council are therefore seeking a financial contribution towards the provision of 3 additional classrooms: one at the infant school and two at the junior school. This has been costed at £1,290,000.

10.29.2 The Strategic Site policy allocation suggests that a new Primary School might be provided as part of the development on a part of the allocation to the west of Pauletts Lane. However, based on a site capacity of 1000 homes, Hampshire County Council's preference is for extensions to existing primary schools rather than the provision of a new school, and their consultation response requesting contributions to the existing schools reflects this position.

10.29.3 Hampshire County Council have confirmed that there are a sufficient number of secondary school places available in the area (at Testwood College) to accommodate the secondary age children from the development. As such, the development does not need to make any provision towards secondary school provision.

10.29.4 Overall, subject to securing the necessary contributions towards Primary School education through a Section 106 legal agreement, the development's impact on local education infrastructure would be acceptably mitigated.

10.30 Sustainable Design

10.30.1 The application is accompanied by a Sustainability Statement which sets out how the development will achieve sustainability objectives in a number of key areas. The incorporation of detailed design features into the development will need to be considered in detail at Reserved Matters Stage. The applicants have noted the specific requirements of Local Plan Policy IMPL2 and have confirmed that their proposals will provide:

- Improved energy efficiency by way of a fabric first approach;
- A higher water use efficiency standard of 110 litres per day;
- Accessibility in accordance with Visitable Dwellings standards;
- The provision (where practicable) of a high speed fibre broadband connection to the property threshold;
- Provision to enable the convenient installation of charging points for electric vehicles.

Some of these matters will need to be secured through conditions to any outline planning permission.

10.31 Economic Considerations

10.31.1 No permanent employment floorspace would be provided as part of this development; but nor is there a policy requirement for this. The proposal would, however, provide construction related jobs during the build out of the development, whilst the homes, as noted in the above section, would be required to be fitted out in a way that would facilitate home working. As such, the development would deliver economic benefits insofar as would be expected for a development of its type.

10.32 Response to other matters raised by consultees and Neighbours

Minerals and Waste

10.32.1 Hampshire County Council's Minerals and Waste team have suggested that small corners of the site (seemingly where green infrastructure is proposed) are in a Minerals Safeguarding Area, as defined by Policy 15 of the adopted Hampshire Minerals and Waste Plan. However, the County Council have accepted that the land within the application site does not present a viable extraction opportunity. As such, the proposal would not prejudice opportunities for extracting viable minerals, and there is considered no need for any planning conditions relating to minerals.

Gas Pipeline

10.32.2 There are 2 gas pipelines that run across part of the northern end of the application site, and Southern Gas (the pipeline operator) has sought conditions to deal with this situation. The pipelines in question are immediately adjacent to one another and mainly cross a section of land that is proposed to be public open space or ANRG land, although they would be relatively close to an area where dwellings could potentially be built. The specific restrictions on development / landscaping sought by Southern Gas are capable of being designed into the scheme and should not prejudice either the delivery of the houses or the quality of the green infrastructure. It is felt that the concerns identified by Southern Gas can largely be dealt with through an informative, although a single condition would be appropriate to ensure that this matter is appropriately addressed at Reserved Matters stage. It is also noted that the Health and Safety Executive have raised no objection to the application, so there should be no health and safety concerns arising from the development's proximity to these pipelines.

Water Supply

10.32.3 A specific concern has been raised about providing a safe water supply to the development. Southern Water have indicated that they will be able to provide an appropriate water supply to the development, so this should not be a concern.

Lighting

10.32.4 Concerns have been raised about potential light pollution. It is considered that such concerns are capable of being adequately mitigated through a detailed lighting scheme that can be secured through a planning condition / at Reserved

Matters stage.

Other Infrastructure

10.32.5 Concerns have been expressed about the development's impact on other infrastructure. The application was supported by a Utilities Statement that addresses some of the points discussed above. The Utilities Statement also considers impacts on Telecommunications and electricity infrastructure, noting that some of the existing overhead lines may need to be diverted. It is considered that these matters can be appropriately dealt with at detailed design stage and do not constitute an impediment to development.

10.32.6 There is also the concern at how development may impact on wider infrastructure within the local area. Education requirements have been discussed above. In terms of health infrastructure, there is no specific policy requirement to secure such contributions, and there is no evidence to suggest that the development either alone or as part of the wider allocation would put unacceptable pressure on local health or indeed other community related infrastructure.

10.33 Nitrates and Achieving Nutrient Neutrality

10.33.1 Natural England have provided guidance to the Council that increased development is resulting in higher levels of nitrogen input into the water environment of the Solent, with evidence that these nutrients are causing eutrophication at internationally designated sites, thereby potentially adversely affecting the integrity of these sites. Natural England's guidance is reflected in the policies of the Council's Local Plan, which stipulates that where new residential development involving additional dwellings would drain or discharge wastewater into the Solent and Southampton Water, then such development must achieve nutrient neutrality in respect of nitrogen / nitrates.

10.33.2 The application site is within the Solent and Southampton Water catchment area, meaning that the provision of up to 280 dwellings in this location would add to the nutrient burden affecting the Solent. It is therefore essential that these potential adverse effects on the Solent European sites are acceptably mitigated.

10.33.3 The submitted application does not put forward any bespoke measures for achieving nutrient neutrality. Instead, there is an acceptance that the development would need to be the subject of a Grampian style condition, with a deliverable solution needing to be the subject of further agreement before any dwelling is occupied.

10.33.4 New Forest District Council have, for a period of time, been applying a Grampian style condition to nearly all planning applications within the nitrate catchment area that would result in the provision of additional dwellings. Of course, this application is of a very different scale to the majority of developments within the district, and so the mitigation requirement will be much greater. However, there is no reason to conclude that a viable mitigation solution would be unachievable, just because of the numbers of dwellings that are proposed. Within the Solent catchment area, a number of nitrate mitigation projects and schemes are being worked up, and given the timescales between the granting of any outline planning permission and likely first occupation, there is a reasonable expectation that appropriate mitigation measures can be secured and implemented before the first dwelling is ready to be

occupied. Ultimately, the Grampian condition will preclude occupation unless mitigation measures to achieve nutrient neutrality have been secured and delivered. Therefore, it is considered that applying a Grampian condition is reasonable and appropriate, and provides the necessary certainty to be able to conclude that the proposed development would not adversely affect the integrity of the Solent European sites through increased levels of nitrates discharging into those protected areas.

10.34 Development Phasing

10.34.1 The applicant's supporting statement suggested that the scheme is highly likely to be delivered as a single phase. However, in subsequent discussions, it has been suggested there may be a preference for the site to come forward in more than 1 phase - most likely 2 phases, reflecting the 2 main built-development parcels. This would not be unreasonable. If the development does come forward as 2 phases rather than as a single phase, it will be important to ensure that the two phases work together on the basis of a single coherent masterplan, and that there is no prejudice to the delivery of the green infrastructure that is necessary to mitigate the development's impact. These are matters that can be addressed through a planning condition and phasing requirements within the Section 106 legal agreement.

10.35 Environmental Impact Assessment

10.35.1 The application was the subject of an EIA Screening Opinion (actually for up to 350 dwellings) in June 2020. The Council concluded that the development was not EIA development. Notwithstanding this conclusion, the submitted application is accompanied by much of the detail and type of assessment one might typically expect to see incorporated into an Environmental Statement accompanying an EIA.

10.36 Appropriate Assessment

10.36.1 As required by the Habitats Regulations, the Local Planning Authority (as the Competent Authority) has carried out an Appropriate Assessment.

10.36.2 The Appropriate Assessment concludes that subject to relevant mitigation measures, the development would have no adverse impact on the integrity of the affected European sites.

10.37 5 year Housing Land Supply & The Tilted Balance

10.37.1. As noted in the above assessment, the application site falls within the area designated by Local Plan Policy Strategic Site1, an area which is allocated for housing-led development and included within the Totton settlement boundary. Within the allocated site, the application site is indicatively identified for housing, associated public open space and natural greenspace for recreational mitigation. The principle of the uses set out in the planning application proposal are therefore consistent with the Local Plan spatial strategy for the location of residential development as set out in Policy STR1: Achieving Sustainable Development.

10.37.2 As noted above, the application is considered to be broadly consistent with the requirements of the Local Plan, including Policy Strategic Site 1. Also, the points where some details diverge are considered to be acceptable in the planning balance. This judgment is made irrespective of the Council's five year housing land supply position.

10.37.3 However, for the record, at the time of writing this report, the Council cannot demonstrate a five-year supply of deliverable housing land. The Council's Planning Policy team is currently engaging with developers in order to produce an updated five-year housing land supply figure that takes into account last year's delivery of new homes along with the latest information about sites coming forward. This will be published around the end of July 2021 and will be the formal position of the Council. However, it is anticipated that the updated housing land supply position will remain below the required 5 years.

10.37.4 In such circumstances the NPPF (para 11d) indicates that the tilted balance is engaged whereby, in applying the presumption in favour of sustainable development, even greater weight should be accorded in the overall planning balance to the provision of a significant amount of new housing (and affordable housing). This is especially true in this case, as the application site, as a Local Plan housing site allocation, is manifestly a sustainable location for housing development where the presumption in favour of sustainable development already applies.

10.38 Community Infrastructure Levy (CIL)

10.38.1 The application is CIL liable. The exact CIL figure will depend on the precise floorspace of the development, which can only be determined at reserved matters stage.

11 CONCLUSIONS AND THE PLANNING BALANCE

11.1 The above assessment has highlighted how the proposed development would deliver economic, social and environmental benefits. The proposal would deliver much needed additional housing in the local area, comprising a variety of different house types, and including a significant proportion of affordable homes that would be of benefit to local people. The proposal would deliver employment opportunities during the construction of the development, whilst significant new areas of green infrastructure and habitat would be created, resulting in a connected landscape that would benefit both people and biodiversity.

11.2 As with any large scale development, what is proposed is not without its environmental impacts. However, these must be viewed within the context of a site that has been allocated for development through the Local Plan. Any negative effects must be balanced against the scheme's benefits, but recognising the need to satisfactorily mitigate many of the key environmental impacts.

11.3 In this case, it is accepted that the number of dwellings proposed would materially exceed the minimum quantum of housing that has been allocated through the Local Plan. And it is also recognised that design concerns have been raised. However, the applicant has shown how a sympathetic edge to the site's sensitive northern boundary might be achieved, whilst an overall density of about 35 dwellings per hectare is not considered to be inconsistent with the need for a high quality

design in this context. The scheme needs to be designed well, and it is considered that this is something that can reasonably be considered and addressed at Reserved Matters stage, noting that the Parameter Plans and a number of the other key supporting plans and documents set an appropriate framework for the development to follow (but accepting some modifications to the illustrative material may be needed).

11.4 What considerably assists the setting of this development is the significant and generally well-considered green infrastructure that would be provided. This green infrastructure would not only mitigate the development's impact on protected nature conservation sites, but it would also provide important health and well-being benefits for the occupants of the development and beyond.

11.5 The development is of course just one element of a wider allocation. It is considered the proposal would comply with the key expectations for delivering a co-ordinated development as set out in policy Strategic Site 1, fairly meeting necessary transportation and education requirements, whilst ensuring that there would be no prejudicial effect on the development of the wider allocation.

11.6 Overall, the proposed development is considered to be one that meets the three key objectives of sustainable development. It would meet economic objectives by providing homes that would support the local economy; it would meet social objectives by creating a safe and attractive addition to the existing settlement of Totton; and it would meet environmental objectives by safeguarding and enhancing the natural environment. It is considered that the proposed development would satisfy all of the relevant requirements of Policy Strategic Site 1, as well as meeting other relevant local and national planning policy requirements. As such, it is considered appropriate to grant outline planning permission subject to a detailed Section 106 legal agreement and subject to an extensive list of conditions as described below.

11.7 *Conditions and Section 106 legal agreement*

11.7.1 Those matters that need to be secured through the Section 106 legal agreement include all of the following:

Affordable Housing

- There will be a requirement to secure 35% of the proposed dwellings as Affordable Housing in a policy compliant mix.

Education

- There will be a requirement to secure a contribution of in the order of £1,290,000 towards increasing capacity at Calmore Infant and Junior Schools by way of additional classrooms.

Transport

- There will be a requirement to secure a contribution of in the order of £770,000 towards transportation improvements comprising: circa £350,000 towards a controlled crossing of Salisbury Road (the A36), and circa

£420,000 towards a scheme for improving the capacity of the A326 (southbound) / A36 junction.

- There will be a requirement to pay the Travel Plan approval and monitoring fees, and a need to provide a surety mechanism to ensure implementation of the travel plan.
- There will be a need to secure implementation of the site access arrangements and the sustainable modes improvements, including the submission and payment of fees associated with progression of the TRO process for the speed limit reduction.

Public Open Space

- There will be a requirement to secure a policy compliant level of informal public open space within the development to an approved design and in an appropriate phased manner.
- There will be a requirement to secure a policy compliant level of children's playspace within the development to an approved design and in an appropriate phased manner.
- There will be a requirement to secure appropriate contributions towards the long-term maintenance of the informal public open space and children's playspace, (subject to transfer arrangements).
- There will be a requirement to secure appropriate contributions to the provision of formal public open space off the site.

ANRG provision

- There will be a requirement to secure a policy compliant level of ANRG land in accordance with approved designs, and to secure permanent public access to these areas in an appropriate phased manner.
- There will be a requirement to secure the long-term maintenance of the ANRG land and associated maintenance contributions.

Other Mitigation Contributions and Measures

- There will be a requirement to secure the Solent Recreation Mitigation Contribution, the New Forest Access and Visitor Management Contribution, the New Forest (recreational impact) Monitoring Contributions and the New Forest Air Quality Monitoring contributions in full.

Biodiversity Net Gain

- There will be a requirement to secure necessary contributions / charges associated with the management and monitoring of the proposals for achieving Biodiversity Net Gain.

11.7.2 It is to be noted that some of the finer details of these obligations are still the subject of ongoing discussion with the applicants, and would need to be resolved after this Committee meeting

11.7.3 Those matters that need to be secured through conditions are set out in the detailed schedule of conditions below.

12 OTHER CONSIDERATIONS

Crime and Disorder

The detailed design of the proposed development will be considered through the submission of reserved matters. However, the Parameter Plans and supporting details set a clear development framework, and it is fully expected that the development will be designed so as to have good natural surveillance, and in a way that will help to minimise potential crime and disorder.

Local Finance

If this development is granted permission, it is currently expected that the Council will receive the New Homes Bonus (up to £342,720) in each of the following four years, subject to the following conditions being met:

- a) The dwellings the subject of this permission are completed, and
- b) The total number of dwellings completed in the relevant year exceeds 0.4% of the total number of existing dwellings in the District.

The CIL liability associated with this development can only be determined at Reserved Matters stage.

Human Rights

In coming to this recommendation, consideration has been given to the rights set out in Article 8 (Right to respect for private and family life) and Article 1 of the First Protocol (Right to peaceful enjoyment of possessions) of the European Convention on Human Rights. Whilst it is recognised that there may be an interference with these rights and the rights of other third parties, such interference has to be balanced with the like rights of the applicant to develop the land in the way proposed. In this case it is considered that the protection of the rights and freedoms of the applicant outweigh any possible interference that may result to any third party.

Equality

The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty inter alia when determining all planning applications. In particular the Committee must pay due regard to the need to:

- 1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- 2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- 3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

13. RECOMMENDATION

Delegated Authority be given to the Executive Head of Planning, Regeneration and Economy to **GRANT PERMISSION** subject to:

i) the completion of a planning obligation entered into by way of a Section 106 Agreement to secure those matters set out in Section 11 of this report;

ii) the imposition of the conditions set out below and any additional / amended conditions deemed necessary by the Executive Head of Planning, Regeneration and Economy, having regard to the continuing Section 106 discussions.

Proposed Conditions:

1. **Condition 1 – Time Limit for Approval of Reserved Matters**

The first application for the approval of reserved matters shall be made within a period of three years from the date of this permission. All subsequent reserved matters applications shall be submitted no later than 3 years from the date of the approval of the first reserved matters application.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. **Condition 2 – Time Limit for Commencement of Development**

The development shall be begun no later than two years from the final approval of the last of the reserved matters to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

3. **Condition 3 – Reserved Matters Details**

In respect of each phase of development, no development shall commence until the detailed access arrangements within the site, the layout, scale and appearance of the development, and the landscaping of the site (herein referred to as the “reserved matters”), insofar as they relate to that phase of development, have been submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out in accordance with the approved details.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

4. **Condition 4 – Parameter Plans**

The reserved matters shall fully accord with the Development Parameter and Access Plans comprising:

- Trees, Hedgerows and Demolition Parameter Plan (A11345 PARP-02 Rev B)
- Land Use and Access Parameter Plan (A11345 PARP-01 Rev C)
- Access Strategy (A195-14 P3)

Reason: To ensure high standards of Urban Design are achieved and maintained; to ensure that there is a coordinated and harmonious integration of land uses, built-form and spaces, reflecting the scale and nature of development; and to ensure that the development is responsive to its context.

