

Application Number: 20/10411 Full Planning Permission

Site: Land Rear Of THE OLD CINEMA IN JUNCTION ROAD,
MAYNARD ROAD, TOTTON

Development: 6 flats; associated hard and soft landscaping works; cycle store;
window alterations to Old Cinema building

Applicant: MYA Property Ltd

Agent: Simpson Hilder Associates

Target Date: 10/06/2020

Case Officer: Jim Bennett

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

1. The principle of development
2. The effect on the character and appearance of the area
3. The effect on the living conditions of existing and future occupiers
4. The effect on public highway safety
5. Ecology, on Site Biodiversity and protected species
6. Habitat Mitigation

This application is to be considered by Committee because the recommendation is contrary to the view of Totton and Eling Town Council.

2 SITE DESCRIPTION

- 2.1 The application site relates to a vacant piece of land fronting onto Maynard Road to the south west of a block of flats known as 'The Old Cinema', formerly named 'Savoy House' within the town centre of Totton. This application also includes part of 'The Old Cinema' and the surrounding land. This vacant parcel of land is largely laid to hardstanding and is in an untidy and neglected condition. Currently, there is no access into this area of land.
- 2.2 The application site is bounded by a 3 metre high wall on its western side, beyond which is the service yard for Asda Supermarket. To the east and south-east side of the site is a community hall, which is an attractive building that makes a positive contribution to the character of the area. 'Totton Timber' lies directly opposite the site. The 'Old Cinema' is a 2-3 storey residential building in which there are 21 individual flats.
- 2.3 The site lies within the town centre of Totton, very close to all the amenities and facilities including public transport. The site occupies a prominent position in the street scene, in which Maynard Road is a busy road linking Totton with Eling. The site lies within a highly accessible location. It is within a very mixed area comprising residential, retail and community uses. Terraced housing lies to the east of the site in Junction Road.

3 PROPOSED DEVELOPMENT

- 3.1 This application seeks permission for the erection of a three storey building to accommodate 5 two bedroom residential flats 1 one bedroom flat, a cycle store, together with landscaping and a 1.5 metre high boundary wall adjacent to Maynard Road. The application also proposes fenestration alterations to two existing residential flats at 'The Old Cinema' to include a new ground and first floor window.
- 3.2 The proposed building would fill most of the vacant plot and has been designed with its main elevations facing Maynard Road and the south west corner of The Old Cinema. The proposed building would be staggered on the site to reflect the shape of the site, and visually it would be two interlinked buildings with front gables and road and protruding bay windows.
- 3.3 The proposal occupies the same footprint as a proposal for 4 no. flats approved in December 2019. However the current proposal utilises roof void space and increases the wall height of the previous permission by 0.4m to enable provision of one two bed flat and one bed flat at second floor level.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status	Appeal Description
18/11666 Two storey building to comprise 4 flats; associated landscaping; cycle store; fenestration alterations to The Old Cinema building	03/12/2019	Granted Subject to Conditions	Decided	
18/10898 4 flats; associated landscaping; cycle store; fenestration alteration to The Old Cinema building	13/09/2018	Refused	Appeal Decided	Appeal Withdrawn
12/98892 1 block of 5 flats, parking alterations, bin & cycle stores	13/09/2012	Refused	Decided	
04/80690 Three-storey building of five two-bedroom flats	21/04/2004	Refused	Decided	

5 PLANNING POLICY AND GUIDANCE

The Local Plan 2016-2036

Policy STR1 - Achieving sustainable development
Policy STR5 - Meeting our housing needs
Policy ENV1 - Mitigating the impact of development on International Nature Conservation sites
Policy ENV3 - Design quality and local distinctiveness

Supplementary Planning Guidance And Documents

SPG - Totton Town Centre - Urban Design Framework
SPD - Housing Design, Density and Character
SPD - Mitigation Strategy for European Sites
SPD - Parking Standards

