

NOTICE OF MEETING

Meeting: PLANNING COMMITTEE

Date and Time: WEDNESDAY, 13 DECEMBER 2023 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 watch this meeting live on the [Council's website](#).

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

Kate Ryan
Chief Executive

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It can also be made available on audio tape, in Braille and large print.

AGENDA

Apologies

1. MINUTES

To confirm the minutes of the meeting held on 8 November 2023 as a correct record.

2. 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.

3. PLANNING APPLICATIONS FOR COMMITTEE DECISION

To determine the applications set out below:

(a) **Land North of the Hollies, Hill Street, Calmore (Application 22/10747)
(Pages 5 - 32)**

Development of 9 dwellings; open car ports, access, hard and soft landscaping and associated works.

RECOMMENDED:

Delegated Authority be given to the Service Manager Development Management to **GRANT PERMISSION** subject to the completion by 1/12/24 of a planning obligation entered into by way of a Section 106 Agreement and the imposition of the conditions set out in the report.

(b) **Ellingham Farm, Ellingham Village, Ellingham (Application 23/10457)
(Pages 33 - 48)**

Proposed conversion of former stables to farm shop, cafe and shop (Class E), outdoor seating, car parking, landscaping and associated works.

RECOMMENDED:

Grant subject to conditions.

(c) **Ellingham Farm, Ellingham Village, Ellingham (Application 23/10458)
(Pages 49 - 56)**

Proposed conversion of former stables to farm shop, cafe and shop (class E), outdoor seating, car parking, landscaping and associated works (Application for Listed Building Consent)

RECOMMENDED:

Grant listed building consent.

(d) **Brook House, Salisbury Road, Calmore, Netley Marsh (Application 23/10540) (Pages 57 - 80)**

Development comprising 9 units, parking, landscaping and access via existing enlarged entrance; retention and extension to Brook House to provide a two-storey rear extension

RECOMMENDED:

Delegated Authority be given to the Service Manager Development Management to **GRANT PERMISSION** subject to the completion of a planning obligation entered into by way of a Section 106 Agreement and the imposition of the conditions set out in the report.

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

4. 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)
Barry Rickman (Vice-Chairman)
Hilary Brand
Kate Crisell
Philip Dowd
Matthew Hartmann
David Hawkins

Councillors:

Dave Penny
Joe Reilly
Janet Richards
John Sleep
Malcolm Wade
Phil Woods

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Planning Committee 13 December 2023

Application Number:	22/10747 Full Planning Permission
Site:	LAND NORTH OF THE HOLLIES, HILL STREET, CALMORE SO40 2RX
Development:	Development of 9 dwellings; open car ports, access, hard and soft landscaping and associated works
Applicant:	Osman Homes Limited
Agent:	Atlas Planning Group
Target Date:	26/09/2022
Case Officer:	James Gilfillan
Officer Recommendation:	Service Manager - Grant
Reason for Referral to Committee:	This application is brought to committee because it forms part of Strategic Site SS1 - Land North of Totton.

1 MAIN ISSUES

The issues are:

- a) The Principle of the Development
- b) Housing Mix, Built Design and Density
- c) Landscape and Trees
- d) Highways, Access and Vehicular Parking
- e) Residential Amenity
- f) Heritage Assets
- g) Environmental Matters:
 - i. Ecology and Protected Species
 - ii. Recreational Activity Impact on New Forest and Solent Habitats
 - iii. Nitrate Neutrality and Impact on the Solent SPA and SAC
- h) Affordable Housing
- i) Other Matters

2 SITE DESCRIPTION

The application site is made up of fields, located to the west of Hill Street close to the north east edge of the district, in Netley Marsh Parish. It is a very small portion of the strategic Allocation SS1 'Land to the North of Totton', that covers a much larger area of land either side of the A36 Salisbury Road which extends south to the existing built-up areas of Calmore.

The site has a short frontage to Hill Street, the 'Bloor Homes' section of SS1 wraps around the north and west edges. Along the southern edge of the site is Green Lane Bridleway. There is an existing field gate entrance to the site from Hill Street.

There are mature trees and hedges around and across the site, forming three fields. Many of the trees are protected by a preservation order.

There are residential properties located sporadically along Hill Street. There is a

Listed Building, the Thatch Cottage, opposite the site on the opposite side of Hill Street.

The area has a rural character owing to the dominance of agricultural uses, mature trees and very low density of the existing built form. However, the site falls within the defined built up area, as defined in the Local Plan which extended to accommodate the allocated strategic mixed-use site.

3 PROPOSED DEVELOPMENT

Development of 9 dwellings; open car ports, access, hard and soft landscaping and associated works.

The full application proposes to erect 9 detached houses across the site, consisting of:

- 2x2-beds
- 3x3-beds
- 4x4-beds

A new access would be formed from Hill Street to serve the development. Green infrastructure comprising Public Open Space and Alternative Natural Recreational Greenspace would be provided, with routes for pedestrians and cyclists to cross the site and access adjoining land would be provided.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description
Application Site		
21/11130 New field access, track and gate, closing up of existing access, landscaping and associated works.	27/09/2021	Granted Subject to Conditions
Adjoining Sites		
22/10854 - Land West of Hill Street. Construction of 60 dwellings with two accesses from Hill Street.	08/09/2023	Resolved to Grant, subject to S.106.
23/10628 - Land North of Salisbury Road (Bloor Homes) Reserved matters application for 271 homes pursuant to outline application 20/10997		Under consideration
20/10997 - Land North of Salisbury Road (Bloor Homes) Outline planning application with all matters reserved, except means of access to the highway network, for the demolition of existing buildings and the residential (C3) development of the site with up to 280 dwellings.	16/01/2023	Granted subject to S.106 and Conditions.

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Strategic Site 1: Land to the north of Totton
Policy STR1: Achieving Sustainable Development
Policy STR2: Protection of the countryside, Cranborne Chase Area of Outstanding Natural Beauty and the adjoining New Forest National Park
Policy STR4: The settlement hierarchy
Policy STR5: Meeting our housing needs

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 CCC2: Safe and sustainable travel
Policy IMPL1: Developer Contributions
Policy IMPL2: Development standards

Local Plan Part 2: Sites and Development Management 2014

DM1: Heritage and Conservation
DM2: Nature conservation, biodiversity and geodiversity
DM9: Green Infrastructure linkages

Local Plan Part 1: Core Strategy 2009 (Saved Policy)

CS7: Open spaces, sport and recreation

Supplementary Planning Guidance And Documents

SPD - Air Quality in New Development. Adopted June 2022
SPD - Housing Design, Density and Character
SPD - Mitigation Strategy for European Sites
SPD - Parking Standards

Relevant Legislation

Planning (Listed Buildings and Conservation Areas) Act 1990
S.66 General duty as respects listed buildings in exercise of planning functions.

Relevant Advice

NPPF 2023
Planning Practice Guidance (Website based resource)

Tree Preservation Order: 38/03/G 8

6 PARISH / TOWN COUNCIL COMMENTS

Netley Marsh Parish Council: Recommends refusal. Hill Street is not suitable for the likely increase in traffic, there are concerns over drainage issues and the design of the properties are too tall and not in keeping with the rural location.

7 COUNCILLOR COMMENTS

No comments received

8 **CONSULTEE COMMENTS**

Comments have been received from the following consultees:

New Forest District Council

Conservation Officer. Identifies the presence of a Grade II listed building opposite the site, including a listed outbuilding on that site. Objects to the lack of a comprehensive heritage assessment, that has resulted in the suburban approach to the design and layout of the site and buildings, which harms the setting of the grade II listed buildings.. This leads to less than substantial harm to the significance of the designated heritage assets.

Ecologist. Identifies the scheme would increase recreational activity and have impacts on air and water quality having an adverse impact on protected New Forest and Solent habitats, however mitigation has been identified and should be secured. No concerns regarding the proposed development, subject to conditions securing ecological enhancements on site.

Environment Team. Scheme needs to better connect with bridleway, allow for comprehensive development with adjoining land, too much hard surface in open space, separate pavements are inappropriate to the context, house design is not under pinned by contextual analysis, plots 2 and 3 have short rear gardens and plot 1 will be in shade. Further concerns are raised in respect of landscape species and planting density proposed, queries feasibility of ANRG in close proximity to Veteran Oak Tree where access should be restricted.

Environmental Health Contaminated Land. Historic grazing and potential landfill has potential for contamination. Ground workers should use standard personal protection equipment during construction.

Environmental Health (Pollution). Comment that the site is close to the M27 and A326 and a noise assessment should be undertaken. Construction Impacts should be assessed and managed by way of a Construction Management Plan. Conditions are suggested in both respects.

Open Space Officer. Comments that the scheme fails to provide sufficient open space in accordance with policy CS7. Contributions could mitigate lack of on site formal and childrens play. Provides detailed comments on footpaths, landscape, maintenance access and ecology features.

Tree Team. Subject to conditions the scheme retains and preserves the setting of important and protected trees on and adjacent to the site.

Hampshire County Council

Countryside Services. No objection subject to conditions and securing contributions towards enhancing Green Way Bridleway.

Education. No objection subject to securing a contribution towards primary age education facilities.

Lead Local Flood Risk Authority. Scheme falls below the threshold of schemes to be assessed.

Highways. The design of the access provides safe access to the site for the scale of vehicle movements and includes sufficient visibility along Hill Street. Provision is made for pedestrian connectivity with adjoining land and Green Lane Bridleway. Conditions securing these features and a Construction Traffic Management Plan are proposed.

Others

Hampshire Fire & Rescue Service Comment regarding ensuring access to the properties meets the building regulations requirements and construction minimises fire risk.

Hampshire Swifts. Seeks provision of ecological measures to support crevice nesting birds such as Swifts and House Sparrows.

9 REPRESENTATIONS RECEIVED

The following is a summary of the representations received.

- Highway and pedestrian safety on Hill Street would be compromised by additional vehicle movements. Conflict with drives for houses opposite.
- The character of hill street would be harmed by the development
- Any route joining the site to the Bloor Homes site should not allow vehicle access
- Impact on the amenity and privacy of residents, vehicle movements and head lights disturbing residents opposite.
- Impact on the character of the area.

For: 0

Against: 4

10 PLANNING ASSESSMENT

A) Principle of the Development

The site falls within the built up area as defined by the proposals map. It is a small part of a much larger site allocated for residential led mixed use development by Strategic Site policy SS1 (Land North of Totton).

The concept masterplan supporting the policy in the Local Plan presents a very broad approach to the layout of development and open space across the wider site, suggesting this site was appropriate for residential development.

At this time, the site is somewhat isolated from the existing built up area due to its position on the eastern edge of the allocation and the presence of Salisbury Road, but has the benefit of principles established by the outline permission granted on the land to the north and west (Bloor Homes 20/10997) and the resolution to grant on land to the south (Bargate Homes 22/10854).

The provision of 9 homes on this site makes a small but positive contribution to the target of delivering at least 1000 homes from the entire allocation. Being within the defined built up area and on land allocated for housing led development, the principle of the development is acceptable and accords with policies STR3, STR4 and STR5, making a positive contribution to the successful implementation of the development plan's adopted strategy to meeting its identified housing needs.

Principle of development benefits

The scheme would have significant benefits associated with it. The Council can not currently demonstrate it has a 5year supply of housing land available. It is therefore imperative that the sites allocated for housing are brought forward in order to ensure the supply of housing meets identified need in terms of annual delivery rates and overall supply.

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 afforded in the overall planning balance to the provision of housing. The proposal is for a new residential development of 9 dwellings which would make a small contribution to the housing land supply in the District, but a contribution that can be delivered quickly due to the small infrastructure needs of the development and construction required to 'open up the site'.

Furthermore successful implementation of the Local Plan, by ensuring allocated sites deliver, significantly reduces the pressure to accept less desirable and less sustainable countryside locations and windfall sites subject to non-residential designations that are not planned for. Significant weight is afforded to this benefit.

The scheme would have economic benefits during construction, involving employment in a wide range of sectors across the construction industry. Construction workers bring spend into local shops and services, as in due course would residents of the scheme, as well as their use of services at home such as hairdressers, gardeners and decorators.

The scheme would have environmental benefits of delivering development on an allocated site in a sustainable location where local services and facilities can be accessed by modes of transport other than the private car. It would deliver modern housing built to the most up to date building regulations, providing energy efficiency and high levels of insulation.

The scheme would deliver social benefits of providing housing, in a mix of housing types and sizes, creating a mixed and balanced community as well as giving a wide choice.

These benefits contribute positively to the delivery of a sustainable development as required by the NPPF and towards complying with policy STR1 of the development plan. Further consideration of details below will assess compliance with relevant policies and other material considerations.

B) Built Design, Density and Housing Mix.

The site is currently open fields largely used as paddock grazing. There are no structures on the site.

Local Plan Policy Strategic Site 1 (Land to the north of Totton) sets out the aim of the policy is:

"to create a well-designed and integrated extension to Totton whilst maintaining the rural character of Hill Street".

At this time the site is visually detached from Totton as intervening parcels of SS1 have not been delivered or secured planning permission. However, as the site forms part of the wider allocation there is no fundamental reason to resist its

development on this basis, nor is it expected to remain isolated in the long term.

Concerns that the scheme does not allow for comprehensive development by making use of land adjoining to the south are given little weight. Such land is outside the control of the applicant and is relatively small.

Site Layout and Housing Design.

The Concept Masterplan in the Local Plan for SS1 indicatively identifies this parcel as being appropriate for built form development. That plan assumed a wide degree of comprehensiveness between different parcels, and indicatively considered the entire application site could accommodate built form.

The scheme proposes nine detached houses in a variety of sizes, designs, layouts and garden sizes, presenting an organic layout with a high degree of spaciousness. That layout has been driven by a desire to retain the mature hedgerows and trees on the site. The hedgerows currently divide the site into three fields. This has given rise to three development parcels.

The first on the east edge provides the vehicular access in to the site from Hill Street with a single house set behind the existing hedge, addressing the access junction, but retaining that strong landscape character along Hill Street, whilst ensuring appropriate engagement and passive surveillance of the access in to the site.

The design and proportions of that house would be heavily influenced by the design of New Forest cottages characteristic of the area and prevalent along Hill Street. A private garden, parking spaces and a car port would be provided on the plot, contained by hedgerow boundaries on a spacious plot with space around it.

The existing hedge on the site would provide a backdrop to the first house. An area of public open space would provide an attractive link between the existing bridleway and proposed route across the application site, addressing the concern presented by the NFDC Design Officer. The access road would curve northwards to make use of an existing opening in the hedge.

The second development parcel would consist of four detached houses arranged in a cluster around a courtyard off the access road. The courtyard access would not be so pinched to prevent visual interaction between the houses and the access road and open space beyond, or that views into the courtyard would be so restricted that the presence of the rear elevation of house 5 close to the road would be an extensive part of the streetscene. Whilst not a pure agricultural courtyard style development it does have similarities to such an approach, especially given the proposed materials including slate roof, timber boarding and porches.

The access road would extend further north to limit the extent of hedgerow to be removed to access the third development parcel on the west side of the site. The road would open out into a more informal shared space design.

The third development parcel is occupied by the four detached 4-bed houses. These will have defined plots, separation from landscaped boundaries between the plots and site boundaries, with on plot parking contained within those landscape boundaries. This low density spacious arrangement would be entirely appropriate to the location of the site. The architectural style is relatively traditional and would sit comfortably together. The same suite of materials would complement the spacious layout and rural character of the area.

Inclusion of a separate footway beside the access road, does have a suburban appearance, however it is not unreasonable to provide such a feature, which will be commonplace for other residential developments along Hill Street. However, the footway does not extend to the edge of Hill Street, where there is no such feature for it to tie into and does not contribute to an over engineered junction with Hill Street.

The layout of the scheme maintains the landscape edge of Hill Street and its rural character, a key consideration of the strategic site policy. The development does not front any built form or individual driveways directly onto Hill Street. The new access would open up the frontage, but in contrast, the existing access would be replaced with new hedgerow, that would extend to the north east corner. House 1 will be located behind the existing hedgerow, retaining that strong landscape character along Hill Street. The marginal increase in openness along the Hill Street frontage to deliver the access would not materially alter the character of Hill Street to the extent of being detrimental.

The scheme delivers a design and layout that would sit comfortably on the site, provide a successful transition in layout and character at the rural edge of the built up area and preserve the appearance of Hill Street.

Housing Mix and Built Density

Local Plan Policy HOU1 seeks 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.

The scheme proposes 9 houses, all of which would be detached. It provides the following mix of sizes.

- 2x2-bed
- 3x3-bed
- 4x4-bed

Such a mix does not meet exactly the indicative mix presented by the Local Plan, nor the preference for the majority to be smaller sized properties. However, as the scheme only proposes nine dwellings, the disproportionate number of larger properties would not have a material impact on the overall balance and supply of a mix across the wider Strategic Site.

It is considered that the mix proposed would still offer choice across a range of needs, which is key to freeing up housing and allowing residents to 'right-size' to houses that meet their needs.

Set alongside Local Plan policies there is Government advice as set out in the National Planning Policy Framework (2023). In particular, alongside other requirements such as Section 12 (achieving well designed places), there is the advice in section 5 and section 11 on delivering a sufficient supply of homes and making effective use of land including appropriate densities.

The Government urges Planning Authorities to ensure that developments make optimal use of land and avoid homes being built at low densities (NPPF, Paragraph 125) particularly given that such land constitutes a finite resource, and where there is a stated shortfall in available housing land. NFDC has such a shortfall – 3.07 years against a target of 5 years supply. The NPPF seeks to significantly boost the supply of new homes and encourages Councils, at para.124, to make efficient use of land available for development, taking in to account need for different types of housing, local market conditions and viability, the desirability of maintaining an

area's prevailing character and the importance of securing well designed, attractive and healthy places.

