

Application Number: 23/10540 Full Planning Permission

Site: BROOK HOUSE, SALISBURY ROAD, CALMORE, NETLEY
MARSH SO40 2RQ

Development: Development comprising 9 units, parking, landscaping and access via existing enlarged entrance; retention and extension to Brook House to provide a two-storey rear extension

Applicant: Orchard Homes and Developments Ltd

Agent: Mission Town Planning

Target Date: 17/08/2023

Case Officer: Ian Rayner

Officer Recommendation: Service Manager - Grant

Reason for Referral to Committee: The application is being referred to Planning Committee because the application site forms one small part of a Strategic Site.

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- A) The principle of development
- B) Layout, Design, Density and Mix, including the relationship of the development to the wider Strategic Site
- C) Landscape and trees
- D) Highway safety, access and parking
- E) Residential amenity considerations
- F) Affordable Housing requirements
- G) Ecology (on-site) & protected species
- H) Public Open Space & ANRG provision, and other environmental mitigation requirements

2 SITE DESCRIPTION

The application site, which extends to 0.5 hectares, comprises Brook House, a 2-storey detached dwelling that is set within an extensive garden plot. The property has access onto a layby to the north side of Salisbury Road, and the dwelling is set well back from the highway behind a mature landscaped frontage.

Brook House is an attractive building with a fairly traditional form, albeit that the original dwelling has been extended on both sides and to the rear. The plot is relatively open. There are some modest outbuildings within the plot, whilst along the site's long eastern edge and along its northern boundary are some mature trees and sections of hedgerow of varying thickness. There is a gentle slope to the site, with

the land rising very gently upwards from Salisbury Road to the site's northern boundary.

An area of open land to the west of Brook House, which was formerly used as part of the garden of Brook House, has been divided off from Brook House with Herras fencing, and this land is now in separate ownership. Beyond this, to the west, is the residential property 'Four Winds', which, like Brook House, is set within a large garden plot. Indeed, the garden of 'Four Winds' abuts the northern half of the site's western boundary, which is marked by a close-boarded fence and broken vegetation.

The land beyond the site's northern boundary is currently open farmland, whilst the land to the east of the site is currently occupied by the farm buildings and associated yard of Brookshill Farm. However, these areas are expected to be developed in the relatively near future, with outline planning permission having been granted for the redevelopment of these areas earlier this year (see planning history below).

3 PROPOSED DEVELOPMENT

The submitted application is a full application for 9 new dwellings within the garden of Brook House, comprising 7 detached houses and a pair of semi-detached units. The proposed dwellings would be a mix of 2, 3 and 4 bedroom units. The existing access serving Brook House would be widened, and a new access road is proposed to extend into the site to the west side of the existing dwelling. Brook House itself would be retained within a much reduced garden curtilage, and would be remodelled, with conservatories either side of the existing dwelling being removed and a new extension being added to the rear. Each of the proposed dwellings would be set within their own garden curtilages that would include parking and landscaping. The application includes 2 small areas of public open space.

The application has been amended since the application was originally submitted. These amendments have entailed adjustments to the site layout, to the elevations of some of the dwellings, and to some of the landscape details.

4 PLANNING HISTORY

Applications affecting the application site

House; access; garage and store (15/11121) - refused 1/12/15

Applications affecting adjacent land

Outline planning application with all matters reserved, except means of access to the highway network (junction arrangements) and associated highway improvements, for the demolition of existing buildings and the residential (C3) development of the site with up to 280 dwellings, Alternative Natural Recreational Greenspace, informal and formal open space, together with associated drainage, utilities and all other associated and necessary infrastructure (20/10997) - granted 16/1/23

Reserved Matters Application for the approval of appearance, landscaping, layout, and scale for 271 dwellings, associated and ancillary infrastructure, foul pumping station, play spaces, and sustainable drainage systems pursuant to Outline Planning Permission 20/10997 - Under consideration

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Local Plan Part 2: Sites and Development Management 2014

