

Application Number: 19/11001 Full Planning Permission

Site: 4 THE RETREAT, TOTTON SO40 9FW
Development: 2 x dwelling; associated landscaping and parking; demolition of existing
Applicant: Jembir Estates Ltd
Target Date: 07/10/2019
Extension Date: 29/11/2019
Link to case file: [view online here](#)

1 SUMMARY OF THE MAIN ISSUES

The following are considered to be the main issues to be taken into account when determining this application. These, and all other relevant considerations, are set out and considered in Section 11 of this report after which a conclusion on the planning balance is reached.

The key issues relate to

- 1) Principle of development
- 2) Impact on character and appearance of the area,
- 3) Impact on local amenity and privacy
- 4) Highway safety issues.
- 5) Ecological impact

This matter is before Committee as the Town Council have recommended refusal.

2 THE SITE

The site comprises an existing single storey dwelling along with its garden area, served by a vehicular access off a narrow single track road which serves this small grouping of housing known as The Retreat. The Retreat and the application site lies within the settlement boundary of Totton as shown in the Local Plan Part 2 Development Plan. The road serving The Retreat is a privately owned and maintained access road. Whilst ownership of the road is uncertain the case officer is led to believe that the dwellings which gain access from this road are responsible for its upkeep. The access road serving the site has a junction with the unclassified public highway known as Jacob's Gutter Lane which in turn has a nearby junction with the Marchwood By Pass A326. The single track road leading to the site has no passing places apart from the widened areas of driveway belonging to properties fronting the road. The track has a length of just over 100 metres from the site access to the junction with Jacobs Gutter Lane. The access track serves 16 other properties.

3 THE PROPOSED DEVELOPMENT

The original proposal involved the demolition of the existing single storey dwelling and its replacement with two chalet style bungalows of an identical design with 3 bedrooms and a bathroom within the roof space. The original proposal showed the new dwellings having a maximum ridge height of just over 7 metres compared to the current ridge height of the bungalow of just over 5 metres. The general vernacular style of housing to the north is single storey bungalows but there are other two storey dwellings adjacent and nearby.

Both new dwellings will be served by a single garage and two parking spaces with a separate access onto the private road. Each dwelling will be provided with a garden to the rear (west) along with a front garden to the east facing the road. No highway improvements are shown to the private road.

Following discussions with officers the applicant has now amended his proposal indicating a pair of properties with a lower ridge height still allowing accommodation in the roof. The revised plans now show a lowered eaves height and a reduction in ridge height of one metre. The revisions also amend dormers and windows which overlooked neighbours and introduce hipped roofs to reduce the overall impact. The footprint of each dwelling has been adjusted to take into account comments made and adjustments have been made to the boundary between the two plots with additional soft landscaping now shown.

The existing bungalow on the site which has been empty for some time and is in need of considerable renovation and repair has an internal floor area of some 77 square metres. The new dwellings have a floorspace of 125 square metres.

The amended plans have been the subject of a re-consultation exercise with the Town Council, other consultees and all neighbours. Any late comments received will be reported to Committee.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status	Appeal Description
99/NFDC/65784/ OUT Two bungalows, garages and access (demolish existing bungalow)	14/04/1999	Refused	Decided	
OUT/16069 Erection of a bungalow on land of No 4 The Retreat and adj. San-Lona	02/05/1980	Refused	Decided	

5 THE DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Core Strategy

CS1 – Sustainable development principle

CS2: Design quality

CS3 – Protecting and enhancing heritage and nature conservation

CS9 – Settlement hierarchy

- Level 1 – Larger towns and service centres – Totton & Eling, Hythe and Dibden,
- Lymington and Pennington, New Milton and Barton on sea, and Ringwood

Local Plan Part 2 Sites and Development Management Development Plan Document

NPPF1 NPPF - presumption in favour of sustainable development

DM1 Heritage and conservation

DM3 Mitigation of impacts on European Sites

The Emerging Local Plan

The Local Plan Review 2016-2036 is in what can be considered an 'advanced stage' in its preparation, in that it has been submitted to the Secretary of State and the Examination has been concluded. The Local Plan Review sets a housing target of 525 dwellings per annum and will allocate sufficient land to meet this new housing target. The Local Plan Inspectors have indicated that, subject to modifications, the plan be made sound. Public consultation on modifications is expected to commence in autumn 2019.