In this case the density of the developable site when excluding open space, non-residential land and roads equates to around 15 dwellings per hectare (dph) overall. This built density is significantly below what government policy aspires to as making best use of land but is considered justified here where the application site is located on the edge of the allocation site, achieves a step down in density from the scheme to the south (Bargate 22/10854) and alongside Hill Street which, as outlined, has a notable sylvan character and low density. Paragraph 124 of the NPPF, does present the balance of these factors as important to achieving efficient use of land.

With respect of the aspiration of the Development plan to achieve a mix of housing tenure it should be noted that the scheme does not meet the thresholds set by Local Plan policy HOU2 for the provision of Affordable Housing.

At 9 dwellings and below the 1000Sq.m cumulative gross internal floorspace the scheme does not achieve either threshold. Had the scheme surpassed either threshold the viability of such a small scheme may have struggled to sustain a contribution towards affordable housing and remain viable in any event.

The scheme delivers a design and layout that would sit comfortably on the site, provide a successful transition in layout, density and character at the rural edge of the built up area and preserve the appearance of Hill Street. It would deliver social benefits of providing housing in a mix of sizes, contributing to a mixed and balanced community across the wider strategic allocation. In doing so the scheme strikes an appropriate balance of making efficient use of the land, preserving the character of the area and aspirations of Local Plan policies STR1, ENV3 and HOU1.

C. Landscape, Trees and Open Space

Landscape impact and Trees

The site has historic use as grazing paddocks, however there are still notable hedgerow across the site. The centre of the site is open semi improved grassland, with dense scrub, species poor hedgerows and large mature trees around the edges. The site does have a rural agricultural character.

A Tree Preservation Order protects a number of these trees. All of the important mature trees around the site would be retained and preserved by the development, maintaining sufficient space to preserve their contribution to the landscape quality and rural character of the area. As described above, the layout of the scheme uses the hedgerows to form development parcels and frames the development, retaining a strong predominance of landscape.

The scheme is supported by an Arboricultural appraisal. The NFDC Arboricultural Officer agrees with the classification and assessment of the quality and status of the trees on site. None of the trees identified by the assessment require removal to facilitate the development, or specialist construction techniques. Some sections of hedgerow require removal to facilitate the access across the site, however the area removed would be a very small percentage of the overall length of hedgerow on site.

Protective fencing is advocated to avoid accidental damage during construction and an appropriately worded condition will be attached.

The soft edge to Hill Street consisting of trees and hedgerows would be largely preserved, sporadic access drives and field gates are a feature of the area and the extent of hedgerow removal would not fundamentally undermine the character of Hill Street, especially given the opportunity to extend new hedgerow along the site frontage.

The approach taken to the layout of the development to form discreet development parcels with a low density and gaps between built form due to the size of the hedgerows contributes to the perception of spaciousness and minimises the erosion of the rural character.

It is acknowledged that whilst the access to serve this scheme would open views of new built form, rather than open fields, that built form is largely limited to a single dwelling and glimpsed views of others in the distance. A balance has to be struck between meeting the expectations of allocating the land for housing, the benefits of delivering that housing and the positive consequences of laying the development out as described above.

A further benefit of the proposed site layout is the contribution to the character of the area that new trees planted in rear gardens would have. Due to the size of the plots, the trees proposed to be planted in rear gardens would not dominate those gardens to the extent of being detrimental to the amenity of residents, placing them at risk of removal.

ANRG Design

Whilst the scheme is below the threshold in ENV1 for delivery of ANRG on site, policy SS1 is clear that all schemes within its identified area need to contribute proportionately to the ANRG provision. Sufficient space is provided for provision of the quantitative aspect of ANRG, however a pragmatic approach is taken to the dimensions of the layout of the ANRG on smaller sites where the area required can not achieve the radius of the spaces advocated by the SPD on European Site Mitigation.

Due to the comparatively modest size of the scheme and the amount of ANRG required, there is little opportunity to provide a variety of habitats or extensive landscaping therein, the ANRG provided on site would sit alongside similar space on the adjoining land to the north, to be provided by the scheme under consideration from Bloor Homes. In doing so the space would have a sense of openness and in the respect of users from both sides of the boundary seamless walking routes through greenspace, without crossing roads or passing through the proposed built up residential areas.

The detailed design and future maintenance and management of the ANRG would be subject to a S.106 obligation requiring details and arrangements for a management company to be formed, an approach taken to all strategic Sites and would resolve comments of the NFDC Open Space Officer.

Subject to conditions the scheme preserves the health and wellbeing of existing important landscape features and due to its layout would strike a successful balance between implementing the local plan whilst maintaining the rural character of Hill Street. It would provide sufficient ANRG space, laid out and landscaped to positively integrate with the scheme and surrounding landscape to the benefit of residents and the protection of sensitive habitats in the New Forest. The scheme complies with requirements of policy STR1, ENV1, ENV3 and ENV4.

D) Highways, Access and Vehicular Parking

Access to the site is currently limited to a single gated access along the frontage to Hill Street. Planning permission was granted to replace that access with a alternative field access broadly in the location of that now proposed. Whilst representations received accuse the applicant of using that application to set a precedent for the scheme now proposed, each application is assessed on its merits for the purpose it is intended to serve.

The concept masterplan, provided by the Local Plan suggests several development parcels along Hill Street, that could only take access from Hill Street. This application site is one such parcel. The principle of the approach to taking access to the site from Hill Street is entirely appropriate. For reference, the Concept Masterplan does not set out any indicative primary access points for the residential land parcels north of the A36 Salisbury Road.

Representations received also encourage access to this site be taken via the adjoining land to the west (Bloor Homes). As that land is in third party ownership and is not guaranteed to be delivered, it would not be reasonable to assume that an adopted vehicular route would be arrive at the boundary on that site, or that either party could be forced to do so by the Planning Authority as no such provision is included in the adopted policy.

The application site has direct frontage to an adopted highway and Hampshire County Council Highways are satisfied that a safe access can be achieved to serve the development. Hedgerow will be removed to form the access and further trimming back would be required to achieve visibility splays, the scheme proposes to form a new section of hedgerow on the north portion of the frontage where the existing access is to be closed.

Due to the scale of the development, it is not considered to have a material impact on the volumes of traffic along Hill Street to the extent that it would be reasonable or proportionate to require the developer to undertake alterations to the layout of the highway along Hill Street. The Transport Assessment supporting that application calculates the scheme would give rise to 5 vehicular trips in the AM peak and 4 in the PM peak.

The adjoining 60 dwelling scheme (Bargate Homes) requires highway improvements to Hill Street in order to maintain highway safety, so any cumulative impacts would be mitigated for. There are no proposals to allow vehicular access from this site to the adjoining Bloor homes site that would result in additional vehicular flows on to Hill Street.

Hampshire County Highways officers have requested a condition is imposed to secure a construction traffic management plan. This is considered appropriate and a necessary tool to manage and minimise the effect of construction on highway safety along Hill Street. It would not be reasonable to preclude the development from occurring until the improvements required by the Bargate scheme to the south have been delivered. At only nine units the build programme would not be long or result in movement of significant numbers of Heavy Goods Vehicles on a daily basis.

All properties across the strategic site are identified as contributing to increased vehicle movements through the junction between the A36 and A326, that cumulatively will result in unsafe levels of queuing and congestion requiring mitigation. A proportionate contribution of £13,500 towards an improvement project will be secured.

Due to the proximity of the site to the existing Green Lane bridleway, the scheme would give rise to increased use and therefore pressure on the bridleway requiring mitigation. Relying on work undertaken to assess the scale of works required to re-surface the bridleway to a state capable of meeting the demand a proportionate financial contribution of £4,052 will be secured.

It would not be proportionate to expect this small scheme to make any further off site improvements to support pedestrians and cyclists in the wider area. As described in section D, this scheme would accommodate a route for cyclists and pedestrians from its north boundary with the Bloors site, to the end of Green Lane bridleway where it meets Hill Street. Including this link would significantly enhance connectivity throughout the entire section of the strategic site north of Salisbury Road and is a significant benefit of the scheme due to the benefit it would deliver for all residents, including existing residents of Hill Street, to access new green open space safely.

Within the site, the scheme at 9 units falls below the scale normally considered for adoption by Hampshire County Highway Authority. Plans demonstrate that a refuse wagon can enter and exit in a forward gear, in order to serve all of the houses and maintain highway safety.

Safe pedestrian access is provided throughout the site, primarily by way of designated footway beside the access road. A shared surface design would be incorporated at the west end, where the four larger houses are arranged around courtyard.

In accordance with the adopted parking standards SPD, the housing mix proposed requires 23.5 parking spaces. The scheme proposes 28 spaces. All the houses would have at least two parking spaces. Six of them would have three or more spaces. The parking standards require 3-bed units to have 2.5 spaces, however there are three 3-bed houses with only two spaces each. The layout does allow for further parking on site that is unlikely to prejudice on site safety and manoeuvring. In addition two visitor spaces are provided and other space could be relied upon by visitors without compromising access and manoeuvring. It is considered that the approach to parking would not be unacceptable.

The plans show storage structures for every house to accommodate bins and bikes, making provision to support sustainable means of travel.

Whilst the vehicular access will require the loss of some hedgerow, new hedgerows would be added to the streetscene. Subject to suitable conditions and a legal agreement, the scheme would preserve highway safety and secure benefits for cyclists and pedestrians and would contribute to delivering safe and sustainable travel in accordance with policy CCC2 and the accessibility expectations of SS1.

E) Residential Amenity

There are few residential properties in the area, mainly located sporadically on the opposite side of Hill Street. One detached residential property adjoins the site, Carnoustie House, positioned to the north of the application site. Whilst the application site is described as 'Land north of the Hollies', the site does not adjoin the site of the Hollies, separated by Green Lane bridleway.

There would be no direct shading, dominance or loss of outlook or privacy of the existing residential properties close to the site due to the separation distances and layout of the scheme in relation to those properties.

Similarly, based on the Reserved Matters application for the layout of housing on the adjoining Bloor Homes site, the amenity and privacy of residents of those new houses, would be preserved.

Representations received from Myrtle Cottage raise concerns regarding a loss of amenity due to the position of the proposed access and vehicle movements generated by the scheme, most particularly head lights shining through windows. The nature and scale of movements would be residential in character. The layout of the access and volume of traffic along Hill Street and in and out of the site minimises the time that vehicles would be waiting at the junction, or shine lights across Hill Street to the extent that amenity would be compromised to the extent that revisions to the scheme would be justified.

Due to the spacious layout the amenity and privacy of occupiers of the proposed houses would be preserved. Where there is a degree of overlooking between neighbouring houses, such as rear facing windows to units 2, 3 and 4, it would not result in a detrimental impact. Furthermore due to the separation distances, there would not be an impact from residents of the adjoining Bloor Homes site. Generous sized gardens would readily meet the private recreation needs of residents.

The Councils Environmental Health Officer has suggested a noise assessment should be undertaken to ensure the proximity of the site to the M27 would not compromise residential amenity. It is considered that such a requirement would be disproportionate for the scale of the scheme, especially give its location in relation to the motorway, but also the extent of development and scale of mature landscape that encloses it.

F) Heritage Assets

The Listed Buildings and Conservation Area Act 1990 requires Local Planning Authorities (LPA's) to have special regard to the desirability of preserving a Listed Building or its setting or any features of special architectural or historic interest which it possesses.

The NPPF paragraph 199 requires LPA's to place great weight on the conservation of heritage assets. Local Plan Policy DM1 places a similar onus on the preservation of all heritage assets, i.e. should harm be identified, the more important the asset, the greater the weight against the development should be.

There are no designated or non-designated Heritage Assets on the site. Nor does it fall within, adjacent to or affect the setting of a Conservation Area. The consultation response from the NFDC Conservation Officer considered that less than substantial harm would be caused to designated heritage assets. As such, the proposal should be considered against NPPF paragraph 202.

There are designated and non-designated heritage assets in the area that are potentially affected by the proposed scheme. Policy SS1 specifically identifies the presence of a listed building within the allocation, to the south of this site on Pauletts Lane. However this and others in the wider area are too far away to be related to the site subject to this application or affected by its development.

The heritage assets that are close enough to the application site to be considered in line with local and national guidance are outside the allocated site on the eastern side of Hill Street.

The designated heritage assets are Grade II listed buildings at:

- The Thatch, a residential property,
- The Granary, an outbuilding at the same property;

The Thatch and Granary reside on the same plot, in excess of 75m from the application site, set back from Hill Street in mature grounds . The application is supported by a Heritage Asset Statement that assesses its significance, evolution of its relationship with the surroundings and the application site.

The integrity of the built form and fabric of the Thatch and Granary listed buildings would not be affected by the proposals, nor would their existing plot and relationship together. The potential impact of the proposals on the Listed Buildings would be limited to the introduction of built form on Hill Street and the minor change in the experience of passing along that road to arrive at the Listed Buildings, as aspects of their setting.

Their significance, in relation to their setting is heavily associated with their role and relationship to the agricultural activities historically undertaken in the area. However, that relationship has long since been broken, through the provision of alternative farmhouse accommodation, erection of a house on land immediately to the north, breaking up of the farming activities and now the allocation of the land, subject to this application, for development.

Despite the location of the application site, opposite the listed building, due to the layout of the proposed scheme, the design of plot 1 having a traditional New Forest vernacular prevalent in the locality, retention of the large Oak tree, closure of the existing site access and retention and enhancement of the mature hedgerows on the site, there would not be a significant change to the visual relationship between the application site and the listed building.

Furthermore the siting of plot 1 and the design of the house, having a traditional New Forest vernacular, would sit comfortably with the character and appearance of Hill Street, reflecting the sporadic pattern of development along the road, minimising potential impact on significance arising from the implementation of delivery of the allocation.

Despite these factors the NFDC Conservation Officer concludes that less than substantial harm would be caused to the significance of the Listed Building. In line with NPPF paragraph 202, it is considered that the public benefits, described above, of the proposal would clearly outweigh the identified less than substantial harm.

Other buildings along Hill Street would be considered to be non-designated heritage assets (NDHA). Those with a relationship to the application site are:

- Myrtle cottage;
- Agricultural outbuilding at the Laurels
- Broadclyst Cottage.

These buildings are located opposite the site along Hill Street. Their relationship with the site and its contribution to their significance is similar as that of the Listed Buildings, whereby they benefit from the application site's contribution to the overall rural setting and character of the area.

In accordance with para 203 of the NPPF any impact on the significance of the NDHA's should be taken into account. However a balanced judgement should have suitable regard to the scale of the harm and the significance of the asset. As with the relationship between the scheme and the designated heritage assets, there would be no impact on their respective plots, individual fabric and built form or their

group relationship, as such it is considered that any impact would be associated with the change in character of the area in principle rather than the heritage value of the area.

There is high desirability for preserving the setting, special architectural features and historic interest of the listed buildings close to the site. The design and layout of the scheme minimises the level of impact on those features which is outweighed by the public benefits of the scheme. The designated heritage assets close to the site would be preserved as required by S.66 of the Listed Building Act, the NPPF and local plan policy DM1.

G) Environmental Matters

i) Ecology and Protected Species

There are no protected or sensitive habitats on the site, which is predominately semi-improved grassland. There are areas of scattered scrub, species poor hedgerows and mature broad leaved trees.

There are no species present on site that would restrict the design, layout or principle of the development, however the scheme has been designed to retain the majority of the hedgerows and the mature trees that are suitable supporting habitats for foraging and commuting bats, nesting and foraging birds, hedgehogs, reptiles and invertebrates. The Councils Ecologist accepts the findings of the supporting ecological appraisal that the survey and analysis captures all necessary ecological designations close to the site with the potential for to be effected.

Whilst detailed landscape plans have been provided that would enhance bio-diversity and support ecology across the site, there is no ecological mitigation or enhancement plan proposing features to be incorporated in the buildings or site such as bat and bird boxes, bee bricks, hedgehog gaps or similar, a suitably worded condition is imposed to ensure such measures are identified and delivered. This would meet the requests of the representation received from Hampshire Swifts. It will also seek details of site lighting in order to ensure it does not interfere with nighttime foraging.

In this instance it is not considered proportionate to require the scheme to achieve 10% bio-diversity net gain. The scheme would qualify by reason of its site area, rather than quantity of development. Retention of existing mature trees and hedgerows would complement the enhancements described above the bio-diversity delivered on adjoining sites.

ii) Recreational activity impact on New Forest and Solent Habitats

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.

Such adverse impacts would be avoided by provision of 0.23ha of Alternative Natural Recreational Greenspace (ANRG) on the site as part of the design and layout of the scheme, in accordance with ENV1 and the design requirements of the Mitigation Strategy SPD.

Based on the Housing Mix, the proposed 9 homes generate a need for at least

0.23ha of ANRG. The proposed scheme delivers on-site ANRG, compliant with the policy requirements. There is a qualitative aspect to the design of the ANRG, this is discussed below in consideration of Landscape design. In principle the scheme can provide a sufficient quantity of ANRG to meet the policy requirements.

Furthermore, the applicant will enter into a Section 106 legal agreement to secure a habitat mitigation contribution in accordance with the Council's Mitigation Strategy towards the costs of providing Access Management and Monitoring.

The applicant will also agree to provide the financial contribution towards protecting Solent sites from recreational pressure, in accordance with the Bird Aware Solent strategy which will also be secured through a Section 106 legal agreement.

iii) Nitrate neutrality and impact on 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.

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.

Air Quality impact on New Forest habitats

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 will agree to a financial contribution towards the monitoring strategy adopted by the Air Quality SPD.

