

Application Number: 21/11538 Full Planning Permission

Site: 207-209 LONG LANE, HOLBURY, FAWLEY SO45 2PD
Development: 4 Semi detached houses with parking; demolition of existing buildings
Applicant: CR Aquisitions Ltd
Agent: Anders Roberts & Assoc
Target Date: 10/01/2022
Case Officer: Warren Simmonds

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Principle
- 2) Design, site layout and impact on local character and appearance of area
- 3) Highway safety, access and parking
- 4) Residential amenity
- 5) Ecological impact and habitat mitigation (including nitrates)

This application is to be considered by Committee because of the objection received from Fawley parish council.

2 SITE DESCRIPTION

The application site is located within the defined built-up area.

The area is characterised by a mix of residential development, with a bungalow at No 211 and a semi-detached 2 storey house at No 205. The wider area includes the Esso sports ground, a school, and a local shopping frontage to the south. To the rear is a residential development that is under construction. There are trees to the rear boundary located outside of the application site.

The site is relatively level, located on the slip road off Long Lane just before the end of the cul-de-sac. The frontage is currently hard surfaced with a central grassed area. The site is occupied by a garage and retail shop with workshops to the rear .

The buildings on the site are now vacant and a workshop, a number of shed and outbuildings on the site are all derelict.

3 PROPOSED DEVELOPMENT

The application proposes the demolition of the existing buildings on the site and construction of two pairs of semi-detached dwellings on the frontage with associated parking and access.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status	Appeal Description
20/10622 Demolish existing building and erect terrace of 4 No 3 bed houses and pair of semi detached 2 bed chalet bungalows to the rear with parking (Outline application with details only of access, appearance & layout)	04/09/2020	Undetermined	Appeal Decided	Appeal Dismissed
09/93552 Single-storey front & rear extension; store; workshop; demolition of existing out buildings	04/03/2009	Granted Subject to Conditions	Decided	
08/92881 Single-storey front & rear extension; store; workshop; demolition of existing	29/10/2008	Withdrawn by Applicant	Withdrawn	
08/91811 Single-storey rear extension; detached garage/workshop	14/04/2008	Granted Subject to Conditions	Decided	
08/91725 Use as motorcycle retail showrooms with workshop/ MOT repair facility (Lawful Use Certificate for retaining an existing use)	26/03/2008	Was Lawful	Decided	

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Policy CCC1: Safe and healthy communities
Policy ECON2: Retention of employment sites and consideration of alternative uses
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 STR1: Achieving Sustainable Development
Policy STR4: The settlement hierarchy

Local Plan Part 2: Sites and Development Management 2014

DM2: Nature conservation, biodiversity and geodiversity

Supplementary Planning Guidance And Documents

SPD - Parking Standards
Ecology and Biodiversity Net Gain – Interim Advice and Information Note (July 2021)

Relevant Advice

NPPF Para.126: The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better

places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

NPPF Para.130: The National Planning Policy Framework 2021 Chapter 12 "Achieving well designed places" requires development to be sympathetic to local character and history, including the surrounding built environment and landscape setting and establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.

Constraints

HSE Consultation Zone
Plan Area

Plan Policy Designations

Built-up Area

6 PARISH COUNCIL COMMENTS

(No 4) We recommend refusal as the parish council considers this to be over development, the proposals are too close to the adjacent properties.

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

Ecologist

I have no objections subject to mitigation and enhancement measures being secured. I would however agree with the representation made by Hampshire Swifts in their letter dated 26/11/2021 that one swift brick per dwelling would be appropriate. This is in line with emerging NFDC policy and I would recommend securing this level of provision by condition.

Hampshire Swifts

Request that each of the four houses has an integrated Swift brick.

HSE

Do not advise against

HCC Highways

No objections, standard comment re possibility of further agreement/consent required with HCC re provision of dropped kerbs.