Relevant Advice

National Planning Policy Framework 2019

- Section 2 - definition of sustainable development and presumption in favour particularly if local plan policies are out of date.
- Section 5 - delivering a sufficient supply of homes
- Section 7 - ensuring the vitality of town centres – encouraging residential development on suitable sites
- Section 9 - promoting sustainable transport and encouraging development where there are a range of transport options.
- Section 11 - making effective use of land including promotion of airspace above existing residential and commercial premises
- Section 12 - achieving well designed places, sympathetic to local character and visually attractive
- Paragraphs 180 -183 Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

Constraints and Plan Policy Designations

Built-up Area
Town Centre Boundary
Employment

6 PARISH / TOWN COUNCIL COMMENTS

Totton & Eling Town Council - The application seeks for a further two flats above the previous application for four flats in this location. Our previous concerns are still very much valid and in fact more so considering the extra pressure of two more units. Parking at the Old Cinema is designated on a permit system for the residents, despite a previous survey showing available space, demand for parking in this area is very high and it would be unacceptable to put additional housing with no new parking in an area with no on street parking and no prospect of a space. While it may be acceptable to reduce parking provisions in the town centre for some applications, it is not acceptable to provide no parking, particularly in an area with existing parking pressures. The amenity space is also very poor quality and size. The application is clearly contrary to parking standards policy and would cause further pressures on residential and communal car parks in the area, it is very unlikely that there would be no car ownership or visitors in a location like this. Recommended for REFUSAL

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

Environmental Health (Pollution) - This application requests a 3 storey building containing 6 flats in this location, where permission already exists for a 2 storey building containing 4 flats. This site is close to both Maynard Road, the railway line, and the Asda delivery yard. As a result, an Assessment of Environmental Noise has been submitted, which includes the details of a noise survey which involved taking noise readings at the site which would have monitored all noise at the site, including contributions from road noise on Maynard Road and noise from the Asda delivery yard. This has been used to design mitigation measures to reduce noise levels inside habitable rooms in the flats to within those detailed in BS8233:2014 Guidance on sound insulation and noise reduction for buildings. These mitigation measures include:

- External walls shall be cavity masonry, or timber frame with a brick outer skin.
- Glazing to habitable rooms shall have a nominal Sound Reduction of 35dB Rw+Ctr (a glazing specification of 10mm glass/12mm airgap/8.4A5 glass will achieve this, but other specifications which achieve the same standard can be used) and 37dB Rw+Ctr for north elevation of flat 5 (10mm glass/ 12 mm air gap / 8.4A glass will meet this standard but other specifications to the same standard can be used)
- The glazing shall have openable areas to meet Building Regulation standards.
- Whole flat mechanical ventilation with heat recovery, shall be provided to each flat with an ability to provide a minimum of 2 air changes per hour to habitable rooms. The noise generated by any such system shall not exceed an internal level 30db(A)LAeqt.

It is recommended that the mechanical ventilation system be capable of providing cooling as well as heat recovery. It is also advisable that the glazing specification of non-habitable rooms (i.e. bathrooms and en-suite bathrooms) should be to the same specification as the habitable rooms. The above means that future occupants will have the choice of opening windows for ventilation for the well-being of occupants. As a result no objections are raised, subject to a condition to secure the noise mitigation measures.

HCC Highways - The applicant is proposing that this be a car-free development and as such there is no vehicular parking provided. Parking is a matter to be considered by NFDC but the site is close to a wide range of services and amenities in Totton as well as public transport. The site has previously been granted permission for 4 no. flats with no vehicular parking (application 18/11666) and this is also the case for other sites in the area. The applicant is proposing to provide a cycle store with 6 no. semi-vertical bike racks. Cycle parking is also a matter to be considered by NFDC but if there is to be no vehicular parking to be provided then more cycle parking should be considered.

Hampshire Swifts - request integration of swift bricks into the scheme.

Building Control - give informatives on the fire access provisions and waste storage facilities.

