

Application Number: 22/10268 Full Planning Permission

Site: FAIRFIELD, COOKS LANE, CALMORE, TOTTON SO40 2RU
Development: 2 detached dwellings; conversion of Fairfield to 2 semi-detached dwellings; demolition of existing garage/barn
Applicant: Zelda Investment Ltd
Agent: Test Valley Building LLP
Target Date: 03/06/2022
Case Officer: Warren Simmonds

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

1. Principle of the proposed development
2. Design, site layout and impact on local character and appearance of area
3. Landscape impact and trees
4. Flood risk
5. Highway safety, access and parking
6. Residential amenity
7. Ecology

This application is to be considered by Committee because of the PAR4 recommendation of refusal received from Totton & Eling Town Council.

2 SITE DESCRIPTION

The application relates to the existing residential curtilage of the dwelling known as Fairfield, located on Cooks Lane in the Calmore area of Totton. The site is within the designated built-up area of the settlement and is immediately to the south of the SS1 Strategic Site allocation (Land to the north of Totton) which is allocated within the adopted Local Plan 2016-2036 Part One: Planning Strategy for residential-led mixed use development and open space comprising of at least 1,000 homes, a commercial core west of Pauletts Lane including around 5 hectares of land for business and employment uses and a community focal point for community uses. The application site adjoins an indicative residential part of the SS1 allocation.

The site currently contains a detached two storey dwelling located towards the southern frontage with Cooks Lane and a detached single storey ancillary outbuilding to the immediate rear of the house. Access is via a driveway to the west of the house to an area of consolidated hardstanding.

The front (roadside) boundary consists of a mature evergreen hedge of approx. 4m height. The side boundaries are predominantly close board timber fencing. The site is bounded by a line of trees and mature shrubs to the rear (north).

3 PROPOSED DEVELOPMENT

The application proposes the following elements:

1. The subdivision of the rear garden curtilage of 'Fairfield' to provide 2no. new detached two storey dwellings with associated gardens, access, parking and turning areas;
2. The internal subdivision of the existing house to provide 2no. separate (adjoining) two bedroom dwellings, with associated outdoor amenity areas, access and parking provision;
3. Amendments to the existing access onto Cooks Lane and the internal layout of the site to facilitate the above.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
87/NFDC/36209 Conversion of stables to dwelling, add dormer window and new access.	28/01/1988	Granted Subject to Conditions	Decided
85/NFDC/29311 Erection of a house and double garage.	13/06/1985	Granted Subject to Conditions	Decided
83/NFDC/23854 Erection of a house and double garage/store building with alterations to existing pedestrian/vehicular access (existing agricultural building to be demolished).	27/04/1983	Granted Subject to Conditions	Decided

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

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 IMPL3: Monitoring

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)

SPD - Air Quality in New Development. Adopted June 2022

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

NFSFRA Surface Water
Plan Area

Plan Policy Designations

Built-up Area

6 TOWN COUNCIL COMMENTS

Totton & Eling Town Council

With proposed development on SS1 to the rear of the site additional development on Cooks Lane will impact further on existing residents, specifically in terms of flooding which is an existing issue for residents.

On-site parking spaces comply with parking standards however, no allowance has been made for visitor parking.

RECOMMENDATION - PAR4: We recommend REFUSAL, for the reasons listed.

Totton & Eling Town Council, Civic Centre

The main area of concern is flooding, existing residents already experience flooding and this would be intensified should further development be allowed.

On-site parking spaces comply with parking standards however, no allowance has been made for visitor parking.

Four dwellings on this plot would impact on the character and appearance of the local area.

RECOMMENDATION - PAR4: We recommend REFUSAL, for the reasons listed.

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

Ecologist

Preliminary Ecological Appraisal (PEA) requested to include an assessment of the sites potential to support protected species. Subsequent consultation response: Bat protection condition recommended. Otherwise, no objection subject to securing the mitigation and enhancement measures detailed in Sections 14 and 15 of the Phillips Ecology Extended Phase 1 Ecological and Bat Roost Assessment, dated June 2022.

NFDC Tree Team

No objection

HCC Highways

As the application is for 5 or less dwellings and features no change to the vehicular access, HCC's standing advice should be referred to in the first instance. As a result, the Highway Authority will not provide detailed comments on this planning application.