Environmental Health Contaminated Land, Appletree Court

No objection in principle, subject to a condition

9 REPRESENTATIONS RECEIVED

The following is a summary of the representations received.

Representations from three third parties have been received (including multiple representations from the same parties). Objections received refer to too many dwellings proposed on the site, Highway/traffic/parking concerns, overlooking, overshadowing and excessive scale have been raised as concerns, position of existing drains, existing and proposed boundary treatment concerns.

One representation was in support of the redevelopment of the land, but raised concerns with respect to access and parking provision.

For: 0; Against: 3

10 PLANNING ASSESSMENT

Principle of Development

The application site is located within the defined 'built-up' area of the settlement of Fawley, where development and redevelopment are acceptable in principle, subject to accordance with the relevant policies of the Development Plan and other local and national planning policy guidance.

In particular in this case, the principle of the use needs to be considered in the light of local plan policy ECON2 which seeks to retain employment uses. The premises on the site have been vacant for some time, and it was evident on officer site visits that the existing buildings were in generally poor condition, the workshops to the rear were dilapidated and the site to the rear was very overgrown.

Policy ECON2 (ii) provides for the loss of employment uses if it is demonstrated that it is no longer suitable for continued use or viable to refurbish the buildings for an alternative employment use. Proportionate evidence is required to show that the condition of the building makes it unsuitable and/or the site has been actively marketed for employment use on unrestricted terms for a minimum of 12 months. The agent has confirmed that the existing shop has been vacant since 31st December 2018 and that it has been marketing the unit, but there has been no interest for a commercial use on this site. However, this marketing information has not been submitted. As the evidence to demonstrate that the marketing has been done has not been submitted as part of the planning application, it is not possible to say that the application accords with part ii.b of Policy ECON2.

However, it is the officer's assessment that the site has been vacant since 31st December 2018, that the condition of the site and building render it unsuitable for its present or any other realistic or appropriate employment use, and it would not appear to be viable to refurbish or redevelop the site for an alternative employment use. Furthermore, the site is constrained in terms of ongoing commercial uses as it adjoins residential properties to all boundaries, whereby future commercial uses, if not adequately controlled, may have adverse impact(s) on neighbouring amenity.

On the above basis, it would be difficult to sustain an objection on the basis of Policy ECON2. As such, the loss of the employment use and the principle of residential use on the site is considered to be acceptable. The loss of the garage use and redevelopment of the site in an appropriate way could have a positive benefit to the locality.

Consequently, the proposed development is considered acceptable in principle.

Housing Land Supply

The Council cannot demonstrate a five-year supply of deliverable housing land and the Council Planning Policy team is currently engaging with developers in order to produce an updated five-year housing land supply figure that takes into account last year's delivery of new homes along with the latest information about sites coming forward. It is anticipated this will be published in early 2022 and will be the formal position of the Council. However, it is anticipated that the updated housing land supply position will remain below the required 5 years. In such circumstances the NPPF (para 11d) indicates that the tilted balance is engaged, whereby in applying the presumption in favour of sustainable development even greater weight should be accorded in the overall planning balance to the provision of new housing (and affordable housing).

The NPPF identifies (para.69) that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly.

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

The current application follows a previous refusal of an outline planning application (only matters of access, appearance, and layout to be determined) for residential redevelopment of the site for *'demolish existing building and erect terrace of 4 No 3 bed houses and pair of semi-detached 2 bed chalet bungalows to the rear with parking'* under planning reference 20/10622. This application was the subject of a non-determination appeal to the Planning Inspectorate (Appeal Ref: APP/B1740/W/20/3258886) and was subsequently dismissed.

The Inspector considered the main issues for consideration were the effects of the proposal on; a) The character and appearance of the area and b) living conditions with particular regard to the occupants of the adjoining properties in respect of overlooking; and, whether satisfactory living conditions would be created for occupants of the proposed dwellings.