It is therefore a material consideration which can be given weight in decision-making. However, the weight to be given to it will need to reflect unresolved objections to the policies. A policy or proposal subject to objections to be considered at the Local Plan Examination can be given less weight than a policy/proposal not subject to objections.

The following policies can be considered to be of relevance

- 1 Achieving sustainable development
- 2 Protection of the countryside
- 3 Strategy for locating new development
- 4 Settlement hierarchy

- 5 Meeting our housing need
- 9 Nature conservation, biodiversity and geodiversity
- 10 Mitigating the impact of development on International Nature Conservation sites
- 11 Heritage and conservation

Supplementary Planning Guidance And Documents

SPD Mitigation Strategy for European Sites

SPD Parking standards

SPD Housing design, density and character

6 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Relevant Legislation

Planning and Compulsory Purchase Act 2004

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise

Habitat Regulations 2017

Relevant Advice

National Planning Policy Framework 2019

- Section 2 Achieving sustainable development and the tests and presumption in favour Including tilted balance
- Section 5 Delivering a sufficient supply of homes
- Section 6 Building a strong, competitive economy
- Section 11 Making effective use of land including appropriate densities
- Section 12 Achieving well designed places

7 PARISH / TOWN COUNCIL COMMENTS

Totton & Eling Town Council

The Retreat is characterised by a mix of original bungalows and properties which have been extended to create two storey properties with rooflights and dormer windows. While the two properties were very similar to the two neighbouring properties to the South, it was noted that the amenity space provided for the new builds proposed were very small compared with others in the area. Councillors felt that the plot had been over intensified given the small scale of most of the properties accessed by The Retreat. There is also the potential for overlooking towards the adjacent property to the west from the rear bedroom, if not properly screened this could lead to harmful overlooking issues considering the orientation of the sites. There are also concerns from residents that construction traffic and additional houses would be damaging to the street which is not in great condition. The lane is also very narrow so any additional dwellings would have a profound impact on the poor access.

Recommended for REFUSAL

8 COUNCILLOR COMMENTS

No Comments Received

9 CONSULTEE COMMENTS

The following is a summary of the representations received which can be read in full via the link set out at the head of this report.

NFDC Tree Team

There are no trees on site that are considered a constraint to development. However, there is a mature oak tree growing in the front garden of a property opposite this site and the root protection area for this tree would extend beyond the narrow private road into the application site. The road and the existing site boundary will act as sufficient tree protection and this proposal is unlikely to have a significant impact on this tree.

I have no objections on tree grounds to the demolition of the existing bungalow and the construction of two new dwellings on this plot.

Hampshire County Council Highways

Access to the proposed development is to be via The Retreat, which leads onto Jacob's Gutter Lane. The Retreat is a private road and Jacob's Gutter Lane is an unclassified road. Since the application is for less than five dwellings, accessed onto a private road, with no change of vehicular access onto the public highway, the Highway Authority's Standing Advice should be referred to

Strategic Gas Network

Low pressure gas main along the access track. SGN offers standard advice around carrying out works in proximity to pipe lines.

Comments in full are available on website.

10 REPRESENTATIONS RECEIVED

The following is a summary of the representations received.

10 letters of objection received raising the following points

- Loss of privacy and amenity for surrounding properties
- Access danger with existing access road unsuitable for additional traffic, poorly maintained and no room for passing
- Emergency vehicle access problems

- Safety problems during construction period
- Overdevelopment and out of character with local area
- Change in levels and increase in height will mean the new dwellings are overpowering
- Increase in size of dwelling on The Retreat over the years has put more pressure on the access road
- Junction with Jacob Gutter Lane is inadequate to cater for additional traffic.
- Poor visibility with track from each plot.
- Direct precedent for new property opposite the site
- Concerned about drainage and surface water exacerbating poor condition of track
- Would not object however to single storey replacement dwelling

Amended plans comments

One letter received which re-iterates the comments set out above. Makes the point that there will not be the room to park contractors vehicles on site once the two plots and foundations have been put in place.