Southern Gas Networks - Give informatives

Scottish and Southern Electricity - Give informatives

9 REPRESENTATIONS RECEIVED

One letter received from Asda: Asda made representations to the previous application (ref 18/11666) for this site given concerns about potential noise issues arising from the close proximity of the Asda service yard to the application site. As a result of the representations, the approval includes a condition added (condition 11) that requires scheme for glazing spec and alternative ventilation to be submitted and approved. Asda considers there is still a need to be careful of the bedroom window on the rear facade of the new scheme. It is 90 degrees to service yard but still very close. Asda would therefore like to ensure that if the Council is minded to grant permission for the new scheme that the same condition is included.

10 PLANNING ASSESSMENT

Introduction

There are five main issues in this case, which include the principle of development at this site, the effect on the character and appearance of the area, the effect on the living conditions of adjoining neighbouring properties, the effect on public highway safety and the effect on the living conditions of future occupiers of the development

Principle of Development

The site lies in a highly sustainable location within the town centre. There are a full range of services and facilities within easy walking distance of the site including a range of public transport options. Both local and national policy point to a preference of accommodating new residential development in sustainable locations and for maximum growth numbers to be accommodated in the principal settlements.

In determining the previous application, the applicant carried out a Marketing Assessment Report, which concluded that the site does not represent a viable proposition for commercial, community or retail use and demonstrated that the only viable use for the site is residential.

Paragraph 85 of the NPPF states that residential development often plays an important role in ensuring vitality of centres and encourages residential development on appropriate sites. Paragraph 17 of the NPPF 'making effective use of land' states that decisions should promote an effective use of land in meeting the need for homes and in a way that makes as much use as possible of previously-developed or 'brownfield' land, including car parks and service yards. It is considered that the proposed development would meet these objectives.

In light of the above, that there is an extant permission for residential development on the site and that the proposal would make a contribution towards the supply of housing land, the principle of the development is acceptable.

The effect on the character and appearance of the area

The proposal occupies the same footprint as a proposal for 4 no. flats approved in December 2019. However the current proposal utilises roof void space and increases the wall height of the previously approved scheme by 0.4m to enable provision of an additional two bed flat and a one bed flat at second floor level. It needs to be considered whether the increased height and resultant appearance of the proposal on local character and appearance of area would be acceptable.

In assessing the effect on the character and appearance of the area, the site lies within an area which comprises a mixture of property types, styles and uses. The large warehouse type structure of 'Totton Timber directly opposite the site dominates this part of the road. Equally when travelling along Maynard Road, the Asda supermarket adjoining the site is a large scale building, although there are some trees and soft landscaping which help soften the impact of the Asda building on the street. The other adjoining building known as Fairways School is considered to be an attractive traditional brick building which contribute to the overall character of the area.

The site occupies a prominent position in the street scene and currently makes a negative contribution to the character of the area. When viewed from Maynard Road, there is a large area of concrete hardstanding set behind an unattractive chain link fence which bounds the highway. Along the side boundary of the site is a 2 metre timber high fence and car parking beyond.

The proposed development also has regard to the Totton Town Centre - Urban Design Framework Supplementary Planning Guidance 2003 (SPG). The SPG identifies the site as a proposed Primary Public Frontage. The SPG suggests that development in these areas should contribute to completing, maintaining and improving the integrity of these frontages. It indicates that built development should define the fronts of sites and that windows and doors should be positioned on the frontages. The site also forms part of a perimeter block where the SPG indicates that development proposals should adhere to the concept of recreating and retaining the perimeter block structure of the town. Accordingly it is considered that there is an opportunity to make enhancements to the street by creating a good quality building addressing Maynard Road.

The proposed building would rise to two and a half storeys in height and be located close to the road. Between the pavement and building, there would be a 1.5 metre high brick wall with railings including space for soft landscaping and front garden. The proposed building has been designed to address Maynard Road, which is the correct design approach. The building's main windows, including the protruding bay windows, would face onto Maynard Road, which would give the building a positive, active, frontage onto the public realm.