Policy CCC1: Safe and healthy communities

Policy CCC2: Safe and sustainable travel

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

Policy ENV3: Design quality and local distinctiveness

Policy ENV4: Landscape character and quality

Policy HOU1: Housing type, size, tenure and choice

Policy HOU2: Affordable housing

Policy IMPL1: Developer Contributions

Policy IMPL2: Development standards

Strategic Site 1: Land to the north of Totton

Policy STR1: Achieving Sustainable Development

Policy STR3: The strategy for locating new development

Policy STR4: The settlement hierarchy

Policy STR5: Meeting our housing needs

Policy CS7 - Open Space

Supplementary Planning Guidance And Documents

SPD - Design of Waste Management Facilities in New Development

SPD - Parking Standards

SPD - Mitigation Strategy for European Sites

Plan Policy Designations

Built-up Area

New Housing Land Allocations

6 PARISH / TOWN COUNCIL COMMENTS

Netley Marsh Parish Council: Recommends permission (based on amended plans) - Some of the original concerns have been addressed; no further objections

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

NFDC Tree Team: No objection subject to detailed conditions to secure the protection of trees during building operations.

NFDC Ecologist: No objection subject to conditions

There is a likely cumulative impact on the New Forest and Solent European Sites from recreational disturbance. Therefore, recreational habitat mitigation should be provided in line with the adopted mitigation strategy. The development will also need to mitigate nutrient impacts so as to be nutrient neutral. An appropriate assessment considering these points is required.

The Peach Ecology Ecological Assessment Report identifies Brook House as

offering potential to support roosting bats. Bat emergence surveys have been completed. The surveys identified summer day roosts for low numbers of both common and soprano pipistrelle. The Local Planning Authority is required to consider the likelihood of a licence being granted by the licensing authority - i.e. Natural England, and have regard to the Habitats Directive and the three derogation tests. In consideration of the third test in relation to maintaining a favourable conservation status, this is considered to be achievable based on the proposed mitigation strategy.

The proposed development will require a sensitive lighting strategy to mitigate the potential for impacts on bats, which should be conditioned.

Tree 18, a Pedunculate oak, requires removal of major deadwood. The tree was assessed and considered to offer low bat roosting potential. As per the recommendations of the Peach Ecology Report, these tree works should be undertaken under ecological supervision, which should be secured, possibly through a CEMP.

The Ecology Report recommends a method statement be produced for vegetation clearance and for this to be supervised given local records of dormice (2 trees on site boundaries). This should be secured, and could be included within a CEMP.

The report concludes that great crested newt (GCN) are likely absent. This conclusion is accepted given the habitats present on-site.

The Ecological mitigation and enhancement measures proposed in Section 5 and Appendix E of the Peach Ecology Ecological Assessment Report should be secured by condition.

NFDC Open Space Officer: Proposal should deliver 0.05ha of informal open space; access path and landscaping details should be to an appropriate specification; ecology and landscape plans need to be consistent; notes that there may be high groundwater levels; suitable maintenance access will be needed.

NFDC Urban Design: The main overriding point is the need to respond to (and show) likely neighbouring uses/layout and tie in the orientation of houses and connect the greenspaces to augment the Green Infrastructure of the main site.

NFDC Environmental Health (Contaminated Land): No concerns

NFDC Environmental Health (Pollution): No objection subject to conditions - confirms that the submitted noise report has been carried out in accordance with relevant and current guidance, and that the findings are reliable. The report demonstrates that target noise levels can be achieved. A condition should be imposed to ensure adherence to the submitted noise report. There are no adverse comments in respect of air quality.

HCC Highways: No objection subject to a condition requiring agreement of a Construction Method Statement, as well as a condition in respect of visibility splays.

HCC Surface Water: No comment - refer the applicant to Flood Risk Standing advice.

HCC Education: No objection subject to securing an education contribution of £39,320, which would be needed to mitigate the impact of the development on existing Primary School education infrastructure (and which would go towards the

expansion of Calmore Infant and Junior Schools).

9 REPRESENTATIONS RECEIVED

None

10 PLANNING ASSESSMENT

A) The Principle of Development

Prior to the adoption of the Local Plan 2016-2036 Part 1 in July 2020, the application site was outside of a defined settlement boundary. Now, however, the land is situated within the built-up area of Totton and Eling, albeit that the site falls within the Parish of Netley Marsh. The site is specifically situated within the area covered by Policy Strategic Site 1, which is a significant, mainly greenfield area to the north of Totton that is allocated for at least 1000 new homes.

The application site does not form part of the area that is being expressly promoted for residential development through the illustrative concept masterplan that accompanies the strategic site policy. Nevertheless, the supporting text to the policy makes it clear that:

"The site allocation boundary includes some existing residential properties that have not been promoted for redevelopment. There is no presumption or requirement that they would form part of a future development, but this would be acceptable in principle subject to meeting the requirements of this policy, and any policies relevant to the property itself e.g. if it has heritage asset status."