Subject to conditions and obligations secured by a S.106 agreement, the scheme would

mitigate impacts on sensitive protected habitats off-site in the New Forest and Solent. On site ecology can be preserved and enhanced. The scheme would comply with Policies ENV1 and DM2 contributing to the delivery of a sustainable development in accordance with policy STR1.

H) Affordable Housing

With respect of the aspiration of the Development plan to achieve a mix of housing tenure it should be noted that the scheme does not meet the thresholds set by Local Plan policy HOU2 for the provision of Affordable Housing.

At 9 dwellings and below the 1000Sq.m cumulative gross internal floorspace the scheme does not achieve either threshold. Had the scheme surpassed either threshold the viability of such a small scheme may have struggled to sustain a contribution towards affordable housing and remain viable in any event.

I) Other Matters

Public Open Space.

The scheme is required to make provision of public open space to meet the needs of the future site residents in line with Local Plan requirements. In addition to the ANRG, provision should be made for on-site provision of informal open space, play provision and off-site formal recreation.

The housing mix requires a total of 0.1ha of public open space. Based on the requirements of saved Local Plan Policy CS7 "Open spaces, sport and recreation" the need consists of:

- Play Space - 0.007ha (70 Sq.m)
- Informal Open Space - 0.06ha (600Sq.m)
- Formal Open Space - 0.04ha (400Sq.m)

The scheme has not made provision for these quantitative requirements. As described above, in section F, there is sufficient provision of ANRG. An area of open space, to the south of the proposed access, would be informal open space, along with further areas that frame the residential plots and retention of existing hedgerows on site that would also contribute to the landscape setting and appearance of the of the site. However this would not amount to the required 600Sq.m.

Due to the size of the development it would not be appropriate to seek to deliver play equipment to the equivalent of 70 Sq.m area on site. The ANRG would not preclude play and the hard surfaced area in front of units 6-9 would also provide a good alternative for informal play.

Policy SS1 requires provision of formal facilities within the allocated site. Whilst this site is not large enough on its own to be able to make comprehensive provision, it can make a proportionate financial contribution of £3,582.00 towards the provision of a multi-use games area and a cricket pitch, identified as appropriate by para.9.47 of the Local Plan and Infrastructure Delivery Plan, this would be secured by a S.106 legal agreement.

Set out at sections B and D, the scheme provides a shared pedestrian and cycle route from the north boundary to the end of Green Lane bridleway. Such a route, with access in to the Bloor Homes site would allow residents of both schemes to access the public open space and the bridleway for safe travel to other parts of the wider SS1 site, creating a positive link for connectivity throughout the area, for

recreation and active travel, such a feature makes a significant contribution towards the amenity and recreation needs residents.

Whilst the absolute spatial requirements of the policy have not been met, It is considered that the combination of open space and facilities being provided is appropriate and would not prejudice the amenity or well being of residents.

Drainage.

The site is not at risk of flooding. There is a ditch along a section of the southern boundary that flows in to the existing roadside ditch. A surface water drainage scheme has been designed to capture surface water in underground attenuation tanks and discharge to the ditch at current greenfield run off rates. This complies with the principles of the sustainable drainage hierarchy expected by the NPPF. A condition will be imposed to ensure installation and future maintenance is secured.

Ground Contamination.

The concern raised by the NFDC Contaminated Land Officer does not require intervention through consideration of the planning application. There would be no risk to the development or its residents, nor would the wider environment be at risk of harm during construction.

Education.

As part of the wider SS1 allocation, the scheme would give rise to numbers of school age children that could not be accommodated in existing schools, despite the capacity identified across the wider Totton network of schools. A proportionate financial contribution of £39,320 would be secured by a S.106 legal Agreement, to be used to provide additional primary age school places. There is sufficient capacity in Secondary age schools, that no impact requiring mitigation would occur.

Air Quality.

The site is set a sufficient distance from nearby roads identified as carrying significant volumes of traffic, nor does the layout of the scheme place any houses on the edge of the existing or proposed roads, avoiding any potential impacts from vehicle emissions. The supporting Planning Statement indicates an intent to incorporate air source heat pumps and electric vehicle charging points can readily be secured by way of condition.

The NFDC EHO advocates a Construction Management Plan, that could deal with minimising the generation of dust on site. A similar requirement has been made by Hampshire CC Highways Officers, so is attached.

Developer Contributions

As part of the development, the following will be secured via a Section 106 agreement:

Habitat Mitigation

- Infrastructure Habitat Mitigation Provision of 0.23ha of publicly accessible ANRG, with future transfer to Management Co. provision of management plan
- New Forest habitats recreation mitigation – Non infrastructure £8,538.00
- New Forest Habitat Air Quality monitoring £927.00
- Solent bird aware - £7,700.00

Monitoring fees.

- Commencement £808.00
- ANRG/Open space monitoring £6,542.00

Highways

- Provision of £13,500 towards A326/A31 southbound off slip junction capacity improvement project
- Provision of £4,052.00 towards Green Lane bridleway improvement project

Public Open space.

- Provision of informal open space on site
- Provision of £3,582.00 towards formal public open space towards the provision and maintenance of off site sports facilities to include one or more of the following:
MUGA sports pitches in wider SS1;
Cricket pitch with locality of Totton;
Other off site sports facilities within the vicinity of the development.

Education

- Provision of £39,320 towards Primary age school infrastructure

As part of the development, subject to any relief being granted the following amount Community Infrastructure Levy will be payable:

CIL Summary Table

Type	Proposed Floorspace (sq/m)	Existing Floorspace (sq/m)	Net Floorspace (sq/m)	Chargable Floorspace (sq/m)	Rate	Total
Dwelling houses	1276.02	0	1276.02	1276.02	£80/sqm	£139,380.65 *

Subtotal:	£139,380.65
Relief:	£0.00
Total Payable:	£139,380.65

11 CONCLUSION / PLANNING BALANCE

The site is allocated for mixed use development by Policy SS1 of the Local Plan Part 1: Planning Strategy. The principle of development is therefore in accordance with strategic policies STR3, STR4 and STR5.

The proposal has received local objections that are not supported by the technical advice of consultees such as the Highway Authority. No substantive alternative evidence has been submitted to set aside the views of statutory consultees. The development of part of this allocated site will undoubtedly change and have an urbanising impact on the local character, but this must be balanced against the allocation of the site and the need to deliver new housing.

It would make a positive contribution towards successful implementation of the development plan and providing choice not provided to date, meeting the housing needs of the District.

The design, layout and appearance of the scheme would positively integrate with the character of the area, landscape setting, preserve residential amenity and highway safety. Public benefits of the scheme would readily outweigh the less than substantial harm to the significance of designated heritage assets.

The Council has carried out an Appropriate Assessment under the Habitat Regulations (as amended) at this stage and concluded that the impact of additional Nitrogen entering the Solent will cause harm but that a scheme of mitigation can be brought forward to neutralise such harm. Furthermore an Appropriate Assessment of the recreational impacts demonstrates harm would occur to protected habitats in the New Forest and Solent, but that mitigation is delivered on site and by obligations in the S.106 legal agreement. Protect important landscape features on and around the site, support ecology and deliver enhancements.

The scheme has economic, environmental and social benefits that, along with compliance with the development plan, would secure a sustainable development. The Council cannot demonstrate it has a 5 year supply of land for housing therefore the NPPF directs a presumption in favour of sustainable development. There are no significant impacts that demonstrably outweigh the identified benefits and therefore this sustainable development is recommended for approval.

12 RECOMMENDATION

Delegated Authority be given to the Service Manager Development Management to **GRANT PERMISSION** subject to:

i) the completion by, 01/12/24, of a planning obligation entered into by way of a Section 106 Agreement to secure

Habitat Mitigation

- Infrastructure Habitat Mitigation Provision of 0.23ha of publicly accessible ANRG, with future transfer to Management Co. provision of management plan
- New Forest habitats recreation mitigation – Non infrastructure £8,538.00
- New Forest Habitat Air Quality monitoring £927.00
- Solent bird aware - £7,700.00

Monitoring fees.

- Commencement £808.00
- ANRG/Open space monitoring £6,542.00

Highways

- Provision of £13,500 towards A326/A31 southbound off slip junction capacity improvement project
- Provision of £4,052.00 towards Green Lane bridleway improvement project

Public Open space.

- Provision of informal open space on site
- Provision of £3,582.00 towards formal public open space towards the provision and maintenance of off site sports facilities to include one or more of the following:
 - MUGA sports pitches in wider SS1;
 - Cricket pitch with locality of Totton;
 - Other off site sports facilities within the vicinity of the development.

Education

Provision of £39,320 towards Primary age school infrastructure

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:

Site Location Plan:295/DP/109 rec'd 24/06/22
Block Plan ref:295/DP/200 rec'd 20/11/23

Plot 1 Floor Plans ref:295/DP/201 rec'd 17/11/23
Plot 1 Elevations ref:295/DP/202 rec'd 17/11/23
Plot 2 Floor Plans ref: 295/DP/203 rec'd 24/06/22
Plot 2 Elevations ref: 295/DP/204 rec'd 24/06/22
Plot 3 Floor Plans ref: 295/DP/205 rec'd 24/06/22
Plot 3 Elevations ref: 295/DP/206 rec'd 24/06/22
Plot 4 Floor Plans ref: 295/DP/207 rec'd 24/06/22
Plot 4 Elevations ref: 295/DP/208 rec'd 24/06/22
Plot 5 Floor Plans ref: 295/DP/209 rec'd 24/06/22
Plot 5 Elevations ref: 295/DP/210 rec'd 24/06/22
Plot 6 Floor Plans ref: 295/DP/211 rec'd 24/06/22
Plot 6 Elevations ref: 295/DP/212 rec'd 24/06/22
Plot 7 Floor Plans ref: 295/DP/213 rec'd 24/06/22
Plot 7 Elevations ref: 295/DP/214 rec'd 24/06/22
Plot 8 Floor Plans ref: 295/DP/215 rec'd 17/11/23
Plot 8 Elevations ref: 295/DP/216 rec'd 17/11/23
Plot 9 Floor Plans ref: 295/DP/217 rec'd 24/06/22
Plot 9 Elevations ref: 295/DP/218 rec'd 24/06/22

Car barns ref:295/DP/219 rec'd 24/06/22
Bicycle and Bin Store ref:295/DP/220 rec'd 24/06/22

Landscape Plan Drg No.345_PN_01 rev F rec'd 20/11/23
Soft Landscape Plan - ANRG Drg No.345_PN_02 rev F rec'd 20/11/23
Soft Landscape Plan - East Drg No.345_PN_02 revF rec'd 20/11/23
Soft Landscape Plan - West Drg No.345_PN_02 revF rec'd 20/11/23

Reason: To ensure satisfactory provision of the development.

3. **Details of Construction Materials**

Prior to the commencement of construction above damp proof course, full details of all the materials to be used on the external elevations as indicated on the approved plan shall be submitted to and approved in writing by the Local Planning Authority.

The approved details shall then be implemented.

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.

4. **CMP**

Prior to the commencement of development on site a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The CMP shall include, but not limited to, the following details:

- Development contacts, roles and responsibilities
- Public communication strategy, including a complaints procedure.
- Dust Management Plan (DMP) including suppression, mitigation and avoidance measures to control dust.
- Noise reduction measures, including use of acoustic screens and enclosures, the type of equipment to be used and their hours of operation.
- Use of fences and barriers to protect adjacent land, properties, footpaths and highways.
- Details of parking and traffic management measures, site compound, delivery routes and storage areas.
- Measures to control light spill and glare from any floodlighting and security lighting installed.
- Pest control

The approved details shall be implemented before the development hereby permitted is commenced and retained throughout the duration of construction. The development shall only be carried out in accordance with the CMP so approved.

Reason: In the interests of highway, pedestrian safety and residents amenity and to reflect the phased requirements of condition No.3 of this permission and in accordance with CCC1 of the New Forest District Local Plan Part 1: Planning Strategy 2020.

5. **Tree protection**

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 Eco Urban Arboricultural: Arboricultural Implications Assessment and Method Statement for Land to the north of 'The Hollies', Hill Street, Calmore Ref: 211369-AIA 5 received 09/01/23 and Tree Protection Plan

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 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

6. Tree protection meeting

Prior to the commencement of any works (including site clearance, demolition and construction works) 3 working days notice shall be given to the Local Planning Authority Tree Officer to attend a pre-commencement site meeting to inspect all tree protection measures and confirm that they have been installed in the correct location and to the specifications as shown in the submitted Eco Urban Arboricultural: Arboricultural Implications Assessment and Method Statement for Land to the north of 'The Hollies', Hill Street, Calmore Ref: 211369-AIA 5 received 09/01/23 and Tree Protection Plan.

Reason: To safeguard trees and natural features which are important to ecology and the visual amenities of the area and in accordance with policies ENV3 & ENV4 of the New Forest Local Plan Part 1: Planning Strategy 2020 and DM2 of the New Forest Local Plan Part 2: Sites and DM policies 2014.

7. Connecting link

Prior to the commencement of development above Damp Proof Course of the houses hereby approved, detailed designs and construction drawing of the shared pedestrian-cycle way across the site from the north boundary to Green Lane bridleway, as shown on the approved plans, shall be submitted to and approved in writing by the Local Planning Authority.

The approved details shall then be implemented prior to first occupation of the development hereby approved and thereafter retained and there shall be no boundary feature erected so as to impede the free flow of users.

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 different parts of the strategic site and in the interests of the well being and amenity of residents and sustainability and in accordance with Policies STR1, ENV3, CCC2 and SS1 of the New Forest District Local Plan Part 1: Planning Strategy 2020.

8. Access

The development hereby permitted shall not be brought into use until the vehicular access from Hill Street, as shown in principle on the approved plans, has been completed and visibility splays of 2.4 metres by 43 metres have been provided. Nothing over 0.6m in height above the level of the carriageway shall be placed or permitted to remain within the visibility splay.

Reason: In the interests of highway safety.

9. **Parking, drives, carports.**

No dwelling shall be occupied until its respective access, driveway, carport and parking have been provided as shown on the approved plans. No doors or other forms of enclosure shall be added to carports.

Reason: In the interests of ensuring sufficient parking in accordance with CCC2 of the New Forest District Local Plan Part 1: Planning Strategy 2020 and the Parking Standards SPD 2022.

10. Before first occupation of the dwellings hereby approved, a scheme for the provision of infrastructure and facilities to enable the installation of charging points for electric vehicles to serve the new dwellings shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be provided before the approved dwellings has been occupied and shall thereafter be retained in accordance with the approved details.

Reason: In the interests of sustainability and to ensure that provision is made for electrical charging points in accordance with Policy IMPL2 of the Local Plan Part 1 Planning Strategy for the New Forest (outside of the National Park).

11. All soft landscape shall be carried out in accordance with the approved plans and details within one year of commencement of development and maintained thereafter.

If within a period of five years from the date of planting of any tree/plant, that tree/plant, or its replacement, is removed, uprooted, destroyed or dies, another tree/plant of the same species and size as that originally planted shall be replanted in the first available planting season, unless with prior written agreement of the Local Planning Authority to a revised species, size or location.

Reason: To ensure the achievement and long term retention of an appropriate quality of development and to comply 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.

12. **Water Efficiency and Nutrient Neutrality**

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.

13. Prior to the commencement of development a revised ecological mitigation, enhancement and management plan shall be submitted to and approved in writing. The Plan shall set out the measures to protected habitats and species during construction, measures to enhance ecology on site to include but not limited to, the measures raised by consultee responses on the application, and details of delivery and management of the enhancements.

The agreed details shall then be implemented as agreed.

Reason: In the interests of mitigating the impact of the development and ensuring ecological enhancements are delivered and in accordance with STR1 of the New Forest District Local Plan Part 1: Planning Strategy 2020 and DM2 of the New Forest District Local Plan Part 2: Sites and DM policies 2014.

14. **Boundary details.**

Prior to the commencement of development above damp proof course, details of the boundary enclosure to the site and individual plots, including any gates, shall be submitted to and approved in writing by the Local Planning Authority. The agreed details shall then be implemented prior to occupation of the relevant plot and where appropriate maintained in accordance with the requirements of condition 11.

Reason. In the interests of the character and appearance of the site and in accordance with ENV3 of the New Forest District Local Plan Part 1: Planning Strategy 2020.

15. **Scheme of on site lighting for ecology and character**

Prior to the commencement of development above damp proof course, a "site wide sensitive lighting design strategy for biodiversity" in line with BCT / ILP Guidance Note 08/18 'Bats and artificial lighting in the UK' for all areas to be lit shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- 1) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important commuting routes used to access key areas of their territory, for example, for foraging;
- 2) Identify and take account dedicated bat roost features provided by the development; and
- 3) show how and where external lighting will be installed (through the provision of appropriate lighting contour (lux) plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places and that dark corridors will be maintained.

All external lighting shall be installed in accordance with the specifications and locations set out in the agreed strategy, and these shall be retained and maintained thereafter to preserve the strategy.

Reason: In the interests of visual amenity and supporting ecology in the area in accordance with policy ENV3 of the New Forest District Local Plan Part 1: Planning Strategy 2020 and DM2 of the New Forest District Local Plan Part 2: Sites and DM policies 2014.

16. **Bike and bin storage.**

No dwelling shall be occupied until its respective bike and bin stores as shown on the approved plans have been provided.

Reason: In the interests of supporting sustainable forms of travel and the appearance of the site in accordance with ENV3 & CCC2 of the New Forest District Local Plan Part 1: Planning Strategy 2020.

17. **Surface water drainage.**

Prior to occupation of the development, the drainage strategy shown in principle in the Aegaea FRA and Surface Water Drainage Strategy received 24/06/22 shall be implemented.

