

**Application Number:** 20/10695 Outline Planning Permission

**Site:** 4-6 RUMBRIDGE STREET, TOTTON SO40 9DP  
(SUBJECT TO LEGAL AGREEMENT)

**Development:** Demolition of the existing building and construction of a commercial unit (Use class A1, A2 or B1(a)) and 7 apartments (Outline application with details of access, appearance, layout & scale)

**Applicant:** Templeton Stockbridge Ltd

**Agent:** Atlas Planning Group

**Target Date:** 03/09/2020

**Case Officer:** Jim Bennett

**Extension Date:** 13/11/2020

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## **1 SUMMARY OF THE MAIN ISSUES**

The key issues are:

1. The principle of development
2. Design, site layout and impact on local character and appearance of 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. Impact on flood risk on, or near the site
7. Impact on vitality and viability of town centre and on the local delivery of services, including local shops
8. Habitat Mitigation

This application is to be considered by Committee as the recommendation is contrary to the view of Totton and Eling Town Council and contrary to the provisions of Policies ECON6 and TOT15.9 and TOT18.

## **2 SITE DESCRIPTION**

The application property at 4-6 Rumbridge Street, Totton is a two storey building, situated within the defined urban area of Totton, its defined Town Centre boundary, within the Rumbridge Street Secondary Shopping Frontage and Flood Zone 2. The proposal relates to 2 no. vacant A2 (financial and professional) premises at ground floor level, with residential accommodation occupying the first floor space.

## **3 PROPOSED DEVELOPMENT**

The proposal is made in outline with details only of access, appearance, layout and scale to be determined at this stage. It is proposed to demolish the existing building and to replace it with a two storey building providing 7 no. one bedroom flats at ground and first floor levels. A single commercial (A1, A2, B1a) unit of 91 sq.m would be provided at ground floor level with frontages on both Junction Road and Rumbridge Street. No off-street parking would be provided, although cycle storage

would be provided to the rear. The design is a conventional hipped roof building finished in red brick, timber cladding and fibre cement tiles.

The proposal differs from proposals refused in May 2017 and May 2018, predominantly by virtue of the fact that the proposed has been reduced from 9/8 dwellings to 7 no. dwellings and storeys reduced from three to two.

#### **4 PLANNING HISTORY**

18/10413 - 1 block of 9 flats; 1 retail unit; bin & cycle store; demolition of existing (Outline application with details only of access and scale) - refused May 2018 and dismissed at appeal, the Inspector supporting the view that the scale and appearance of the structure was inappropriate, that a greater element of retail should form part of the scheme with a shopping frontage and that a traffic regulation order was necessary.

17/10383 - Three-storey building comprised: commercial unit (Use Class A1, A2 or A3); 8 flats; bin store; cycle store; parking; demolition of existing (Outline application with details only of access & scale) - refused May 2017 the appeal Inspector deemed the proposal to be harmful to the character and appearance of the area, as the three storey nature of the proposal was not of a domestic scale, would fail to deliver a high quality public realm and would not reflect the identity of local surroundings.

14/11389 - Prior Approval application to use the existing building as 2 flats - refused and a subsequent appeal was dismissed in June 2015, the appeal Inspector deemed the proposal to be harmful to the sustainability of the shopping area in which the site is situated.

08/92817 - 1 block of 6 flats and 1 retail unit with a new access - refused September 2008, the development deemed to be a poor quality design due the building's overall size and scale and its unsympathetic appearance.