5. **Condition 5 - Phasing**

Prior to the commencement of any part of the development, a scheme detailing the phasing of the development, including all infrastructure (green infrastructure, drainage works, highway works, services), shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved phasing details unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the development is provided in an appropriate and comprehensive phased manner.

6. **Condition 6 - Landscape & ANRG Framework**

The layout and landscape details to be submitted in accordance with condition no. 3 above shall be broadly consistent with the design principles and strategy that are illustrated on the illustrative Landscape & ANRG Framework Plan - 8956-L-01 F, or such other variation (as may be considered necessary by the Local Planning Authority and) that is agreed in writing by the Local Planning Authority.

Reason: To ensure the delivery of an appropriate landscape framework that will provide a high quality setting for the development, and which will provide suitable recreational opportunities that will help mitigate the development's impact on European sites.

7. **Condition 7 - Dwelling Numbers & Development Mix**

The development hereby permitted shall not exceed 280 dwellings. The detailed designs for the approved development shall substantially accord with the following residential mix, or as otherwise may be agreed through the approval of reserved matters:

1 & 2 bedroom units: 60-70% of all Affordable Rental Homes, 55-65% of all affordable homes ownership, and 30-40% of all market homes

3 bedroom units: 25-30% of all Affordable Rental Homes, 30-35% of all affordable homes ownership, and 40-45% of all market homes
4 bedroom units: 5-10% of all Affordable Rental Homes, 5-10% of all affordable homes ownership, and 20-25% of all market homes

Reason: This reflects policy expectations and is the basis on which the required level of mitigation has been assessed. The Local Planning Authority would wish to properly consider any mix that does not reflect policy expectations to ensure that housing needs are adequately met, and noting that a material change to the residential mix will affect the level of mitigation that would be necessary to offset the development's impacts, and this may not necessarily be achievable.

8. **Condition 8 - Site Levels**

Prior to the commencement of development in any phase of development, details of levels, including finished floor levels for all buildings, existing and proposed levels of public open space areas (including ANRG), and the existing and proposed site contours for that phase, shall be submitted to and agreed in writing by the Local Planning Authority. Development shall only proceed in accordance with the approved details.

Reason: To ensure that the development takes appropriate account of, and is responsive to, existing changes in levels across the site.

9. **Condition 9 - Archaeology: A Programme of Archaeological Work**

Prior to the commencement of development within each residential phase of development, a programme of archaeological work in respect of that phase, including a Written Scheme of Investigation, shall have been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

- 1) The programme and methodology of site investigation and recording.
- 2) The programme for post investigation assessment.
- 3) Provision to be made for analysis of the site investigation and recording.
- 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation.
- 5) Provision to be made for archive deposition of the analysis and records of the site investigation.
- 6) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Reason: To ensure the archaeological interest of the site is investigated and assessed.

10. **Condition 10 - Archaeology: Implementation of Written Scheme of Investigation**

No development (other than demolition) shall take place other than in accordance with the Written Scheme of Investigation approved under condition 9.

Reason: To ensure the archaeological interest of the site is adequately investigated.

11. **Condition 11 - Archaeology: Completion and Archive Deposition**

No dwelling within a phase of residential development shall be occupied until the site investigation and post investigation assessment for that phase has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 9 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To ensure the archaeological interest of the site is adequately investigated and recorded.

12. **Condition 12 - Protection of Trees: Adherence to Approved Arboricultural Statement**

The trees/hedges on the site which are shown to be retained on the approved plans shall be protected during all site clearance, demolition and building works in accordance with the measures set out in the submitted arboricultural statement (Barrell Tree Consultancy Arboricultural Assessment & Method Statement dated 14th August 2020 - Ref: 18071-AA-PB).

Reason: To safeguard trees and natural features which are important to the visual amenities of the area.

13. **Condition 13 - Protection of Trees: Submission of additional details**

No development shall take place within each phase of development until the following information has been submitted to and approved in writing by the Local Planning Authority:

- A plan showing the location of service routes, including the position of soakaways;
- A plan showing the location of site compound and mixing areas;
- A plan showing the location and details of all footpaths and roads within the root protection areas of retained trees;
- A plan showing the location and positioning of play equipment where within 30m of retained trees.

Development shall thereafter be carried out in accordance with these approved details.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area.

14. **Condition 14 - Protection of Trees: Footpaths and walkways**

No development shall take place within each phase of development until a method statement and engineering drawings for footpaths and walkways within that phase, where within the root protection areas of retained trees of the approved development, have been submitted to and approved in writing by the Local Planning Authority.

Development shall thereafter be carried out in accordance with the approved details.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area.

15. **Condition 15 - Protection of Trees: Pre-commencement Site Meeting**

Prior to the commencement of works within each phase of development, 3 working days' notice shall be given to the Local Planning Authority Tree Officer to attend the pre-commencement site meeting as specified within the submitted Barrell Tree Consultancy Manual for Managing Trees on Development Sites V2.1 SGN 1: Monitoring tree protection.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area.

16. **Condition 16 - Landscape & Ecological Enhancement, Mitigation and Management Plan**

Prior to the commencement of development within each phase of development, a detailed Landscape and Ecological Enhancement, Mitigation and Management Plan for that phase shall be submitted to and agreed in writing by the local planning authority. The Plan for that phase shall be broadly in accordance with the outline ecological mitigation and enhancement measures detailed within the Ecological Impact Assessment (EPR 17/29-4A) or such other variation (as may be considered necessary by the Local Planning Authority and) that is agreed in writing by the Local Planning Authority. The Plan shall include (but not be limited to):

- details of all habitat and species-related avoidance and mitigation measures (e.g. timings, methods, responsibilities);
- plans of, and details describing, all habitat impacts and measures to compensate impacts (e.g. location, methods of establishment, responsibilities, care and maintenance);
- plans and details of all habitat and species-related enhancement measures (e.g. location, methods, responsibilities, care and

- maintenance);
- a programme of ongoing ecological monitoring and management.

The development shall be implemented and thereafter maintained and managed in accordance with the approved details.

Reason: To ensure that the landscape and ecological interest of the development site is maintained, enhanced, and managed in a way that will secure long-term landscape and ecological benefits.

17. Condition 17 - Ecological Measures (Opportunities for Birds / Bats / Invertebrates)

A minimum of 1 in 4 of the dwellings / development plots hereby approved shall incorporate either a bird nesting box (including nesting opportunities for swifts and house sparrows), a bat box or bat roosting provision, or enhancements for invertebrates such as bee bricks, the precise details of which shall be submitted with each Reserved Matters application where new buildings are proposed. The submitted details shall comprise a mix of these measures and shall be provided in accordance with the approved details before the house / plot where the measures are to be incorporated is first occupied.

Reason: To ensure that biodiversity enhancement measures are delivered throughout the development; and to ensure that a key aspect of sustainability is delivered.

18. Condition 18 – Net Biodiversity Gain: Implementation, Monitoring and Management

Prior to the commencement of development a Biodiversity Net Gain Implementation, Monitoring and Management Plan shall be submitted to and approved in writing by the local planning authority. The Plan must set out the measures that will be undertaken ensure that a minimum 10% increase in biodiversity will be achieved and must cover a minimum period of 30 years and include:

- Methods for delivering Biodiversity Net Gain.
- A description of the habitats to be managed.
- Ecological trends and constraints on site that might influence management.
- Timed and measurable objectives in the short, medium, and long-term for achieving Biodiversity Net Gain, including detailed objectives for all habitats (target condition) and key indicators for measuring success.
- Appropriate management options and actions for achieving aims and objectives.
- The preparation of a work schedule.
- Key milestones for reviewing the monitoring.
- A standard format for collection of monitoring data.

- The Identification and definition of set monitoring points (representing the key habitats on site) where photographs can be taken as part of monitoring to record the status of habitats on site.
- The measures that will be undertaken for reporting results to the Local Planning Authority.

Development shall be carried out in full accordance with the approved Plan unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the development delivers a minimum 10% uplift in the site's biodiversity value in accordance with the policies of the New Forest District Local Plan Review 2016-2036.

19. Condition 19 - Biodiversity Net Gain: Additional Statement

For each Reserved Matters application, an additional Biodiversity Net Gain Statement shall be submitted to the Local Planning Authority for its written approval. The additional Statement shall include a recalculation of the biodiversity impact of the proposed development, having regard to any changes in the habitats type or condition of the habitats present, and any changes resulting from the detailed layout of the development and the level / nature of the on-site mitigation measures.

Reason: Due to the outline nature of the application and the illustrative nature of much of the supporting information, it is considered necessary to ensure the detailed designs will deliver a minimum 10% uplift in the site's biodiversity value in accordance with the policies of the New Forest District Local Plan Review 2016-2036.

20. Condition 20 - Connectivity to the Wider Strategic Site

Notwithstanding the submitted plans and illustrative material, no development shall take place until a plan showing the locations where pedestrian connections will be made/secured to the site's boundary with Green Lane and to the immediately adjacent land that is allocated for development through Policy Strategic Site 1 of the Local Plan 2016-2036 Part One: Planning Strategy. The approved connection / pedestrian access points shall thereafter be provided and made available either before first occupation of the development or such other timescale as may be approved in writing with the Local Planning Authority.

Reason: The application site forms one part of a Strategic Site allocation, and in the interests of securing accessible and joined-up green infrastructure it is essential that there is appropriate connectivity between the different parts of the Strategic Site.

21. Condition 21 - Lighting

Prior to the erection of any external lighting on the site in connection with each development phase (but excluding lighting associated with the construction phase of the development), a Lighting Scheme for that phase shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall accord with Guidance Note 08/18 "Bats and Artificial Lighting in the UK" prepared by the Bat Conservation Trust / the Institution of Lighting Professionals guidance, but having regard to the adopted standards of the Highway authority, and shall:

- Set out details of all proposed operational external lighting;
- Include timings of lighting operation;
- Include a lighting plan showing locations and specifications of all proposed lighting;
- Demonstrate that vertical illuminance into adjacent habitats has been minimised and avoided.

The scheme shall be implemented as approved.

Reason: To ensure that the level of lighting within the development is acceptably minimised, having regard to ecological interests and the site's rural edge context.

22. Condition 22 - Surface Water Drainage Details

Prior to the commencement of residential development within each phase of development, a detailed surface water drainage scheme for that phase, based on the principles within the Flood Risk Assessment & Drainage Strategy ref: A195-R009B, shall be submitted and approved in writing by the Local Planning Authority. The submitted details should include:

- a) A technical summary highlighting changes to the design from that within the approved Flood Risk Assessment.
- b) Detailed drainage layout drawings at an identified scale indicating catchment areas, referenced drainage features, manhole cover and invert levels and pipe diameters, lengths and gradients.
- c) Detailed hydraulic calculations for all rainfall events, which should take into account the connectivity of the entire drainage features including the discharge locations. The results should include design and simulation criteria, network design and result tables, manholes schedule tables and a summary of critical results by maximum level during the 1 in 1, 1 in 30 and 1 in 100 (plus an allowance for climate change) rainfall events. The drainage features should have the same reference as the submitted drainage layout.
- d) Evidence that Urban Creep has been considered in the application and that a 10% increase in impermeable area has been used in calculations to account for this.
- e) Confirmation on how impacts of high groundwater will be managed in the design of the proposed drainage system to ensure that storage

capacity is not lost, and structural integrity is maintained.

- f) Confirmation that sufficient water quality measures have been included to satisfy the methodology in the Ciria SuDS Manual C753.
- g) Exceedance plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria.

Development shall only proceed in accordance with the approved details.

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no flood risk on or off site resulting from the proposed development.

23. Condition 23 - Surface Water Drainage: Maintenance

Prior to occupation of the development within a development phase, a scheme relating to the management and maintenance of the Surface Water Drainage System (including all SuDS features) within that phase shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the following:

- (i) a detailed maintenance schedule in respect of the repair and maintenance of each drainage feature type (the Maintenance Scheme);
- (ii) details of intended ownership, and a management regime which shall set out the responsibility for the maintenance of the SuDS in accordance with the approved Maintenance Scheme, following their provision;
- (iii) details of protection measures;
- (iv) details of a monitoring and review scheme.

The approved drainage features shall thereafter be maintained in accordance with the approved scheme.

Reason: To ensure the satisfactory maintenance of the drainage system in accordance with national and local planning policies.

24. Condition 24 - Foul Drainage

Construction of any development phase shall not commence until details of the proposed means of foul sewerage disposal for that phase of the development have been submitted to and approved in writing by the Local Planning Authority. Development shall only be implemented in accordance with the approved details.

Reason: To ensure the foul drainage arrangements for the development are dealt with in an acceptable manner.

25. **Condition 25 - Noise Levels**

Prior to the commencement of development within each phase of development, a scheme including necessary mitigation to ensure that internal and external noise levels within each dwelling or plot respectively, shall not exceed the minimum standards stated in BS8233:2014 (paragraphs 7.7.2 [table 4] and 7.7.3.2), shall be submitted to and approved in writing by the Local Planning Authority. Development in the respective phase shall thereafter be carried out in full accordance with the approved scheme.

Reason: To safeguard residential amenities and to ensure that future residents have an acceptable noise environment.

26. **Condition 26 - Construction Environmental Management Plan**

Prior to the commencement of development within each phase of development, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following details:

- Development contacts, roles and responsibilities.
- A public communication strategy, including a complaints procedure.
- A Dust Management Plan (DMP) including suppression, mitigation and avoidance measures to control dust.
- A Noise Management Plan with noise reduction measures, including use of acoustic screens and enclosures, the type of equipment to be used and their hours of operation.
- Any use of fences and barriers to protect adjacent land, properties, footpaths and highways.
- Details of parking and traffic management measures.
- Measures to control light spill and glare from any floodlighting or security lighting that is installed.

The construction of the development in each respective phase shall thereafter be carried out in full accordance with the approved details.

Reason: To safeguard the amenities of existing and proposed (post occupation) residential properties.

27. **Condition 27 - Construction: Hours of Operation**

Unless otherwise approved in writing by the Local Planning Authority, all works and ancillary operations in connection with the construction of the development, including the use of any equipment or deliveries to the site, shall be carried out only between 0800 hours and 1800 hours on Mondays to Fridays and between 0800 hours and 1300 hours on Saturdays and at no time on Sundays, Bank Holidays or Public Holidays.

Reason: To safeguard residential amenities.

28. **Condition 28 - Construction Traffic Management Plan**

Before the commencement of development in respect of each phase of development, a Construction Traffic Management Plan for that development phase shall be submitted to and approved in writing by the Planning Authority. The Construction Traffic Management Plan shall include the following details: construction traffic routes; the provision to be made on site for the parking and turning of contractors' / construction related vehicles; measures to prevent mud from being deposited on the highway; and a programme for construction. The agreed measures and details shall be put into place (as appropriate) before the development is commenced and shall thereafter be adhered to / retained throughout the duration of construction.

Reason: In the interests of highway safety.

29. **Condition 29 - Contamination Watching Brief**

During site demolition and foundation excavations a suitably qualified contaminated land consultant shall carry out a watching brief with regards to asbestos, hydrocarbons and other ground contamination. In the event that contamination is encountered when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must then be undertaken, and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled water, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors.

30. **Condition 30 - Gas Pipeline Protection Measures**

For each Reserved Matters application, details of any mitigation measures that will be implemented to ensure an acceptable relationship between the existing gas pipelines across the application site and the proposed development, both in terms of the construction of the development and the final detailed designs, shall be submitted to and approved in writing by the Local Planning Authority. Development shall only proceed in accordance with the approved details.

Reason: In the interests of health and safety.

31. **Condition 31 - Nitrates: Water Efficiency**

No dwelling hereby approved shall be occupied until a water efficiency calculation in accordance with the Government's National Calculation

Methodology for assessing water efficiency in new dwellings has been undertaken which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to, and approved in writing by, the Local Planning Authority; all measures necessary to meet the agreed waste water efficiency calculation must be installed before first occupation and retained thereafter.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation for is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017.