A maintenance and management schedule for the installed drainage strategy shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development hereby approved and thereafter implemented, in accordance with the timetable enclosed therein.

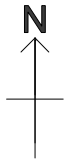
Reason: In order to ensure sufficient and appropriate sustainable drainage for the site and area, to protect important and protected landscape features and in accordance with policies STR1, ENV3, ENV4 and CCC2 of the New Forest District Local Plan Part 1: Planning Strategy 2020 and the NPPF.

Further Information:

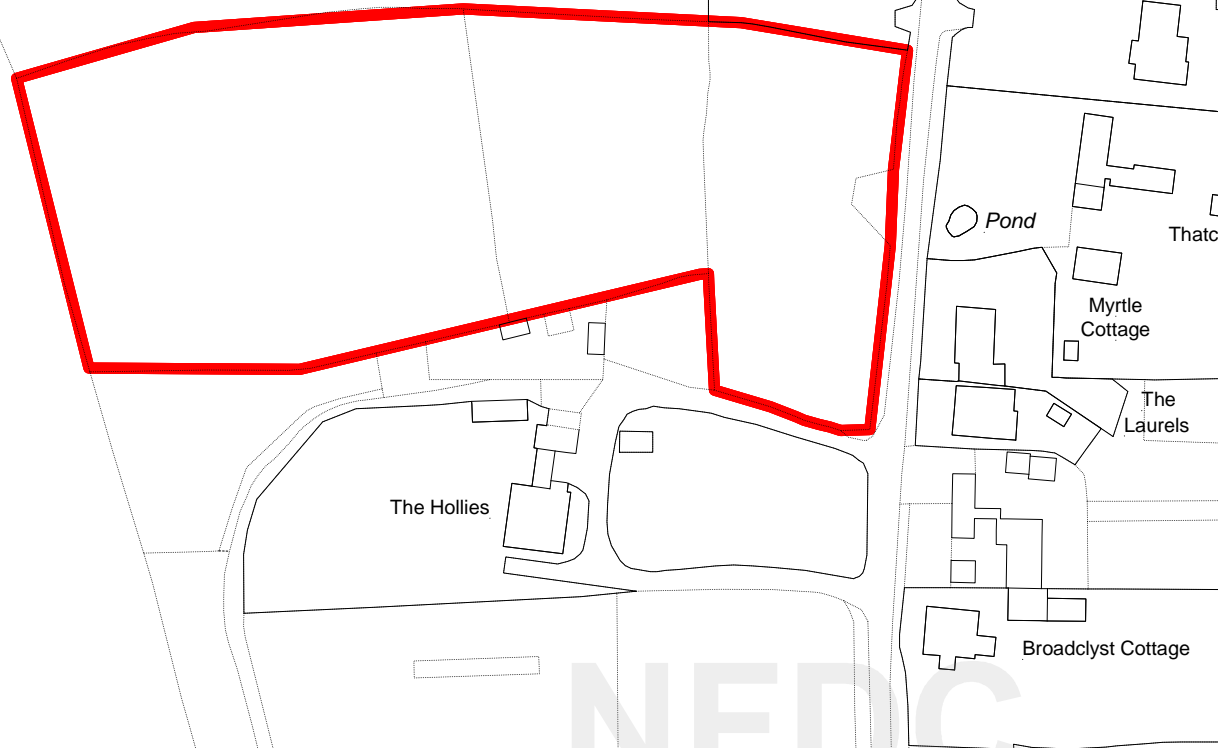
James Gilfillan

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NFDC



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New Forest
DISTRICT COUNCIL

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David Norris
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Appletree Court
Lyndhurst
SO43 7PA

PLANNING COMMITTEE

December 2023

Land North of The Hollies
Hill Street
Calmore
22/10747

Scale 1:1500

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

Planning Committee 13 December 2023

Application Number: 23/10457 Full Planning Permission
Site: ELLINGHAM FARM, ELLINGHAM VILLAGE, ELLINGHAM
BH24 3PJ
Development: Proposed conversion of former stables to farm shop, cafe and
shop (Class E), outdoor seating, car parking, landscaping and
associated works
Applicant: THE SOMERLEY ESTATE
Agent: CPL Architecture Ltd
Target Date: 29/06/2023
Case Officer: Vivienne Baxter
Officer Recommendation: Grant Subject to Conditions
**Reason for Referral
to Committee:** Contrary Parish Council view

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Principle of the development
- 2) Impact on the character and appearance of the area including the setting of listed buildings
- 3) Impact on trees
- 4) Highway matters including parking
- 5) Residential amenity
- 6) Ecology

2 SITE DESCRIPTION

The site forms part of the Somerley Estate and is situated close to Ellingham Farmhouse and Ellingham Parish Church. At present, there is no vehicular access to the site from Ellingham Drove which provides access to the church, associated vicarage and church hall, a day nursery and a pair of cottages as well as access into the estate where there is a Gatehouse.

The building subject of this application sits alongside the road to the north end of the site with a mature hornbeam hedge forming the rest of the eastern boundary. The stable building forms three sides to a grassed courtyard and is of brick and slate construction.

Within the estate, the site is not physically separated from the adjacent access drive to the Farmhouse. Between this access drive and road is a grassy area containing several mature trees.

3 PROPOSED DEVELOPMENT

The proposal is for the conversion of the stable building into a small cafe, farm shop and further retail unit together with associated parking for cars and cycles and new vehicular access off Ellingham Drive. There is an associated listed building consent application (Ref: 23/10458).

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
23/10458 Proposed conversion of former stables to farm shop, cafe and shop (class E), outdoor seating, car parking, landscaping and associated works (Listed building consent).			Item on Committee Agenda. Pending decision.
97/NFDC/62377 Cou of redundant building to retail unit	27/05/1998	Withdrawn by Applicant	Withdrawn

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Policy CCC2: Safe and sustainable travel
Policy ENV3: Design quality and local distinctiveness
Policy IMPL2: Development standards
Policy STR2: Protection of the countryside, Cranborne Chase Area of Outstanding Natural Beauty and the adjoining New Forest National Park
Policy STR3: The strategy for locating new development
Policy STR4: The settlement hierarchy
Policy ECON5: Retail development and other main town centre uses

Local Plan Part 2: Sites and Development Management 2014

DM1: Heritage and Conservation
DM22: Employment development in the countryside
DM23: Shops, services and community facilities in rural areas

Core Strategy

CS21: Rural economy

Supplementary Planning Guidance And Documents

None

Relevant Legislation

Section 38 Development Plan
Planning and Compulsory Purchase Act 2004
Section 66 General duty as respects listed buildings in exercise of planning functions.
Planning (Listed Buildings and Conservation Areas) Act 1990
National Planning Policy Framework

Relevant Advice

NPPF 2023
NPPG

Constraints

Archaeological Site
Article 4 Direction
Aerodrome Safeguarding Zone
Small Sewage Discharge Risk Zone - RED
Avon Catchment Area
SSSI IRZ All Consultations
Listed Building Grade: Grade II
Tree Preservation Order 0003/23.

6 PARISH / TOWN COUNCIL COMMENTS

Ellingham, Harbridge & Ibsley Parish Council PAR 4, Refusal with the following comments. These comments are for planning application 23/10457 and 23/10458:

- The Council is content with the principle of change of use of the building(s), and that the repurposing / renovation would respect their existing form and structure. The proposed felling of one plum and two ash trees was not considered an issue.
- However, Cllrs have some concerns about which they would like to receive further information. The Council will subsequently be happy to reconsider the application:
- Cllrs were not convinced by the evidence of the Transport Statement and comparability of this site with other establishments, particularly in regard to the potential capacity of indoor and outdoor catering proposed and available parking spaces on site;
- The Transport Statement does not seem to identify or assess the number of vehicle movements associated with the narrow time windows of set down and pick up from the day nursery, and/or sporadic Church / Church Hall events, and the contraflow traffic negotiating the single track length of Ellingham Drive to the Somerley Estate entrance;
- Control measures that would be put in place to ensure that the Church Hall, Ellingham Church and day school access/parking areas would not be used for overspill or convenience parking at any time;
- Proposed ingress into and compaction of the RPAs of the retained oak trees for parking provision. Future limb/crown reduction works that may be 'required? to be carried out on the trees as a result of health and safety / risk inspections;
- It was considered unlikely that deliveries to and from the retail area, café, farm shop and butcher would be confined to out of hours periods, with the attendant consequence on sufficient manoeuvring area being available for lorries and large vans with the car park in use;
- Though the former access to Ellingham Farm was a paved driveway from Ellingham Drive (see Google Maps Streetview), the replacement of an

extensive area of what is now lawn area with a permeable hoggin surface is a significant loss;

- A Construction Management Statement would be helpful, advising the number of vehicle movements anticipated for the removal of concrete and other spoil, together with expected new material deliveries; the suitability of the proposed site access/exit for HGVs without trespassing onto the Church Hall parking area; remedial works proposed in the event of damage to this area;
- mitigation of large vehicles meeting other traffic on the single track length of Ellingham Drive to the Somerley Estate entrance;
- Any external lighting proposed should be submitted for approval to NFDC with luminaires / lamps / heights / locations and control system(s) identified;
- Proposed operating times and hours should not be treated as a reserved matter due to the potential impact on neighbouring premises and their activities, as well as residents.

Following re-consultation:

The Council reiterates its belief that permitting the buildings to be brought back into use represents the most viable solution for preserving the buildings for the long-term, but the following concerns remain:

- Parking - the Council does not feel there is sufficient parking provision for staff (for three types of business operation) and visitors, and that the parking areas used by the church and church hall may well be used as overflow;
- Carpark surface material . compacted hoggin is not thought to be compatible with the long-term sustainability and welfare of the Oak trees in the car park and now subject to a TPO. It was suggested that an area of the gravel drive serving Ellingham Farm could be provisioned for car parking;
- Highway access - Ellingham Drive is a single track road with ad hoc unadopted passing places. Without formalising these, it is felt the road is unsuitable for the additional traffic, including large delivery vehicles, that is likely to be generated;
- Site access . it is felt that the safe manoeuvring areas and turning paths required by large delivery vehicles accessing and/or leaving the site have not been sufficiently addressed, particularly when the proposed car park area is full;
- Visibility at the junction with the A338;
- Trees . there continues to be concern over the provision of car parking spaces under the crown of the larger of the retained Oak trees within the site. It is anticipated that in the event of any limb shed a crown reduction would be sought. This also applies to the other Oak tree in the site as its crown spreads. The potential long-term compromise of these trees would be a disappointing outcome;
- Email from agent to NFDC of 07 August 2023 - the Council is not persuaded by the justification put forward for the loss of .green space. on the site: *The area of green space presently laid to grass which will change to a permeable*

surface for parking use during trading hours is 776 SQM. The area of land under the control and ownership of the applicant is 27.342 Million SQM (2,734Ha). The % of land affected here is 0.000028 of the whole. Ownership of other areas of green space, however extensive, does not mitigate for the loss of green space and potential harm arising;

If further attention is given to the matters raised above, the PC would be happy to consider the application again.

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

NFPA Archaeologist: No objection subject to conditions

NFDC Tree Team: No objection. Previous concerns have been addressed

HCC Highways: No objection. The proposal would result in an increase in trips however this is acceptable in this instance. Plans to show appropriate visibility splays and tracking details for larger vehicles have been provided and the Highway authority has no objections to the application.

Ecologist: mitigation proposals will need to be monitored

9 REPRESENTATIONS RECEIVED

None received

10 PLANNING ASSESSMENT

Principle of Development

The proposal entails the conversion of an agricultural building that is no longer in use, to retail and cafe purposes.

Saved Policy CS21 of the Core Strategy relates to the Rural Economy and encourages farm diversification where it would be consistent with maintaining and enhancing the environment. Part of the identified strategy is to support the rural economy by allowing for the re-use of suitable rural buildings and support local business development through the conversion of existing buildings.

Policy ECON5 of the Local Plan Part 1 relates to the provision of 'town centre uses' which would include the cafe, farm shop and retail uses which are proposed as part of this application. Whilst Policy ECON5 aims to support renewal and investment in town centres, it makes an exception where proposals comply with Policy CS21 and they would not conflict with ECON5.

Rather than being a farmed estate, the Somerley Estate is an established business operation where weddings are held, overnight accommodation is available within both the farmhouse and main Somerley House (Grade II*) and the estate is also used for filming purposes. The proposal would add a further uses within the estate enabling the business to expand and diversify.

The principle of the development is therefore considered to be acceptable in policy terms, however any development should maintain the environmental quality of the area and the setting of important buildings as discussed in the planning assessment below.

Impact on local character and appearance of area including the setting of listed buildings

The external works to the building are limited in that no additional openings are proposed (other than a hatch for bat roost purposes). From the public realm therefore, the building would remain as existing, subject to removal of overgrown vegetation. Within the site, alterations to the internal courtyard elevations of the building would respect the existing openings through providing new doors, glazed panels or high level windows with shutters. There are no objections to these alterations which have a limited impact on the curtilage listed building.

The proposed new access would result in an opening to the boundary hedge along the road, opposite the northern end of the open parking area for the Church Hall. The access would be provided with a metal gate to match others on the estate and would not be out of keeping in this location. Whilst the hedge either side of the access would be reduced in height, this is considered to be an acceptable solution rather than removal of hedging to provide the required visibility splays. It is noted that this part of the estate previously had a vehicular access in the southern corner of the site which cut across the grassed area towards the farmhouse.

Within the area to the south of the stable building, there are several trees and a grassed area. Approximately half of this area would be replaced with a gravel surface in order to accommodate the proposed car parking. The proposed surfacing would reflect the surface of the drive to the farmhouse, the car park to the Church Hall - which is open to the road - and the access and parking area for the Day Nursery to the north-east. It would also be partly screened behind the boundary hedge. Whilst the proposed changes to this area have some visual impact, it is considered to be acceptable in its context given the lack of public visibility and the retention of the remaining grass and trees.

The proposed cycle parking would be located adjacent to the north wing of the building where a new hedge would separate it from the end of the drive/parking area for the farmhouse. The hedge would form a new boundary between the two properties and would provide an effective visual screen to separate them. Hedging to the front of the site would also screen the proposed refuse enclosure and access into the boiler room.

Having regard to the setting of the adjacent listed farmhouse, the proposal would reduce the width of part of the access drive although the resultant width would be comparable to the southern section of drive to the property. The proposed cycle parking would be directly opposite the eastern facade of the property but would be screened by hedging where there is existing landscaping to the end of the stable building. This landscaping continues either side of a footpath which leads to the end of Ellingham Drove and the hedging would reflect existing hedging to the north side of the Farmhouse forecourt. It is not considered that the revised access provisions or the changes to the planting in this location would harm the setting of the listed building or the rural character of the area.

Trees

Trees are a material consideration in the planning process and can be a constraint to new development. There are a number of trees, shrubs and hornbeam hedging

within and to the boundaries of the site consisting of Oak, Ash, Plum and Beech. In particular, three large mature Oak trees are prominent features in the street scene and provide a good level of public amenity value. These trees are protected under a Tree Preservation Order.

The proposal will involve the installation of a car parking area in close proximity to some of the trees within the site which will result in the removal of several Ash and a Plum tree. The loss of the fruit tree is considered to be acceptable. Whilst one of the Ash trees currently offers a good level of amenity, it is showing signs of ash die back and for this reason, it would not be reasonable to object to its loss. Aside from the protected trees, there are several other trees both within and adjacent to the site which would be retained and overall, the amenity value of the site would be retained.

Whilst only one proposed parking space is wholly within the root protection area (RPA) of the protected oaks, 5 are substantially within this area and a further 5 partially within the RPA. These parking spaces would all be provided through a no-dig construction methodology involving a cellular confinement system as specified on the site plan. A tree protection plan and arboricultural impact assessment have also been submitted to support the proposal. The comments of the Parish Council relating to the proposed surfacing within the canopy spread of these trees have been noted. This concern was also noted by the Tree Officer and as a result, the previously proposed hoggin surface has been replaced with gravel which would allow permeability across the area.

Overall, subject to suitable conditions these proposals would have an acceptable impact on retained and protected trees on the site.

Highway safety, access and parking

The proposal includes the provision of a new vehicular access off Ellingham Drove approximately 16m south of the building and 10 m from the southern boundary. At present, this boundary is marked by a post and rail fence with mature hedging although it is noted that there has previously been a vehicular access into the site adjacent to the southern boundary.

The Highway Authority (HCC) has noted that traffic generation would increase to the site as a result of these proposals but have advised that the increase in trips is acceptable in this instance.

The Highway Authority requested additional information relating to visibility splays and tracking movements for larger vehicles. Following the submission of this information, HCC are satisfied that the tracking information demonstrates that typical delivery vehicles can both access and egress the site in a forward gear. Improved visibility splays at the access have now been shown on the amended plans. As such, no highway objection is raised.

The unclassified 'no through' road is quite straight at this point. However, it is now proposed to lower the height of the hedging either side of the access which would provide a good level of visibility without the need to remove the existing mature hedge. Whilst in many cases, having a gate adjacent to the highway is not practical in view of the potential disruption caused by waiting on the highway for a gate to be opened, this would not be the case here as the proposed gate would remain open during the opening hours of the site and only closed (and locked) once the site is closed for the day. It is therefore not considered appropriate to request that the gates are set back 6 m into the site for these reasons and furthermore, in visual terms this would not be as appropriate in this rural setting.

The concerns expressed by the Parish Council with regard to the visibility of Ellingham Drove with the A338 and the single track nature of the lane between this junction and estate entrance have been Considered. However, the Highway Authority has not raised any objection to the proposal on the basis that the highway network would not be able to accommodate this increase in traffic. Suitable visibility can be provided and secured by a condition and tracking movements for delivery vehicles have been demonstrated.