As such, it is clear that the principle of residential development on the application site is acceptable, but such development must be subject to the policy requirements of the Strategic Site 1 policy.

When prepared, Policy Strategic Site 1 (criterion iii (a)) recognised a need for the multiple land ownership interests across the allocation to come together and prepare a comprehensive development framework for the entire allocation in order to ensure delivery of an integrated, whole-site approach. It has not been possible to secure such a development framework. However, this should not and cannot preclude consideration of individual applications on their merits.

In this case, the site is currently somewhat isolated from significant existing residential development due to its position on the north-western edge of the allocation, but the character of the area is expected to change before long, with the outline permission granted on the land to the east (Bloor Homes 20/10997) and the resolution to grant on land further to the east (Bargate Homes 22/10854).

The provision of 9 homes on this site would make a small but positive contribution to the overall delivery of houses within the allocation. The development would accord with policies STR3, STR4 and STR5 of the Local Plan, making a positive contribution to the successful implementation of the plan's adopted strategy to meet its identified housing needs.

Principle of development benefits

The scheme would have significant benefits associated with it. The Council cannot currently demonstrate it has a 5-year supply of housing land available. It is therefore imperative that the sites allocated for housing through the Local Plan are brought forward in order to ensure the supply of housing meets identified need in terms of

annual delivery rates and overall supply.

Because the Local Planning Authority does not currently have a 5-year supply of housing land available, 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 afforded in the overall planning balance to the provision of housing. The proposal is for a new residential development of 9 dwellings which would make a small contribution to the housing land supply in the District, but a contribution that can be delivered quickly, taking into account the relatively small infrastructure needs of the development.

The scheme would have economic benefits, notably during construction; environmental benefits by delivering development with associated green infrastructure on an allocated site in a sustainable location; and social benefits by providing a mix of housing types and sizes that will contribute to meeting local housing needs.

These benefits will contribute positively to the delivery of a sustainable development as required by the NPPF and towards complying with policy STR1 of the Development Plan. Further consideration of details below will assess compliance with relevant policies and other material considerations.

B) Layout, Design, Density and Mix, including the relationship of the development to the wider Strategic Site

The application seeks to retain Brook House, which would help to provide a strong focus at the entrance to the proposed development. Some unsympathetic extensions to the side of Brook House would be removed, whilst to the rear a first-floor extension would be added centrally above a fairly unsympathetic rear ground floor extension and fenestration details would be changed, thereby creating a much better proportioned dwelling. Minor alterations are proposed to other elevations. As a whole, the changes to Brook House are appropriate and would respect and complement its traditional character.

The proposal would evidently completely change the setting of Brook House. However, as the property is set within a particularly large garden plot, and given the policy context, it is considered entirely reasonable for the site to be developed in a more intensive manner than currently exists.

The proposed layout would entail the siting of 1 house (plot 1) between the front of Brook House and Salisbury Road. This new dwelling would be set well back from the new access road serving the development so as not to intrude harmfully into the setting of Brook House - which would be assisted by the modest scale and character of Plot 1 and the retention of extensive areas of greenery in the areas to the front of Brook House and Plot 1.

A second new house (plot 2) is proposed to the east side of Brook House and would share an access drive with Brook House. There would be a generous degree of separation between the house on Plot 2 and Brook House, and so here too, the proposal would be sympathetic to the setting of the retained dwelling.

The new access road would extend past the western side of Brook House and would provide access to 7 new dwellings (Plots 3-9) that would be sited to the rear of Brook House within the rear sections of the plot. The dwellings here would be set well back from the access road, with reasonable areas of greenery being provided to the front of each dwelling and alongside the access road, which would help to secure a pleasant, landscaped streetscene. Areas of parking would be provided to

the front or to the sides of the dwellings. Due to the proposed development's fairly spacious character, these parking areas would fit into the wider landscaped setting without dominating the development. Each dwelling would also have an appropriate sized rear garden.

The proposed new access road has been designed as a shared surface street with a herringbone paved surface. It would be relatively straight, particularly from Brook House northwards. The road would include a narrowing feature between Brook House and Plot 3, which would be important in softening the visual appearance of the road and breaking up its straightness.