HCC Surface Water

As this application relates to a site which is a residential application less than 0.5 hectare in size and less than 10 dwellings, we would consider this as a minor application and outside of our remit.

9 REPRESENTATIONS RECEIVED

The following is a summary of the representations received:

Five representations were received from third parties, each was in objection to the proposed development. Grounds for objection included:

- overlooking and loss of privacy
- potential for exacerbation of local flooding issues
- out of keeping with character of the surrounding area
- lack of outdoor amenity space proposed for the dwellings
- noise and disturbance to neighbours from higher level of occupation of the site and associated vehicle movements
- no local need for additional housing

For: 0

Against: 5

10 PLANNING ASSESSMENT

Principle of Development

The application site constitutes the existing residential curtilage of the dwelling known as Fairfield, located on Cooks Lane in the Calmore area of Totton. The site is within the designated built-up area of the settlement where new development and redevelopment are acceptable in principle, subject to accordance with the relevant Development Plan policies and local and national planning policies and planning guidance.

The application site is immediately to the south of the SS1 Strategic Site allocation (Land to the north of Totton) which is allocated within the adopted Local Plan 2016-2036 Part One: Planning Strategy for residential-led mixed use development and open space comprising of at least 1,000 homes, a commercial core west of Pauletts Lane including around 5 hectares of land for business and employment uses and a community focal point for community uses. The application site adjoins an indicative residential part of the SS1 allocation.

Housing Land Supply

It remains a material planning consideration that the Council cannot demonstrate a five-year supply of deliverable housing land. The Council's 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), although this still needs to be balanced against policies of the framework that protect assets of particular importance (such as heritage assets).

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

The application site contains one detached two storey dwelling ('Fairfield') which appears to be of late 19th or early 20th century construction. Fairfield is located towards the front (southern) boundary with Cooks Lane. The remainder of the curtilage is of a relatively generous size and extends to the north, comprising approx. 1,300 sq.m in total.

It is notable that as well as the fairly regular, linear pattern of development along the roadside frontage to the west of the site, there is an existing pattern of development that is set back further to the rear (north) of Cooks Lane, evident at neighbouring properties to the east, including Calmore Vicarage and Meadow House.

The application proposes the following elements:

- The subdivision of the rear garden curtilage of 'Fairfield' to provide 2no. new detached two storey dwellings with associated gardens, access, parking and turning areas;
- The internal subdivision of the existing house to provide 2no. separate (adjoining) two bedroom dwellings, with associated outdoor amenity areas, access and parking provision;
- Amendments to the existing access onto Cooks Lane and the internal layout of the site to facilitate the above.

The proposed alterations to the existing dwelling 'Fairfield' are predominantly internal changes to facilitate the subdivision, with minor external alterations to doors and windows. There are no extensions or enlargements proposed and the outer appearance of the existing building will not be significantly altered.

Proposed new build plots 1 and 2 are detached, two storey dwellings of traditional construction with facing brickwork elevations under tiled roof(s) - exact materials and finishes to be agreed by condition.

As noted above, the pattern and rhythm of development along this part of Cooks Lane becomes varied and is in effect transitional between the regular, linear distribution of dwellings located relatively close to the roadside boundary with Cooks Lane to the west, becoming less regular and set further to the rear (north) of plots to the east of the site. This is notably evident at the neighbouring properties Calmore Vicarage and Meadow House. In these respects it is considered in this case the provision of additional dwellings located to the rear of the existing house at 'Fairfield' would not be anomalous or at odds with the character of the area *per se*.

Having regard to the amount of development proposed, the layout and scale of the proposals, the amount of outdoor amenity space and the general arrangement of the proposed development within the site, officers consider this does not give rise to

concerns of development that is unduly cramped or would constitute an overdevelopment of the site.

Landscape impact and trees

The application site is currently the garden curtilage of 'Fairfield' and backs onto the SS1 strategic site to the immediate north. The adjoining part of the SS1 site is allocated as residential.

The site is relatively well screened in public views from Cooks Lane to the south, by reason of a substantial approx. 4m tall mature evergreen hedge which is proposed to be retained. The site is otherwise bounded on the east and west sides by the garden curtilages of neighbouring dwellings. Consequently, the application site is not particularly prominent in local or wider public views within the surrounding landscape.