#### **5 PLANNING POLICY AND GUIDANCE**

##### **The Local Plan Part 1**

Policy STR1: Achieving sustainable development

Policy STR5: Meeting our housing needs

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

Policy ENV3: Design quality and local distinctiveness

Policy IMPL1: Developer Contributions

Policy IMPL2: Development standards

Policy ECON6: Primary, secondary and local shopping frontages

##### **Local Plan Part 2 Sites and Development Management Development Plan Document**

Policy DM2: Nature conservation, biodiversity and geodiversity

TOT15: Totton town centre opportunity sites

TOT18: Rumbridge Street Secondary Shopping Frontage

##### **Supplementary Planning Guidance And Documents**

SPD - Parking Standards

SPG - Totton Town Centre - Urban Design Framework

SPD - Mitigation Strategy for European Sites

## **Relevant Advice (NPPF)**

Chap 5: delivering a sufficient supply of homes

Chap 7: Ensuring the vitality of town centres

Chap 11: making effective use of land

Chap 12: Achieving well designed places

Chap 14: Meeting the challenge of climate change and flooding

## **Plan Policy Designations and Constraints**

Built-up area

Secondary Shopping Frontage

Town Centre Boundary

Flood Zones 2 and 3

## **6 PARISH / TOWN COUNCIL COMMENTS**

**Totton & Eling Town Council** - This application follows two previously refused applications, the second also rejected at appeal. The new application is for a similar commercial unit with three residential units at ground floor and four on the first floor just as before. The second floor accommodation has been removed entirely. Although the Town Council would be very keen to see the site developed and are pleased with the reduction in size of the building there are still a number of concerns. In particular the ground floor residential units are in the heart of the shopping frontage and this is very much against planning policy and would be at odds with the street scene. Amenity space is still fairly poor for the amount of units on the site and there is still no parking which was a point of objection for the Town Council last time. In addition to this the access for the commercial unit into Junction Road rather than Rumbridge Street was seen as a potential safety issue and did not fit with nearby commercial units. Overall there has been a number of improvements but the application is still not in keeping with the area, the Town Council would still wish to see more commercial space but in particular more shop frontage along Rumbridge Street in line with planning policy. Recommend REFUSAL

## **7 COUNCILLOR COMMENTS**

No comments received

## **8 CONSULTEE COMMENTS**

Comments have been received from the following consultees:

County Highway Authority - The highway authority made comments on the previous applications related to the site (Ref 18/10413). This application is submitted for a revised scheme following the dismissal of planning appeal. We note that in respect of highway related matters, the current proposals at the site are the same as those contained within the application (Ref:18/10413 ) to which, the highway authority raised concerns over the lack of on-site parking provision for future residents of the development, but accepted that this is a matter for the planning authority to decide based on whether the lack of a car parking for the development is suitable in this location. We noted in the Appeal Decision the inspector stated that:

*"The scheme does not provide any on-site car parking. The Highway Authority is concerned that future occupiers of the flats would own vehicles which they would then park on the highway outside of the restricted times of 0900 to 1800. This would be detrimental to highway safety by restricting visibility to drivers emerging from Junction Road into Rumbridge Street. I have no reason to disagree with this*

*assessment and note that the appellant has no objection to making a contribution towards a traffic regulation order (TRO) to extend the times of restriction. It may be possible to use a negatively worded condition, along similar lines to that suggested by the appellant, to secure the TRO prior to the commencement of development. However, a planning obligation is the most appropriate mechanism to secure the payment of monies to cover the Highway Authority's costs."*

Based on the above, the Highway Authority would require the applicant to enter a Section 106 agreement to secure a sum of £6000 to fund the implementation of a new Traffic Regulation Order that would extend the times of the restriction potentially to "No Waiting at any Time" in close proximity to the site which is located on a busy staggered crossroads. It is understood the appellant is agreeable to provide the funding.

NFDC Ecologist - Initial comments raised queries over the suitability for roosting bats and nesting birds and requested submission of an Ecological Appraisal. Following submission of the Ecological Appraisal the main concern, related to the potential for roosting bats has been satisfactorily addressed.

Environment Agency - no comments received.

Southern Gas Networks - give informatives

Scottish and Southern Electricity - give informatives

Hampshire Swifts - Request provision for swifts within the completed development of at least seven swift bricks

## **9 REPRESENTATIONS RECEIVED**

The following is a summary of the representations received.

Six letters of support have been received for the following reasons:

- The proposal will enhance the visual appearance of the site
- The proposal will enhance the retail offer on Rumbridge Street and uplift the area generally
- The type of residential and commercial accommodation proposed is needed in the locality.

Ten letters of objection have been received for the following reasons:

- Lack of off-street parking for dwellings and commercial unit
- Adverse impact on highway safety
- Would be harmful to the character of the area
- Increased noise and air pollution
- Anti-social behaviour
- Concern raised over construction traffic and parking
- Loss of privacy to the adjoining Church
- Loss of light
- Loss of privacy to properties across the street and to the rear
- Additional retail units are not required

## 10 PLANNING ASSESSMENT

### The Principle of Development

The site lies in a highly sustainable location within Rumbridge Street Secondary Shopping Frontage. 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.

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. It is considered that the proposed development would meet these objectives.

Policy TOT15.9 of the Local Plan Part 2 makes it clear that the site is a Town Centre Opportunity site that should be developed primarily for retail/office purposes. There would be no objection to the principle of redeveloping this site with a new building comprising a ground floor commercial unit with flats above. Indeed the Totton Town Centre - Urban Design Framework Supplementary Planning Guidance makes it clear that there is an opportunity to provide a new building on the site, which should have a quality built form fronting onto both Rumbridge Street and Junction Road.

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

A key consideration, as with previously refused schemes, is whether the proposal would be well designed and sympathetic to the site's setting at a key junction.