32. Condition 32 - Nitrates: Nutrient Neutrality

Prior to the commencement of residential development within each phase of development, a mitigation package addressing the additional nutrient input arising from that phase of development shall be submitted to, and approved in writing by, the Local Planning Authority.

Such mitigation package shall address all of the additional nutrient load imposed on protected European Sites by that phase of development when fully occupied and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites. All measures forming part of that mitigation package shall thereafter be implemented in full accordance with the approved details, and no dwelling within the development shall be occupied unless the approved mitigation measures needed to deliver nutrient neutrality have been implemented.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on

the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017.

33. Condition 33 - Car & Cycle Parking

For each reserved matters application, details of the car and cycle parking that is to be provided in association with that phase of development shall be submitted to the Local Planning Authority for its written approval, and, prior to the occupation of each dwelling the approved car and cycle parking arrangements for that plot shall have been provided in accordance with the approved plans, and thereafter retained for their intended purpose at all times.

Reason: To ensure that appropriate levels of car and cycle parking are delivered in association with the development.

34. Condition 34 - Electric Vehicle Charging Points

For each reserved matters application where buildings or car parking spaces are proposed, a scheme for the provision of infrastructure and facilities to enable the installation of charging points for electric vehicles to serve that part of the development, shall be submitted to the Local Planning Authority for its written approval. Thereafter, the development shall be implemented in full accordance with the approved details.

Reason: In the interests of sustainability and to ensure that opportunities for the provision of electrical charging points are maximised in accordance with policy expectations.

35. Condition 35 - High Speed Fibre Broadband

Prior to the occupation of each dwelling in the development hereby approved, a high speed fibre broadband connection shall be provided to the property threshold, by way of the necessary infrastructure, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of sustainable development, in accordance with local and national planning policy.

36. Condition 36 - Travel Plan

The development hereby approved shall only be implemented and occupied in accordance with the approved Full Travel Plan (Ref: Abley Letchford Partnership Residential Travel Plan: A195-R007 rev B, dated 28th May 2021) unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that Single Occupancy Vehicle trips are minimised and sustainable modes of travel are duly promoted.

37. **Condition 37 - Waste Collection Strategy**

All applications for the approval of reserved matters relating to occupiable buildings shall be accompanied by a waste collection strategy in relation to the relevant phase. The development shall be carried out in full accordance with the approved details.

Reason: To ensure a satisfactory form of development.

38. **Condition 38 - Approved Plans**

The development permitted shall be carried out in accordance with the following approved plans and particulars:

Plans for Detailed Approval

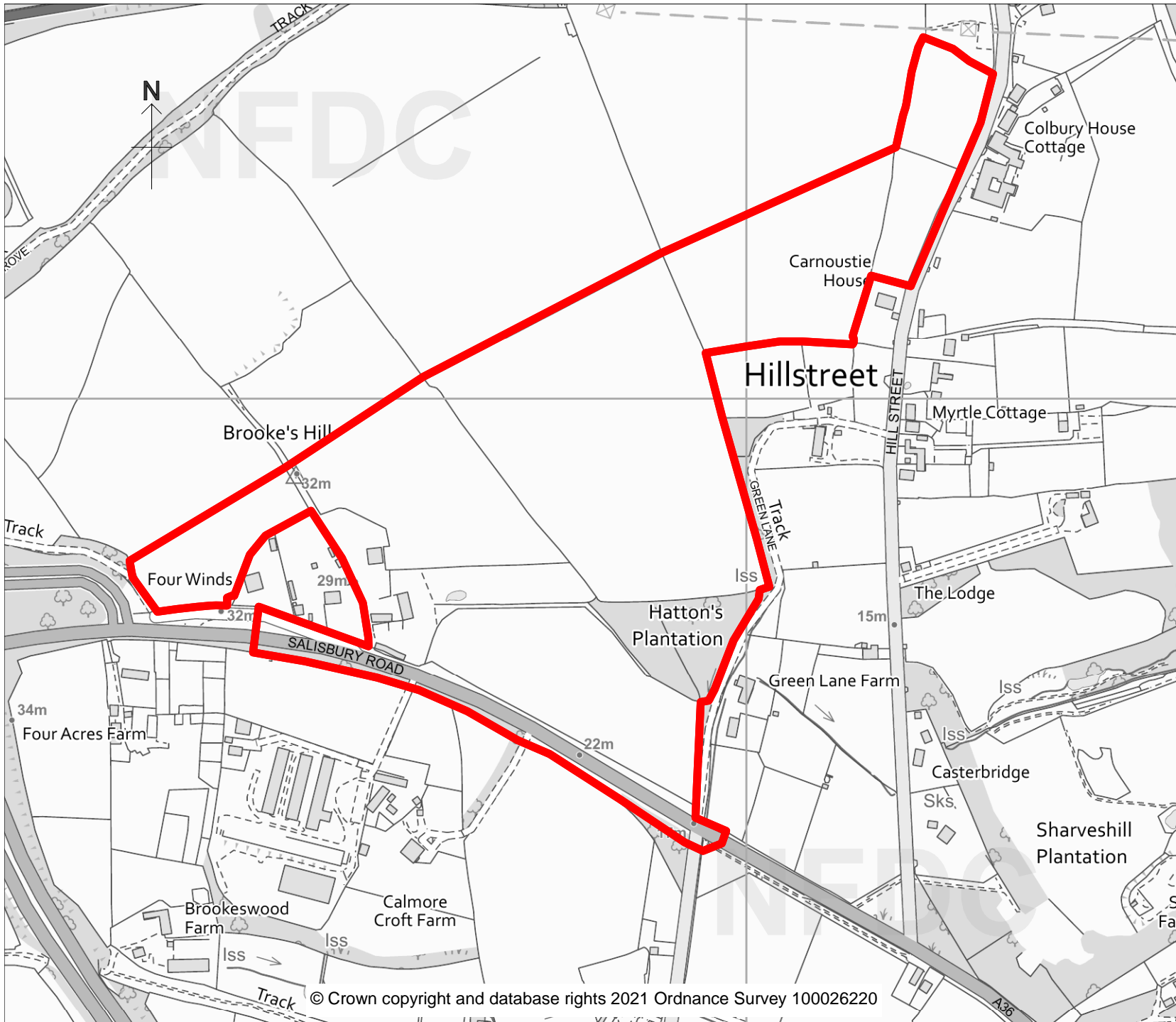
Site Location Plan: Drawing No. SLP-01 rev B
Parameter Plan 1 - Land Use & Access: Drawing No. PARP-01 rev C
Parameter Plan 2 - Trees, Hedgerows and Demolition: Drawing No. PARP-02 rev B
Access Strategy - Maintained Brookes Hill Industrial Estate Access: Drawing No. A195-14 rev P3

Supporting Documents for Approval

Technical Note Relating to A36 Salisbury Road Site Accesses A195-TN05, dated 16th February 2021
Walking, Cycling, and Horse Riding Assessment Report A195-R015 rev B, dated 11th May 2021
Residential Travel Plan: A195-R007 rev B, dated 28th May 2021

Further Information:

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New Forest

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Claire Upton-Brown
 Executive Head of Planning,
 Regeneration and Economy
 New Forest District Council
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 Lyndhurst
 SO43 7PA

PLANNING COMMITTEE

July 2021

Land North of Salisbury Road
 Calmore

20/10997

Scale

N.B. If printing this plan from
 the internet, it will not be to
 scale.

Application Number: 20/11474 Full Planning Permission

Site: SOUTH LAWN HOTEL, LYMINGTON ROAD, MILFORD-ON-SEA
SO41 0RF

Development: Proposed extension to provide 24 bedrooms, associated
landscaping and replacement manager's flat

Applicant: S L Hotels Ltd

Agent: Benchmark Development Planning Ltd

Target Date: 23/03/2021

Case Officer: James Gilfillan

Extension Date: 19/07/2021

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Planning history
- 2) Impact on the South West Hampshire Green Belt
- 3) Impact on the character and appearance of the existing building, the site and area.
- 4) Impact on heritage assets
- 5) Benefits and balancing

This application is brought to committee by the Chief Planning Officer because of the planning history and finely balanced recommendation

2 SITE DESCRIPTION

The site is on the west side of Lymington Road, just outside the north edge of the defined Milford-on-sea built up area. It is opposite Milford-on-Sea Primary school. It is located adjacent to the junction with Newlands Manor Drive, that extends along the south boundary of the application site. Access to the site is from Lymington Road.

The site is occupied by a 2 storey, 26 bedroom hotel, with ancillary staff accommodation, function suite, restaurant and bar, which is open to the public. The design of the building is half timbered mock Tudor appearance, with the first floor largely within the roof form. The building is set back from the roadside, behind a large graveled car park.

There are numerous large mature trees across the site and grassed lawns, resulting in a dominance of landscape setting. Open fields and paddocks surround the site. Houses are under construction around the school opposite.

Newlands Manor Drive provides access to the Grade II listed Newlands Manor, which sits in its own parkland with other listed structures within, considered to be a group. The Gothic style Manor has been subdivided in to 13 individual residential units. Slightly further west is Barnes Manor House, also Grade II listed.

The site is in the South West Hampshire Green Belt, land immediately to the south of the site, is allocated for residential development as SS7 'Land North of Manor Road'.

3 PROPOSED DEVELOPMENT

Proposed 2 storey extension to provide 24 hotel bedrooms, associated landscaping and erect roof extension to provide a manager's flat (2-bed). Increase car park by 48 spaces, landscape and bin store.

4 PLANNING HISTORY

| Proposal | Decision Date | Decision Description | Status |
|--|---------------|-------------------------------|---------|
| 19/10841 Second-floor (roof) extension to provide 18 bedrooms; 48 car parking spaces; associated landscaping; detached building to accommodate waste recycling | 09/10/2019 | Granted Subject to Conditions | Decided |
| 19/10011 Stable block; slurry, tack room and hay store | 12/03/2019 | Granted Subject to Conditions | Decided |
| 06/88772 Repair/alteration of driveway bridge (Application for Listed Building Consent) | 20/11/2006 | Granted Subject to Conditions | Decided |
| 03/77204 Function suite with staff bedrooms above; groundsman store and additional parking | 16/04/2003 | Granted Subject to Conditions | Decided |

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Policy STR1: Achieving Sustainable Development

Policy STR3: The strategy for locating new development

Policy STR6: Sustainable economic growth

Policy ENV1: Mitigating the impacts of development on International Nature Conservation sites

Policy ENV2: The South West Hampshire Green Belt

Policy ENV3: Design quality and local distinctiveness

Policy ENV4: Landscape character and quality

Policy CCC2: Safe and sustainable travel

Policy IMPL1: Developer Contributions

Local Plan Part 2: Sites and Development Management 2014

DM1: Heritage and Conservation

DM2: Nature conservation, biodiversity and geodiversity

DM3: Mitigation of impacts on European nature conservation sites

DM13: Tourism and visitor facilities

New Forest District Council Core Strategy 2009 Saved Policies

CS19: Tourism

CS21: Rural Economy

Supplementary Planning Guidance And Documents

SPD - Parking Standards

SPD - Mitigation for recreational impacts on New Forest habitats

Relevant Legislation

Planning (Listed Buildings and Conservation Areas) Act 1990

Planning and Compulsory Purchase Act 2004

Relevant Advice

NPPF

Constraints

SSSI IRZ Wind and Solar Energy

SSSI IRZ Water Supply

SSSI IRZ Waste

SSSI IRZ Air Pollution

SSSI IRZ All Consultations

Aerodrome Safeguarding Zone

Plan Area

SSSI IRZ Combustion

SSSI IRZ Rural Non Residential

SSSI IRZ Minerals Oil and Gas

SSSI IRZ Compost

SSSI IRZ Discharges

SSSI IRZ Infrastructure

Tree Preservation Order: 39/G13

Plan Policy Designations

Green Belt

Countryside

CS10(o): The spatial strategy

CS21: Rural Economy

6 PARISH / TOWN COUNCIL COMMENTS

Milford On Sea Parish Council

PAR 3: We recommend PERMISSION.

The Parish Council welcomes the additional visitor accommodation this proposal will afford and the subsequent benefits of this to the local community as a whole in terms of employment opportunities and contribution to the local economy.

In addition, whilst recognising the timber-clad agricultural-style extension should eventually sit well in its surroundings, planting and adjacent landscaping takes place to soften its appearance as soon as possible.

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

Hampshire CC Highways: No objection to the use of the existing access, but requests a Transport Assessment and travel plan are prepared.

Hampshire Fire & Rescue Service: no objection.

SGN: comments only

SSE: comments only

9 REPRESENTATIONS RECEIVED

Letters of representation have been received:

For: 7

Against: 5

Objecting:

Conflicts with the openness of the Green Belt and would be a disproportionate addition over the original building. Very Special Circumstances do not exist to outweigh such harm.

Substantial harm to the setting and significance of the heritage asset at Newlands Manor.

The proposed design fails to complement the existing hotel, its block like appearance would be out of character.

Loss of open space, ecology and heritage.

Increased vehicle movements along Lymington Road. Newlands Manor Road should not provide vehicle access. Additional use of the access would be dangerous due to other accesses and bend in the road.

Too much development for a small community like Milford on Sea.

Pandemic is not justification for allowing this application.

Supporting:

Increase in hotel bedroom accommodation is positive for the tourism economy and tourism spend in local businesses in the area.

Increase in jobs available locally and safeguard the viability of the site.

The position of extension would preserve the character of the area. Very Special Circumstances should apply, the amount of land being used for the development is a small percentage of the overall site area.

Preserves the asset for community use.

Good design that contrasts positively with the appearance of the existing building.

Deliverable solution that enables the hotel to operate whilst construction is being undertaken.

Go New Forest CIC: Support investment in the tourism industry and the positive contribution of the existing hotel to the community in Milford-on-sea.

10 PLANNING ASSESSMENT

The scheme proposes to erect a 2 storey extension to the rear, west, elevation of the hotel, to provide an additional 24 bedrooms. 2 floors of 12 rooms, with central corridor in a very traditional hotel layout out. It would be linked to the existing hotel by a 2 storey link that would include an additional staircase and a lift, result in the loss of a bedroom on the first floor, but link to the existing reception on the ground floor. The existing ground floor managers flat would be converted to an office or similar ancillary space. A new managers flat would be provided on the flat roof of the existing hotel.

The extension would extend on to a section of the communal grounds and landscaped embankment at the rear of the site, which would be remodelled. The scheme includes increases and revisions to the layout of the car park and manoeuvring areas .

Planning history

In 2019 planning permission was granted to erect an extension on the roof of the existing hotel to provide 18 additional bedrooms, in a continuation of the pitched roof design approach of the top floor of the existing hotel. It included alterations to the grounds and parking, much as proposed with this current application.

Despite being inappropriate development in the Green Belt and therefore harmful, that scheme was approved, after concluding that Very Special Circumstances (VSC) outweighed the harm. The VSC were based on the not insignificant contribution the extension would make to the viability of the hotel, the benefits for employment on site and additional spend in the local economy from customers, generating significant economic benefits.

Furthermore the hotel is already established in this green belt location and it would not be possible, or practical, to relocate the hotel to a non green belt location. The applicant did undertake a sequential search of alternative sites to demonstrate relocation was not an option locally.

That consent remains extant, however in justifying the current proposals the applicant has indicated that delivery of that scheme would have significant challenges for the viability of the hotel due to the conflict of constructing it on top of the existing building whilst trying to continue operation, especially after the lost revenue of the past 18 months (Covid 19).

Impact on the South West Hampshire Green Belt

Since the previous application was determined the Council has adopted its Local Plan Part 1: Planning Strategy. Policy ENV2 of that plan does not change the approach to planning applications within the Green Belt from that previously considered, referring considerations to the approach set out in the National Planning Policy Framework (para's 143-147).

Adoption of the local plan has reviewed the boundary of the Green Belt. Whilst land to the south of the site has been removed from the Green Belt to allow allocation of a strategic housing site, the application site is still within the Green Belt.

Similar to the previous application, the proposal would be inappropriate development that would, by definition, be harmful to the Green Belt.

Due to its size and proposed use, it would not fall within any of the categories of development listed at NPPF para. 145 or 146, that are exceptions to the presumption against development in the Green Belt.

Furthermore it would conflict with the purposes of including land in the Green Belt, in this case safeguarding the countryside from encroachment and urbanisation. Whilst the previous scheme retained the existing footprint it significantly altered the scale and bulk of the original building, adding a large extension to its roof. This scheme would add an extension to the side of the building in a contrasting design, in an attempt to preserve the dominance of the original building as the predominant feature of the built form on site. The extension would however result in greater plot coverage to the detriment of openness.