The Council's Tree officer has visited the site and provides the following comments:

'Immediately adjacent to this site, along the northern boundary, is a line of hedgerow trees. Although these trees collectively benefit wildlife and form a natural screen, these trees are not of large enough stature to be considered worthy of protection by a Tree Preservation Order and therefore cannot be considered a constraint to development. There are no trees within the site.'

'I have no objections to this proposal on tree grounds.'

It is considered the proposed development would not have an adverse impact on the character of the surrounding landscape and there are no tree impact concerns.

Flood risk

The application site is not within Environment Agency Flood Zones 2 or 3, however an area of the existing driveway towards the south west corner of the site is identified locally within the NFSFRA as being liable to surface water flooding (1 in 100 year extent).

The applicant has provided a flood risk assessment (FRA) in accordance with the provisions of the NPPF to assess the risk of flooding and provide mitigation measures to reduce flood risk within the site and on adjoining land. As part of the proposal the access road and parking spaces will be comprised of permeable surfaces with gravel substrate beneath. All other ground surfaces will be of permeable construction.

The FRA provides an appropriate Surface Water Drainage Strategy and a scheme of Flood Risk Mitigation measures which concludes that the development proposals can be accommodated without increasing flood risk within the locality in accordance with objectives set by the NPPF and the Environment Agency.

In these respects, subject to the surface water drainage strategy and scheme of flood risk mitigation measures being made a requirement for the development by a planning condition, the proposal is considered to be acceptable in terms of flood risk and would not increase or otherwise exacerbate the risk of flooding within the site or in adjoining land.

Highway safety, access and parking

The proposed development utilises the existing vehicular access onto Cooks Lane to serve all of the dwellings. Within the site, internal access road(s) will serve each of the proposed dwellings and their associated parking areas.

The application would provide 3no. parking spaces for each of the new 4 bed houses and 2no. parking spaces for each of the proposed two bed dwellings to be formed within the existing house. The amount of parking provision proposed is accordant with the Council's adopted Parking Standards SPD. An appropriate level of cycle parking provision can be secured via a planning condition, as can the requisite electric vehicle (EV) charging infrastructure (a requirement set out within policy IMPL2 of the local plan).

Hampshire County Council as Highway Authority were consulted on this application and have provided the following consultation response:

'As the application is for 5 or less dwellings and features no change to the vehicular access, HCC's standing advice should be referred to in the first instance. As a result, the Highway Authority will not provide detailed comments on this planning application.'

Having regard to the standing advice set out by HCC Highways, it is accepted that vehicles entering and leaving the site are able to do so in a forward gear and the suggested planning condition with respect to the provision of the proposed parking and turning areas prior to occupation can be imposed.

In these respects, it is considered the proposed development is served by a suitable and appropriate access and level of parking provision. The proposed development would not be prejudicial in terms of Highway safety.

Residential amenity

During the course of the consideration of this application, amended plans were submitted which are intended to address issues of overlooking of existing adjoining properties. These amended plans made amendments to the form, first floor layout and fenestration of proposed plots 1 and 2 to address overlooking concerns. Neighbours and the Town Council were re-consulted on the amended plans and thereby provided with a further opportunity to assess and comment.

By reason of the amended layout and arrangement of fenestration at first floor level within plots 1 and 2, it is considered the previous (scheme as originally submitted) undue overlooking of the rear elevation and rear garden area of the adjacent property 'Tumbleweed' and the garden of 'Sun Daisy Cottage' has been overcome by the use of a reduced 'catslide' eaves level combined with high-level rooflight windows.

There would remain a moderate level of indirect overlooking of the far northern end of adjacent gardens (Tumbleweed and Calmore Vicarage) from first floor rear casement windows within plots 1 and 2, however this would be limited to the far end of these gardens. Such relationships of limited indirect overlooking are commonplace in residential areas - consequently, the level of overlooking from rear first floor windows is not considered sufficient to constitute a reason for refusal for the application in this case.

Concerns have been raised that the increased level of residential occupation of the site would lead to noise and disturbance to existing neighbours. However, the site is within the built-up area where such development is acceptable in principle, and new residential development is a compatible land use adjacent to existing residential uses. The proposal is not considered by officers to constitute an unduly cramped or otherwise overdevelopment of the site, it is consequently considered there is nothing to substantiate concerns raised in respect to the potential for undue noise and disturbance.

Air quality

The Council's 'Air Quality in New Development' Supplementary Planning Document (SPD) was adopted on 1 June 2022. To make development acceptable the Council will expect mitigation measures to be implemented by the applicant to reduce emissions to air from all proposed development.