Policy ENV3 seeks to ensure that new development is well designed to respect the character, identity and context of the area's towns. The site is within Sub-area 2: Old Totton, where the UDF seeks to enhance the village character and establish a high quality attractive environment. New development is expected to enhance the sense of place through the use of good quality materials and sensitive, innovative design. The UDF identifies the appeal site as a potential development opportunity and states that a future building should address both frontages and should be either innovative or faithfully historical.

The site occupies a prominent corner position and currently makes a negative contribution to the character of the area, due to the vacant and dilapidated state of the building. Visually the proposed building's two storey height, simple hipped roof form, articulated footprint and sensitive use of materials would be contextually appropriate and would make a positive contribution to the street scene. The massing of the building has been considerably reduced, compared with previously refused schemes and it picks up on the established building line, with a more open area fronting the Rumbridge Street commercial unit. The frontages of the ground floor apartments are provided with defensible space which could benefit from planting.

Due to its urban location, slightly higher densities can be accommodated 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 and character of the area, in accordance with Policy ENV3 and The Totton Town Centre Urban Design Framework (2003).

### The effect on the living conditions of existing and future occupiers

The proposed development could be provided without detriment to the amenities of adjacent properties. Representations cite loss of privacy as a reason for objection. However the proposal would result in a standard window to window relationship, across the line of Rumbridge Street itself and it is not considered that a reason for refusal could be substantiated on this basis. Objections have been received from properties on Osborne Road, some 17m away to the west. Bearing in mind the degree of separation and oblique angle to the proposal, no loss of light or privacy would result to these properties. Similarly the adjoining Church would not suffer significant loss of privacy or light loss, as fewer windows would be introduced into the west elevation of the proposed building than are present in the existing building and due to the degree of separation and orientation of the proposal.

The proposal adjoins the curtilage of no. 1 Junction Road to the north, but is reasonably separated and unlikely to have any oppressive or overbearing impact, as there is only a single first floor, non-primary window in the facing elevation and the curtilage is used as the service yard to the frontage take away. There are first floor rear windows facing 1 Junction Road to the north of the site, but these are generally not primary windows and it is felt that the impact of development on 1 Junction Road would not be significant. As such, it is considered the proposed development could be provided without adversely affecting the amenities and privacy of neighbouring dwellings.

While the proposed development would see intensification of site usage, it is not considered that the site's use for residential and commercial purposes would result in any unacceptable levels of noise or air pollution. If retail use of the site resulted in a requirement for external plant or extraction facilities, this would need a new and separate planning application, to be determined on its own merits.

The proposal provides external garden areas (front and rear) to the ground floor flats, which will provide a reasonable standard of space for future occupiers. The first floor units would have no external space, but are typical of small flatted units in urban areas, where external space is limited. They do, however benefit from juliet balconies. Overall the amenity impacts of the proposal are acceptable and in accordance with Policy ENV3.

### The effect on public highway safety

The proposed development is a small scale mixed use development providing 7 residential flats and a commercial unit in a highly sustainable location close to all the facilities and amenities in the town centre, including public transport. The proposal would not provide any on site car parking, being a 'car free' development. A secure cycle store is proposed for the flats.

As the proposal provides no off-street parking it would clearly fail to meet the Council's recommended standards. However, the site is in a sustainable town centre location, where future occupiers would have good access to public transport and other services. Furthermore the flats would be one bed units, where car ownership would be expected to be low.

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 proximity to bus and rail services and the close

walking distance to all the facilities and amenities of the town centre and local shops. In sustainable town centre locations such as this, it is considered that on site car parking space provision can be 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.

The Highway Authority does raise concerns over the development as a car-free site. Evidence shows that car ownership is retained even in areas of good accessibility for occasional trips, and the nearby public car parks are not suitable for long term residential parking and therefore would only be suitable for the retail element of the site. Local Traffic Regulation Orders (TRO's) are in place along Rumbridge Street and Junction Road preventing parking between 0900 and 1800, however this would not prevent residents from parking here outside of these times which could potentially be obstructive and a loss of parking amenity to existing residents. Consequently the Highway Authority recommends that a contribution of £6,000 is secured to implement updates to existing TRO's in the local vicinity, given that the lack of parking proposed and essentially 24 hour use of the site which may result in the need to update the existing restriction hours of 0900 to 1800. The applicant has agreed to enter into a legal agreement to secure the TRO contribution.

Whilst the concerns over the lack of car parking are noted, 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 sustainable location of the site 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, particularly following implementation of the extended TRO.

#### Impact on Ecology, Site Biodiversity and protected species

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.