As noted in the Transport Assessment, the junction of the lane with the A338 has good visibility in both directions in view of the wide grass verges. With regard to the visibility at the proposed access with Ellingham Drove, the applicant has stated that the existing hedge would be lowered to a maximum height of 600mm where this would fall within the visibility splays which are shown on the amended plans. A condition can be imposed to ensure that these visibility plays are provided and retained.

With regard to the potential conflict with other users of the road, it is noted that there are several informal passing places along the road which could be utilised should the need arise. This occurs at present. Much of the existing trip generation for Ellingham Drove is the nursery where parents are likely to drop off/collect their children at each end of the working day or lunchtime. It is noted that the nursery is open from 8am until 6pm with half days starting/finishing at 1.30pm. This pattern of activity is different to that likely for the cafe and retail use which could be restricted within these hours and therefore reduce the potential for any conflict due to increased traffic generation.

The proposal includes parking facilities. The proposed floorspace for retail/cafe uses would require a car parking provision of 30 spaces whilst 14 cycle spaces are recommended to accord standard within the adopted Parking Standards SPD. The proposal includes 27 car parking spaces and 10 cycle parking spaces, both of which fall slightly below that recommended.

The Transport Assessment includes TRICS data with respect to a number of similar uses in different parts of the country. Using this data in relation to the current proposal, peak parking demand on a typical weekday is likely to be around 19 spaces and the current proposal includes 27 spaces. In addition, the site proposes cycle parking facilities for visitors to provide an alternative to journeying to the site via car which is welcomed. It is also noted that there are bus stops along the A338 close to its junction with Ellingham Drove where a frequent bus service operates between Ringwood and Fordingbridge. On this basis, it is not considered that the shortfall of three parking spaces is so significant as to warrant refusal of the scheme in this respect.

The Parish Council has also raised concerns about the size of delivery vehicles that may visit the site. In this respect, the applicant has advised that they are not anticipating large vehicles to the property as this would not be in keeping with the type of facility proposed. With regard to deliveries, it is anticipated that light service vehicles are used which would be able to access the site adequately as demonstrated in the submitted swept path tracking details. Refuse vehicles would be able to stop by the access gate and operatives would not need to walk further than the appropriate distance in order to collect waste from the site. Overall whilst these concerns are noted they do not justify refusal of planning permission on these grounds.

The highway/traffic related issues have been thoroughly assessed and it is not considered that the impact would be unacceptable.

In order to comply with Policy IMPL2, infrastructure for electric vehicle charging points is required to be installed and can be secured by a condition.

Residential amenity

There are limited number of residential properties near to the site other than the vicarage and a pair of cottages some distance to the south east. The Farmhouse, is part of the Somerley Estate, and used as accommodation for letting purposes. Whilst the drive to the Farmhouse is currently shared with the stable building, this would be separated by a new hedge and visitors to the proposed development would not be able to directly access the Farmhouse. The Farmhouse also has an enclosed garden to the west of the access drive.

Whilst there would be an element of noise and disturbance associated with the use of the building, it is not considered that it would be unacceptably harmful. It is noted that the applicant is willing to accept restrictions relating to the opening hours in order to minimise disruption which can be secured by a planning condition. Furthermore a condition to restrict future permitted changes of use within Class E is considered reasonable and will further limit any amenity impacts.

Ecology

The proposal is supported with an Ecological Appraisal which highlights the presence of bats in the area, some of which have used the building as a day roost. In order to protect these habitats, the proposal includes measures to retain an area within the building for bat roosts. Such mitigation is a requirement in order to prevent harm to Greater Horseshoe and Soprano Pipistrelle bat populations. A European Protected Species Licence would also be required separate to any planning consent and it is not expected that there would be any reasons for this not to be granted.

Subject to the development being carried out in accordance with the recommendations of the Ecological Assessment, the Council's Ecologist is satisfied that the favourable conservation status of the bats can be maintained. However, the mitigation and compensation measures referred to in the assessment will need further monitoring which can be secured by way of condition.

11 OTHER MATTERS

The site is located within the HCC Yellow heritage ALERT area marking the Historic Rural Settlement of Ellingham and an area of High Archaeological Potential. The proposed development includes the provision of a 27 space car park to the south of the former stables on an area that would appear to have never been developed. Excluding the No-Dig Area (to protect tree roots) the construction of the car park has the potential to negatively impact on any surviving in situ archaeological remains relating to the historic rural settlement.

To address this, the archaeologist has recommended a condition relating to an archaeological Watching Brief of all ground works south of the former stables.

12 CONCLUSION / PLANNING BALANCE

The proposal makes good use of an otherwise vacant building located within a sensitive setting in the countryside and this is considered to be acceptable in principle in accordance with Policy.

The proposal changes to the structure would have a limited impact on the setting of the adjacent listed building and whilst the impact on the character and appearance of the surrounding area would be slightly greater, given the curtilage listed nature of the proposal, it is considered that the benefits gained from the reuse of the building outweighs this impact.

With regard to the highway issues raised, the Highway Authority do not raise objection, subject to the visibility splays that are shown on the amended plans being provided at the access. Furthermore, HCC are satisfied that the tracking details provided are satisfactory. As such a reason for refusal on highway grounds could not be justified.

Other impacts of the proposed development, including those relating to trees and residential amenity have been assessed and found to be acceptable. As such, the planning application is recommended for approval subject to conditions.

13 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:

Transport Statement
Ecological Assessment
Design, Access and Heritage Statement
50 C - site location plan
60 A - existing site plan
80 J - proposed site plan
100 - existing plans
101 C - proposed plans
200 - existing elevations
201 B - proposed elevations
202 B - refuse area and gate details
203 - proposed no dig zone car park area
2009-01 - tree protection plan
NJC-001 - swept path tracking
NJC-002 - swept path tracking
Arboricultural Impact Assessment dated 24.11.22

Reason: To ensure satisfactory provision of the development.

3. Before development commences a scheme of landscaping of the site shall be submitted for approval in writing by the Local Planning Authority. This scheme shall include :
- a) the existing trees and shrubs which have been agreed to be retained;
 - b) a specification for new planting (species, size, spacing and location);
 - c) areas for hard surfacing and the materials to be used;
 - d) other means of enclosure;
 - e) a method and programme for its implementation and the means to provide for its future maintenance.

No development shall take place unless these details have been approved and then only in accordance with those details.

Reason: To ensure that the development takes place in an appropriate way and to comply 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. No development (including demolition) shall commence until a programme of archaeological work, including a Written Scheme of Investigation, has been submitted to and approved by the Local Planning Authority. 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 and
- 6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

No development shall take place other than in accordance with the Written Scheme of Investigation.

The development hereby approved shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under this condition (and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: In the interests of recording maintaining accurate records of archaeological features and in accordance with Policy DM1 of the Local Plan Part 2: Site and Development Management.

5. The works hereby approved shall be undertaken in strict accordance with the Ecological Assessment (ref 0525 issue 2) dated 3 February 2023 unless otherwise first agreed in writing with the Local Planning Authority. The identified mitigation measures shall be undertaken and follow up monitoring specified in paragraph 5.7 of this report shall be undertaken for two years following the completion of the development and submitted to both the Local Authority and Natural England.

Reason: To safeguard protected species in accordance with Policies ENV3, ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park and Policies DM1, DM2 and DW-E12 of the Local Plan for the New Forest District outside the National Park (Part 2: Sites and Development Management).

6. Prior to the commencement of works to the building, details of the proposed type and location of the proposed bat/bird boxes shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved scheme prior to the occupation of the building and the ecological enhancements thereafter retained in perpetuity.

Reason: To safeguard protected species and ensure ecological enhancements are provided and retained in accordance with Policies ENV3, ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park and Policies DM1 and DM2 of the Local Plan for the New Forest District outside the National Park (Part 2: Sites and Development Management).

7. Notwithstanding the provisions of the Town & Country Planning General Development Order 2015 nothing over 600mm in height shall be placed or permitted to remain on the land shaded green on the approved plan (Ref: 80 rev.J).

Reason: In the interest of highway safety 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.

8. Before first occupation or use of the development hereby approved, a scheme for the provision of infrastructure and facilities to enable the installation of charging points for electric vehicles to serve the new development shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be provided before the approved development has been occupied and shall thereafter be retained in accordance with the approved details.

Reason: In the interests of sustainability and to ensure that provision is made for electrical charging points in accordance with Policy IMPL2 of the Local Plan Part 1 Planning Strategy for the New Forest (outside of the National Park).

9. Prior to the commencement of the use, the spaces shown on plan 80 rev.J for the parking of motor vehicles and cycles shall be provided. The spaces shown on plan 80 rev.J for the parking of motor vehicles and cycles shall be retained and kept available for the parking of motor vehicles and cycles for the use 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 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

10. No activity shall take place on the site in connection with the approved use other than between the hours of 0900 and 1700 Monday to Saturday and 1000 and 1600 on Sundays and recognised public holidays.

Reason: To safeguard the amenities of nearby residential properties in accordance with Policy ENV3 of the Local Plan Part 1: Planning Strategy for the New Forest outside of the National Park

11. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 2005 and the Town and Country Planning (General Permitted Development) Order 2015 and the Town and Country Planning (General Permitted Development) (Amendment) Order 2015 or any subsequent re-enactments thereof, the development hereby approved shall be used for Class E(a), E(b), E(c) and E(g)(i) purposes only and for no other purposes whatsoever, including any other purpose in Class E of the Town and Country Planning (Use Classes) Order 2005 or any subsequent re-enactment thereof, without express planning permission first being obtained.

Reason: In view of the site's location within the countryside and sensitive location within the curtilage of a listed building and in accordance with Policies ENV3 and CCC2 of the Local Plan Part 1 and Policy DM2 of the Local Plan Part 2 for the New Forest outside of the National Park.

12. 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 Impact Assessment, Tree Protection Plan and Arboricultural Method statement (by SJ Stephens Associated project number 2009 dated November 2022) in accordance with BS 5837:2012 Trees in relation to design, demolition and construction - Recommendations.

Prior to the commencement of works (including site clearance, demolition and construction works) 3 working days notice shall be given to the Local Planning Authority Tree Officer to attend a pre-commencement site meeting to inspect all tree protection measures and confirm that they have been installed as illustrated and specified within the submitted Arboricultural Impact assessment, Tree Protection Plan and Arboricultural Method statement. These tree protection measures shall be retained as approved

for the duration of all site clearance, demolition and construction works unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area and in accordance with Policy ENV3 of the Local Plan Part 1 for the New Forest outside of the National Park.

13. Prior to the installation of the no dig parking area 3 working days notice shall be given to the Local Planning Authority Tree Officer to attend site supervision of the installation of the cellular confinement system as specified in section 5.5 of the submitted Arboricultural Impact assessment and Arboricultural statement (by SJ Stephens Associated project number 2009 dated November 2022) or sufficient evidence (including photographic) submitted to demonstrate installation was carried out under supervision of the project arboriculturist.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area and in accordance with Policy ENV3 of the Local Plan Part 1 for the New Forest outside of the National Park.

14. No development, demolition or site clearance shall take place until the following details have been submitted to and approved in writing by the Local Planning Authority:

- (i) engineering drawings for the driveway/parking area.
- (ii) a plan showing the location of site compounds and mixing areas.

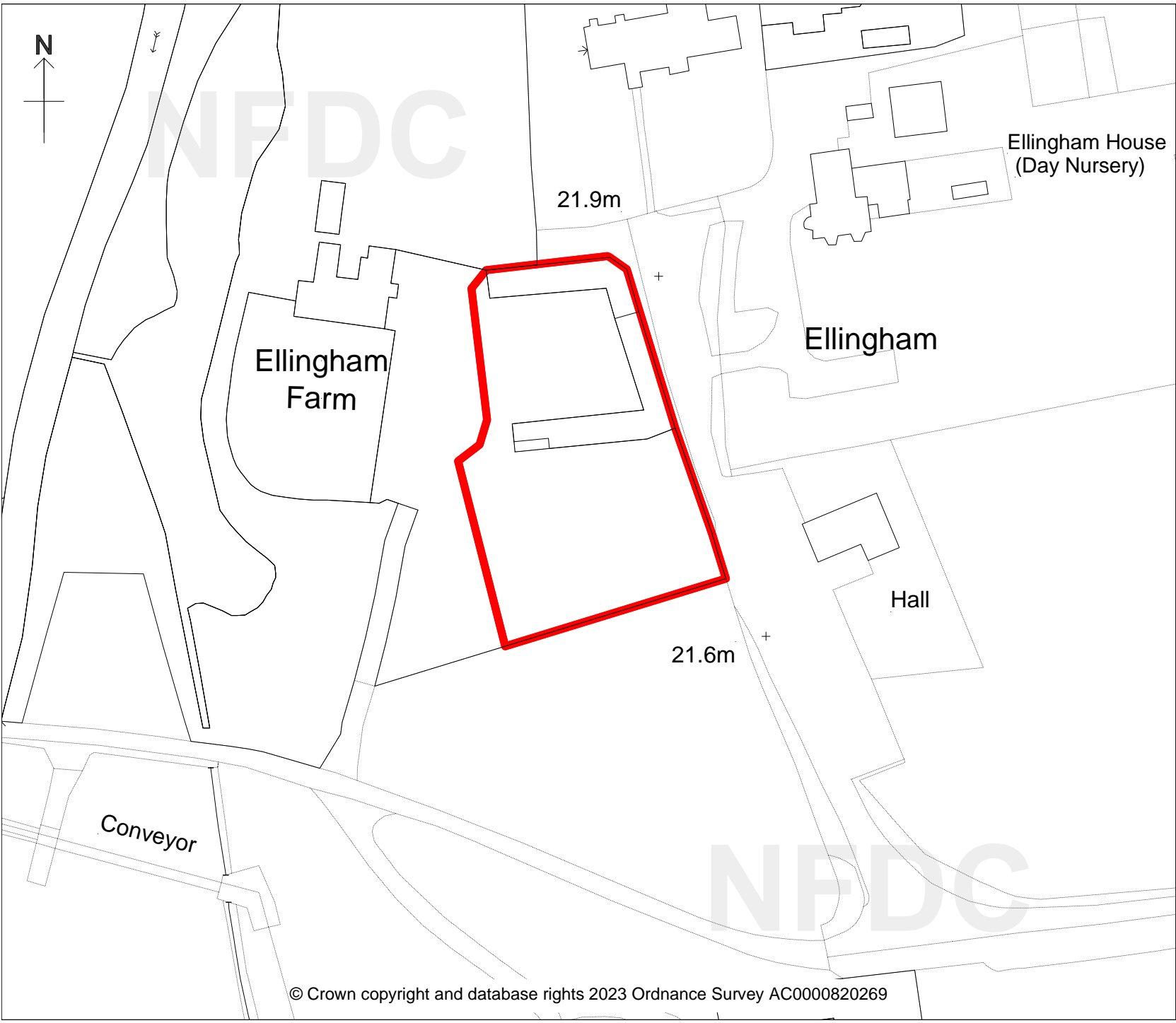
Development shall only take place in accordance with these approved details.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area in accordance with Policy ENV3 of the Local Plan Part 1 for the New Forest outside of the National Park.

Further Information:

Vivienne Baxter

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PLANNING COMMITTEE

December 2023

Ellingham Farm
Ellingham Village
Ellingham
23/10457 & 23/10458

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the internet, it will not be to
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Planning Committee 13 December 2023

Application Number: 23/10458 Listed Building Alteration
Site: ELLINGHAM FARM, ELLINGHAM VILLAGE, ELLINGHAM
BH24 3PJ
Development: Proposed conversion of former stables to farm shop, cafe and
shop (class E), outdoor seating, car parking, landscaping and
associated works (Application for Listed Building Consent)
Applicant: THE SOMERLEY ESTATE
Agent: CPL Architecture Ltd
Target Date: 29/06/2023
Case Officer: Vivienne Baxter
Officer Recommendation: Grant Subject to Conditions
**Reason for Referral
to Committee:** Contrary Parish Council view

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) The impact of the works on the curtilage listed building.

2 SITE DESCRIPTION

The site forms part of the Somerley Estate and is situated close to Ellingham Farmhouse and Ellingham Parish Church. At present, there is no vehicular access to the site from Ellingham Drove which provides access to the church, associated vicarage and church hall, a day nursery and a pair of cottages as well as access into the estate where there is a Gatehouse.

The building subject of this application sits alongside the road to the north end of the site with a mature hornbeam hedge forming the rest of the eastern boundary. The stable building forms three sides to a grassed courtyard and is of brick and slate construction.

Within the estate, the site is not physically separated from the adjacent access drive to the farmhouse. Between this access drive and road is a grassy area containing several mature trees.

3 PROPOSED DEVELOPMENT

The proposal is for works to the curtilage listed building in association with its conversion to a cafe, farm shop and additional retail unit which is the subject of an associated planning application.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
23/10457 Proposed conversion of former stables to farm shop, cafe and shop (class E), outdoor seating, car parking, landscaping and associated works			Item on Committee Agenda. Pending decision.
97/NFDC/62377 Cou of redundant building to retail unit	27/05/1998	Withdrawn by Applicant	Withdrawn

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Policy ENV3: Design quality and local distinctiveness

Local Plan Part 2: Sites and Development Management 2014

DM1: Heritage and Conservation

Supplementary Planning Guidance And Documents

None relevant

Relevant Legislation

Section 38 Development Plan

Planning and Compulsory Purchase Act 2004

Section 66 General duty as respects listed buildings in exercise of planning functions.