The scheme would also include some roof top development, which would also contrast with the existing building and whilst relatively small in scale is part of the proposals and would not be considered in isolation.

The applicant has supported their application with a statement to the effect that VSC should apply and set out the grounds on which they should be based. Which are largely based on the conclusions of the LPA in supporting the previous application.

The planning balance below considers if sufficient VSC exist to out weigh the harm to the openness of the Green Belt, by way of inappropriateness and any other harm arising from the scheme.

Design, site layout and impact on local character and appearance of area

As a result of being within the Green Belt, the character of the area is largely rural, with a low density, spacious layout and large distances between pockets of built form. Allocation of land to the south of the site for housing (Local Plan SS7) and erection of houses around Milford School opposite the site will inevitably change that character.

The scheme proposes a 2 storey rear extension, with a recessed and narrower link between the extension and the existing hotel. The design of the extension would contrast dramatically with that of the existing hotel, taking its agricultural setting as an influence for the barn like form and appearance.

The contemporary interpretation of a barn building is an entirely reasonable approach. The simple elevations, with minimal articulation, simple roof line and arrangement of windows would be complemented by the vertical timber finish and would be successfully subservient to the greater detailing, articulation and palette of materials on the existing hotel.

Due to its position and narrow link element, the existing south west corner of the hotel adjacent to the main entrance would still be appreciated as the existing corner with the extension read as a separate element beyond that, in views across the site from Lyndhurst Road, preserving the form of the existing building.

The double ridge roof form of the proposed extension would not be any higher than the existing roof and would stop short of intersecting with the existing roof. The link element would have a flat roof also below the existing ridge contributing to the subservience of the extension.

This, in addition to its siting to the rear of the site, screened in many views by the mature landscape and the existing building, would preserve the predominance of the existing hotel and its prominent position as a individual building along Lyndhurst Road

The joining link would be directly from the reception area and would include a lift, which the building doesn't currently benefit from. It would result in the loss of the managers flat, converted to ancillary staff office space. The link would extend up to the first floor and intersect with the existing roof. Whilst that would break the existing eaves and roof slope, due to its position at the rear and the extent of dormers on the existing building, that would not harm the appearance of the existing building.

A new managers flat would be formed on the flat roof on the top of the existing hotel. A much smaller and lower structure than the extant approval, it would be set in from the sloping roof, but would still be visible above them. This addition would not sit as comfortably on the building as the new rearward hotel extension, however the extent of its impact would no be significant and the right approach to materials could ensure it blends with the building around it.

Panoramic views across the site to the open fields at the rear are possible from a narrow range of vantage points along Lyndhurst Road. These views would be largely lost due to the position of the extension. However due to the recessed and set back position of the extension, the open aspect across the site and dominance of mature landscape would be preserved. Furthermore those views are glimpses and not a fundamental characteristic of the site.

The scheme would preserve the character and appearance of the existing hotel and the spacious setting.

Landscape impact and trees

The site is framed by mature trees along side boundaries and viewed through attractive distinctive trees and hedges across its frontage. Many of those trees are covered by TPO's.

The position of the extension is sufficiently far from the important trees, not only those protected, but others that contribute to the landscape setting, in order to prevent direct harm to their canopy and root zones.

It would be entirely reasonable and appropriate to expect a construction management plan to include tree protection fencing to protect those important trees during construction, to avoid accidental damage and storage of equipment and materials close to trees, this could be secured by condition.

The position of the proposed extension would result in revisions to the embankment at the rear of the building and remove some of the landscape gardens, however these are managed aspects of the landscape setting and could be easily replicated.

Revisions to the parking layout would increase the area of graveled surface in front of the building, resulting in the loss of grassed lawns, which is disappointing. However, compared with the extant scheme, it avoids parking vehicles at the rear of the building, a layout that would have a greater detrimental impact on the overall landscape character of the site than the impact of the additional extent of changes at the front of the site proposed with this application.

Listed Buildings

Newlands Manor is the closest heritage asset to the application site, it is Grade II listed and sits in a parkland setting, with listed structures within. East Gate Lodge and Round Lodge to the north east and Barnes Manor House are also Grade II listed and historically linked to the parkland of Newlands Manor.

S.66 of the Listed Buildings and Conservation Areas Act requires the decision maker to pay special regard to the desirability of preserving the building or its setting in its decision making. Para 193 of the NPPF requires great weight is given to the conservation of a heritage asset when considering the impact of a development on the significance of a designated heritage asset. Adopted policy DM1 reflects this later requirement of the NPPF.

According to the listing description the significance of Newlands Manor would appear to be the Gothic design, detailing and materials of the building itself, although its parkland setting clearly contributes to an appreciation of its historic significance. That parkland was broken up in the 1950's when parts of it were sold off, however the development process should seek to better reveal the significance of heritage assets.

There is no direct impact on any of the listed or potentially curtilage listed buildings and structures in the retained parkland setting of Newlands Manor. There is no visual inter relationship between Newlands Manor and the hotel, due to the respective siting and intervening mature landscape. The hotel is visible from the southern edge of the parkland retained with Newlands Manor, however those views would still be across open fields, that were likely part of the original parkland. The simple act of viewing a proposal does not render it harmful however, and the general concept of the views out from the parkland would be preserved.

The small erosion of open space on the site and restriction of some views into the open fields at the rear and across those fields from the parkland would have a very minor impact on the significance of the historic setting of Newlands Manor. The southern access drive would retain its tree lined approach to the Manor.

It is considered that the fields to the rear of the hotel make a very minor contribution to the significance of Newlands Manor, therefore the scale of harm arising from the development is very minor. In accordance with NPPF para 196 and DM1, this less than substantial harm could be outweighed by public benefits arising from the development. Such benefits and balancing is assessed below.

Highway safety, access and parking

The previous scheme was found to be entirely acceptable in respect of preserving highway safety and meeting the parking and access needs of the development.

This application increases parking on site to 105 spaces, the same as the extant scheme. As the scheme is making up for a shortfall associated with the existing restaurant and function suite currently existing, it is considered that the additional 6 bedrooms (over the extant consent), with no reciprocal increase in parking on site, would not give rise to a significantly greater increase in use, movements or parking requirements that would conflict with highway or pedestrian safety in the area.

This revised scheme does not propose any parking to the rear of the hotel, nor use of an access from Newlands Manor Road, reducing manoeuvring past the main entrance to the hotel, reducing potential conflicts on site, preserving the existing arrangement.

Hampshire CC as Local Highway Authority have requested a Transport Assessment is provided to analyse the existing traffic conditions and consider the impact of the proposed. No such assessment was required for the extant scheme. It is considered disproportionate for the scale of the scheme under consideration, especially given the fall back position. Furthermore it is not considered that a Travel Plan is proportionate for the scale of the development, nor was one required by the extant consent.

Residential amenity

Due to the design and siting of the proposals and intervening landscape, the amenity, privacy and outlook of the neighbour, at South Lawn Lodge, to the south of the site, would be preserved.

The applicant is likely to be very aware of the need for an efficient construction process, incurring minimal impact on the amenity of guests and visitors to the hotel and the operation of the existing hotel. The design of the structure is likely to support off site construction, however in any event it shouldn't result in a long build period requiring construction hours to be restricted, or imposition of a condition to secure details of site management.

Ecology

The scheme would have very little impact on bio-diversity due to the existing use of the area of the site to be developed. Preservation of the trees around the site and mature landscape would preserve the majority of the features of significant ecological value. That lost largely being mown lawns and the small managed garden would have minor ecological value.

A condition could readily secure a scheme to achieve bio-diversity net gain in accordance with the councils interim guidance.

Furthermore, due to the lack of sensitive habitats near the site, it is not considered proportionate or reasonable to require preparation of a Construction Environmental Management Plan.

Habitat Mitigation

As a scheme proposing overnight accommodation, it is likely to give rise to recreational use of the sensitive habitats in the New Forest and Solent, resulting in harm.

In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment has been carried out as to whether granting permission would adversely affect the integrity of the New Forest and Solent Coast European sites, in view of that site's conservation objectives. The Assessment concludes that the proposed development would, in combination with other developments, have an adverse effect due to the recreational impacts on the European sites, but that such adverse impacts would be avoided if the applicant were to enter into a Section 106 legal agreement to secure a habitat mitigation contribution in accordance with the Council's Mitigation Strategy. In this case, the applicant has indicated a willingness to enter into a Section 106 legal agreement, which secures the required habitat mitigation contribution.

Air Quality

To ensure that impacts on international nature conservation sites are adequately mitigated, a financial contribution is required towards monitoring and, if necessary (based on future monitoring outcomes) managing or mitigating air quality effects within the New Forest SPA, SAC and Ramsar site. There is potential for traffic-related nitrogen air pollution (including NO_x, nitrogen deposition and ammonia) to affect the internationally important Annex 1 habitats for which the New Forest SAC was designated, and by extension those of the other International designations. Given the uncertainties in present data, a contribution is required to undertake ongoing monitoring of the effects of traffic emissions on sensitive locations. A monitoring strategy will be implemented to provide the earliest possible indication that the forms of nitrogen pollution discussed (including ammonia concentrations) are beginning to affect vegetation, so that, if necessary, measures can be taken to mitigate the impact and prevent an adverse effect on the integrity of the SAC habitats from occurring. The applicant has indicated a willingness to make the required contribution by entering in to a S.106 agreement.

Nitrate neutrality and impact on Solent SAC and SPAs

Furthermore the scheme would also give rise to increased discharge of waste water to sewage treatment works, which increases the volume of nitrates being released in to the sensitive habitats in the Solent.

In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment has been carried out as to whether granting permission which includes an element of new residential overnight accommodation would adversely affect the integrity of the New Forest and Solent

Coast European sites, in view of that site's conservation objectives having regard to nitrogen levels in the River Solent catchment. The Assessment concludes that the proposed development would, in combination with other developments, have an adverse effect due to the impacts of additional nitrate loading on the River Solent catchment unless nitrate neutrality can be achieved, or adequate and effective mitigation is in place prior to any new dwelling being occupied. In accordance with the Council Position Statement agreed on 4th September 2019, these adverse impacts would be avoided if the planning permission were to be conditional upon the approval of proposals for the mitigation of that impact, such measures to be implemented prior to occupation of the new residential accommodation. These measures to include undertaking a water efficiency calculation together with a mitigation package to addressing the additional nutrient load imposed on protected European Sites by the development. A Grampian style condition has been agreed with the applicant and is attached to this recommendation.

Other Benefits

Saved policy CS19 of the New Forest District Core Strategy 2009 seeks to support the local tourism industry and at para. 7.6.6 indicates "Visitors staying in serviced accommodation, such as hotels and guest houses, spend on average three times as much as those staying in self-catering accommodation and more than seven times the amount spent by day visitors".

Local Plan part 2 'Sites and DM policies' recognises at para 2.89 that "Tourism is an important part of the local economy within the district".

The scheme proposes investment in an existing hotel which the applicants indicate would support the vitality and viability of the hotel. It is clear from this and the previous application that the hotel has operated successfully for a number of years despite its relatively small size. The proposed increase in size would not fundamentally change the character of the hotel, but would enable it to better meet the needs of its own function suite, attract more visitors to the area and would invest in the long term retention of existing services and facilities.

There would be economic benefits during construction and jobs created on site once operational. Furthermore there would be increased visitors to the site and area, likely to spend in the local economy. Hotel accommodation would be available all year as opposed to the seasonal fluctuations on camping and caravan sites.

It would also have benefit for local supply chains that serve the hotel.

The site has social benefits for the community as a meeting place and through continued public use of the bar and restaurant services.

Heritage balance

As identified earlier in this report there are clear economic and social benefits arising from the scheme, including preservation of the character and appearance of the area. Based on the extent of harm identified to the significance of the designated heritage assets, the less than substantial harm would be outweighed by the public benefits identified.

Green Belt balance

The proposed development would be inappropriate development in the Green Belt, harmful to its openness. The proposed application is directly related to the existing hotel use and could not be provided elsewhere as this is the site of the hotel. It has significant economic benefits, both on site and in the local economy and is a sector that the development plan supports as an important part of the local economy. NPPF para.80 requires decision makers to apply significant weight to the need to

support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

The benefits of the extant 18 room extension were considered to amount to Very Special Circumstances. In accordance with NPPF para.144, it is considered that the benefits of this 24 bed extension also amount to Very Special Circumstances, to outweigh the harm to openness, despite the nature of the scheme extending the footprint of the building.

Planning Balance

Public benefits outweigh the minor harm to heritage assets and Very Special Circumstances exist to outweigh the harm to the openness of the Green Belt by way of inappropriateness.

The economic benefits identified here were sufficient to amount to Very Special Circumstances in respect of the extant scheme and there is no reason to reach a different conclusion here. The proposed scheme would have a greater impact on openness, however it would better respect the prominence of the existing building, its contrasting design would sit comfortably in the landscape and subservient to the more detailed elevations of the existing building, preserving the character and appearance of the site.

Developer Contributions

As part of the development, the following will/has been secured via a Section 106 agreement:

Heads of terms

- Mitigation for recreation impacts on New Forest habitats;
- Mitigation for recreational impacts on Solent habitats;
- Monitoring of Air Quality in the New Forest.

A condition would be imposed to secure nitrate neutrality in the Solent arising from increased nitrates being emitted from Waste Water Treatment Works.

11 CONCLUSION

The scheme has significant economic benefits, environmental benefits and social benefits, that would preserve the character and appearance of the site and area, heritage assets, residential amenity and highway safety, it would therefore deliver a sustainable development and is recommended for approval.

12 RECOMMENDATION

Grant Subject to Conditions

Proposed Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development permitted shall be carried out in accordance with the following approved plans:

Location Plan Ref:1002-PL rev A received 30/12/20
Site Layout Plan Ref:2001-PL rev C received 11/06/21
Proposed Site plan (Colour) Ref:2002-PL rev C received 11/06/21

Proposed Ground Floor Plan Ref:3001-PL rev C received 11/06/21
Proposed First Floor Plan Ref:3002-PL rev C received 11/06/21
Proposed Second Floor Plan Ref:3003-PL rev C received 11/06/21
Proposed Managers Flat Plans and Elevations Ref:3004-PL received 11/06/21
Proposed Roof Plan Ref:3501-PL received 11/06/21
Proposed Roof plan detail Ref:3502-PL received 11/06/21
Proposed Elevations (1of2) ref:4001-PL rev D received 11/06/21
Proposed Elevations (2of2) ref:4002-PL rev D received 11/06/21
Proposed Section Ref:5001-PL received 11/06/21
Proposed East elevation section Ref:5002-PL received 11/06/21

Reason: To ensure satisfactory provision of the development.

3. Before development commences (including site clearance, demolition and any other preparatory works) a scheme for the protection of trees to be retained shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a method statement detailing timing of events, all changes of existing surfaces and plans showing the protective fencing or other measures required for the avoidance of damage to retained trees all in accordance with BS 5837 (2012) "Trees in Relation to Construction Recommendations". Such fencing shall be erected prior to any other site operation and at least 24 hours notice shall be given to the Local Planning Authority that it has been erected. The tree protection measures installed shall be maintained and retained for the full duration of the works or until such time as agreed in writing with the Local Planning Authority. No activities, nor material storage, nor placement of site huts or other equipment whatsoever shall take place within the fencing without the prior written agreement with the Local Planning Authority.

Reason: To ensure the retention of existing trees and natural features and avoidance of damage during the construction phase in accordance with Policies ENV3 and ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

4. Before development commences, details of the means of sustainably disposing of surface water from the site, including long term management and maintenance regimes, shall be submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with the approved details and the management and maintenance undertaken as agreed.

Reason: In order to ensure that the drainage arrangements are appropriate and in accordance with Policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park and the New Forest District Council and New Forest National Park Authority Strategic Flood Risk Assessment for Local Development Frameworks.

5. The development hereby permitted shall not be occupied until:

A water efficiency calculation in accordance with the Government's National Calculation Methodology for assessing water efficiency in new dwellings has been undertaken which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to, and approved in writing by, the Local Planning Authority; all measures necessary to meet the agreed waste water efficiency calculation must be installed before first occupation and retained thereafter;

A mitigation package addressing the additional nutrient input arising from the development has been submitted to, and approved in writing by, the Local Planning Authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European Sites by the development when fully occupied and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites; and

The mitigation package shall include a timetable for implementation and measures for retention and maintenance of that mitigation package, which shall thereafter be implemented.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation for is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017.