The appeal failed and was dismissed on grounds primarily relating to the provision of the proposed pair of semi-detached dwellings to the rear (referred to as Block B) having an unacceptable relationship to surrounding dwellings.

The current application differs significantly to the previously refused scheme under 20/10622 as it is a full application which proposes two pairs of semi-detached dwellings aligned and orientated as a continuation of the existing pattern of development within the street scene running between numbers 205 and 211 Long Lane and preserving the distance to, and relationship with the street at the front (NE) and providing the proposed dwellings with proportionate, linear rear gardens extending to the SW.

The current proposal is also considered appropriate and sympathetic to the two storey scale and mass of existing dwellings to the immediate south and accordant with the character of the surrounding area in terms of the rhythm, pattern and spacing of existing development along Long Lane.

Highway safety, access and parking

The existing access is considered to be appropriate for the development, and the level of traffic generated by the proposed development is not material when considered against the existing use on the site or in isolation.

Eight proposed parking spaces are shown and no cycle parking provided on site. Cycle parking provision could be secured by condition. NFDC parking standards require 2.5 on plot parking spaces per 3 bed dwelling if allocated, or 1.9 per dwelling if unallocated.

Consequently, there would be a shortfall of parking provision on the site if parking spaces are allocated to the adjacent corresponding dwellings (as could be expected) however, notwithstanding this, although the proposed parking could in this way notionally fail to meet the required standards, this under provision is not considered significant enough to substantiate a reason for refusal on these grounds given the level of on street parking available close to the site.

HCC Highways have commented on the proposal and raise no Highway objection, with the following comments:

'Additional plans have been submitted demonstrating that this is an extension to the existing dropped kerbs, therefore the Highway Authority have no objections to this application. It is noted that the extension of this dropped kerb will result in a dropped kerb over 10m in length, which may result in a minor S278 being needed. For more information please see Hampshire County Councils website.'

'Furthermore, it is recommended to the applicant that they should be made aware that subject to any planning permission being granted by the Local Planning Authority, a subsequent agreement will need to be granted by HCC as Highway Authority to undertake the drop kerb works on the Highway.'

The proposed development is considered acceptable in terms of access, parking and Highways safety.

Residential amenity

The proposed development would replace the existing, dilapidated former commercial buildings with two pairs of proportionately scaled semi-detached dwellings that would continue the existing pattern of residential development along this part of Long Lane. In common with existing dwellings on either side, the proposed dwellings would front onto Long Lane to the NE and have proportionate, linear rear gardens extending to the SW.

The proposed dwellings would be of two storey form and typical layout for three bedroom dwellinghouses, with living room/kitchen & family rooms on the ground floor and three bedrooms and a bathroom at first floor level.

Side facing windows are limited to single small casement windows - one at ground floor level serving the living room and one at first floor level serving the bathroom. The first floor side facing bathroom windows are to be obscure glazed and non-opening below 1.7m above internal finished floor level in order to preserve the amenity of adjoining properties. It would not be usual to require ground floor side windows to be obscure glazed, as permitted development rights would allow the erection of a boundary fence or wall up to a height of 2 metres along the side boundaries between adjacent dwellings.

The relationship of the site with the side boundary of number 211 Long Lane is such that the side facing elevation of number 211 forms the immediate side boundary of the application site, and this side wall of number 211 contains a number of casement windows at ground floor level opening directly onto the application site.

Currently these side facing windows face into the side gap (approx. 2.3m) between number 211 and the opposing two storey side facing elevation of the main existing building within the application site. The occupiers of number 211 have objected to the proposed development on grounds including loss of light and privacy to these side facing windows. The proposed development would replace the existing two storey building with the proposed two storey side elevation of one of the dwellings, thereby reducing the separation distance to approx. 1.9m. All of the land within the gap between the proposed northernmost new dwelling and the side facing elevation of number 211 is understood to be within the applicant's ownership and control. It is a materials planning consideration that permitted development rights would allow for the erection of a fence or wall directly along this boundary up to a height of 2 metres (although this is not proposed as part of the application).