11 OFFICER COMMENTS

Relevant Considerations

Principle of development

- 11.1 The site is located within the settlement boundary of Totton as shown in the Local Plan part 2 and represents an opportunity for infill development i.e. the filling of a small gap in an otherwise built up frontage. The site therefore lies in a generally sustainable position with a range of facilities in the vicinity and within walking distance of Hounslow secondary school, Hounslow Business Park, a convenience store and public house.
- 11.2 The LPA is not currently able to demonstrate a 5-year supply of housing land when assessed against its most recent calculation of Objectively Assessed Need. Relevant policies for the supply of housing are therefore out of date. In accordance with the advice at paragraph 11 of the NPPF, permission should therefore be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the NPPF indicate that development should be restricted.

Impact on character and appearance of the area.

- 11.3 Policy CS2 of the Core Strategy requires 'inter alia' any development to make a positive contribution to the local area and be appropriate and

sympathetic to its setting and sense of place and be appropriate in terms of scale, height, density, layout, appearance and its relationship to adjoining buildings.

- 11.4 The local area comprises an area of single storey dwellings with some dwellings being chalet dormer bungalows and others with rooms in the roof. Immediately to the south of the site lies an earlier infill example of a two-storey property. Immediately to the north lies a run of original single storey bungalows which are perhaps the most characterful in the area. The density for the most part is detached dwellings enjoying spacious gardens. Whilst the dwellings to the north of the site do enjoy long extended gardens that is not the case for the dwellings to the south of the application site where the gardens are much shorter.
- 11.5 The pre-application proposal put forward was for full two storey dwellings. Concerns were raised at the time regarding the impact on the character of the area. Following the pre application stage the original application submission showed dormer bungalows whose ridge height and change in ground levels would have meant they overpowered the much lower bungalows to the north. That said the proposed units would have matched the height of the newer infill property to the south. The applicants have now amended their plans and reduced the eaves and ridge height of the buildings to make them sit better in the local context and to attempt to reduce the impact on adjoining residents and local character.
- 11.6 Given the variety of house types in the area surrounding the site it is now considered with the reduction in height of the buildings that the development has much less of an adverse impact on the local character.
- 11.7 With regard to design the proposal put forward has a contemporary approach which again bearing in mind the range of different house types is not unacceptable. The line of bungalows to the north provides a distinct unaltered line of dwellings which is attractive but which is not unduly impacted upon by a change of style over the access road to the south. The application site does mark a transition point between the older original bungalows and the taller extended buildings to the south.
- 11.8 To conclude therefore it is now considered that the amended plans are acceptable in terms of policy CS2 regarding the impact on local character and appearance

Impact on local amenity and privacy

- 11.9 Policy CS2 requires an acceptable relationship between new development and adjoining neighbours. The policy states that there shall not be an unacceptable effect on those neighbours by virtue of visual intrusion, overlooking, shading, noise, light pollution or other adverse impact on local amenity.

The original submission did have windows that overlooked adjoining properties

albeit some of them were obscure glazed. The applicants have taken on board the objections raised and have modified this relationship to the extent that the window relationship between the new dwellings and neighbours is now considered acceptable.

- 11.10 With regard to the proximity of the new dwellings to neighbours the property to the south and to the west are the nearest. The property to the south will not be unduly impacted, and the property to the west again will not be impacted to the extent that would warrant a refusal of planning permission. Neither property will suffer any significant loss of outlook or amenity through light loss or shading. On that basis it is considered that the amended plans are acceptable and in line with policy.

Highway safety issues.