Visually the proposed building's staggered orientation, simple roof forms with gaps created between gables of the two interlinked buildings and detailed fenestration, would be contextually appropriate and would make a positive contribution to the street scene. While the massing of the building has been increased slightly when compared to the previously approved scheme on the site it does pick up on the building line of the neighbouring retail store and community hall. While the proposed building would fill most of the plot, the layout does provide space for soft landscaping and amenity space, which would help provide an appropriate setting for the building. Because of its location in the town centre, slightly higher densities are encouraged and in this case, it is considered that the proposed development does not appear significantly cramped or overdeveloped. Overall it is considered that the proposed development would make a positive enhancement to the street scene.

The effect on the living conditions of existing and future occupiers

With regard to residential amenity, the development would be set close to flats in The Old Cinema. The distance between the rear elevation of the proposed building and the nearest flats in The Old Cinema would be around 7 metres. Due to the siting of the proposed building, only the south west corner of The Old Cinema building would be affected by the proposed building, in particular the existing ground and first floor windows. The proposal has been designed to minimise the impact on these

neighbouring flats. This will be achieved by installing obscurely glazed windows on the rear elevation directly facing these neighbouring flats, which will help maintain a reasonable level of privacy, to be secured by condition.

To address the impact on the light and outlook of existing windows, it is proposed to add ground and first floor windows in the west elevation of 'The Old Cinema' to provide additional light and outlook for the existing residential flats.

The development would be located close to the Asda service yard. A key issue is therefore whether future occupants of the development would enjoy a satisfactory living environment. The Asda service yard is unrestricted and noisy operations can potentially take place at any time of day. Given the proposed building would be around 1m away from the service yard, there is a strong likelihood, without any mitigation, that future occupants of the development would be subject to unreasonable levels of noise and disturbance and so consequently would not enjoy satisfactory levels of amenity.

The applicant has carried out a noise report, which includes a number of mitigation measures. The report states that when considering the specific contribution of noise from the adjacent supermarket service yard, it is recognised that residual levels outside the proposed building would be considered to be significantly higher than the typical background noise, and that there is therefore a risk of an adverse impact on the occupiers. It goes on to state that the only means of eliminating such risk is to develop a method by which residents would be able to close the enhanced specification windows and then adopt a high standard of mechanically induced comfort cooling ventilation. In this case, the solution would be in the form of a MVHR unit serving each flat, with additional attenuation provided in each room side duct run. If the LPA were minded to accept this strategy with a suitable informative note attached to the consent, the prospective residents would experience acceptable noise levels within the dwellings.

The Council's Environmental Health Officer concludes that the properties will be affected by noise from the deliveries to the superstore, which operate throughout the night and by noise from traffic on the adjacent road. However, they consider that the mitigation measures proposed by the Acoustic Consultant are acceptable and provided that these are implemented, they raise no objection.

The effect on public highway safety

The proposed development is a small scale development providing 6 residential flats in a highly sustainable location. There are currently 15 car parking spaces on the site at 'The Old Cinema', but the proposal would not provide any on site car parking, being a 'car free' development. The proposal would not result in the loss of any parking spaces, although some remodelling of the parking layout is proposed. A secure cycle store is proposed for the six flats. The site is sustainably located close to all the facilities and amenities in the town centre including public transport.

The parking standards for the site are set out in Supplementary Planning Document (SPD) as adopted in October 2012. These standards indicate 9 unallocated spaces for the proposed development. The Highway Authority do not object to a lack of car parking to serve this site and state that matters for car parking is for the Local Authority. They do however, advise that the level of cycle parking would need to be increased and a further three cycle parking spaces have been requested of the applicant, close to the rear access.

With regard to concerns over public highway safety; Maynard Road and Junction Road are subject to double yellow lines. Accordingly, localised, on-street car parking will be restricted for future occupiers. Paragraph 103 of the NPPF states that significant development should be focused on locations which are or can be made sustainable, through the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health. This is particularly important in this situation given the close proximity to bus and rail services and the close walking distance to all the facilities and amenities of the town centre. Moreover, the site was previously located within an Air Quality Management Area and Officers would not wish to encourage more on site car parking spaces which will only add to increasing pollution in this area. In sustainable town centre locations such as this, it is considered that on site car parking space provision should be very limited. Moreover, National policy is now more flexible particularly in town and city centres where there are a range of public transport options available as is the case here. There is no evidence that the proposed development, in providing no dedicated parking spaces, will cause severe residual cumulative impacts on the road network.