The new dwellings would all be 2-storeys high, but a number of the dwellings would include elements that would be below full 2-storey eaves height. There would be a number of individual dwelling designs, but all would be well proportioned and detailed. The dwellings have clearly sought to respond to a traditional rural vernacular seen in the New Forest, and therefore their scale and appearance would be entirely appropriate to the site's rural edge context.

The density of the proposed development would be about 20 dwellings per hectare. This would constitute a low density by comparison with the densities that are expected to be achieved on other parts of the Strategic Site. However, this site is on the outer northern edge of the Strategic Site allocation and has an interface with open land to the north. There is therefore a reasonable expectation that the density here should be lower than the core parts of the Strategic Site allocation. The fact that the site has not been promoted for redevelopment through the Concept Masterplan and the benefits of maintaining a strong, spacious setting to Brook House, also serve to justify a lower density than other parts of the Strategic Site allocation. For similar reasons and because of the small size of the site, the proposed dwelling mix (as set out in Section 3 above) is considered to be appropriate and would not prejudice the Local Plan requirement to secure a mix of different house types and sizes.

The proposed layout includes 2 distinct areas of public open space: one on the frontage with Salisbury Road, and one at the back of the site in the north-eastern corner. From a design perspective, the frontage open space would enable a verdant green frontage with mature trees to be retained alongside Salisbury Road (as is expected by the Concept Masterplan to Policy Strategic Site 1). This open space would be a positive design feature at the entrance to the development. The open space at the back of the site would incorporate some mature protected trees and by itself would provide considerable visual amenity that would enhance the design quality of the development.

However, the areas of on-site public open space also need to be functional and appropriate in the context of the wider Strategic Site. In this respect, the area of public open space in the north-eastern corner would be set immediately adjacent to a much larger area of public open space that is expected to be provided on the wider Strategic Site allocation, as secured through Outline Planning Permission 20/10997. There is also proposed to be a direct pedestrian link across this area of open space to the adjacent development site (to be developed by Bloors). The proposed public open space in this north-eastern corner and the associated pedestrian link would thus help to secure pedestrian connectivity between the 2 sites and a connected green infrastructure across the wider Strategic Site allocation. Similarly, the public open space on the frontage of the site would abut green infrastructure on the adjacent Bloors development, and would be seen as just one part of a more extensive area of greenery and landscaping alongside Salisbury Road.

In terms of the proposed scheme's broader relationship to the Bloors development, there are some unknowns because the details of the Bloors scheme are not yet resolved. Nevertheless, it is clear that the 2 schemes will have contrasting characters, with this proposed development being of a notably lower density. This contrasting character is considered to be justified. What is important is that the interface / boundary between the 2 developments is reasonably cohesive and visually coherent. In this regard, there would be visual links between the 2 sites in terms of the areas of public open space and green infrastructure, as well as a pedestrian link. The dwellings would have an appropriate spatial relationship to the anticipated units on the Bloors scheme, with a suitable boundary treatment suggested between the 2 sites. As such, it is felt the relationship between the 2 developments would be acceptable.

It also needs to be noted that the land immediately to the west of the application site that previously formed part of the residential curtilage of Brook House was the subject of a separate application for residential development in 2022. The application was withdrawn, but there is a strong likelihood that the owner of that land will seek to develop the plot at some point for residential purposes. As such, it is important that this application does not sterilise the development potential of this adjacent land. In this respect, it is considered the proposed development layout would not prejudice possible development of land to the west. Indeed, a possible access link is shown to the land to the west, which would mean that any development of the adjacent plot would have the potential to be served by a common shared access.

Overall, having regard to the above points, it is considered that the development would be of an acceptable layout and design, both as a scheme in isolation but also as one small element of the development within the Strategic Site allocation.

C) Landscape and trees

There are a group of oak trees on the north-eastern boundary of the site and a group of sycamore trees in the front south-eastern corner of the site that are all protected by a Tree Preservation Order. There is also a separate protected mature oak tree that overhangs the site's front south-western corner. These protected trees make an important contribution to the visual amenities of the area. There are also some unprotected hedgerow trees along the site's northern boundary and a small number of other unprotected trees on the site's eastern boundary. The proposal is accompanied by a detailed arboricultural report. The development seeks to retain all of the main trees on site. Only 2 poor quality trees on or close to the rear boundary and a cypress tree on the frontage would be removed to accommodate the development (albeit that there was previously some tree removal before the planning application was submitted). The Council's tree officer is satisfied that the minimal tree loss would be justified and that the development would have an acceptable impact on retained trees, subject to appropriate tree protection conditions.