It is accepted that there is no private "right to a view", that the planning system should protect, but with respect to loss of light, a right to light is generally a civil matter and is separate from daylight and sunlight as considered by Local Planning Authorities and as such is not usually a matter taken into consideration in the determination of planning applications. Rights of light can affect both domestic and non-domestic properties – even non habitable rooms are capable of enjoying a right of light. In England and Wales a right to light is usually acquired under the Prescription Act 1832. Under the Act a right to light usually occurs once light has been enjoyed through defined apertures of a building for an uninterrupted period of 20 years.

Taking into consideration the existing situation whereby a two storey side wall is already in close proximity to the opposing side casement windows within number 211, and taking into consideration the availability of permitted development rights for the erection of a wall or fence up to 2m in height adjacent to these windows, it is considered the effect of the proposed development on privacy and light to these windows would constitute an insufficient basis on which to refuse the application.

The site is located within the Fawley Refinery/high pressure consultation zone. HSE have been consulted but do not advise against planning permission being granted in this instance.

Ecological impact and habitat mitigation (including nitrates)

On Site Biodiversity and protected species

The applicant has submitted an Ecology Survey Report for the site, in which a scheme of ecological mitigation and enhancements to provide a biodiversity net gain (BNG) for the development is set out.

The submitted Ecology Survey and scheme of BNG has been considered by the Council's Ecologist who raises no objection, subject to additional Swift bricks being provided (one for each new dwelling). The scheme of ecological enhancements can be made a Condition of the planning approval.

Habitats Mitigation

In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment has been carried out as to whether granting permission would adversely affect the integrity of the New Forest and Solent Coast European sites, in view of that site's conservation objectives.

The Assessment concludes that the proposed development would, in combination with other developments, have an adverse effect due to the recreational impacts on the European sites, but that such adverse impacts would be avoided if the applicant were to enter into a Section 106 legal agreement (or unilateral undertaking) to

secure a habitat mitigation contribution in accordance with the Council's Mitigation Strategy.

In this case, the applicant would be required (prior to determination of this planning application) to enter into a Section 106 legal agreement or submit a unilateral undertaking, which secures the required habitat mitigation contributions as detailed in the 'Developer Contributions' section below.

Nitrate neutrality and impact on Solent SAC and SPAs

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 has now raised this with the Council and other Councils bordering the Solent catchment area and has 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 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 considers that there needs to be a mitigation project to provide this development with a nitrate budget.

For this reason, a Grampian style Condition can be imposed and a further Appropriate Assessment carried out on discharge of this condition.

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 NO_x, 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 (to be secured via a Section 106 legal agreement or unilateral undertaking) 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.

Developer Contributions

As part of the development, the following would be secured via a Section 106 agreement or unilateral undertaking:

- Infrastructure contribution of £20,620
- Non-infrastructure contribution of £2,996
- Bird Aware Solent contribution of £2,724
- Air quality monitoring contribution of £340

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

Type	Proposed Floorspace (sq/m)	Existing Floorspace (sq/m)	Net Floorspace (sq/m)	Chargeable Floorspace (sq/m)	Rate	Total
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Dwelling houses	342	0	342	342	£80/sqm	£34,936.62*
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Subtotal:	£34,936.62
Relief:	£0.00
Total Payable:	£34,936.62

11 CONCLUSION

The proposed development would constitute a sustainable form of residential redevelopment of the site that is considered acceptable in principle having regard to local plan policy and local and national planning policy guidance.

The proposal would not adversely affect the character of the surrounding area and would not result in undue detriment with respect to the amenity of adjoining neighbours.

Subject to the developer contributions set out above, the impacts of the proposed development on European sites would be adequately mitigated.

12 RECOMMENDATION

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

- the completion by the landowner of a planning obligation entered into by way of a Section 106 Agreement (or unilateral undertaking) to secure appropriate contributions in respect of habitats mitigation, and
- the imposition of the conditions set out below.