The SPD provides guidance on when an Air Quality Assessment will be needed to support a planning application and what the assessment needs to address. It also confirms when an Air Quality Statement is required. Where necessary to enable development to take place, appropriate mitigation measures will be required, the document contains suggested mitigation measures.

In the case of an application for less than 10 dwellings, an air quality statement rather than an air quality assessment will be required. The air quality statement should include a statement confirming 3 mitigation measures to be implemented as part of the development from the list detailed in Appendix 1. In this case, an air quality statement can be required to be submitted via a planning condition.

Ecology

A Preliminary Ecological Appraisal (PEA) has been completed by Phillips Ecology (May 2022) and, in accordance with the recommendations of the PEA a further bat emergence survey was undertaken and a report submitted (Phillips Ecology, June 2022).

The Council's Ecologist has assessed the proposal, the submitted PEA report and the subsequently submitted extended Phase 1 ecological and bat roost assessment and provides the following advice:

'The surveys have shown that the store/garage supports a brown long-eared day roost and feeding roost used by individual bats.

Given the proposed development results in the destruction of a known roost. In our function we are required to consider the likelihood of a licence being granted (by the licensing authority - Natural England and 'have regard for the Habitats Directive').

The three derogation tests are that:

- *The activity to be licensed must be for imperative reasons of overriding public interest or for public health and safety;*
- *There must be no satisfactory alternative; and*
- *Favourable conservation status of the species must be maintained.*

On the first two bullets, I would accept your opinion on these matters as they will relate to wider planning considerations but having reviewed the mitigation strategy I would not expect there to be reasons for a licence not to be issued. In consideration of the third test in relation to maintaining a favourable conservation status, I am of

the opinion that if the works are carried out in accordance with the recommendations of the submitted report this test is capable of being met.

I would recommend inclusion of the following planning condition on any permission:

"Any works that impact on the bat roost (day and feeding roost for brown long-eared) identified in the Ecology Extended Phase 1 Ecological and Bat Roost Assessment Report undertaken by Phillips Ecology (Dated June 2022) shall not in any circumstances commence unless the local planning authority has been provided with either:

- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorizing the specified activity/development to go ahead;*
- b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence"; or*
- c) Natural England's decision on whether to accept the registration of the site under a Registered Consultants Bat Mitigation Class Licence (BMCL)."*

Otherwise, I have no objection subject to securing the mitigation and enhancement measures detailed in Sections 14 and 15 of the Phillips Ecology Extended Phase 1 Ecological and Bat Roost Assessment, dated June 2022.'

In respect of the first two parts of the derogation tests as detailed above, it is considered the public benefits of providing additional new dwellings within a sustainable location (also taking into account the Council's current lack of 5 year housing land supply) are sufficient in terms of public interests to meet bullet point 1. In respect of bullet point 2, by reason of the size constraint(s) of the site and the lack of any other site available to the applicant on which to pursue the development, it is considered this test is also met.

The recommended planning condition can be imposed on any consent granted.

In these respects, subject to the recommendations of the Council's Ecologist as detailed above, the proposed development is considered acceptable in terms of ecological impact and biodiversity net gain (BNG) mitigation and enhancement.

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. In this case, an appropriate mitigation contribution can be secured through a S106 legal agreement or Unilateral Undertaking.

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 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 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 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. An appropriate contribution will be secured through a S106 legal agreement or Unilateral Undertaking.

Biodiversity net gain

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 in accordance with Policy DM2.

Details of BNG enhancement measures have been submitted within the PEA report, to which the Council's Ecologist raises no objections to the proposal, subject to the proposed mitigation and enhancement measures being secured. These biodiversity enhancements can be secured by an appropriate planning condition.

Developer Contributions

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

- Infrastructure contribution of £16,334
- Non-infrastructure contribution of £2,587
- Bird Aware Solent contribution of £2,291
- Air quality monitoring contribution of £273

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
Dwelling houses	304		304	304	£80/sqm	£31,054.77 *

Subtotal:	£31,054.77
Relief:	£0.00
Total Payable:	£31,054.77

11 CONCLUSION

The proposed development would provide additional units of residential accommodation within the defined built-up area of the settlement and would constitute an appropriate form of development having regard to the character of the surrounding area and the amenity of adjacent dwellings.