Planning (Listed Buildings and Conservation Areas) Act 1990

National Planning Policy Framework

Relevant Advice

NPPF 2023

NPPG

Constraints

Archaeological Site

Article 4 Direction

Aerodrome Safeguarding Zone

Small Sewage Discharge Risk Zone - RED

Avon Catchment Area

Listed Building Grade: Grade II

6 PARISH / TOWN COUNCIL COMMENTS

Ellingham, Harbridge & Ibsley Parish Council: PAR 4, Refusal with the following comments. These comments are for planning application 23/10457 and 23/10458:

- The Council is content with the principle of change of use of the building(s), and that the re purposing / renovation would respect their existing form and structure. The proposed felling of one plum and two ash trees was not considered an issue.

- However, Cllrs have some concerns about which they would like to receive further information. The Council will subsequently be happy to reconsider the application:
- Cllrs were not convinced by the evidence of the Transport Statement and comparability of this site with other establishments, particularly in regard to the potential capacity of indoor and outdoor catering proposed and available parking spaces on site;
- The Transport Statement does not seem to identify or assess the number of vehicle movements associated with the narrow time windows of set down and pick up from the day nursery, and/or sporadic Church / Church Hall events, and the contra flow traffic negotiating the single track length of Ellingham Drive to the Somerley Estate entrance;
- Control measures that would be put in place to ensure that the Church Hall, Ellingham Church and day school access/parking areas would not be used for over spill or convenience parking at any time;
- Proposed ingress into and compaction of the RPAs of the retained oak trees for parking provision. Future limb/crown reduction works that may be 'required? to be carried out on the trees as a result of health and safety / risk inspections;
- It was considered unlikely that deliveries to and from the retail area, café, farm shop and butcher would be confined to out of hours periods, with the attendant consequence on sufficient manoeuvring area being available for lorries and large vans with the car park in use;
- Though the former access to Ellingham Farm was a paved driveway from Ellingham Drive (see Google Maps Streetview), the replacement of an extensive area of what is now lawn area with a permeable hoggin surface is a significant loss;
- A Construction Management Statement would be helpful, advising the number of vehicle movements anticipated for the removal of concrete and other spoil, together with expected new material deliveries; the suitability of the proposed site access/exit for HGVs without trespassing onto the Church Hall parking area; remedial works proposed in the event of damage to this area;
- mitigation of large vehicles meeting other traffic on the single track length of Ellingham Drive to the Somerley Estate entrance;
- Any external lighting proposed should be submitted for approval to NFDC with luminaires / lamps / heights / locations and control system(s) identified;
- Proposed operating times and hours should not be treated as a reserved matter due to the potential impact on neighbouring premises and their activities, as well as residents.

Following re-consultation:

- The Council reiterates its belief that permitting the buildings to be brought back into use represents the most viable solution for preserving the buildings for the long-term, but the following concerns remain:

- Parking - the Council does not feel there is sufficient parking provision for staff (for three types of business operation) and visitors, and that the parking areas used by the church and church hall may well be used as overflow;
- Car park surface material . compacted hoggin is not thought to be compatible with the long-term sustainability and welfare of the Oak trees in the car park and now subject to a TPO. It was suggested that an area of the gravel drive serving Ellingham Farm could be provisioned for car parking;
- Highway access - Ellingham Drive is a single track road with ad hoc unadopted passing places. Without formalising these, it is felt the road is unsuitable for the additional traffic, including large delivery vehicles, that is likely to be generated;
- Site access . it is felt that the safe manoeuvring areas and turning paths required by large delivery vehicles accessing and/or leaving the site have not been sufficiently addressed, particularly when the proposed car park area is full;
- Visibility at the junction with the A338;
- Trees . there continues to be concern over the provision of car parking spaces under the crown of the larger of the retained Oak trees within the site. It is anticipated that in the event of any limb shed a crown reduction would be sought. This also applies to the other Oak tree in the site as its crown spreads. The potential long-term compromise of these trees would be a disappointing outcome;
- Email from agent to NFDC of 07 August 2023 - the Council is not persuaded by the justification put forward for the loss of .green space. on the site: *The area of green space presently laid to grass which will change to a permeable surface for parking use during trading hours is 776 SQM. The area of land under the control and ownership of the applicant is 27.342 Million SQM (2,734Ha). The % of land affected here is 0.000028 of the whole.* Ownership of other areas of green space, however extensive, does not mitigate for the loss of green space and potential harm arising;

If further attention is given to the matters raised above, the PC would be happy to consider the application again.

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

Conservation Officer: Overall support for new use for the barns

9 REPRESENTATIONS RECEIVED

None

10 PLANNING ASSESSMENT

Principle of Development

This application is for listed building consent only. Other planning considerations are set out in the associated planning report for 23/10458.

The building has been vacant for many years and whilst it appears to be in a good state of repair, in order to provide for the future maintenance of the property, it is preferable to have it in use. The proposed alterations would enable the long term use of the building. There are no objections to the principle of this in listed building terms, it being an approach supported by NPPF paragraph 190.

Listed Buildings

The stable building is curtilage listed in association with the Grade II listed farmhouse which lies approximately 18m away from the northern wing of the building. Since it was constructed as stables in the 19th century, it has also been used as a milking parlour but it is understood to have been vacant now for around 15 years.

Internally, the building has had many alterations undertaken such as concrete block walls and renewal of some roof trusses although many historic trusses remain. The proposal would provide two additional openings in existing walls within the north elevation of the south wing, both associated with the proposed farm shop/butchers and would enable access into a cold store and lobby area/WC facilities for visitors from the shop.

The proposal respects the external historic openings through maintaining windows with shutters or providing fully glazed panels in place of three doors. Two doorways within the east wing (west elevation) would be slightly widened and fitted with bifold doors to allow the proposed cafe to be able to open out onto the courtyard area. The access into the proposed farm shop/butchers on the north elevation of the south wing would also be slightly wider than the existing opening. Large scale details of the typical joinery details of these new window and doors can be required to be submitted and agreed by condition.

There are no new openings proposed to the external fabric of the building when viewed from the public highway which would remain as existing. Two staddle stones adjacent to the western end of the north and south wings are to remain in a similar position within a new block paved area replacing an existing concrete apron around the edges of the courtyard. The central open grassed area would remain along with the gravelled area to the west, currently part of the access drive to the Farmhouse which would be separated from the stable building by a new native hedge.

The existing boundary hedge would screen the proposed refuse collection point. This area would also allow for access into the proposed boiler room through an existing access door. There are no objections to the provision of this area in listed building terms.

The proposed physical changes to this curtilage listed building are limited and are considered to be sympathetic to the features of the building which would not adversely affect the character of this 19th century structure. The impact of the proposal on the setting of the adjacent listed farmhouse is covered within the associated planning application, 23/10457.

11 OTHER MATTERS

The Parish Council's comments relate to both the associated planning application and this listed building consent. They mainly relate to issues which are not relevant to this listed building consent application and are addressed in the assessment on the associated planning application.

12 CONCLUSION / PLANNING BALANCE

The works to this attractive former stable building are minor in nature and would not adversely impact the character or historic interest of the building.

Listed Building consent is therefore recommended.

13 RECOMMENDATION

GRANT LISTED BUILDING CONSENT

Proposed Conditions:

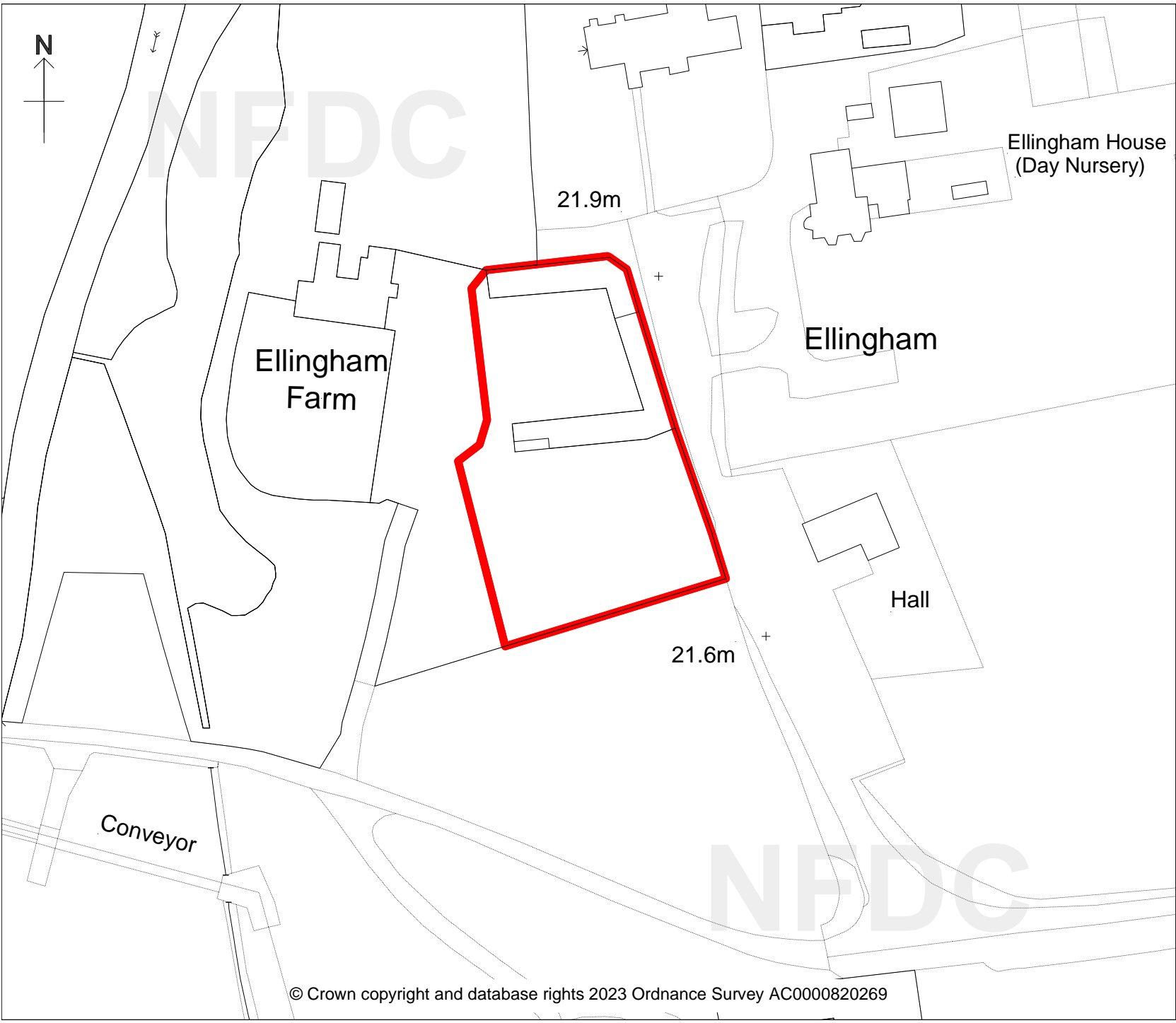
1. The works hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 18 of the Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. Before development commences, typical large scale joinery details of all windows and doors and the bat access hatch shall be submitted to, and approved in writing by the Local Planning Authority. Development shall only take place in accordance with those details which have been approved prior to the occupation of the building which shall thereafter be retained as approved.

Reason: To protect the character and architectural interest of the Listed Building in accordance with Policy DM1 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

Further Information:

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New Forest

DISTRICT COUNCIL

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PLANNING COMMITTEE

December 2023

Ellingham Farm
Ellingham Village
Ellingham
23/10457 & 23/10458

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Planning Committee 13 December 2023

Application Number:	23/10540 Full Planning Permission
Site:	BROOK HOUSE, SALISBURY ROAD, CALMORE, NETLEY MARSH SO40 2RQ
Development:	Development comprising 9 units, parking, landscaping and access via existing enlarged entrance; retention and extension to Brook House to provide a two-storey rear extension
Applicant:	Orchard Homes and Developments Ltd
Agent:	Mission Town Planning
Target Date:	17/08/2023
Case Officer:	Ian Rayner
Officer Recommendation:	Service Manager - Grant
Reason for Referral to Committee:	The application is being referred to Planning Committee because the application site forms one small part of a Strategic Site.

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- A) The principle of development
- B) Layout, Design, Density and Mix, including the relationship of the development to the wider Strategic Site
- C) Landscape and trees
- D) Highway safety, access and parking
- E) Residential amenity considerations
- F) Affordable Housing requirements
- G) Ecology (on-site) & protected species
- H) Public Open Space & ANRG provision, and other environmental mitigation requirements

2 SITE DESCRIPTION

The application site, which extends to 0.5 hectares, comprises Brook House, a 2-storey detached dwelling that is set within an extensive garden plot. The property has access onto a layby to the north side of Salisbury Road, and the dwelling is set well back from the highway behind a mature landscaped frontage.

Brook House is an attractive building with a fairly traditional form, albeit that the original dwelling has been extended on both sides and to the rear. The plot is relatively open. There are some modest outbuildings within the plot, whilst along the site's long eastern edge and along its northern boundary are some mature trees and sections of hedgerow of varying thickness. There is a gentle slope to the site, with

the land rising very gently upwards from Salisbury Road to the site's northern boundary.

An area of open land to the west of Brook House, which was formerly used as part of the garden of Brook House, has been divided off from Brook House with Herras fencing, and this land is now in separate ownership. Beyond this, to the west, is the residential property 'Four Winds', which, like Brook House, is set within a large garden plot. Indeed, the garden of 'Four Winds' abuts the northern half of the site's western boundary, which is marked by a close-boarded fence and broken vegetation.

The land beyond the site's northern boundary is currently open farmland, whilst the land to the east of the site is currently occupied by the farm buildings and associated yard of Brookshill Farm. However, these areas are expected to be developed in the relatively near future, with outline planning permission having been granted for the redevelopment of these areas earlier this year (see planning history below).

3 PROPOSED DEVELOPMENT

The submitted application is a full application for 9 new dwellings within the garden of Brook House, comprising 7 detached houses and a pair of semi-detached units. The proposed dwellings would be a mix of 2, 3 and 4 bedroom units. The existing access serving Brook House would be widened, and a new access road is proposed to extend into the site to the west side of the existing dwelling. Brook House itself would be retained within a much reduced garden curtilage, and would be remodelled, with conservatories either side of the existing dwelling being removed and a new extension being added to the rear. Each of the proposed dwellings would be set within their own garden curtilages that would include parking and landscaping. The application includes 2 small areas of public open space.

The application has been amended since the application was originally submitted. These amendments have entailed adjustments to the site layout, to the elevations of some of the dwellings, and to some of the landscape details.

4 PLANNING HISTORY

Applications affecting the application site

House; access; garage and store (15/11121) - refused 1/12/15

Applications affecting adjacent land

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 (20/10997) - granted 16/1/23

Reserved Matters Application for the approval of appearance, landscaping, layout, and scale for 271 dwellings, associated and ancillary infrastructure, foul pumping station, play spaces, and sustainable drainage systems pursuant to Outline Planning Permission 20/10997 - Under consideration

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Local Plan Part 2: Sites and Development Management 2014

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 ENV4: Landscape character and quality

Policy HOU1: Housing type, size, tenure and choice

Policy HOU2: Affordable housing

Policy IMPL1: Developer Contributions

Policy IMPL2: Development standards

Strategic Site 1: Land to the north of Totton

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 CS7 - Open Space

Supplementary Planning Guidance And Documents

SPD - Design of Waste Management Facilities in New Development

SPD - Parking Standards

SPD - Mitigation Strategy for European Sites

Plan Policy Designations

Built-up Area

New Housing Land Allocations

6 PARISH / TOWN COUNCIL COMMENTS

Netley Marsh Parish Council: Recommends permission (based on amended plans) - Some of the original concerns have been addressed; no further objections

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

NFDC Tree Team: No objection subject to detailed conditions to secure the protection of trees during building operations.

NFDC Ecologist: No objection subject to conditions

There is a likely cumulative impact on the New Forest and Solent European Sites from recreational disturbance. Therefore, recreational habitat mitigation should be provided in line with the adopted mitigation strategy. The development will also need to mitigate nutrient impacts so as to be nutrient neutral. An appropriate assessment considering these points is required.

The Peach Ecology Ecological Assessment Report identifies Brook House as

offering potential to support roosting bats. Bat emergence surveys have been completed. The surveys identified summer day roosts for low numbers of both common and soprano pipistrelle. The Local Planning Authority is required to consider the likelihood of a licence being granted by the licensing authority - i.e. Natural England, and have regard to the Habitats Directive and the three derogation tests. In consideration of the third test in relation to maintaining a favourable conservation status, this is considered to be achievable based on the proposed mitigation strategy.

The proposed development will require a sensitive lighting strategy to mitigate the potential for impacts on bats, which should be conditioned.

Tree 18, a Pedunculate oak, requires removal of major deadwood. The tree was assessed and considered to offer low bat roosting potential. As per the recommendations of the Peach Ecology Report, these tree works should be undertaken under ecological supervision, which should be secured, possibly through a CEMP.

The Ecology Report recommends a method statement be produced for vegetation clearance and for this to be supervised given local records of dormice (2 trees on site boundaries). This should be secured, and could be included within a CEMP.

The report concludes that great crested newt (GCN) are likely absent. This conclusion is accepted given the habitats present on-site.

The Ecological mitigation and enhancement measures proposed in Section 5 and Appendix E of the Peach Ecology Ecological Assessment Report should be secured by condition.

NFDC Open Space Officer: Proposal should deliver 0.05ha of informal open space; access path and landscaping details should be to an appropriate specification; ecology and landscape plans need to be consistent; notes that there may be high groundwater levels; suitable maintenance access will be needed.