- 11.11 The Highway Authority have not formally commented other than to confirm that under current procedures they do not comment on applications for less than 5 new dwellings and do not comment where any development proposal accesses an unclassified road. This was agreed and adopted in April 2017.
- 11.12 Highway safety matters in this case relate to the access road to the site, and parking, turning and visibility splays available for each plot.
- 11.13 Access to the site is via an unmade track over 100 metres in length. The junction of this track with the unclassified Jacobs Gutter Lane is reasonable. Measured from a point 2 metres back from the edge of the carriageway there is reasonable visibility in each direction to enable any vehicle exiting the track being able to see traffic in each direction on Jacobs Gutter Lane.
- 11.14 The track itself however is poorly surfaced and narrow with no passing places. That said the surfacing of the track is the responsibility of all the residents who access the track who are jointly supposed to maintain the track. It follows that it is not reasonable to impose a planning condition requiring works to the access track as the applicant has no overall ownership or control over the access. The applicant has offered to repair any damage to the track brought about by construction traffic. Overall however this is a private matter between the parties that have the responsibility of maintaining the track.
- 11.15 It is also possible that traffic may be forced to back out onto Jacob Gutter Lane but this may not be the case as it may be just as easy for such traffic to reverse in the lane itself to allow other traffic coming in from the public highway.
- 11.16 The LPA must also consider the increase in traffic entering and leaving the site and whether or not that is a material increase on a case by case basis. In this case objectors make the point that the existing bungalow when occupied resulted in very little motorised traffic as the occupiers did

not have a car. The bungalow is now empty and the fall-back position is that the property could be occupied by a family with a number of cars. The net gain in the number of units is one and therefore the increase in the number of vehicular movements is not material taking into account the existing number of properties on this track.

- 11.17 With regard to parking and turning within each plot this is considered to be at an acceptable level. The Council's SPD on parking requires 2.5 car parking spaces for a 3 bedroom unit. In this case each plot has two surfaced parking spaces plus an integral garage measuring 6m x 3m internally. This complies with the SPD. It is recommended in this case that a condition is imposed preventing the conversion of the garages in the future into additional living accommodation. Each plot also has its own turning area within the plot. Visibility at the entrance of each plot onto the lane is adequate particularly bearing in mind the very low speed of traffic using the lane.
- 11.18 The applicants have also agreed a Construction Management Plan which can regulate access to the site for contractors' vehicles, repair of any damage to the track, parking within the plot for work traffic and hours of operation.
- 11.19 Taking all the above into account it is considered that notwithstanding the concerns raised the increase in traffic arising from a net gain of one new dwelling would not be material and could not sustain an objection on highway safety grounds.

Ecological impact

- a) Habitat Mitigation due to off-site recreational impact
- 11.20 In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment has been carried out as to whether granting permission would adversely affect the integrity of the New Forest and Solent Coast European sites, in view of that site's conservation objectives. The Assessment concludes that the proposed development would, in combination with other developments, have an adverse effect due to the recreational impacts on the European sites, but that the adverse impacts would be avoided if the planning permission were to be conditional upon the approval of proposals for the mitigation of that impact in accordance with the Council's Mitigation Strategy or mitigation to at least an equivalent effect. An informative would be applied to any consent to this effect.
- b) Biodiversity impact on site and potential enhancement
- 11.21 Policy CS3 of the Core Strategy requires on site protection and enhanced biodiversity in any development proposal. The roof space of the existing dwelling has been inspected by an ecologist and there is no evidence of bats. The garden being laid to lawn does not offer a suitable habitat for other protected species. A survey on site has been carried out to assess the impact and presence on any other protected species. No evidence of

protected species was found on site. An ecological report has been submitted to comply with validation requirements and to confirm this. As for suggested mitigation the applicants propose a bat box for each dwelling. This should be supplemented by a bird box as well. The details of these can be agreed by condition. The single tree of any merit near the site is outside the application site and will not be impacted.

c) Nitrate neutrality and impact on Solent SPA and SACs

11.22 In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') a draft 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 draft 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.