The proposal is considered to be acceptable in terms of flood risk and would not increase or otherwise exacerbate the risk of flooding within the site or in adjoining land.

The proposal would not have adverse impact(s) on nature conservation interests or protected species and would make suitable on-site provision for biodiversity net gain (BNG).

The development is considered accordant with the relevant policies of the Development Plan and local and national planning policy guidance, subject to the specified conditions and subject to appropriate contributions with respect to habitats mitigation and air quality monitoring being secured via s S106 legal agreement or Unilateral Undertaking.

12 RECOMMENDATION

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

- the completion of a S106 legal agreement (or Unilateral Undertaking), to secure the relevant habitats mitigation and air quality monitoring contributions as set out in the officer report to Committee, and
- the imposition of the conditions set out below.

Proposed Conditions:

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

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

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

P01A	LOCATION & BLOCK PLAN
P03 REV C	AMENDED PLOT 1 ELEVATIONS, FLOOR AND ROOF LAYOUTS
P04 REV E	AMENDED PLOT 2 ELEVATIONS, FLOOR AND ROOF LAYOUTS
P02 REV B	AMENDED SITE LAYOUT
P06 REV B	FAIRFIELD PROPOSED ELEVS AND LAYOUTS ELEVATIONS
P05	FAIRFIELD EXIST ELEVS AND LAYOUTS ELEVATIONS
P08	SITE SURVEY

Reason: To ensure satisfactory provision of the development.

3. Before development commences above ground level, exact details of the facing and roofing materials to be used for the two new dwellings 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.

4. 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).

5. 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.

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

- (a) the existing trees and shrubs which have been agreed to be retained;
- (b) a specification for new planting (species, size, spacing and location);
- (c) areas for hard surfacing and the materials to be used;
- (d) other means of enclosure;
- (e) a method and programme for its implementation and the means to provide for its future maintenance.

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

Reason: To ensure that the development takes place in an appropriate way and to comply with Policies ENV3 and ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

7. 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.

8. Prior to occupation the areas shown on the approved plan for the parking and turning of vehicles shall be provided and reserved for these purposes at all times.

Reason: To ensure that vehicles parked on the site are able to enter and leave in forward gear

9. The development hereby approved shall be carried out in accordance with the recommendations, mitigation measures and measures for the provision of biodiversity net gain (BNG) as detailed in sections 14 and 15 of the submitted Extended Phase 1 Ecological and Bat Roost Assessment report (Phillips Ecology, June 2022).

Reason: In the interests of nature conservation and in accordance with saved local plan policy DM2: Nature conservation, biodiversity and geodiversity of the Local Plan Part 2: Sites and Development Management and the Councils' Ecology and Biodiversity Net Gain – Interim Advice and Information Note (July 2021).

10. The development hereby approved shall be carried out in accordance with the Surface Water Drainage Strategy and the Flood Risk Mitigation measures detailed in sections 5 and 6 of the submitted Flood Risk Assessment and Surface Water Drainage Strategy for Planning (UNDA Consulting Limited, June 2022).

Reason: To provide adequate mitigation in respect of flood risk.

11. No works that impact on the bat roost (day and feeding roost for brown long-eared) identified in the Ecology Extended Phase 1 Ecological and Bat Roost Assessment Report undertaken by Phillips Ecology (Dated June 2022) shall commence unless the local planning authority has been provided with either:

- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the specified activity/development to go ahead;
- b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence; or
- c) Natural England's decision on whether to accept the registration of the site under a Registered Consultants Bat Mitigation Class Licence (BMCL).

Reason: In the interests of the conservation of protected species and in accordance with the provisions of saved local plan policy DM2: Nature conservation, biodiversity and geodiversity.

12. Before development commences above ground level, an air quality statement setting out a minimum of three mitigation measures (as detailed within Appendix 1 of the Council's Air Quality Assessments in New Development SPD) shall be submitted to and agreed in writing by the local planning authority. Development shall be carried out in accordance with the agreed air quality mitigation measures.

Reason: In the interests of amenity and public health, in accordance with the provisions of the Council's Air Quality Assessments in New Development SPD.