6. Before their use, samples or exact details of the facing and roofing materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved details.

Reason: To ensure an acceptable appearance of the building in accordance with Policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

7. The development hereby permitted shall not be occupied until the parking spaces, including the electric vehicle charging points and manoeuvring areas shown on the approved plans have been provided. They shall be kept clear for use by the hotel staff and visitors thereafter.

Reason: To ensure adequate parking provision is made in the interest of highway safety and in accordance with Policies ENV3 and CCC2 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

8. Details of measures, including maintenance and planting schedules, to support bio-diversity gain in accordance with the Councils 'Ecology & Bio-diversity Net Gain' interim advice note shall be submitted to and approved in writing. The agreed measures shall be implemented prior to commencement of use and thereafter retained.

Reason: In the interests of achieving Bio-diversity net gain as required by the NPPF and in accordance with DM2 of the New Forest District Local Plan Part 2: Sites and Development Management Policies 2014.

9. Safe, secure and sheltered cycle storage shall be provided on site for use by visitors, guests and staff, details and plans of which shall be submitted and approved in writing by the LPA and implemented prior to first occupation of the extension hereby approved and thereafter retained.

Reason: In the interests of supporting sustainable forms of transport and reducing reliance on the private car and in accordance with STR1 of the New Forest District Council Local Plan Part 1 : Planning Strategy 2020.

Further Information:

James Gilfillan

Telephone: 02380 28 5797

NFDC

14.9



New Forest
DISTRICT COUNCIL

Tel: 023 8028 5000
www.newforest.gov.uk

Claire Upton-Brown
Executive Head of Planning,
Regeneration and Economy
New Forest District Council
Appletree Court
Lyndhurst
SO43 7PA

PLANNING COMMITTEE

July 2021

SOUTH LAWN HOTEL
LYMINGTON ROAD
MILFORD-ON-SEA SO41 0RF
20/11474

93

South Lawn Hotel

South Lawn
Lodge

15.2m



NFDC

Scale 1:1250

N.B. If printing this plan from
the internet, it will not be to
scale.

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Application Number: 20/10136 Outline Planning Permission

Site: 24 POPLAR DRIVE, MARCHWOOD SO40 4XH

Development: Demolition of attached garaging and erection of infill dwelling
(Outline Application with access & layout details only)

Applicant: Mr Cornish

Agent: Southern Planning Practice

Target Date: 06/04/2020

Case Officer: Warren Simmonds

1 SUMMARY OF THE MAIN ISSUES

The following are considered to be the main issues to be taken into account when determining this application:

- 1) Principle of proposed development
- 2) Impact on character and appearance of the area and trees
- 3) Impact on residential amenities
- 4) Impact on highway safety
- 5) Impact on ecology on site and sites designated for nature conservation
- 6) Impact on sewage and drainage, and flood risk

This matter is before Committee as requested by Marchwood Parish Council.

2 THE SITE

The application site is a detached property that is set within a residential area characterised by properties of a similar design and scale. The property is set within a small cul-de-sac of properties which share access and turning space. The immediately surrounding properties occupy reasonable sized plots and are spacious in their setting. The site abuts a public footpath to the north-west and Long Lane, which is an unclassified road, to the south-west.

3 THE PROPOSED DEVELOPMENT

This is an outline planning application seeking approval for access and layout only. Matters relating to the appearance, landscaping and scale of the development will form reserved matters to be considered as the subject of a future 'reserved matters' application.

The proposed development entails a 3-bed detached dwelling to be constructed following a demolition of two garages attached to the side of 24 Poplar Drive. The proposed new dwelling would be provided with a garden at rear and would be accessed via a shared vehicular access from Poplar Drive. Three on-site car parking spaces would be provided within an area of hardstanding to the immediate front (north east) of the proposed dwelling.

Bins and cycle storage would be provided on site.

Similar proposals were previously refused in 2008 and 2009 following an objection from Hampshire County Council Highways. The most recent proposal (08/93393) was refused on the grounds of lack of turning area on site, inadequate car parking provision for the existing dwelling (due to unsafe access onto Long Lane) and contrived design.

4 RELEVANT PLANNING HISTORY

| Proposal | Decision Date | Decision Description | Status |
|--|---------------|-------------------------------|---------|
| 08/93393 Detached house; demolition of attached garages (Outline Application with details only of access & layout) | 23/02/2009 | Refused | Decided |
| 08/92707 Detached House (Details only of access and layout) | 08/09/2008 | Refused | Decided |
| 07/89269 Single-storey rear extension; rear conservatory | 15/02/2007 | Granted Subject to Conditions | Decided |

5 THE DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Local Plan 2016-2036 Part One: Planning Strategy

Policy CCC1: Safe and healthy communities
 Policy CCC2: Safe and sustainable travel
 Policy ENV1: Mitigating the impacts of development on International Nature Conservation sites
 Policy ENV3: Design quality and local distinctiveness
 Policy HOU1: Housing type, size, tenure and choice
 Policy IMPL1: Developer Contributions
 Policy IMPL2: Development standards
 Policy STR1: Achieving Sustainable Development
 Policy STR3: The strategy for locating new development

Local Plan Part 2 Sites and Development Management Development Plan Document

DM2 Nature conservation, biodiversity and geodiversity

Supplementary Planning Guidance And Documents

SPD – Parking Standards
 Ecology & Biodiversity Net Gain - Interim Advice & Information Note

Plan Policy Designations

Built-up Area

6 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Relevant Legislation

Section 38 Development Plan
 Planning and Compulsory Purchase Act 2004

Relevant Advice

NPPF 124 :The National Planning Policy Framework 2019 Chapter 12
"Achieving well designed places" acknowledges (in Para 124) that the creation of a high quality built environment is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development in creating better places to live and work. Being clear about design expectations is essential to achieving this goal.

NPPF 127 :The National Planning Policy Framework 2019 Chapter 12
"Achieving well designed places" requires in Para 127 requires development to be sympathetic to local character, respect surrounding built environment and maintain a strong sense of place in terms of building gaps, spaces and materials.

7 PARISH / TOWN COUNCIL COMMENTS

Marchwood Parish Council

Marchwood Parish Council would like to raise a strong OBJECTION to this application and lists the following material planning considerations.

The proposal incorporates inadequate provision for the parking and manoeuvring of vehicles clear of the highway (Long Lane) which would result in vehicles interfering with the free flow of traffic on the adjoining highway to the detriment of highway safety and cause inconvenience to other highway users. In addition to this, the proposed new access and parking arrangements for the new dwelling are likely to encourage vehicles leaving the site to do so in a reverse gear due to the inadequate space for the turning of vehicles within the site and the excessive width of the proposed access onto the highway. The proposal would therefore be contrary to policy CS2 of the New Forest District Council Core Strategy

By reason of its siting, height and massing the proposed side extension would introduce built form into an open area. This would result in an intrusive form of development, that would be imposing within the street scene, and would erode the spaciousness of the area. As such it would be contrary to Policy CS2 of the Core Strategy for the New Forest District outside the National Park, and Chap 12 of the National Planning Policy Framework.

The proposal would adversely affect the spatial characteristics of the area by virtue of the height, width and depth of the proposed dwelling which would be unsympathetic to its setting and would close an important visual gap. Combined with the design of the proposed dwelling, the development would be considered contextually inappropriate in this location, contrary to policy CS2 of the New Forest District Council Core Strategy.

The proposed development would, as a result of the increased level of car parking and associated hard surfacing, result in a form of development that would be out of character with the green, sylvan appearance of this area and give rise to a cramped form of development. As a result the proposal would be contrary to Policy CS2 of the Core Strategy for the New Forest District outside the National Park.

No adequate guarantee has been received that will protect the protected trees on site. Whilst the Design Statement shows the trees will be protected above ground it does not mention anything about protecting the root structure of these trees. This is particularly important in protecting the water-seeking roots.

Marchwood Parish Council is working closely with Hampshire County council and others in promoting a safe walking route through Long Lane. Allowing a development with a dropped curb and associated traffic movements that cross this safe walking route would not benefit its users.

Marchwood Parish Council:

Corrections to our original draft.

Marchwood Parish Council would like to raise a strong OBJECTION to this application and lists the following material planning considerations.

The proposal is likely to have inadequate provision for the parking and manoeuvring of vehicles clear of the highway (Long Lane) which would result in vehicles interfering with the free flow of traffic on the adjoining highway to the detriment of highway safety and cause inconvenience to other highway users.

In addition to this, the proposed new access and parking arrangements for the new dwelling are likely to encourage vehicles leaving the site to do so in a reverse gear due to the inadequate space for the turning of vehicles within the site and the excessive width of the proposed access onto the highway. The proposal would therefore be contrary to policy CS2 of the New Forest District Council Core Strategy.

By reason of its siting and massing the proposed new dwelling would introduce built form into an open area. This would result in an intrusive form of development, that would be imposing within the street scene, and would erode the spaciousness of the area. As such it would be contrary to Policy CS2 of the Core Strategy for the New Forest District outside the National Park, and Chap 12 of the National Planning Policy Framework.

The proposal would adversely affect the spatial characteristics of the area by virtue of the height, width and depth of the proposed dwelling which would be unsympathetic to its setting and would close an important visual gap. Combined with the design of the proposed dwelling, the development would be considered contextually inappropriate in this location, contrary to policy CS2 of the New Forest District Council Core Strategy.

The proposed new dwelling would as a result of the increased level of car parking and associated hard surfacing, result in a form of development that would be out of character with the appearance of this area and give rise to a cramped form of development. As a result the proposal would be contrary to Policy CS2 of the Core Strategy for the New Forest District outside the National Park.

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Marchwood Parish Council is working closely with Hampshire County Council and others in promoting a safe walking route through Long Lane. Allowing a development with a dropped curb and associated traffic movements that cross this safe walking route would not benefit its users.

Marchwood Parish Council:
PAR 4

Members would like this application to be dealt with by the Development Control Committee if the delegated officer is minded to grant permission.

8 COUNCILLOR COMMENTS

No comments received

9 CONSULTEE COMMENTS

The following is a summary of the representations received which can be read in full online.

Environment Agency

Object on grounds the submitted Flood Risk Assessment (FRA) is not acceptable by reason of the methodology used.

NFDC Environmental Health Contaminated Land

I have no concerns with this application

NFDC Land Drainage

Response of 'No comment'

NFDC Building Control

No objection

NFDC Tree Team

No objection, subject to a Condition.

Hampshire County Council Highways

No objection subject to informative.

Southern Water

Standard letter of advice

SGN

Advice only

10 REPRESENTATIONS RECEIVED

10 representations of objection (of which 7 were from the same party) have been received, raising concerns including:

- Creating a parking space (No.1) to the front of the house, is not achievable without encroaching on my front lawn and impact on my living room window;
- Impact on daylight, would block view of the sky, overlooking;
- Safety concerns over the use of the gate to the rear of No. 24, adding a hazard to pedestrians, no space for car when opening/closing gate
- Increased access/egress of car traffic across our land

- Noise
- Cramped development, negative visual impact, over-development, not in keeping
- Problems with sewerage/drainage system
- Risk of flooding
- Inadequate car parking provision and overflow of parking in the area;
- No established vehicular access from Long Lane, unsafe access
- Loss of hedgerow – negative visual impact
- Presence of Goldcrests

11 OFFICER COMMENTS

Principle of development

The application site is located in an urban area of Marchwood where new residential development is supported in principle, subject to compliance with policies safeguarding quality design, residential amenity, highway safety and ecology.

The western corner of the application site is located within Flood Zone 3 according to the Environment Agency Flood Zone Map and Zone 3b as shown on the New Forest Strategic Flood Risk Assessment. Comments from Environment Agency and the New Forest Land Drainage were solicited (see below).

Impact on character and appearance of the area and trees

Previous applications were refused on the grounds of design and in particular the contrived nature of the dwelling due to the scale and footprint. It is noted that the previous schemes shown dwellings of considerably smaller footprints and pyramid roof shape which were out of keeping with surrounding properties. This is an outline planning application seeking approval for access and layout only. Matters relating to the appearance, landscaping and scale of the development will form reserved matters to be considered as the subject of a future 'reserved matters' application.

The current proposal consists of a dwelling which would have a larger footprint than previously proposed and roof design which would match the existing dwelling on site and the surrounding properties. The urban grain of the surrounding area is not uniform. Instead the area is characterised by properties of varying footprint size, detached, linked detached and terraced houses. It is also noted that most of the dwellings in the immediate area have integral garages which make the footprint appear larger, but the footprint of the houses alone is comparable to the proposal. Furthermore, in terms of gaps between buildings, there are examples of buildings which are located fairly close to each other and so the proposed house would not appear contrived. Whilst the garden size of the proposed dwelling would be smaller than the gardens of immediately surrounding properties, given the varied plot sizes in the area, it is considered this would not be out of keeping.

As to the scale of the proposed dwelling, it should be remembered this application is outline only, seeking approval for access and layout. Detailed matters relating to the appearance, landscaping and scale of the development would therefore be considered as the subject of a future 'reserved matters' application.

However, the applicant has submitted indicative drawings demonstrating the maximum height and eaves height would match the height of the nearby houses and the dwelling would also have a gable roof to match the existing and nearby dwellings.

Therefore, whilst full design details are not under consideration here, it is considered this outline application demonstrates, through the indicative plan and elevational drawings provided, that a future detailed proposed design (under a reserved matters application) could overcome the previously raised concerns and the proposed dwelling would not appear out of keeping with its surroundings.

Concern has been raised by the Parish Council that the development would result in increased car parking and associated hard surfacing areas. However, the area in front of the houses in the cul-de-sac is already hard surfaced and relatively well screened by existing trees and foliage. Therefore, it is not considered that the proposed development would result in an undue increase in hard surfacing and consequent loss of sylvan character.

The NFDC Tree Officer commented on the application and did not raise objection to the partial removal of a Cypress hedge on the grounds of harm to visual amenity.

Concerns have been also raised over the development having impact on the tree root systems. It is noted that a consent has been given to fell one of the protected trees on site reducing the extent of root protection area. A Tree Survey and Arboricultural Method Statement has been submitted which clarifies the detail of the tree protection measures to be taken and the installation of the specialist driveway. The NFDC Tree Officer commented that, subject to a condition ensuring that the recommendations are followed, no objection is raised on the grounds of harm to protected trees on site and adjacent to the site.

Impact on residential amenities

In terms of impact on residential amenities, the proposed dwelling would be located to the side (north-west) of 24 Poplar Drive and would be positioned approximately 3m away from it. 24 Poplar Drive has no first floor windows within side elevation facing the application site. Subject to detailed design, including no windows overlooking 24 Poplar Drive, it is considered the proposed dwelling would not cause demonstrable harm to residential amenities currently enjoyed at the existing dwelling on site, in particular in terms of light, outlook and privacy. A concern has been raised over the proposed dwelling causing loss of morning light and privacy at no. 25 Poplar Drive. However, as this is an outline application for access and layout only, the detailed design of the dwelling, including details of fenestration are not specified. Given the separation distance between the two dwellings, the position and roof design of the proposed dwelling, and the fact that any loss of light would occur only during early morning hours, it is considered that the proposed development would not cause demonstrable harm to the residential amenities currently enjoyed at no. 25 Poplar Drive to extent justifying planning refusal. First floor windows within elevation facing 25 Poplar Drive would not be acceptable at a reserved matters stage.

In terms of loss of privacy in the garden, the application site is located within an urban area where dwellings positioned next to each other and close by are common and resultant oblique/mutual overlooking views across into neighbouring gardens are typical. However, these are not considered unduly harmful to privacy.

Impact on daylight and view from windows at no. 23 has been raised as a concern. However, the proposed dwelling would be located further away from this property than the existing dwelling at no. 24 Poplar Drive. Given the separation distance between no. 23 and the application site, it is not considered that there would be demonstrable harm caused to no. 23 in terms of loss of light and outlook.

A further concern has been raised over overlooking (of no.23) from new windows. However, any window within front elevation of the proposed house would provide views towards the front of the house and not towards no. 23. Oblique views in urban areas where dwellings are located close to each other are typical and not considered unduly harmful. As to windows within the side elevation, their detailed design and position would be agreed at a reserved matters stage and any potential for overlooking would be minimised.

Potential damage to the front lawn at no. 23 as a result of construction and usage of car parking space at the front of 24 Poplar Drive has been raised as a concern. The proposed site layout plan shows that the car parking space fits within the application site. Therefore, it is considered this concern would not be a valid reason to refuse this application. An amended site layout plan has been submitted showing additional soft landscaping of the car parking space to provide screening and to reduce the potential for overlooking, light, noise and smell pollution and other disturbance.