NFDC Urban Design: The main overriding point is the need to respond to (and show) likely neighbouring uses/layout and tie in the orientation of houses and connect the greenspaces to augment the Green Infrastructure of the main site.

NFDC Environmental Health (Contaminated Land): No concerns

NFDC Environmental Health (Pollution): No objection subject to conditions - confirms that the submitted noise report has been carried out in accordance with relevant and current guidance, and that the findings are reliable. The report demonstrates that target noise levels can be achieved. A condition should be imposed to ensure adherence to the submitted noise report. There are no adverse comments in respect of air quality.

HCC Highways: No objection subject to a condition requiring agreement of a Construction Method Statement, as well as a condition in respect of visibility splays.

HCC Surface Water: No comment - refer the applicant to Flood Risk Standing advice.

HCC Education: No objection subject to securing an education contribution of £39,320, which would be needed to mitigate the impact of the development on existing Primary School education infrastructure (and which would go towards the

expansion of Calmore Infant and Junior Schools).

9 REPRESENTATIONS RECEIVED

None

10 PLANNING ASSESSMENT

A) The Principle of Development

Prior to the adoption of the Local Plan 2016-2036 Part 1 in July 2020, the application site was outside of a defined settlement boundary. Now, however, the land is situated within the built-up area of Totton and Eling, albeit that the site falls within the Parish of Netley Marsh. The site is specifically situated within the area covered by Policy Strategic Site 1, which is a significant, mainly greenfield area to the north of Totton that is allocated for at least 1000 new homes.

The application site does not form part of the area that is being expressly promoted for residential development through the illustrative concept masterplan that accompanies the strategic site policy. Nevertheless, the supporting text to the policy makes it clear that:

"The site allocation boundary includes some existing residential properties that have not been promoted for redevelopment. There is no presumption or requirement that they would form part of a future development, but this would be acceptable in principle subject to meeting the requirements of this policy, and any policies relevant to the property itself e.g. if it has heritage asset status."

As such, it is clear that the principle of residential development on the application site is acceptable, but such development must be subject to the policy requirements of the Strategic Site 1 policy.

When prepared, Policy Strategic Site 1 (criterion iii (a)) recognised a need for the multiple land ownership interests across the allocation to come together and prepare a comprehensive development framework for the entire allocation in order to ensure delivery of an integrated, whole-site approach. It has not been possible to secure such a development framework. However, this should not and cannot preclude consideration of individual applications on their merits.

In this case, the site is currently somewhat isolated from significant existing residential development due to its position on the north-western edge of the allocation, but the character of the area is expected to change before long, with the outline permission granted on the land to the east (Bloor Homes 20/10997) and the resolution to grant on land further to the east (Bargate Homes 22/10854).

The provision of 9 homes on this site would make a small but positive contribution to the overall delivery of houses within the allocation. The development would accord with policies STR3, STR4 and STR5 of the Local Plan, making a positive contribution to the successful implementation of the plan's adopted strategy to meet its identified housing needs.

Principle of development benefits

The scheme would have significant benefits associated with it. The Council cannot currently demonstrate it has a 5-year supply of housing land available. It is therefore imperative that the sites allocated for housing through the Local Plan are brought forward in order to ensure the supply of housing meets identified need in terms of

annual delivery rates and overall supply.

Because the Local Planning Authority does not currently have a 5-year supply of housing land available, 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 afforded in the overall planning balance to the provision of housing. The proposal is for a new residential development of 9 dwellings which would make a small contribution to the housing land supply in the District, but a contribution that can be delivered quickly, taking into account the relatively small infrastructure needs of the development.

The scheme would have economic benefits, notably during construction; environmental benefits by delivering development with associated green infrastructure on an allocated site in a sustainable location; and social benefits by providing a mix of housing types and sizes that will contribute to meeting local housing needs.

These benefits will contribute positively to the delivery of a sustainable development as required by the NPPF and towards complying with policy STR1 of the Development Plan. Further consideration of details below will assess compliance with relevant policies and other material considerations.

B) Layout, Design, Density and Mix, including the relationship of the development to the wider Strategic Site

The application seeks to retain Brook House, which would help to provide a strong focus at the entrance to the proposed development. Some unsympathetic extensions to the side of Brook House would be removed, whilst to the rear a first-floor extension would be added centrally above a fairly unsympathetic rear ground floor extension and fenestration details would be changed, thereby creating a much better proportioned dwelling. Minor alterations are proposed to other elevations. As a whole, the changes to Brook House are appropriate and would respect and complement its traditional character.

The proposal would evidently completely change the setting of Brook House. However, as the property is set within a particularly large garden plot, and given the policy context, it is considered entirely reasonable for the site to be developed in a more intensive manner than currently exists.

The proposed layout would entail the siting of 1 house (plot 1) between the front of Brook House and Salisbury Road. This new dwelling would be set well back from the new access road serving the development so as not to intrude harmfully into the setting of Brook House - which would be assisted by the modest scale and character of Plot 1 and the retention of extensive areas of greenery in the areas to the front of Brook House and Plot 1.

A second new house (plot 2) is proposed to the east side of Brook House and would share an access drive with Brook House. There would be a generous degree of separation between the house on Plot 2 and Brook House, and so here too, the proposal would be sympathetic to the setting of the retained dwelling.

The new access road would extend past the western side of Brook House and would provide access to 7 new dwellings (Plots 3-9) that would be sited to the rear of Brook House within the rear sections of the plot. The dwellings here would be set well back from the access road, with reasonable areas of greenery being provided to the front of each dwelling and alongside the access road, which would help to secure a pleasant, landscaped streetscene. Areas of parking would be provided to

the front or to the sides of the dwellings. Due to the proposed development's fairly spacious character, these parking areas would fit into the wider landscaped setting without dominating the development. Each dwelling would also have an appropriate sized rear garden.

The proposed new access road has been designed as a shared surface street with a herringbone paved surface. It would be relatively straight, particularly from Brook House northwards. The road would include a narrowing feature between Brook House and Plot 3, which would be important in softening the visual appearance of the road and breaking up its straightness.

The new dwellings would all be 2-storeys high, but a number of the dwellings would include elements that would be below full 2-storey eaves height. There would be a number of individual dwelling designs, but all would be well proportioned and detailed. The dwellings have clearly sought to respond to a traditional rural vernacular seen in the New Forest, and therefore their scale and appearance would be entirely appropriate to the site's rural edge context.

The density of the proposed development would be about 20 dwellings per hectare. This would constitute a low density by comparison with the densities that are expected to be achieved on other parts of the Strategic Site. However, this site is on the outer northern edge of the Strategic Site allocation and has an interface with open land to the north. There is therefore a reasonable expectation that the density here should be lower than the core parts of the Strategic Site allocation. The fact that the site has not been promoted for redevelopment through the Concept Masterplan and the benefits of maintaining a strong, spacious setting to Brook House, also serve to justify a lower density than other parts of the Strategic Site allocation. For similar reasons and because of the small size of the site, the proposed dwelling mix (as set out in Section 3 above) is considered to be appropriate and would not prejudice the Local Plan requirement to secure a mix of different house types and sizes.

The proposed layout includes 2 distinct areas of public open space: one on the frontage with Salisbury Road, and one at the back of the site in the north-eastern corner. From a design perspective, the frontage open space would enable a verdant green frontage with mature trees to be retained alongside Salisbury Road (as is expected by the Concept Masterplan to Policy Strategic Site 1). This open space would be a positive design feature at the entrance to the development. The open space at the back of the site would incorporate some mature protected trees and by itself would provide considerable visual amenity that would enhance the design quality of the development.

However, the areas of on-site public open space also need to be functional and appropriate in the context of the wider Strategic Site. In this respect, the area of public open space in the north-eastern corner would be set immediately adjacent to a much larger area of public open space that is expected to be provided on the wider Strategic Site allocation, as secured through Outline Planning Permission 20/10997. There is also proposed to be a direct pedestrian link across this area of open space to the adjacent development site (to be developed by Bloors). The proposed public open space in this north-eastern corner and the associated pedestrian link would thus help to secure pedestrian connectivity between the 2 sites and a connected green infrastructure across the wider Strategic Site allocation. Similarly, the public open space on the frontage of the site would abut green infrastructure on the adjacent Bloors development, and would be seen as just one part of a more extensive area of greenery and landscaping alongside Salisbury Road.

In terms of the proposed scheme's broader relationship to the Bloors development, there are some unknowns because the details of the Bloors scheme are not yet resolved. Nevertheless, it is clear that the 2 schemes will have contrasting characters, with this proposed development being of a notably lower density. This contrasting character is considered to be justified. What is important is that the interface / boundary between the 2 developments is reasonably cohesive and visually coherent. In this regard, there would be visual links between the 2 sites in terms of the areas of public open space and green infrastructure, as well as a pedestrian link. The dwellings would have an appropriate spatial relationship to the anticipated units on the Bloors scheme, with a suitable boundary treatment suggested between the 2 sites. As such, it is felt the relationship between the 2 developments would be acceptable.

It also needs to be noted that the land immediately to the west of the application site that previously formed part of the residential curtilage of Brook House was the subject of a separate application for residential development in 2022. The application was withdrawn, but there is a strong likelihood that the owner of that land will seek to develop the plot at some point for residential purposes. As such, it is important that this application does not sterilise the development potential of this adjacent land. In this respect, it is considered the proposed development layout would not prejudice possible development of land to the west. Indeed, a possible access link is shown to the land to the west, which would mean that any development of the adjacent plot would have the potential to be served by a common shared access.

Overall, having regard to the above points, it is considered that the development would be of an acceptable layout and design, both as a scheme in isolation but also as one small element of the development within the Strategic Site allocation.

C) Landscape and trees

There are a group of oak trees on the north-eastern boundary of the site and a group of sycamore trees in the front south-eastern corner of the site that are all protected by a Tree Preservation Order. There is also a separate protected mature oak tree that overhangs the site's front south-western corner. These protected trees make an important contribution to the visual amenities of the area. There are also some unprotected hedgerow trees along the site's northern boundary and a small number of other unprotected trees on the site's eastern boundary. The proposal is accompanied by a detailed arboricultural report. The development seeks to retain all of the main trees on site. Only 2 poor quality trees on or close to the rear boundary and a cypress tree on the frontage would be removed to accommodate the development (albeit that there was previously some tree removal before the planning application was submitted). The Council's tree officer is satisfied that the minimal tree loss would be justified and that the development would have an acceptable impact on retained trees, subject to appropriate tree protection conditions.

The application includes some landscape details, including details of boundary treatments. The submitted details indicate that the development would have an acceptable landscape setting, although more precise details and specifications would need to be agreed and secured as a condition of planning permission.

D) Highway safety, access and parking

The existing access onto Salisbury Road (the A36) that serves Brook House would

be widened in order to accommodate the proposed development. This access is actually onto the existing road layby rather than the main A36 carriageway, which would remain the case even when a new roundabout is provided to serve the Bloors development. Based on the information submitted in support of the application, the Highway Authority are satisfied that there would be adequate visibility splays provided and that refuse and emergency vehicles could enter and leave the site in a safe manner. From a highway safety perspective, therefore, the proposed access into the development would be acceptable.

The new internal access road is not being offered for adoption, and so the Highway Authority have made no specific comment on its design. However, a suitable turning head would be provided at the end of the new access road, which would enable vehicles to turn satisfactorily within the site.

It is considered the proposed layout includes appropriate space for vehicular parking. Each property would have either 2 or 3 on-site vehicle car parking spaces, and there would also be appropriate allowance for visitor parking within the development. The overall level of car parking being provided would be in accordance with the Council's parking standards and would therefore be acceptable.

The plans suggest that each property would be provided with a cycle store in its rear garden, which would ensure that the scheme provides adequate on-site cycle parking. However, more precise details should be agreed as a condition of any planning permission.

Development across the wider Strategic Site allocation will have a significant impact on the local highway network that needs to be appropriately mitigated. In particular, developing the whole strategic site will generate a level of additional traffic that will necessitate improvements to the junction of the A36 and A326 (close to the west side of the application site). It is considered that all developments within the strategic site allocation should contribute proportionately to these necessary highway works. For this reason, development of this site should only be permitted if it secures a proportionate contribution (in this case £13,500) to these off-site highway works through a Section 106 legal agreement.

E) Residential amenity considerations

There would be a generous degree of separation (at least 24 metres) between the adjacent property 'Four Winds' and the nearest proposed dwellings on the application site. Whilst the proposed dwellings would be sited closer to parts of the large garden area of 'Four Winds', they would be orientated so as not to unduly overlook that adjacent property. As such, the proposed development would have an acceptable impact on the amenities of the occupants of the neighbouring property at Four Winds.

The proposed dwellings would all enjoy satisfactory levels of amenity and outlook. The proposed house on Plot 1 would have the potential to be most affected by development on the neighbouring Bloors site. Whilst final details of the Bloors scheme are yet to be resolved, it is considered that an acceptable relationship can be reasonably achieved. It is not considered the development would have any adverse impact on the expected dwellings within the Bloors scheme.

F) Affordable Housing requirements

The Council's planning policies seek the provision of affordable housing on all new

developments of 11 or more dwellings or if more than 1000 square metres of new residential floorspace is proposed. In this case, whilst the scheme is only for 9 additional dwellings, the floorspace of those dwellings is slightly over 1000 square metres. Therefore, in accordance with Policy HOU2 of the Local Plan, the development would be expected to contribute towards affordable housing, subject to viability considerations.

The applicants have submitted a viability report with their application to support their view that it would not be viable for the proposed scheme to make any form of affordable housing contribution. The Local Planning Authority have commissioned consultants to review the applicant's viability report. Whilst the Local Planning Authority's consultant has a difference of opinion on some of the specific variables, their conclusion is the same: namely, the scheme would not be sufficiently viable if required to make any level of affordable housing contribution. In these circumstances, it is considered acceptable to permit this development without making any affordable housing provision.

G) Ecology (on-site) and Protected Species

The application site is accompanied by an ecological assessment. Bat surveys have been carried out which have identified that Brook House provides a low-level summer day bat roost of 2 common bat species. The proposed first floor extension to the rear of Brook House would affect the roof of the building and so a bat licence would be required. The Council's ecologist has confirmed that, with suitable mitigation measures, the Conservation Status of the bat species would not be adversely affected by the proposed development (one of 3 derogation tests). In terms of the other 2 derogation tests, there is an overriding public interest in supporting an efficient use of urban land / an allocated site for residential development, and there are also considered to be no satisfactory alternatives in this instance. It is therefore likely that Natural England would grant any licence needed, and the proposal would duly satisfy the Habitats Directive.

In terms of other ecological impacts, it is considered that these have been appropriately assessed, and having regard to the views of the Council's ecologist, it is considered that protected species would not be adversely affected and ecological interests would be appropriately safeguarded through conditions requiring agreement of a Construction Environment Management Plan and provision of various features (such as bat and bird boxes) that will benefit biodiversity within the completed development. It should be noted that as the scheme is for less than 10 dwellings, it would not currently be proportionate or necessary to require the development to deliver a measurable 10%+ Biodiversity Net Gain.

H) Public Open Space & ANRG provision, and other environmental mitigation requirements

Informal Public Open Space

Being part of a much larger strategic site, the proposed development should provide public open space in line with policy. As noted above, the proposed development would provide 2 areas of informal public open space. Together, these 2 spaces would meet the required quantum of informal public open space as set out in policy. The spaces would be visually and functionally appropriate.

Children's Play

Neither of the open spaces would provide a children's play area. Given the size of the 2 areas of open space and the development as a whole, it is not considered that it would be practical or appropriate to provide an on-site play area. There are 4 individual play areas that are proposed within the adjacent Bloors development, and so provided there is suitable connectivity to that development (which there would be), it is considered that it would be unnecessary and impractical for this application to secure contributions to children's play within the wider strategic site.

Formal Public Open Space

In terms of formal public open space provision, developments across the Strategic Site 1 allocation are being asked to contribute proportionately towards the costs of providing 2 MUGAs and a cricket pitch, which is where a particular need for additional formal public open space has been identified. Subject to securing a proportionate contribution (in this case £3582) through a Section 106 legal agreement, it is considered that the development would adequately meet the need and policy requirement for additional formal public open space.

Habitat Mitigation & ANRG provision

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 those sites' 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 habitat mitigation contributions in accordance with the Council's Mitigation Strategy. In this case, the applicant is agreeable to entering into a Section 106 legal agreement which secures the required habitat mitigation contributions. Those contributions are set out at the end of this report.

It should be noted that as the development forms part of a Strategic Site, consideration has been given to whether on-site ANRG should be provided. However, due to the small size of the site and the fact that it does not abut an area where ANRG is expected to be provided, it is concluded that it would be impractical to secure on-site ANRG, and that a contribution would therefore suffice. This is in contrast to Public Open Space, where, as discussed above, it would be practical and appropriate to secure public open space due to the fact that the site adjoins an area where public open space is expected to be provided.

Air Quality Mitigation

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 of whether 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. In this case, the requisite mitigation contribution will be secured through a Section 106 legal agreement, the detail of which is set out at the end of this report.

Nitrate neutrality and impact on Solent SAC and SPAs

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 those sites' 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 shall include undertaking a water efficiency calculation, together with a mitigation package to address the additional nutrient load imposed on protected European Sites by the development. A Grampian style condition is attached to this consent.

I) Other considerations

Education Provision

The policy for Strategic Site 1 seeks contributions to educational provision to include two hectares of land to be reserved for a primary school. Other permitted proposals on the Strategic Site 1 allocation have been required to make proportionate contributions to the improvement of primary school education provision within the locality. It is felt that a similar approach should be applied to this development, with the education contribution that has been requested by Hampshire County Council (in this case £39,320) needing to be secured through a Section 106 legal agreement. The contribution would go towards securing improvements to Calmore Infant and Junior Schools.