11.23 In accordance with the Council Position Statement agreed on 4 September 2019, these adverse impacts would be avoided if the planning permission were to be conditional upon the approval of proposals for the mitigation of that impact, such measures to be implemented prior to occupation of the new residential accommodation. These measures to include undertaking a water efficiency calculation together with a mitigation package to addressing the additional nutrient load imposed on protected European Sites by the development.

11.24 A Grampian style condition has been agreed with the applicant but at the present time there is no formal Appropriate Assessment which has been agreed. On that basis a permission cannot yet be issued. The recommendation below is therefore one delegated to the Chief Planning Officer to issue a permission once an Appropriate Assessment has been formally agreed and a mechanism is in place to confirm there will be no adverse impact.

12 CONCLUSION ON THE PLANNING BALANCE

Until such time as the new Local Plan is adopted, paragraph 11 of the NPPF advises that planning permission for housing development should normally be granted unless any planning harm identified would "*significantly and demonstrably outweigh the benefits*". This is known as the 'tilted balance' in favour of sustainable development. In this case it is considered that the adverse impacts of development set out above, do not significantly and demonstrably outweigh the benefits and therefore the tilted balance in favour of granting permission is a material consideration in assessing this application.

In this case the original application has now been amended. The amendments have, it is considered, reduced the impact on adjoining residents and the local area and the proposal is considered appropriate in design terms given the mix of styles in the immediate vicinity. The reduction in height of the buildings coupled with the mix of housing styles and heights in the area to the south of

the site point to an approval recommendation. Traffic issues are noted but do not warrant a refusal of permission given the small increase in traffic overall that will use the lane and the safeguards set out above.

The application is finely balanced but on this occasion it is considered that the balance is one of approval for the reasons set out above.

13 OTHER CONSIDERATIONS

Crime and Disorder

Not relevant on this occasion

Local Finance

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

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

Based on the information provided at the time of this report this development has a CIL liability of £22001.69

Tables setting out all contributions are at the end of this report..

Human Rights

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

Equality

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

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

- (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

CIL Summary Table

Type	Proposed Floorspace (sq/m)	Existing Floorspace (sq/m)	Net Floorspace (sq/m)	Chargable Floorspace (sq/m)	Rate	Total
Dwelling houses	301.86	77	224.86	224.86	£80/sqm	£22,001.69*

Subtotal:	£22,001.69
Relief:	£0.00
Total Payable:	£22,001.69

* The formula used to calculate the amount of CIL payable allows for changes in building costs over time and is Index Linked using the All-in Tender Index Price published by the Build Cost Information Service (BICS) and is:

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

Where:

A = the net area of floor space chargeable in square metres after deducting any existing floor space and any demolitions, where appropriate.

R = the levy rate as set in the Charging Schedule

I = All-in tender price index of construction costs in the year planning permission was granted, divided by the All-in tender price index for the year the Charging Schedule took effect. For 2019 this value is 1.22

14. RECOMMENDATION

Delegated authority to Chief Planning Officer to be **AUTHORISED TO GRANT PERMISSION** subject to:

- i) an Appropriate Assessment being carried out under Section 63 of the Habitat Regulations and confirmation that there will be no adverse impact on matters of nature conservation importance
- 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:

OS	Location Plan
P100	Existing block location plan
P111	Existing site survey
P112	Existing elevations
P113	Existing street elevations
P101	Proposed block plan
P102	Proposed ground floor site plan
P103	Proposed first floor site plan
P104	Proposed site roof plan
P105	Proposed plans for house A
P106	Proposed elevations for house A
P107	Proposed plans for house B
P108	Proposed elevations for house B
P109	Street elevations south and west
P110	3d views
P114	North to south street elevations comparison

Reason: To ensure satisfactory provision of the development.

3. 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 CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

4. Prior to any work taking place above slab level samples or exact details of the facing and roofing materials together with the details and colours of all windows and doors to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved details.