Whilst the concerns of the Town Council over the lack of car parking are noted, paragraph 109 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the cumulative impacts on the road network would be severe. In this case, given the location of the site within the town centre, which is close to the train station and public transport, a 'car free' development would be acceptable and there is no evidence that severe public highway safety issues would result.

Impact on Ecology, Site Biodiversity and protected species

Comment has been received from Hampshire Swifts requesting that any planning permission includes a requirement for multiple internal nest sites for Swifts, in the form of the inclusion of Swift bricks. This requirement was not imposed on the previous permission. However there has been a material change in circumstances, as from 7th July 2020 the Council has sought to secure the achievement of Biodiversity Net Gain (BNG) as a requirement of planning permission for most forms of new development. Consequently the applicant has been requested to provide details of how this will be achieved. Members will be updated on the applicant's submissions in this respect, but for the avoidance of doubt a conditions proposed to ensure ecological enhancements are delivered.

Habitat Mitigation

a) Managing Recreational Impact

In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment has been carried out as to whether granting permission would adversely affect the integrity of the New Forest and Solent Coast European sites, in view of that site's conservation objectives. The Assessment concludes that the proposed development would, in combination with other developments, have an adverse effect due to the recreational impacts on the European sites, but that the adverse impacts would be avoided if the planning permission were to mitigate its impact in accordance with the Council's Mitigation Strategy or mitigation to at least an equivalent effect. A unilateral undertaking has been completed which secures the requisite contribution to mitigate the development's recreational impact upon European sites.

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

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. Natural England have now raised this with the Council and other Councils bordering the Solent catchment area and have raised objections to any new application which includes an element of new residential overnight accommodation unless nitrate neutrality can be achieved or adequate and effective mitigation is in place prior to any new dwelling being occupied. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. The Council has a policy in its new Local Plan, which seeks to safeguard against any adverse impact and that suitable mitigation is in place to avoid any harmful impact on sites of importance for nature conservation. An Appropriate Assessment as required by Regulation 63 of the Habitat Regulations has been carried out, which concludes that the proposed project would have an adverse effect due to the additional nitrate load on the Solent catchment. As the Competent Authority, NFDC consider that there needs to be a mitigation project to provide this development with a nitrate budget. For this reason, a Grampian Condition has been imposed and a further Appropriate Assessment will be carried out on discharge of this condition.

c) Managing Air Quality

Since July 2020 the Council is required to ensure that impacts on international nature conservation sites are adequately mitigated in respect of traffic-related nitrogen air pollution (including NOx, nitrogen deposition and ammonia). 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. 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, which has been secured by the unilateral undertaking.

Developer Contributions

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

Type	Proposed Floorspace (sq/m)	Existing Floorspace (sq/m)	Net Floorspace (sq/m)	Chargeable Floorspace (sq/m)	Rate	Total
Dwelling houses	459	0	459	459	£80/sqm	£47,171.08 *
Subtotal:	£47,171.08					
Relief:	£0.00					
Total Payable:	£47,171.08					

11 CONCLUSION

The site is constrained by a lack of car parking and its proximity to the Asda delivery yard, which weigh against the proposal. However, the negatives need to be weighed against the benefits. In this case, the site has been vacant for a number of years and the proposal would regenerate the site and create a development which would make a positive contribution to the street and provide much needed additional residential units. Indeed, Totton town centre has a shortfall of flats and overall the district must meet housing needs. Given the focus in the local plan and NPPF towards providing new housing, together with the visual enhancements, this weighs in favour of the development.

In applying the balancing exercise, the proposal would provide social and economic benefits including employment for construction workers and increased spending in local shops. The proposal would also provide environmental benefits, in particular, by making efficient use of land to provide housing in a sustainable location close to services and facilities and would make a modest contribution towards housing supply. Moreover the proposal would bring forward an appropriate use of this vacant and derelict brownfield site, reflected in the NPPF. Overall it is considered that the benefits outweigh the negatives and the proposal is accordingly recommended for approval.