The application includes some landscape details, including details of boundary treatments. The submitted details indicate that the development would have an acceptable landscape setting, although more precise details and specifications would need to be agreed and secured as a condition of planning permission.

D) Highway safety, access and parking

The existing access onto Salisbury Road (the A36) that serves Brook House would

be widened in order to accommodate the proposed development. This access is actually onto the existing road layby rather than the main A36 carriageway, which would remain the case even when a new roundabout is provided to serve the Bloors development. Based on the information submitted in support of the application, the Highway Authority are satisfied that there would be adequate visibility splays provided and that refuse and emergency vehicles could enter and leave the site in a safe manner. From a highway safety perspective, therefore, the proposed access into the development would be acceptable.

The new internal access road is not being offered for adoption, and so the Highway Authority have made no specific comment on its design. However, a suitable turning head would be provided at the end of the new access road, which would enable vehicles to turn satisfactorily within the site.

It is considered the proposed layout includes appropriate space for vehicular parking. Each property would have either 2 or 3 on-site vehicle car parking spaces, and there would also be appropriate allowance for visitor parking within the development. The overall level of car parking being provided would be in accordance with the Council's parking standards and would therefore be acceptable.

The plans suggest that each property would be provided with a cycle store in its rear garden, which would ensure that the scheme provides adequate on-site cycle parking. However, more precise details should be agreed as a condition of any planning permission.

Development across the wider Strategic Site allocation will have a significant impact on the local highway network that needs to be appropriately mitigated. In particular, developing the whole strategic site will generate a level of additional traffic that will necessitate improvements to the junction of the A36 and A326 (close to the west side of the application site). It is considered that all developments within the strategic site allocation should contribute proportionately to these necessary highway works. For this reason, development of this site should only be permitted if it secures a proportionate contribution (in this case £13,500) to these off-site highway works through a Section 106 legal agreement.

E) Residential amenity considerations

There would be a generous degree of separation (at least 24 metres) between the adjacent property 'Four Winds' and the nearest proposed dwellings on the application site. Whilst the proposed dwellings would be sited closer to parts of the large garden area of 'Four Winds', they would be orientated so as not to unduly overlook that adjacent property. As such, the proposed development would have an acceptable impact on the amenities of the occupants of the neighbouring property at Four Winds.

The proposed dwellings would all enjoy satisfactory levels of amenity and outlook. The proposed house on Plot 1 would have the potential to be most affected by development on the neighbouring Bloors site. Whilst final details of the Bloors scheme are yet to be resolved, it is considered that an acceptable relationship can be reasonably achieved. It is not considered the development would have any adverse impact on the expected dwellings within the Bloors scheme.

F) Affordable Housing requirements

The Council's planning policies seek the provision of affordable housing on all new

developments of 11 or more dwellings or if more than 1000 square metres of new residential floorspace is proposed. In this case, whilst the scheme is only for 9 additional dwellings, the floorspace of those dwellings is slightly over 1000 square metres. Therefore, in accordance with Policy HOU2 of the Local Plan, the development would be expected to contribute towards affordable housing, subject to viability considerations.

The applicants have submitted a viability report with their application to support their view that it would not be viable for the proposed scheme to make any form of affordable housing contribution. The Local Planning Authority have commissioned consultants to review the applicant's viability report. Whilst the Local Planning Authority's consultant has a difference of opinion on some of the specific variables, their conclusion is the same: namely, the scheme would not be sufficiently viable if required to make any level of affordable housing contribution. In these circumstances, it is considered acceptable to permit this development without making any affordable housing provision.

G) Ecology (on-site) and Protected Species

The application site is accompanied by an ecological assessment. Bat surveys have been carried out which have identified that Brook House provides a low-level summer day bat roost of 2 common bat species. The proposed first floor extension to the rear of Brook House would affect the roof of the building and so a bat licence would be required. The Council's ecologist has confirmed that, with suitable mitigation measures, the Conservation Status of the bat species would not be adversely affected by the proposed development (one of 3 derogation tests). In terms of the other 2 derogation tests, there is an overriding public interest in supporting an efficient use of urban land / an allocated site for residential development, and there are also considered to be no satisfactory alternatives in this instance. It is therefore likely that Natural England would grant any licence needed, and the proposal would duly satisfy the Habitats Directive.