Concerns over increased traffic and noise within the cul-de-sac have also been raised. However, it is noted that some existing car parking provision for the host dwelling is proposed to be re-located towards the rear of the dwelling. Therefore, it is likely there would be no material increase in noise and traffic at the front of the properties sufficient to justify refusal of the application on the grounds of noise or other disturbance.

Impact on highway safety

The proposed car parking provision and access arrangements are a material consideration. It has been previously noted by Hampshire County Council Highways that due to the length and alignment of the front driveway, there is a need for cars to be able to enter and leave the site on forward gear. Therefore, adequate turning area was required despite the fact that the site is not accessed from a classified road. This proposal now accommodates turning area on site and this aspect no longer raises highways concerns.

In terms of car parking provision, the proposed dwelling would accommodate 3 bedrooms and would require the provision of 2.5 on-site car parking spaces. The proposed site layout plan demonstrates the provision of 3 on-site car parking spaces, which meets the Council's requirement set out in Parking Standards SPD.

As to the car parking provision for the existing dwelling, 3 car parking spaces have also been shown on the submitted site layout plan. Two spaces have been positioned within the rear garden of 24 Poplar Drive, to the south-west of the

dwelling. These spaces would be accessed from Long Lane and would require the construction of a new vehicular access. Previously, Hampshire County Council Highways objected to this solution on the basis of highway safety. However, current comments on this proposal note that a vehicular access onto an unclassified road, such as Long Lane, could be constructed without the need for planning permission therefore no objection has been raised by HCC Highways on this basis, subject to the access being constructed in accordance with detailed Hampshire County Council Highways standards. It has been noted that any gates should be located 6 meters away from the edge of the carriageway. An amended site layout plan has been submitted to show that the position of the entrance gates would meet this requirement.

The planning agent has confirmed that the hard surfacing of the access from Long Lane would consist of breathable tarmac to avoid spilling of loose particles onto the highway. This will be secured at reserved matters stage.

An objection has been raised by Marchwood Parish Council on the basis that the new access and the associated traffic movements would not benefit pedestrian walking along that route. However, as noted by Hampshire County Council Highways, this access could be constructed without planning permission, therefore it is considered refusing the application on this basis would not be justifiable in this case.

Impact on ecology on site and sites designated for nature conservation

A third party objection has been raised due to presence of Goldcrest on site.

The NFDC Ecologist has commented on the application that whilst Goldcrest is a protected species, they are a widespread and common species across the whole of the UK. Therefore their presence on site would not give grounds to raise an objection *per se*, subject to an Informative to the applicant requesting that any vegetation clearance e.g. hedges, trees, scrub etc. should be undertaken outside of the nesting season (March to August inclusive) or be subject to an inspection by a suitably qualified ecologist to check for the presence of active nest(s) if works fell within this period. Should an active nest be confirmed, works would need to cease until the chicks had fledged.

In accordance with policy DM2: Nature conservation “*Development proposals will be expected to incorporate features to encourage biodiversity and retain and, where possible, enhance existing features of nature conservation value within the site.*”

On Site Biodiversity and protected species

The application is supported by proposals for biodiversity enhancement and mitigation in the form of landscaping and habitat creation and provision of facilities for nesting birds, bats, hedgehog (permeable fencing features) and other species of conservation which should be secured by condition, the Ecologist has raised no objections on this basis.

In this case, given the nature of the plot, the opportunities for biodiversity enhancement would be limited. However, provision of bird nest features integral to the building fabric (e.g. sparrow terrace) would be appropriate. Therefore, an appropriate biodiversity enhancement scheme is recommended to be secured by a planning condition.

a) Habitat Mitigation and off-site recreational impact

In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment has been carried out as to whether granting permission would adversely affect the integrity of the New Forest and Solent Coast European sites, in view of that site's conservation objectives. The Assessment concludes that the proposed development would, in combination with other developments, have an adverse effect due to the recreational impacts on the European sites, but that such adverse impacts would be avoided if the applicant were to enter into a Section 106 legal agreement (or unilateral undertaking) to secure an appropriate habitat mitigation contribution in accordance with the Council's Mitigation Strategy. In this case, the applicant has agreed in principle to enter into a Section 106 legal agreement (or unilateral undertaking), which secures the required habitat mitigation contribution.

b) Nitrate neutrality and impact on the Solent SPA and SACs

In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment has been carried out as to whether granting permission which includes an element of new residential overnight accommodation would adversely affect the integrity of the New Forest and Solent Coast European sites, in view of that site's conservation objectives having regard to nitrogen levels in the River Solent catchment. The Assessment concludes that the proposed development would, in combination with other developments, have an adverse effect due to the impacts of additional nitrate loading on the River Solent catchment unless nitrate neutrality can be achieved, or adequate and effective mitigation is in place prior to any new dwelling being occupied. In accordance with the Council Position Statement agreed on 4th September 2019, these adverse impacts would be avoided if the planning permission were to be conditional upon the approval of proposals for the mitigation of that impact, such measures to be implemented prior to occupation of the new residential accommodation. These measures to include undertaking a water efficiency calculation together with a mitigation package to addressing the additional nutrient load imposed on protected European Sites by the development. A Grampian style condition has been agreed with the applicant and is attached to this consent.

Flood risk

The application site is partially within the designated Environment Agency Flood Zone 3 and NFSFRA fluvial flood zone 3b. The affected area is the south westernmost corner of the proposed rear garden of the new property, constituting approximately 6 square metres in area. The area affected is not within the proposed footprint area for the new dwelling and does not intercept the proposed access/egress for the proposed dwelling.

The Environment Agency (EA) were consulted and raised an initial objection on the grounds of the submitted FRA was inadequate. The NFDC Drainage officer has provided a consultation response of 'no comment'.

Following the EAs initial objection, the applicant commissioned an enhanced FRA to address the comments of the EA. The EA has subsequently maintained their objection to the proposal, based on grounds of the methodology used in producing the FRA.

Taking into consideration that:

- i) The footprint of the proposed dwelling is entirely outside of the designated flood zone (which only covers a small far corner at the southern end of the garden of the plot),
- ii) The means of access/egress/escape from the proposed dwelling is on the opposite side of the site to the north and would not be compromised in the event of a flooding incident, and
- iii) The EA objection represents the only consultee objection to the proposed development and would consequently constitute the sole reason for refusal.

Officers consider the refusal of the application on flood risk grounds would in this case be disproportionate to the potential risk and are therefore recommending approval of the proposal. The case officer has written to the EA (on 11th May 2021) as requested, notifying them of the intention to recommend approval contrary to their objection. No subsequent response from the EA has been received.

Impact on sewage

Objections have been raised on the grounds of existing problems with sewage and drainage and the proposed development increasing the risk of flooding. Whilst existing problems with sewage/drainage should be raised with Southern Water, it is considered that surface water drainage and foul drainage issues on site can, at this stage, be controlled through an appropriate Condition requiring details of a foul and surface water drainage strategy to be provided at a reserved matters stage to ensure that surface water is dealt with on site and not directed to the existing public sewer system. Southern Water was consulted on the application and did not raise objection, subject to an informative to the applicant in respect of new connections to public sewer.

12 CONCLUSION ON THE PLANNING BALANCE

The application has been considered against all relevant material considerations including the development plan, relevant legislation, policy guidance, government advice, and the views of interested consultees and third parties.

The application is considered to raise no significant adverse issues and the planning balance (and officer recommendation) in this case is for the approval of outline planning consent, subject to the attached Conditions and Informatives, and subject to the applicant first entering into a S106 legal agreement or unilateral undertaking to secure the provision of an appropriate habitats mitigation contribution.

13 OTHER CONSIDERATIONS

Crime and Disorder

No relevant considerations.

Local Finance

If this development is granted permission, the Council will receive New Homes Bonus (net increase in dwellings 1 x £1224 = £1224 in each of the following four years, subject to the following conditions being met:

- a) The dwellings the subject of this permission are completed, and
- b) The total number of dwellings completed in the relevant year exceeds 0.4% of the total number of existing dwellings in the District.

Based on the information provided at the time of this report this development has a CIL liability. However, outline planning permissions granted after the 6 April 2015 will be liable to pay CIL when the development is built, but as the liability is calculated at Reserved Matters stage the full amount of CIL contribution is unknown at this stage.

Human Rights

In coming to this recommendation, consideration has been given to the rights set out in Article 8 (Right to respect for private and family life) and Article 1 of the First Protocol (Right to peaceful enjoyment of possessions) of the European Convention on Human Rights. Whilst it is recognised that there may be an interference with these rights and the rights of other third parties, such interference has to be balanced with the like rights of the applicant to develop the land in the way proposed. In this case it is considered that the protection of the rights and freedoms of the applicant outweigh any possible interference that may result to any third party.

Equality

The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty *inter alia* when determining all planning applications. In particular the Committee must pay due regard to the need to:

- (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

14 RECOMMENDATION

Delegated Authority be given to the Executive Head of Planning, Regeneration and Economy to **GRANT PERMISSION** subject to:

- i) the completion by the applicant/landowner of a planning obligation entered into by way of a Section 106 Agreement (or unilateral undertaking) to secure appropriate contributions in respect of Habitats Mitigation, Bird Aware Solent contribution and Air Quality monitoring contribution.
- ii) the imposition of the Conditions set out below.

Proposed Conditions:

1. Approval of the details of the scale, appearance and landscaping ("the reserved matters") shall be obtained from the Local Planning Authority before any of the development is commenced. The development shall only be carried out in accordance with the details which have been approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

2. Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

3. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the 'reserved matters' to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

4. The development permitted shall be carried out in accordance with the following approved plans:

Site plan as proposed NF-NM-343.06E

Site location plan (1:1250) NF-NM-343.04A

Block plan as existing (1:500) NF-NM-343.05A

Site location plan as proposed (1:1250) NF-NM-343.07

Planning, Design and Access Statement

Arboricultural Impact Assessment and Method Statement (ref. HBD1923IAMS) 30 July 2019.

Reason: To ensure satisfactory provision of the development.

5. Before first occupation of the development hereby approved, a surface water sustainable drainage system (SuDS) shall be designed and installed to accommodate the run-off from all impermeable surfaces including roofs, driveways and patio areas on the approved development such that no additional or increased rate of flow of surface water will drain to any water body or adjacent land and that there is capacity in the installed drainage system to contain below ground level the run-off from a 1 in 100 year rainfall event plus 30% on stored volumes as an allowance for climate change as set out in the Technical Guidance on Flood Risk to the National Planning Policy Framework.

Infiltration rates for soakaways are to be based on percolation tests in accordance with BRE 365, CIRIA SuDS manual C753, or a similar approved method.

In the event that a SuDS compliant design is not reasonably practical, then the design of the drainage system shall follow the hierarchy of preference for different types of surface water drainage system as set out at paragraph 3(3) of Approved Document H of the Building Regulations. The drainage system shall be designed to remain safe and accessible for the lifetime of the development, taking into account future amenity and maintenance requirements.

Reason: In order to ensure that the drainage arrangements are appropriate and in accordance with the aims and objectives of the NPPF and the New Forest District Council and New Forest National Park Authority Strategic Flood Risk Assessment for Local Development Frameworks.

6. The trees on the site which are shown to be retained on the approved plans shall be protected during all site clearance, demolition and building works in accordance with the measures set out in the submitted arboricultural statement.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area.

7. The development hereby permitted shall not be occupied until the spaces shown on plan NF-NM-343.06 Revision E (Site plan as proposed) for the parking of motor vehicles have been provided. These spaces shall be retained and kept available for the parking of motor vehicles for the dwelling hereby approved at all times.

Reason: To ensure adequate parking provision is made in the interest of highway safety and in accordance with Policy ENV3 and CCC2 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest outside of the National Park.

8. The development hereby permitted shall not commence until the spaces shown on plan NF-NM-343.06 Revision E (Site plan as proposed) for the parking of motor vehicles associated with the existing dwelling at 24 Poplar Drive have been provided. These spaces shall be retained and kept available for the parking of motor vehicles for the existing dwelling at all times.

Reason: To ensure adequate parking provision is made in the interest of highway safety and in accordance with Policy ENV3 and CCC2 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest outside of the National Park.

9. No development shall take place until scheme for biodiversity protection and enhancement has been submitted to and approved in writing by the local planning authority. The measures agreed shall be implemented as part of the development and maintained thereafter.

Reason: To enhance existing features of nature conservation value within the site in accordance with DM2: Nature Conservation of the Local Plan Part 2: Sites and Development Management

10. Prior to first occupation, provision shall be made for the convenient installation of charging points for electric vehicles (associated with the new dwelling) on the site, the details of which shall have been first submitted to and agreed in writing by the Local Planning Authority, and the approved details shall thereafter be retained for their intended purpose at all times.

Reason: To ensure suitable provision is made and in accordance with Policy IMPL2 of the Local Plan Part 1 2016-2036 Planning Strategy

11. The cycle storage facility shown on the approved plans shall be provided before first occupation of the dwelling hereby approved, and shall thereafter be retained for its intended purpose at all times.

Reason: To ensure adequate cycle parking provision, and in the interests of sustainable development.

12. The development hereby permitted shall not be occupied until:

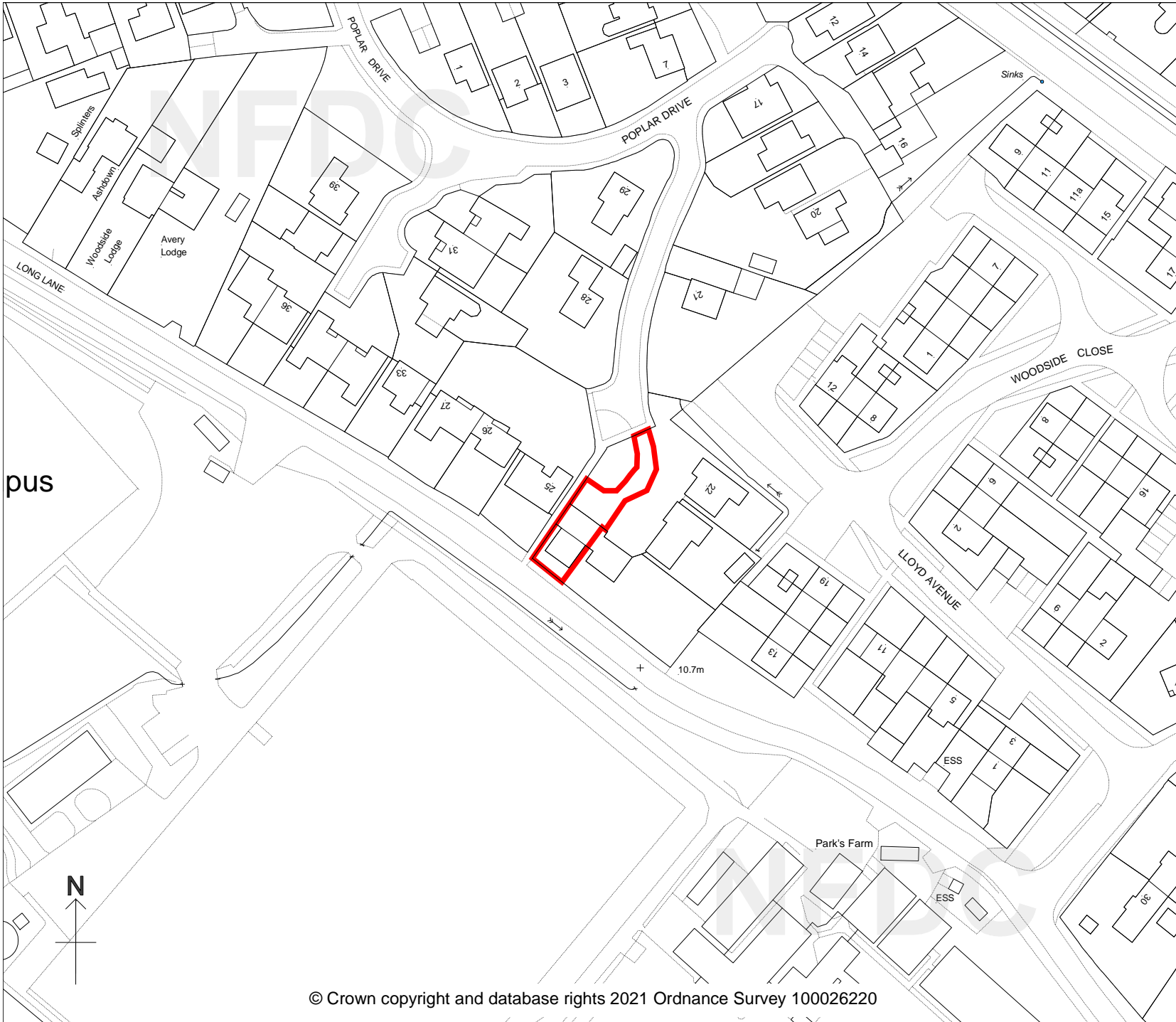
- a) A water efficiency calculation in accordance with the Government's National Calculation Methodology for assessing water efficiency in new dwellings has been undertaken which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to, and approved in writing by, the Local Planning Authority; all measures necessary to meet the agreed waste water efficiency calculation must be installed before first occupation and retained thereafter;
- b) A mitigation package addressing the additional nutrient input arising from the development has been submitted to, and approved in writing by, the Local Planning Authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European Sites by the development when fully occupied and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites; and
- c) All measures forming part of that mitigation package have been provided to the Local Planning Authority.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation for is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017.