Reason: To ensure an acceptable appearance of the building in accordance with policy CS2 of the Core Strategy for the New Forest District outside the National Park.

5. The development hereby permitted shall not be occupied until the parking and turning space for each new dwelling as shown on the approved plan has been laid out and completed. The parking and turning space for each plot shall be maintained in perpetuity.

Reason: To ensure adequate parking provision is made in the interest of highway safety and in accordance with Policy CS2 and CS24 of the Local Plan for the New Forest outside of the National Park (Core Strategy).

6. Prior to the commencement of development including any site clearance works a construction management plan shall be submitted to and agreed in writing with the Local Planning Authority. The plan shall include the following
- Details for accommodating all site traffic and contractors' vehicles
 - Hours and days of operation for contractors on site
 - The phasing of development

The development shall not proceed other than in accordance with the plan as may be agreed.

Reason: In the interests of providing a safe access to the site and the amenity of local residents.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any re-enactment of that Order) no extension (or alterations) otherwise approved by Classes A, B or C of Part 1 of Schedule 2 to the Order, garage or other outbuilding otherwise approved by Class E of Part 1 of Schedule 2 to the Order, or means of enclosure otherwise approved by Class A of Part 2 of Schedule 2 to the Order shall be erected or carried out without express planning permission first having been granted.

Reason: In view of the physical characteristics of the plot, the Local Planning Authority would wish to ensure that any future development proposals do not adversely affect the visual amenities of the area and the amenities of neighbouring properties, contrary to Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 and the Town and Country Planning Act 1990 or any subsequent re-enactment thereof, the garages, hereby approved, shall not be converted into habitable living accommodation unless express planning permission has been granted.

Reason: To ensure adequate parking provision is retained on the site, in the interests of highway safety and in accordance with Policy CS2 and CS24 of the Local Plan for the New Forest District outside of the National Park (Core Strategy).

9. Prior to the commencement of development and notwithstanding the ecological report submitted a revised ecological protection and biodiversity enhancement plan for the site shall be submitted to and agreed in writing with the Local Planning Authority. The plan shall be implemented and followed during the course of development and the enhancements be in

place prior to the occupation of each unit and maintained as such thereafter.

Reason: To comply with Policy CS3 of the New Forest Core Strategy

10. 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. The landscaping scheme shall be fully completed prior to the occupation of each dwelling and maintained as thereafter for a minimum period of 5 years. During that time should any trees or other plants die, become damaged or diseased they shall be replaced with the same species unless any written variation has been first agreed in writing with the Local Planning Authority.

Reason: To ensure that the development takes place in an appropriate way and to comply with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

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

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

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH

Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation for is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017.