Further Information:

Warren Simmonds

Telephone: 023 8028 5453

NFDC

Calmo



New Forest
DISTRICT COUNCIL

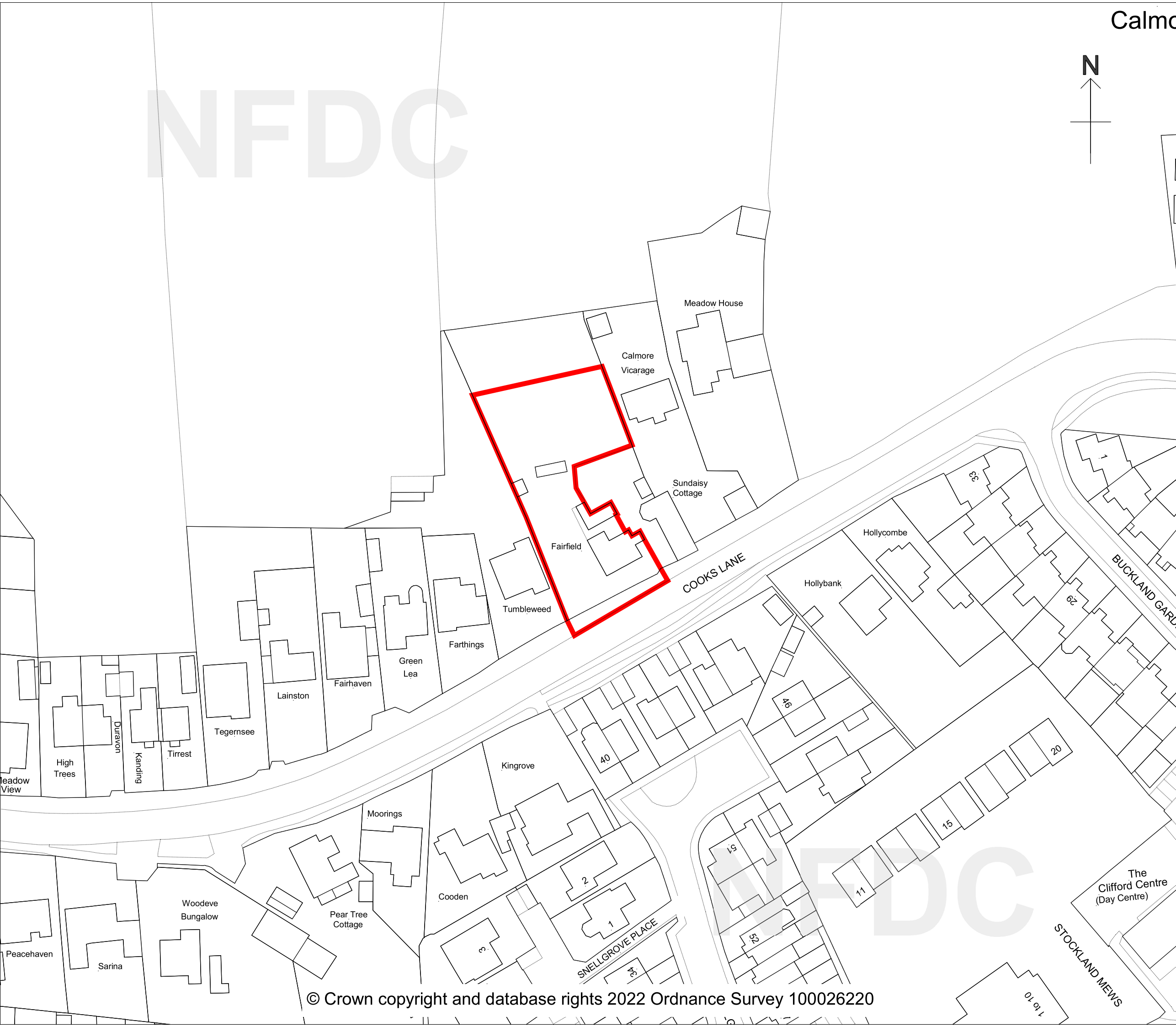
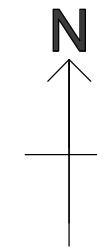
Tel: 023 8028 5000
www.newforest.gov.uk

Claire Upton-Brown
Executive Head of Planning,
Regeneration and Economy
New Forest District Council
Appletree Court
Lyndhurst
SO43 7PA

PLANNING COMMITTEE

July 2022

**FAIRFIELD, COOKS LANE
CALMORE
TOTTON SO40 2RU
22/10268**



Scale 1:1250

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