Further Information:

Warren Simmonds

Telephone: 023 8028 5453



New Forest

DISTRICT COUNCIL

Tel: 023 8028 5000
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Claire Upton-Brown
 Executive Head of Planning,
 Regeneration and Economy

Planning
 New Forest District Council
 Appletree Court
 Lyndhurst
 SO43 7PA

PLANNING COMMITTEE

July 2021

24 POPLAR DRIVE
 MARCHWOOD
 SO40 4XH
 20/10136

Scale 1:1250

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Application Number: 21/10089 Full Planning Permission

Site: 2 HURSLEY DRIVE, LANGLEY, FAWLEY SO45 1ZU

Development: 4.2x6m summer house

Applicant: Mr & Mrs Brannigan

Agent: Marchitect Design

Target Date: 22/03/2021

Case Officer: Warren Simmonds

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Principle of the proposed development
- 2) Scale, design, materials and impact on the character of the surrounding area
- 3) Impact on the amenity of neighbours

This application is to be considered by Committee due to the objection and recommendation of refusal (PAR4) from Fawley Parish Council.

2 SITE DESCRIPTION

The application site consists of a two storey detached dwelling with a relatively generous rear garden extending to the south east. Hursley Drive is an established residential area off of Kings Ride.

3 PROPOSED DEVELOPMENT

The application proposes the erection of a detached, single storey timber clad summerhouse within the garden of the property.

4 PLANNING HISTORY

| Proposal | Decision Date | Decision Description | Status |
|--|---------------|-------------------------------|---------|
| 17/10147 Two-storey front extension; single-storey front and rear extension; lantern rooflights | 05/04/2017 | Granted Subject to Conditions | Decided |
| 78/NFDC/09691 86 Residential dwellings and garages, with the construction of pedestrian/vehicular access, roads and drainage | 08/05/1978 | Granted Subject to Conditions | Decided |
| 74/NFDC/00625 257 houses. | 23/04/1975 | Granted Subject to Conditions | Decided |

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016 - 2036 Part 1: Planning Strategy

Policy STR1: Achieving Sustainable Development
Policy ENV3: Design quality and local distinctiveness

Local Plan Part 2: Sites and development Management

DM2: Nature conservation, biodiversity and geodiversity

National Planning Policy Framework

NPPF 124 :The National Planning Policy Framework 2019 Chapter 12 "Achieving well designed places" acknowledges (in Para 124) that the creation of a high quality built environment is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development in creating better places to live and work. Being clear about design expectations is essential to achieving this goal.

NPPF 127 :The National Planning Policy Framework 2019 Chapter 12 "Achieving well designed places" requires in Para 127 requires development to be sympathetic to local character, respect surrounding built environment and maintain a strong sense of place in terms of building gaps, spaces and materials.

6 PARISH COUNCIL COMMENTS

Fawley Parish Council

(No 4) We recommend refusal as the Parish Council considers the summer house to be sited too near to the neighbour and also raise concerns that the log burner chimney is too near the adjacent property.

Subsequent PC response dated 22.04.21:

The Parish Council recommended refusal on 2 points, not just the flue - reluctant to change the recommendation without some improvement of the positioning of the structure.

7 COUNCILLOR COMMENTS

Cllr Mrs Alexis E McEvoy, BSc (Hons)

Objects to the proposal on grounds including:

- (i) Location, size and purpose of proposed summerhouse would adversely impact amenity of No.1 Hursley Drive.
- (ii) Amenity/nuisance resulting from proposed woodburning flue
- (iii) Use of proposed building as games room may lead to amenity impacts on neighbours from noise and disturbance.
- (iv) Environmental concerns - noise, odour, outlook.

Comments in full are available on website.

8 **CONSULTEE COMMENTS**

Comments have been received from the following consultees:

NFDC Environmental Health (Pollution)

Objection (subsequently overcome by omission of woodburner)

9 **REPRESENTATIONS RECEIVED**

The following is a summary of the representations received.

Third party concerns/objections include: Close proximity to boundary, excessive size of building and impact on visual amenity, smoke, pollution, noise disturbance, insufficient visitor parking.

For: 1

Against: 3

10 **PLANNING ASSESSMENT**

Principle of Development

The application site is within the built up area of Fawley where development is generally acceptable in principle, subject to accordance with the relevant policies of the development plan and relevant national planning guidance.

The proposed building constitutes an ancillary garden outbuilding within a residential setting, this is considered an appropriate use in principle within the context of the application site and surrounding area.

Design, site layout and impact on local character and appearance of area

The proposed building is a detached single storey timber clad garden outbuilding, intended to be used as a summer house/family games room, ancillary and incidental to the main dwelling. The proposed location for the building is within the rear garden of the property, towards the southern corner, adjacent to shared boundaries with numbers 1 and 3 Hursley Drive. The proposed building is to be set 500mm in from these adjoining boundaries.

The approximate dimensions of the proposed building are 6m long by 4.2m wide by 2.3m (height to eaves) and 4.2m (height to ridge).

The external materials proposed consist of horizontally clad walls over a low brick plinth under a plain clay tiled roof.

The proposed building is considered to be typical of a domestic garden outbuilding in construction and appearance. The relatively low eaves height of approx. 2.3m would not be unduly prominent when viewed beyond the boundary fences from adjoining gardens.

In general, the proposed garden outbuilding, whilst relatively large, is considered appropriate in terms of scale, design and materials within the context of the back garden of the property and would not be unduly prominent within, or adversely affect the existing character of the surrounding area.

Residential amenity

Whilst the initially proposed woodburning flue caused significant concern, this element has since been omitted from the proposal and no longer constitutes a consideration.

The proposed use of the outbuilding is ancillary and incidental to the enjoyment of the main dwellinghouse. This is an acceptable/appropriate use within a residential garden setting.

It remains a material consideration that an approximately equivalently sized outbuilding could be provided within the garden under permitted development rights without the need for planning permission (Class E, General Permitted Development (England) Order 2015) if the building were sited 2m from the boundary with adjoining neighbouring properties.

Whilst concerns have been expressed in third party representations that undue impacts on amenity through noise and disturbance may result, it is considered there are no substantial grounds in planning terms in this case to refuse planning permission for this reason. However, as with any other development or activity, should undue noise/disturbance subsequently become an issue there is adequate legislation (Environmental Health) outside of planning to deal with such matters.

In summary, it is considered the proposed development would not unduly affect the amenity of neighbours in terms of undue overlooking, overshadowing or be likely to result in an unacceptable level of noise or disturbance as would be considered discordant with the provisions of local plan policy ENV3.

Highway safety, access and parking

The proposed development constitutes an ancillary garden outbuilding and does not give rise to a requirement for additional parking provision.

11 CONCLUSION

The proposed development is considered acceptable in principle and would be of an appropriate scale, design and external materials relative to the context of its setting with a domestic rear garden. The proposed development would not have an adverse impact on the amenity of neighbours or upon the existing character of the surrounding area.

12 RECOMMENDATION

Grant Subject to Conditions

Proposed Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

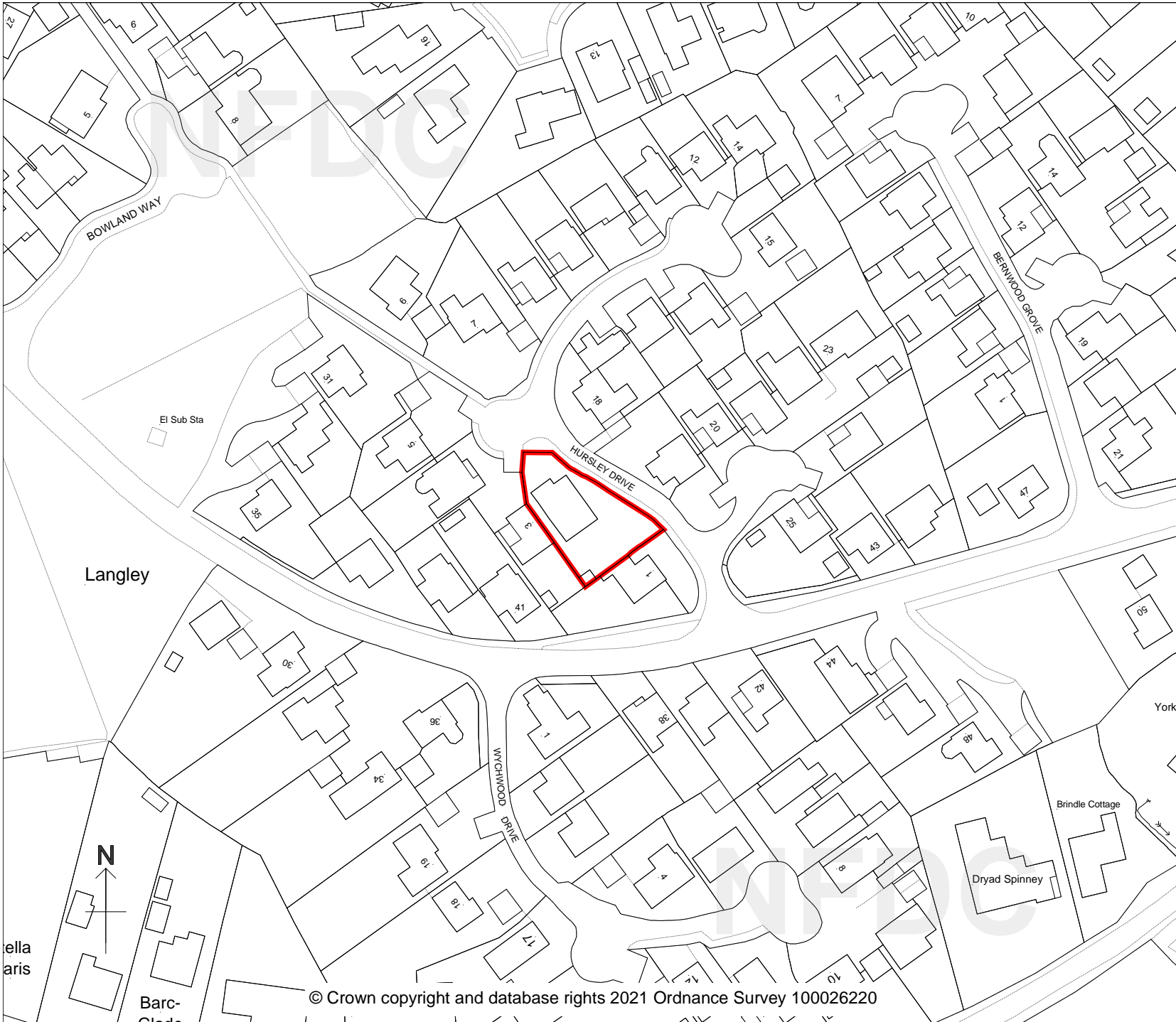
2. The development permitted shall be carried out in accordance with the following approved plans:
- Drawing number 100 (Amended proposed floor plan and elevations) dated January 2021
 - Drawing number 101 (Amended location and block plan) dated January 2021

Reason: To ensure satisfactory provision of the development.

Further Information:

Warren Simmonds

Telephone: 023 8028 5453



New Forest

DISTRICT COUNCIL

Tel: 023 8028 5000
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Claire Upton-Brown
 Executive Head of Planning,
 Regeneration and Economy
 New Forest District Council
 Appletree Court
 Lyndhurst
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PLANNING COMMITTEE

July 2021

2 HURSLEY DRIVE
 LANGLEY
 FAWLEY SO45 1ZU
 21/10089

Scale 1:1250

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 scale.

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Application Number: 21/10852 Variation / Removal of Condition

Site: THE LILLIES, COOKS LANE, CALMORE, TOTTON SO40 2RU

Development: Variation of Condition No.2 of Planning Permission 21/10428 to allow a single-storey garage to side of each unit, changes to internal layouts and changes to external fenestration

Applicant: Dorrington Homes (UK) Ltd

Agent: Vivid Design Studio Ltd

Target Date: 04/08/2021

Case Officer: Warren Simmonds

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Principle of development;
- 2) Design and impact on the character and appearance of the area;
- 3) Impact on residential amenities;
- 4) Car parking and highway safety;
- 5) Habitat and ecological matters.

This application is to be called to Committee by Cllr Arthur Davis.

2 SITE DESCRIPTION

The application site is located along a residential cul-de-sac. It was previously occupied by a single detached dwelling, 'The Lillies', set back behind a grassed verge, 1m high fencing, and a front garden with car parking areas located to the front and side of the plot. The Lillies is spaciouly set within its plot, with a generous gap to the southern boundary with Downderry - an existing outbuilding is located within this space. The large rear garden area extends beyond the rear garden of Downderry and abuts Randall Close, a residential cul-de-sac to the rear. Randall Close properties can be viewed through the wide gap between The Lillies and its side boundary. The Lillies' plot is noticeably larger than its neighbours.

The site is viewed in the context of Cooks Lane. Cooks Lane features detached dwellings set back from the highway behind landscaped gardens in spacious settings. The houses are of various architectural designs, including hipped roofs, dormers and ridgelines running parallel to the highway. There is a limited palette of materials evident, with red brick featuring strongly in the streetscene. Dwellings are generally muted in tone sitting harmoniously in a verdant setting.

Land on the opposite side of Cooks Lane is screened by vegetation and is identified for development as part of Strategic Site SS1 in the Local Plan Part 1. There is no footway on the opposite side of Cooks Lane.

Important aspects of local distinctiveness are considered to include detached dwellings set within generous plot sizes and soft landscaping. These were also identified by the Planning Inspector in determining the appeal at this site.

The two new dwellings granted planning consent under planning reference 20/10895 (as amended by 21/10428) are currently under construction on the site.

3 PROPOSED DEVELOPMENT

The application is made under Section 73 of the Town and Country Planning Act. The application seeks the Variation of Condition 2 of Planning Permission 21/10428 to allow amended plans in respect of a revised internal layout for the two approved new dwellings (principally from three bedrooms to four, with associated minor external alterations) and to additionally include an attached single storey, single garage for each dwelling.

The application is in part retrospective, as foundations for the proposed attached garages have been created.

4 PLANNING HISTORY

| Proposal | Decision Date | Decision Description | Status |
|---|---------------|-------------------------------|---------|
| 21/10428 Removal of condition 4 & Variation of condition 2 of Planning Permission 20/10895 to allow amended plan P19-026-02-02-003F, to allow existing access to remain | 25/05/2021 | Granted Subject to Conditions | Decided |
| 20/10895 Erection of two dwellings; access, parking and landscaping | 26/02/2021 | Granted Subject to Conditions | Decided |

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

STR1: Achieving sustainable development

STR3: The strategy for locating new development

STR4: The settlement hierarchy

STR5: Meeting our housing needs

ENV1: Mitigating the impacts of development on International Nature Conservation sites

ENV3: Design Quality and Local Distinctiveness

HOU1: Housing type, size, tenure and choice

IMPL1: Developer Contributions

IMPL2: Development standards

Local Plan Part 2 Sites and Development Management Development Plan Document

DM2: Nature conservation, biodiversity and geodiversity

Supplementary Planning Guidance And Documents

SPD - Parking Standards

Relevant Legislation

Town & Country Planning Act 1990

Planning and Compulsory Purchase Act 2004

The Conservation of Habitats and Species Regulations 2017

Relevant Advice

NPPF 124 :The National Planning Policy Framework 2019 Chapter 12 "Achieving well designed places" acknowledges (in Para 124) that the creation of a high quality built environment is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development in creating better places to live and work. Being clear about design expectations is essential to achieving this goal.