Noise, Air Quality, Drainage

The application is accompanied by reports that consider noise, air quality and drainage. It is felt that potential adverse effects in relation to these matters can reasonably be addressed through suitable planning conditions.

The application initially sought to provide a package treatment plant (to deal with sewerage) within the public open space area at the front of the site. This was deemed inappropriate and amended plans have subsequently been submitted, which shows a more suitable arrangement in terms of the development's landscape setting, although precise details will need to be agreed through the landscape condition.

Developer Contributions

As part of the development, the following will need to be secured via a Section 106

agreement:

- Habitat Mitigation contribution (New Forest infrastructure): £54,681
- Habitat Mitigation contribution (New Forest non-infrastructure): £8330
- Solent Aware contribution: £7554
- Air Quality Mitigation contribution: £927
- Transportation contributions: £13,500
- Education contribution: £39,320
- Formal Public Open Space contribution: £3582
- Secure designated areas as Public Open Space, together with the management arrangements for this land and future public access
- S106 Monitoring contributions (covering £808 commencement charge & £6542 Public Open Space monitoring charge)

As part of the development, subject to any relief being granted the following amount Community Infrastructure Levy will be payable:

CIL Summary Table

Type	Proposed Floorspace (sq/m)	Existing Floorspace (sq/m)	Net Floorspace (sq/m)	Chargeable Floorspace (sq/m)	Rate	Total
Dwelling houses	1275.74	206	1069.74	1069.74	£80/sqm	£116,848.52 *

Subtotal:	£116,848.52
Relief:	£0.00
Total Payable:	£116,848.52

* The formula used to calculate the amount of CIL payable allows for changes in building costs over time and is Index Linked using the RICS CIL Index (<https://www.rics.org/uk/products/data-products/rics-community-infrastructure-levy-index/>) and is:

Net additional new build floor space (A) x CIL Rate (R) x Inflation Index (I)

11 OTHER MATTERS

N/A

12 CONCLUSION / PLANNING BALANCE

The site is allocated for development by Policy SS1 of the Local Plan Part 1: Planning Strategy. The principle of development is therefore in accordance with strategic policies STR3, STR4 and STR5. This scheme would make a positive contribution towards successful implementation of the development plan.

The application proposes a small-scale residential development on one small part of the Strategic Site 1 policy allocation. The development would be in accordance with the Strategic Site policy. The development would be well-designed, sympathetic to its context and would have an appropriate relationship to neighbouring properties. The development could be provided without adversely affecting highway safety,

important trees or ecological interests. The development would be acceptable in itself, but it would also be responsive to the Concept Masterplan for the Strategic Site and would relate appropriately to the approved outline development proposals for the adjacent part of the Strategic Site. Therefore, it is not considered the development would prejudice the delivery of a suitable layout for the wider strategic site. For viability reasons, it is accepted that an affordable housing contribution would not be justified. Overall, therefore, subject to conditions and subject to securing habitat mitigation requirements, public open space and education and transportation contributions through a Section 106 legal agreement, the application is recommended for permission.

13 RECOMMENDATION

Delegated Authority be given to the Service Manager Development Management to **GRANT PERMISSION** subject to:

i) the completion of a planning obligation entered into by way of a Section 106 Agreement to secure:

- A Habitat Mitigation contribution (New Forest infrastructure) of £54,681
- A Habitat Mitigation contribution (New Forest non-infrastructure) of £8330
- A Solent Aware contribution of £7554
- An Air Quality Mitigation contribution of £927
- Transportation contributions amounting to £13,500
- An Education contribution of £39,320
- A Formal Public Open Space contribution of £3582
- Designated areas of on-site Public Open Space, together with the management arrangements for this land and future public access
- S106 Monitoring contributions (covering £808 commencement charge & £6542 Public Open Space monitoring charge)

ii) the imposition of the conditions set out below.

Proposed Conditions:

1. Commencement of Development

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. Approved Plan Numbers

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

- D-250 rev C - Plot 1 - Floor Plans as Proposed
- D-251 rev A - Plot 2 - Floor Plans as Proposed
- D-252 rev A - Plots 3 & 4 - Floor Plans as Proposed
- D-253 rev B - Plot 5 - Floor Plans as Proposed
- D-254 rev B - Plots 6 & 7 - Floor Plans as Proposed

D-255 rev B - Plot 8 - Floor Plans as Proposed
D-256 rev C - Plot 9 - Floor Plans as Proposed
D-257 - Brook House - Floor Plans as Existing
D-258 - Brook House - Floor Plans as Proposed
D-220 rev C - Plot 1 - Elevations as Proposed
D-221 rev A - Plot 2 - Elevations as Proposed
D-222 rev A - Plots 3 & 4 - Elevations as Proposed
D-223 rev C - Plot 5 - Elevations as Proposed
D-224 rev B - Plots 6 & 7- Elevations as Proposed
D-225 rev C - Plot 8 - Elevations as Proposed
D-226 rev C - Plot 9 - Elevations as Proposed
D-227 - Brook House - Elevations as Existing
D-228 - Brook House - Elevations as Proposed
D-100 rev C - Location Plan
D-105 rev B - Block Plan
D-263 rev B - Block Plan with Current Layout of Neighbouring Development
D-111 rev Y - Site as Proposed (Site Layout Plan)
D-114 rev B - Diagrammatic Site Plan as Proposed
Tree Protection Plan 230313-BH-TPP-NB rev B

Reason: To ensure satisfactory provision of the development.

3. **Nutrient Neutrality and Water Efficiency**

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

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.

4. Parking provision

The development hereby permitted shall not be occupied until the spaces shown on the approved plans for the parking and turning of motor vehicles have been provided. These spaces shall thereafter be retained and kept available for their intended purpose at all times.

Reason: To ensure adequate parking provision is made in the interests 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.

5. Cycle Parking Provision

Each of the new dwellings shall not be occupied until cycle parking has been provided for that dwelling, the details of which shall have been submitted to and approved in writing by the Local Planning Authority before the development proceeds above the slab level of any of the proposed new dwellings. The cycle parking that is provided shall be in full accordance with the approved details and shall be retained at all times thereafter.

Reason: To ensure adequate cycle parking provision is made in the interest of sustainability 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.

6. Electric Vehicle Charging Points

Before first occupation of the dwellings hereby approved, a scheme for the provision of infrastructure and facilities to enable the installation of charging points for electric vehicles to serve the new dwellings shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be provided before the approved dwellings have been occupied and shall thereafter be retained in accordance with the approved details.

Reason: In the interests of sustainability and to ensure that provision is made for electrical charging points in accordance with Policy IMPL2 of the Local Plan Part 1 Planning Strategy for the New Forest (outside of the National Park).

7. **Construction Method Statement**

No development shall start on site until a construction method statement has been submitted to and approved in writing by the Planning Authority, which shall include:

- (a) A programme of phasing of demolition and construction work;
- (b) The provision of long term facilities for contractor parking;
- (c) The arrangements for deliveries associated with all construction works;
- (d) Methods and phasing of construction works;
- (e) Access and egress for plant and machinery;
- (f) Protection of pedestrian routes during construction;
- (g) Location of temporary site buildings, compounds, construction material, and plant storage areas;

Demolition and construction work shall only take place in accordance with the approved method statement.

Reason: In the interests of highway safety and the amenity of the locality.

8. **Levels**

Before development commences, the proposed slab levels in relationship to the existing ground levels set to an agreed datum shall be submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with those details which have been approved.

Reason: To ensure that the development takes place in an appropriate way 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.

9. **Drainage**

Before first occupation of the development hereby approved, a surface water sustainable drainage system (SuDS) shall be designed and installed in accordance with the Scott White and Hookins Flood Risk Assessment and Drainage Strategy, dated April 2023 (Reference 304102-SWH-ZZ-01-S-RP-0001). The system shall 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 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.

10. Tree Protection during construction

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 A.J. Monk Consulting Method Statement V2, dated November 2023, and the accompanying Tree Protection Plan Drawing no. 230313-BH-TPP-NB Rev B.

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.

11. Tree protection: pre-commencement site meeting

Prior to the commencement of any works (including site clearance, demolition and construction works), 3 working days' notice shall be given to the Local Planning Authority to attend a pre-commencement site meeting to inspect all tree protection measures, which shall be in accordance with the AJ Monk Consulting Arboricultural Report and Method Statement v2 (November 2023) and Tree Protection Plan Drawing 230313-BH-TPP-NB rev B.

Reason: To ensure retained and important trees are appropriately protected during construction works, 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.

12. Tree protection - submission of details

No development, demolition or site clearance shall take place until the following information has been submitted and agreed to in writing with the Local Planning Authority:

- a) A method statement and engineering drawings for the installation of new hard surfaced areas of Plots 5 and 9 of the approved development;
- b) A plan showing the location of service routes, including the position of soakaways;
- c) A plan showing the location of the site compound and mixing areas.

Development shall only take place in accordance with these approved details.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area, in accordance with Policies

13. External Lighting

No development shall take place until a scheme of external lighting for the development to include a “sensitive lighting design strategy for biodiversity” in line with BCT / ILP Guidance Note 08/18 ‘Bats and artificial lighting in the UK’ [or subsequent version] has been submitted to and approved in writing by the local planning authority. The scheme / strategy shall:

- a) include the predictions of both horizontal illuminance across the site and vertical illuminance affecting immediately adjacent receptors.
- b) identify those areas/features on site that are particularly sensitive for bats (or other ecological receptors) and that are likely to cause disturbance in or around their breeding sites and resting places or along important commuting routes used to access key areas of their territory, for example, for foraging; and
- c) show how and where external lighting will be installed (through the provision of appropriate lighting contour (lux) plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not cause nuisance, or disturb or prevent the above species using their territory or having access to their breeding sites and resting places and that dark corridors will be maintained.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy.

Reason: To ensure lighting from the development does not adversely affect the amenities of the area or protected species and to comply with Policies ENV3 and ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park and Policy DM2 of the Local Plan for the New Forest District outside the National Park (Part 2: Sites and Development Management).

14. Ecological Method Statement

Before the commencement of development, an ecological method statement shall be submitted to and approved in writing by the Local Planning Authority. The ecological method statement shall set out how the following works will be implemented and supervised:

- a) removal of major deadwood to Tree 18 - a Pedunculate Oak (as described in Paragraph 4.16 of the Peach Ecology Ecological Assessment, issue 4, dated 9th October 2023).
- b) vegetation clearance with particular regard to dormice (as described in Paragraph 4.37 of the Peach Ecology Ecological Assessment, issue 4, dated 9th October 2023).

Development shall only be implemented in accordance with the approved details.

Reason: To safeguard ecological interests in accordance with Policies ENV3 and ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park and Policy DM2 of the Local Plan for the New Forest District outside the National Park (Part 2: Sites and Development Management).

15. Ecological enhancement measures

The development hereby approved and all associated works shall be undertaken in strict accordance with the recommendations of the submitted Ecological Assessment (Section 5 and Appendix E of the Peach Ecology Ecological Assessment, dated October 2023). The proposed ecological enhancement measures illustrated in Appendix E of the Ecological Assessment shall be carried out in full before any of the approved dwellings are occupied or within such other alternative timescale as may be first agreed in writing with the Local Planning Authority. The approved ecological enhancement features shall be retained thereafter.

Reason: To safeguard protected species and to deliver ecological enhancements in accordance with Policies ENV3 and ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park and Policy DM2 of the Local Plan for the New Forest District outside the National Park (Part 2: Sites and Development Management).

16. External Materials

Before development commences, 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 development 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.

17. Joinery details

Before their first installation, typical joinery details (larger scale elevations / sections) of the windows and doors shall be submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with those details which have been approved.

Reason: The dwellings have been carefully designed, and these design details are important in ensuring that the dwellings are of a suitably high design quality, in accordance with Policy DM1 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

18. Landscaping details

Before development commences a scheme of landscaping of the site shall be submitted for approval in writing by the Local Planning Authority. This scheme shall include :

- (a) the existing trees and shrubs which have been agreed to be retained;
- (b) a specification for new planting (species, size, spacing and location);
- (c) areas for hard surfacing and the materials to be used;
- (d) the treatment of the boundaries of the site and other means of enclosure;

- (e) details of the location, design and specification of any package treatment plant or related or similar facility for dealing with foul drainage from the site;
- (f) a method and programme for its implementation and the means to provide for its future maintenance.

No development shall take place unless these details have been approved and then only in accordance with those details.

Reason: To ensure that the development takes place in an appropriate way and to comply 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.

19. Landscaping implementation and maintenance

All planting, seeding or turfing comprised in the approved details of landscaping 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 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

20. Acoustic Mitigation

The dwellings hereby approved shall not be occupied unless acoustic mitigation and ventilation measures have been incorporated into each dwelling in full accordance with Sections 7.3 and 7.4 of the Venta Acoustics ProPG Acoustic Design Statement (Report VA4964.231012.NIA, dated 23rd October 2023).

Reason: To ensure that the occupants of the proposed dwellings have satisfactory levels of amenity in terms of their noise environment, and to comply with Policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park.

21. Connection to adjacent land

The proposed pedestrian footpath connection to the north of Plot 5 that extends to the site's eastern boundary shall 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.

22. **Restriction of enclosures to Public Open Space areas**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any re-enactment of that Order) no means of enclosure otherwise approved by Class A of Part 2 of Schedule 2 to the Order shall be erected on or around the boundaries of the areas identified as public open space on the approved site layout plan (D-111 rev Y) (other than as may be approved through Condition 18 above) without express planning permission first having been granted.

Reason: To ensure these areas of Public Open Space are not enclosed in a visually or functionally inappropriate manner and to comply 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.

Further Information:

Ian Rayner

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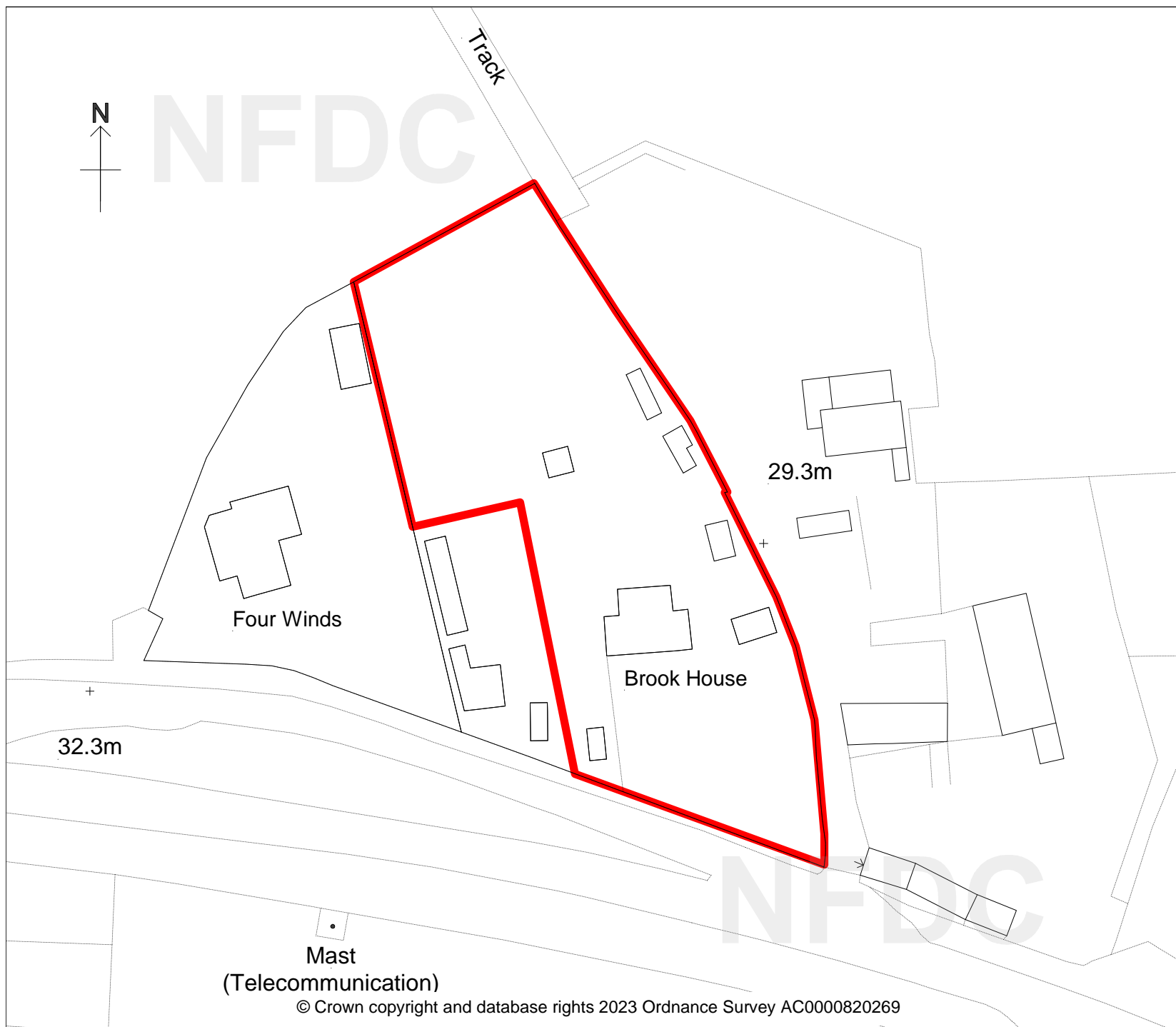
PLANNING COMMITTEE

December 2023

Brook House
Salisbury Road
Calmore
23/10540

Scale 1:1000

N.B. If printing this plan from
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