12. RECOMMENDATION

Grant Subject to Conditions

Proposed Conditions:

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

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

2. The development permitted shall be carried out in accordance with the following approved plans: 104A, 105A, 107, 108, 109, Photomontage 1, Photomontage 2, Design and Access Statement dated March 2020 and the Assessment of Environmental Noise dated April 2020

Reason: To ensure satisfactory provision of the development.

3. 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 building in accordance with policy ENV1 of the Local Plan 2016-2036.

4. 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.

5. 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;

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 policy ENV3 of the Local Plan 2016-2036.

6. All external works (hard and soft landscape) as approved by condition 5 shall be carried out in accordance with the approved plans and details within one year of commencement of development and maintained thereafter as built and subject to changes or additions only if and as agreed in writing with the Local Planning Authority.

Reason: To ensure the achievement and long term retention of an appropriate quality of development and to comply with policy ENV3 of the Local Plan 2016-2036.

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

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

In the event that a SuDS compliant design is not reasonably practical, then the design of the drainage system shall follow the hierarchy of preference for different types of surface water drainage system as set out at paragraph 3(3) of Approved Document H of the Building Regulations.

The drainage system shall be designed to remain safe and accessible for the lifetime of the development, taking into account future amenity and maintenance requirements.

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

8. No works shall take place above ground floor level to the block of 6 residential flats hereby approved, until the two new windows are inserted into the existing residential flats at The Old Cinema as shown on Drawing No 104A.

Reason: Given the close relationship between the proposed development and the existing residential flats at The Old Cinema, it is necessary that additional windows to the existing rooms in the flats are provided to maintain a reasonable amount of outlook in accordance with policy ENV3 of the Local Plan 2016-2036.

9. The lower parts of the ground and first floor windows on the rear [north west] elevation of flats identified as 2, 4 and 6 of the approved building as shown on Drawing Nos 108 and 109 shall at all times be glazed with obscure glass.

Reason: To safeguard the privacy of the adjoining neighbouring properties in accordance with policy ENV3 of the Local Plan 2016-2036.

10. The development hereby approved shall only take place in accordance with the recommendations and mitigation measures for sound attenuation as set out in the Assessment of Environmental Noise carried out by Ian Sharland Limited Noise and Vibration Controls Specialist dated 20 April 2020 M4195-2, unless otherwise agreed in writing by the Local Planning Authority. The development hereby approved shall only be implemented and thereafter maintained in accordance with the approved scheme of sound attenuation. If a mechanical heating and ventilation system is installed as part of the acoustic attenuation measures, then a routine and regular maintenance program shall be set up and adhered to by the building owners.

Reason: In the interest of the amenity of the surrounding neighbouring properties in accordance with policy ENV1 of the Local Plan 2016-2036.

11. The development hereby permitted shall not be occupied until the spaces shown on plans 105A and 107 for the parking of motor vehicles and cycles have been provided. The spaces shown on plans 105A and 107 for the parking of motor vehicles and cycles shall be retained and kept available for the parking of motor vehicles and cycles at all times.

Reason: To ensure adequate parking provision is made in the interest of highway safety and in accordance with policy ENV3 of the Local Plan 2016-2036.

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

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

13. Before development commences ecological details shall be submitted to and shall be approved in writing by the Local Planning Authority to demonstrate how the development will achieve a biodiversity net gain through the incorporation of wildlife enhancement measures into the development. Thereafter the development shall be implemented in accordance with the agreed details.

Reason: To safeguard protected species in accordance with Policies ENV3, ENV4 of the Local Plan Review 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).

Further Information:

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New Forest
DISTRICT COUNCIL

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PLANNING COMMITTEE

August 2020

Land rear of The Old Cinema
in Junction Road
Maynard Road, Totton
20/10411

Scale **1:1250**

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