NPPF 127 :The National Planning Policy Framework 2019 Chapter 12 "Achieving well designed places" requires in Para 127 requires development to be sympathetic to local character, respect surrounding built environment and maintain a strong sense of place in terms of building gaps, spaces and materials.

Constraints

Plan Policy Designations

Built-up Area

6 PARISH / TOWN COUNCIL COMMENTS

No comments yet received

7 COUNCILLOR COMMENTS

Cllr Arthur Davis - Development unacceptable.

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

NFDC Building Control

No consultation response received at the time of writing this report

HCC Surface Water

No consultation response received at the time of writing this report

Southern Water

No consultation response received at the time of writing this report

NFDC Drainage

No consultation response received at the time of writing this report

9 REPRESENTATIONS RECEIVED

The following is a summary of the representations received:

No third party representations had been received at the time of writing this report.

For: 0

Against: 0

10 PLANNING ASSESSMENT

Principle of Development

The principle of the proposed development has been established via the granting of full planning permission under planning reference 20/10895 and a subsequent variation to allow the separate access to remain for The Lillies under planning reference 21/10428.

The current application is made under Section 73 of the Town and Country Planning Act. The application seeks the Variation of Condition 2 of Planning Permission 21/10428 to allow amended plans in respect of a revised internal layout for the two approved new dwellings (principally from three bedrooms to four, with associated minor external alterations) and to additionally include an attached single storey, single garage for each dwelling.

The application is in part retrospective, as foundations for the proposed attached garages have been created.

Section 73 of the 1990 Act provides that an application may be made for planning permission without complying with Conditions applied to a previous permission. It is stated that local authorities may decide whether to grant permission subject to differing Conditions, removing the Conditions altogether or refusing to alter Conditions.

The section makes it clear that in considering such an application a local planning authority may only consider the "question of the conditions" and cannot therefore revisit the fundamental principle(s) of the development itself. However, in terms of decision making, a Section 73 application should be treated just like any other application, and due regard paid to the development plan and other material considerations.

Design, site layout and impact on local character and appearance of area

The proposal can be considered as two elements:

- (i) The amended internal layout of the two new dwellings, whereby the first floor layouts have been revised to provide four bedrooms instead of three, and
- (ii) The proposed addition of an attached single storey, single garage on the side of each dwelling.

in respect of (i), the proposed additional bedroom is achieved by a revised internal layout with associated minor external alterations. The proposals retain the approved siting/location and overall external scale and dimensions of the approved dwellings, with minor alterations to fenestration and the omission of the external chimneys.

There are no new windows or door openings other than the proposed new first floor front-facing casement window to serve the additional bedroom (a previous side facing en suite window is removed from the current scheme); the proposed external materials are revised to facing brickwork under a slate tiled roof. The general appearance and character of the dwellings thereby remains very similar to that previously approved.

The proposed garages are of single storey form and attached on the inside sides of the dwellings, over the approximate footprint of one of the approved parking areas for each dwelling. The garages would have an up-and-over door at the front, a

single pedestrian door to the side/rear (opening adjacent to the rear facing elevation of the house) and would be constructed of facing brickwork and slate tiled roofs to match the main dwellings.

By reason of the appropriate scale, design and external materials proposed, it is considered the proposed attached garages and associated external and internal revisions to the dwellings are acceptable within the context of the application site and with respect to the existing character of the surrounding area.

Impact on residential amenities

The closest neighbouring dwellings to the application site are 'Downderry', 'The Lillies' and 'Elmleigh' to the north and west, and numbers 11 and 24 Randall Close to the south east.

By reason of the modest extent of external alterations proposed and the single storey, subservient form of the proposed attached single garages, and taking into consideration the distance, orientation and general relationship between the development site and the closest neighbouring properties, it is considered the addition of the proposed single garages and other associated internal and minor external alterations would not result in undue impacts on the amenity of neighbours, such as overlooking or overshadowing.

In these respects the proposed development is considered accordant with local plan policy ENV3.

Car parking and highway safety

Access and the level of car parking provision for the two new dwellings would remain as previously approved. Access and car parking provision for The Lillies would remain as currently exists (which is considered appropriate and sufficient)

In these respects the proposed variation is considered acceptable in terms of car parking and Highway safety.

Habitat and ecological matters

The applicant will be required to submit a revised unilateral undertaking or to enter into a S106 legal agreement to make appropriate provision in respect of habitats mitigation and air quality monitoring contributions, as set out below.

Developer Contributions

As part of the development, the following will be secured via a Section 106 agreement or unilateral undertaking:

- Infrastructure contribution of £11,572
- Non-infrastructure contribution of £1,840
- Bird Aware Solent contribution of £1,602
- Air Quality monitoring contribution of £170

As part of the development, subject to any relief being granted the following amount Community Infrastructure Levy will be payable:

| Type | Proposed Floorspace (sq/m) | Existing Floorspace (sq/m) | Net Floorspace (sq/m) | Chargeable Floorspace (sq/m) | Rate | Total |
|------|----------------------------------|----------------------------------|-----------------------------|------------------------------------|------|-------|
|------|----------------------------------|----------------------------------|-----------------------------|------------------------------------|------|-------|

| | | | | | | |
|--------------------|-------|---|-------|-------|---------|--------------|
| Dwelling houses | 312.6 | 0 | 312.6 | 312.6 | £80/sqm | £32,029.48 * |
|--------------------|-------|---|-------|-------|---------|--------------|

| | | | | | | |
|-------------------|------------|--|--|--|--|--|
| Subtotal: | £32,029.48 | | | | | |
| Relief: | £0.00 | | | | | |
| Total Payable: | £32,029.48 | | | | | |

11 CONCLUSION

The proposed S73 variation to allow amended plans in respect of a revised internal layout (together with associated minor external alterations) for the two previously approved new dwellings, to include an attached single storey, single garage for each dwelling is considered acceptable and raises no adverse issues in terms of amenity or Highway safety.

12 RECOMMENDATION

Delegated Authority be given to the Executive Head of Planning, Regeneration and Economy to **GRANT PERMISSION** subject to:

- (i) the completion of a S106 planning agreement or unilateral undertaking to secure financial contributions for appropriate Habitats Mitigation, Bird Aware Solent contribution and Air Quality monitoring contributions.
- (ii) the imposition of the conditions set out below.

Proposed Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development permitted shall be carried out in accordance with the following approved plans:

201 SITE LOCATION PLAN
202 BLOCK PLAN
203 PROPOSED SITE PLAN-A1 SHEET
204 PROPOSED FLOOR PLAN
205 PROPOSED ELEVATIONS
206 PROPOSED FLOOR PLANS P2-A1
207 PROPOSED ELEVATIONS P2-A1
208 PROPOSED LAND SCAPE PLAN
435164-200P STORM WATER LAYOUT
435164-201P STORM WATER DETAILS

Reason: To ensure satisfactory provision of the development.

3. Prior to installation, samples or exact details of the facing and roofing materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved details.

Reason: To ensure an acceptable appearance of the building in accordance with Policy ENV3 of the Local Plan Review 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

4. Notwithstanding the submitted landscaping scheme and prior to first occupation, a revised landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The revised scheme shall include:

- re-position the birch tree proposed to the east of Downterry to a distance of at least 5m from that dwelling;
- an alternative tree species and re-location of the proposed birch tree from adjacent to the side elevation of Downterry to the opposite side of the driveway within the side garden of The Lillies.
- amended fencing details to include a hedgehog access gap in the fencing between plots 1 and 2.

The approved landscaping scheme shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner.

Reason: To ensure a satisfactory landscaping scheme with environmental enhancement and visual appearance of the site.

5. All planting, seeding or turfing comprised in the approved landscaping details shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size or species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the appearance and setting of the development is satisfactory and to comply with Policies ENV3 and ENV4 of the Local Plan Review 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

6. Notwithstanding the submitted information regarding drainage, before first occupation of the development hereby approved, a surface water sustainable drainage system (SuDS) shall be designed and installed to accommodate the run-off from all impermeable surfaces including roofs, driveways and patio areas on the approved development such that no additional or increased rate of flow of surface water will drain to any water body or adjacent land and that there is capacity in the installed drainage system to contain below ground level the run-off from a 1 in 100 year rainfall event plus 30% on stored volumes as an allowance for climate change as set out in the Technical Guidance on Flood Risk to the National Planning Policy Framework.

Infiltration rates for soakaways are to be based on percolation tests in accordance with BRE 365, CIRIA SuDS manual C753, or a similar approved method.

In the event that a SuDS compliant design is not reasonably practical, then the design of the drainage system shall follow the hierarchy of preference for different types of surface water drainage system as set out at paragraph 3(3) of Approved Document H of the Building Regulations.

The drainage system shall be designed to remain safe and accessible for the lifetime of the development, taking into account future amenity and maintenance requirements.

Reason: In order to ensure that the drainage arrangements are appropriate and in accordance with Policy ENV3 of the Local Plan Review 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park and the New Forest District Council and New Forest National Park Authority Strategic Flood Risk Assessment for Local Development Frameworks.

7. During the construction period, the root protection areas of trees located adjacent to the rear site boundary which overhang the site shall be protected in accordance with BS 5837 (2012) "Trees in Relation to Construction Recommendations". The tree protection measures installed shall be maintained and retained for the full duration of the construction works or until such time as agreed in writing with the Local Planning Authority.

Reason: To ensure the long term retention of existing trees for the avoidance of damage during the construction phase.

8. During the construction period for the development hereby approved, no fires, building operations, storage of goods including building materials, machinery and soil, or discharge of any chemical substances, including petrol and diesel, shall be undertaken within the tree protection zones or within the canopy spreads, whichever is the greater, nor shall any change in soil levels or routing of services within those defined areas be carried out without the prior written approval of the local planning authority.

Reason: To protect the said trees in the interests of the visual amenities and character of the locality, in accordance with Policies ENV3 and ENV4 of the Local Plan Review 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

9. The development hereby permitted shall not be occupied until the spaces shown on the approved site plan for the parking and manoeuvring of vehicles and the storage of cycles have been provided. These areas shall be kept available for the specified purposes and for use by the dwellings hereby approved at all times.

Reason: To ensure adequate parking provision is made in the interest of highway safety and in accordance with Policies ENV3 and CCC2 of the Local Plan Review 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

10. The development shall proceed in accordance with the Requirements, recommendations and enhancements set out in the Ecology Survey by Ecosupport dated 17th August 2020 subject to the provision of the biodiversity enhancements of the Schwegler Bat Tube 1FR; no. 9a or no. 11 Schwegler house martin terrace; igloo hedgehog home set out in the separate Biodiversity Enhancements document deposited on 19th August 2020. These approved biodiversity measures shall be provided prior to occupation of the new dwellings.

Reason: To secure environmental net gain and in accordance with Policy DM2 of the Local Plan Part 2 for the New Forest District outside of the National Park.

11. The first floor side facing window on the south west elevation of the approved dwelling at plot 1 and the first floor side facing window on the north east elevation of plot 2 shall be:

- (i) obscurely glazed, and
- (ii) non-opening at all times unless the parts that can be opened are more than 1.7m above the floor,

and the windows shall be retained as such in perpetuity.

Reason: To safeguard the privacy of the adjoining neighbouring properties in accordance with Policy ENV3 of the Local Plan Review 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

12. Prior to first occupation the following shall be provided and thereafter retained:

- (i) a charging point for electric vehicles shall be installed for each new dwellings
- (ii) high speed fibre broadband connection shall be provided to the threshold of each new dwelling

Reason: In order to secure a sustainable development, in accordance with Policy IMPL2 of the of the Local Plan Review 2016-2036 Part One: Planning Strategy.

13. The initial 6m of the new access road, measured from the nearside edge of carriageway of the adjacent highway shall be surfaced in non-migratory material prior to being brought into use and thereafter retained as such.

Reason: To ensure the satisfactory appearance and functioning of the development and to avoid the transfer of material onto the public highway.

14. The development hereby permitted shall not be occupied until:
- a) A water efficiency calculation in accordance with the Government's National Calculation Methodology for assessing water efficiency in new dwellings has been undertaken which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to, and approved in writing by, the Local Planning Authority; all measures necessary to meet the agreed waste water efficiency calculation must be installed before first occupation and retained thereafter;
 - b) A mitigation package addressing the additional nutrient input arising from the development has been submitted to, and approved in writing by, the Local Planning Authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European Sites by the development when fully occupied and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites; and
 - c) All measures forming part of that mitigation package have been provided to the Local Planning Authority.

Reason: There is existing evidence of high levels of nitrogen in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation for is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017.

Further Information:

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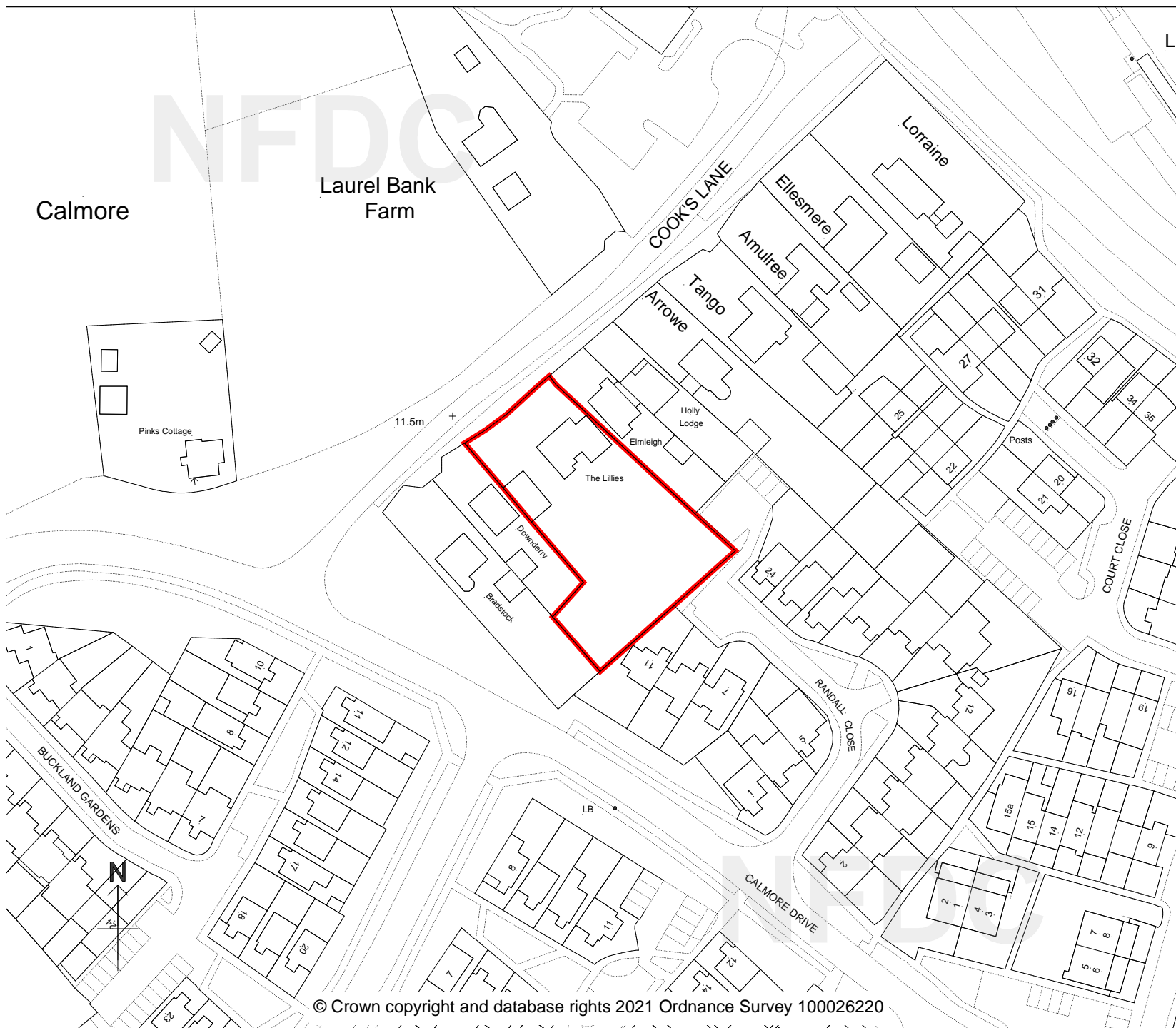
PLANNING COMMITTEE

July 2021

THE LILLIES, COOKS LANE
CALMORE
TOTTON SO40 2RU
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