Proposed Conditions:

- 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:

203A STREET SCENE AND EXISTING PLANS
201A UNITS 1 AND 2
202A UNITS 3 AND 4
200 REV C AMENDED SITE PLAN
204 REV B AMENDED INDICATIVE DRAINAGE PLAN
ECOLOGY REPORT (Philip Smith Conservation Consultant, Nov 2020)

Reason: To ensure satisfactory provision of the development.

3. No development shall take place until a site investigation of the nature and extent of contamination has been carried out to the standards described in BS10175: 2011 which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures before development begins. If the site is required to be remediated a validation report shall be submitted to and approved in writing by the local planning authority prior to occupation.

If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures, including validation.

Reason : To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CCC1 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park and Policy DM5 of the Local Plan For the New Forest District outside the National Park. (Part 2: Sites and Development Management). The site has previously been used for the sale and repairs of motorcycles that is likely to have included potential contaminative activities such as fuel spillages and leaks. It is the responsibility of the developer to ensure the site is safe and suitable for the proposed use, which in this case is sensitive with regards to residential properties with gardens.

4. Development shall be carried out in accordance with the mitigation and enhancement measures set out within the submitted Ecology Report (Philip Smith Conservation Consultant, November 2020) and in addition to the mitigation and enhancement measures set out in the report, one swift Eco habitat brick shall be incorporated into each of the new dwellings prior to first occupation.

Reason: In the interests of nature conservation and to provide an appropriate level of biodiversity net gain for the development, in accordance with saved local plan policy DM2 and the NFDC Ecology and Biodiversity Net Gain – Interim Advice and Information Note (July 2021).

5. 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 Part One: Planning Strategy for the New Forest District outside of the National Park.

6. The first floor side facing bathroom window(s) on each of the approved dwellings shall be:

- (i) obscurely glazed, and
- (ii) non-opening at all times unless the parts that can be opened are more than 1.7m above the floor,

and those windows shall be retained as such in perpetuity.

Reason: To safeguard the privacy of the adjoining neighbouring properties in accordance with Policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

7. Before first occupation of the dwellings hereby approved, a scheme for the provision of infrastructure and facilities to enable the installation of charging points for electric vehicles to serve each new dwelling shall be submitted to the Local Planning Authority for its written approval. Thereafter, the development shall be implemented in full accordance with the approved details and thereafter retained.

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

8. The development shall not be first occupied until

- (a) details of the treatment of the boundaries of the site have been approved in writing by the Local Planning Authority, and
- (b) these means of enclosure have been implemented in accordance with the details thus approved.

Reason: To ensure that the development takes place in an appropriate way in accordance with Policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

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

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

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

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

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

10. The development hereby permitted shall not be occupied until the spaces shown on the approved plan (FB7425/200 rev.C) for the parking of motor vehicles have been provided. The spaces shown on the approved plan for the parking of motor vehicles shall be retained and kept available for the parking of motor vehicles for the dwellings hereby approved at all times.

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

11. Prior to the commencement of development above ground level, details of a scheme for the provision of cycle storage facilities for the development (consisting of 2 cycle storage spaces per dwelling) shall be submitted to and agreed in writing by the local planning authority. The agreed cycle storage scheme shall be provided on site before first occupation of the dwellings hereby approved, and shall thereafter be retained for its intended purpose at all times.

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

12. The development hereby permitted shall not be occupied until:
- (i) 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; and
 - (ii) 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
 - (iii) The mitigation package shall include a timetable for implementation and measures for retention and maintenance of that mitigation package, which shall thereafter be implemented.

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

Further Information:

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New Forest DISTRICT COUNCIL

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PLANNING COMMITTEE

February 2022

207-209 LONG LANE
HOLBURY
SO45 2PD
21/11538

Scale 1:1250

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