The Council's Ecologist raised initial queries over the suitability of the building for roosting bats and nesting birds and requested submission of an Ecological Appraisal. Following submission of the Ecological Appraisal the main concern, related to the potential for roosting bats has been addressed.

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. An Ecological Appraisal and amended plans have been received showing the position of integral starling/swift boxes in four locations on the proposed building.

Delivery of the specific recommendations of the Ecological Appraisal will be ensured by condition.

#### Impact on flood risk on, or near the site

Following topographical survey the applicant's own information on flood risk suggests the site is within Flood Zone 1 and will not flood, having regard to land levels. As such, the proposal would conflict unacceptably with flood risk policies.

#### Impact on vitality and viability of town centre and on the local delivery of services,

### including local shops

The site is within Totton's Town Centre boundary and within a Secondary Shopping Frontage. Policy ECON6 places emphasis on retaining a good range of town centre uses, where it can be demonstrated that an alternative use would be complementary to the retailing function and would enhance the overall vitality of the centre. It is considered that the commercial use applied for would be beneficial to the vitality of the Shopping Frontage, although the residential use proposed at ground floor level does not fully accord with policy..

Policy TOT15.9 allocates the site as a Town Centre Opportunity Site, encouraging office/retail use on the ground floor, with the possibility of residential uses on upper floors. TOT18 seeks to keep at least 40% of the Rumbridge Street Local Shopping Frontage in retail use and specifies that no residential uses will be permitted within the ground floor street frontages. Policy ECON6 does not encourage residential use at ground floor level in premises within Secondary Shopping Frontages. It goes on to state that non-shopping uses will only be permitted if they would not have an adverse impact on the vitality and viability of the shopping frontage as a whole. The proposal would result in residential development in approximately 60% of the ground floor area, including a 14m wide portion of the Secondary Shopping Frontage, where the shop unit would occupy an 18m frontage on both Rumbridge Street and Junction Road. While the proposed development would result in the introduction of ground floor residential use within the Rumbridge Street Secondary Shopping Frontage, a pragmatic stance needs to be taken in this instance, as the site has remained vacant and dilapidated for over a decade and is in desperate need of renewal. The proposal does include a significant element of commercial use at ground floor level, which will provide an opportunity for appropriate town centre uses to occupy a high profile location, which will be facilitated by the residential development. In this instance officers consider that non-retail uses may be permitted as an exception to this policy, as overall the proposal would assist with revitalising the shopping frontage as a whole. While the proposal is not strictly in accordance with Policies ECON6 and TOT15.9 and TOT18, it is considered acceptable.

### 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. The applicant has agreed to enter into a Section 106 agreement to secure 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 will be secured by legal agreement.

### 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	318.76		318.76	202.46	£80/sqm	£20,806.78 *
Shops	91		91	57.8	No charge	£0.00 *
Subtotal:	£20,806.78					
Relief:	£0.00					
Total Payable:	£20,806.78					

## 11 CONCLUSION

The site is constrained by a lack of off-street parking. However, it has been vacant for a number of years and the proposal would bring forward regenerative benefits and create a development which would make a positive contribution to the street and provide much needed residential and commercial units. 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 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

Delegated Authority be given to the Chief Planning Officer to **GRANT PERMISSION** subject to:

- i) the completion of a planning obligation entered into by way of a Section 106 Agreement to secure recreational habitat mitigation, an air quality monitoring contribution and a Traffic Regulation Order.
- ii) the imposition of the conditions set out below.

### Proposed Conditions:

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

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

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

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

3. The development permitted shall be carried out in accordance with the following approved plans: RS-MHA-XX-DR-A-0001-A Rev P01, RS-MHA-XX-DR-A-0002-A Rev P02, RS-MHA-XX-DR-A-0003-A Rev P04, RS-MHA-XX-DR-A-0001-A Rev P04, Planning Statement by Atlas Planning Group dated June 2020 and the Preliminary Ecological Appraisal by Peachecology dated 22nd September 2020.

Reason: To ensure satisfactory provision of the development.

4. 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 ENV3 of the Local Plan 2016-2036 Planning Strategy

5. 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 Planning Strategy

6. 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.

7. 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.

- 8. Before the development is occupied, the recommendations for incorporation of wildlife enhancement measures into the development, as outlined in Section 5 of Preliminary Ecological Appraisal by Peachecology dated 22nd September 2020 shall have first been implemented in accordance with the agreed details.

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

**Further Information:**

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# New Forest

DISTRICT COUNCIL

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## PLANNING COMMITTEE

November 2020

4-6 Rumbridge Street  
 Totton, SO40 9DP

20/10695

Scale 1:1250

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