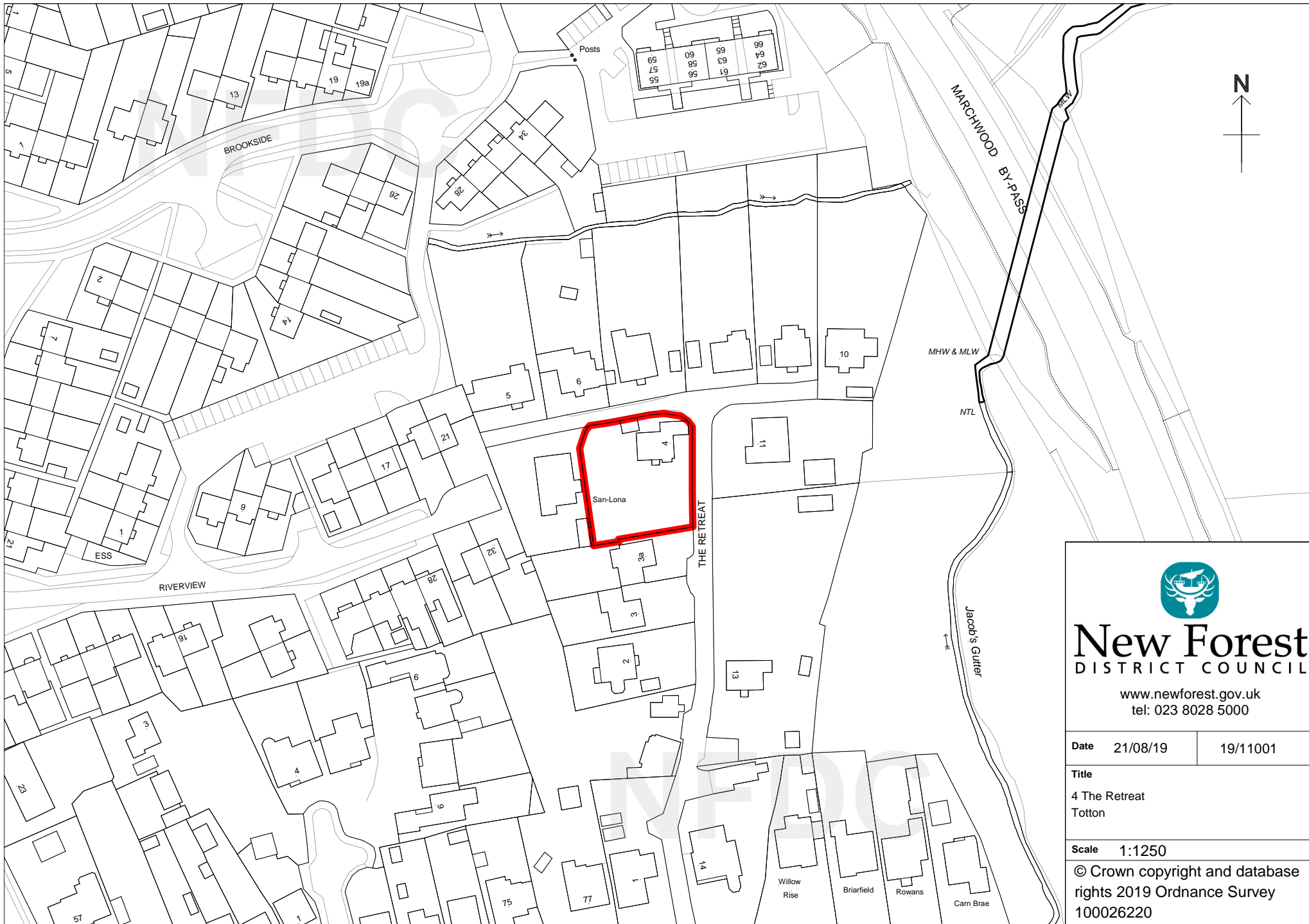
12. No development shall be carried out until proposals for the mitigation of the impact of the development on the New Forest and Solent Coast European Nature Conservation Sites have been submitted to and approved in writing by the local planning authority, and the local planning authority has confirmed in writing that the provision of the proposed mitigation has been secured. Such proposals must:
- (a) Provide for mitigation in accordance with the New Forest District Council Mitigation Strategy for European Sites SPD, adopted in June 2014 (or any amendment to or replacement for this document in force at the time), or for mitigation to at least an equivalent effect;
 - (b) Provide details of the manner in which the proposed mitigation is to be secured. Details to be submitted shall include arrangements for the ongoing maintenance and monitoring of any Suitable Alternative Natural Green Spaces which form part of the proposed mitigation measures together with arrangements for permanent public access thereto.
 - (c) The development shall be carried out in accordance with and subject to the approved proposals.

Reason: The impacts of the proposed development must be mitigated before any development is carried out in order to ensure that there will be no adverse impacts on the New Forest and Solent Coast Nature Conservation Sites in accordance with Policy DM3 of the Local Plan Part 2 and the New Forest District Council Mitigation Strategy for European Sites Supplementary Planning Document.

Further Information:

Stephen Belli

Telephone: 023 8028 5588




New Forest
DISTRICT COUNCIL

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

Date	21/08/19	19/11001
Title	4 The Retreat Totton	
Scale	1:1250	
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