In terms of other ecological impacts, it is considered that these have been appropriately assessed, and having regard to the views of the Council's ecologist, it is considered that protected species would not be adversely affected and ecological interests would be appropriately safeguarded through conditions requiring agreement of a Construction Environment Management Plan and provision of various features (such as bat and bird boxes) that will benefit biodiversity within the completed development. It should be noted that as the scheme is for less than 10 dwellings, it would not currently be proportionate or necessary to require the development to deliver a measurable 10%+ Biodiversity Net Gain.

H) Public Open Space & ANRG provision, and other environmental mitigation requirements

Informal Public Open Space

Being part of a much larger strategic site, the proposed development should provide public open space in line with policy. As noted above, the proposed development would provide 2 areas of informal public open space. Together, these 2 spaces would meet the required quantum of informal public open space as set out in policy. The spaces would be visually and functionally appropriate.

Children's Play

Neither of the open spaces would provide a children's play area. Given the size of the 2 areas of open space and the development as a whole, it is not considered that it would be practical or appropriate to provide an on-site play area. There are 4 individual play areas that are proposed within the adjacent Bloors development, and so provided there is suitable connectivity to that development (which there would be), it is considered that it would be unnecessary and impractical for this application to secure contributions to children's play within the wider strategic site.

Formal Public Open Space

In terms of formal public open space provision, developments across the Strategic Site 1 allocation are being asked to contribute proportionately towards the costs of providing 2 MUGAs and a cricket pitch, which is where a particular need for additional formal public open space has been identified. Subject to securing a proportionate contribution (in this case £3582) through a Section 106 legal agreement, it is considered that the development would adequately meet the need and policy requirement for additional formal public open space.

Habitat Mitigation & ANRG provision

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 those sites' 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 to secure habitat mitigation contributions in accordance with the Council's Mitigation Strategy. In this case, the applicant is agreeable to entering into a Section 106 legal agreement which secures the required habitat mitigation contributions. Those contributions are set out at the end of this report.

It should be noted that as the development forms part of a Strategic Site, consideration has been given to whether on-site ANRG should be provided. However, due to the small size of the site and the fact that it does not abut an area where ANRG is expected to be provided, it is concluded that it would be impractical to secure on-site ANRG, and that a contribution would therefore suffice. This is in contrast to Public Open Space, where, as discussed above, it would be practical and appropriate to secure public open space due to the fact that the site adjoins an area where public open space is expected to be provided.

Air Quality Mitigation

To ensure that impacts on international nature conservation sites are adequately mitigated, 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. There is potential for traffic-related nitrogen air pollution (including NO_x, nitrogen deposition and ammonia) to affect the internationally important Annex 1 habitats for which the New Forest SAC was designated, and by extension those of the other International designations. 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 of whether 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. In this case, the requisite mitigation contribution will be secured through a Section 106 legal agreement, the detail of which is set out at the end of this report.

Nitrate neutrality and impact on Solent SAC and SPAs

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 which includes an element of new residential overnight accommodation would adversely affect the integrity of the New Forest and Solent Coast European sites, in view of those sites' conservation objectives, having regard to nitrogen levels in the River Solent catchment. The Assessment concludes that the proposed development would, in combination with other developments, have an adverse effect due to the impacts of additional nitrate loading on the River Solent catchment unless nitrate neutrality can be achieved, or adequate and effective mitigation is in place prior to any new dwelling being occupied. In accordance with the Council Position Statement agreed on 4th September 2019, these adverse impacts would be avoided if the planning permission were to be conditional upon the approval of proposals for the mitigation of that impact, such measures to be implemented prior to occupation of the new residential accommodation. These measures shall include undertaking a water efficiency calculation, together with a mitigation package to address the additional nutrient load imposed on protected European Sites by the development. A Grampian style condition is attached to this consent.

I) Other considerations

Education Provision

The policy for Strategic Site 1 seeks contributions to educational provision to include two hectares of land to be reserved for a primary school. Other permitted proposals on the Strategic Site 1 allocation have been required to make proportionate contributions to the improvement of primary school education provision within the locality. It is felt that a similar approach should be applied to this development, with the education contribution that has been requested by Hampshire County Council (in this case £39,320) needing to be secured through a Section 106 legal agreement. The contribution would go towards securing improvements to Calmore Infant and Junior Schools.

Noise, Air Quality, Drainage

The application is accompanied by reports that consider noise, air quality and drainage. It is felt that potential adverse effects in relation to these matters can reasonably be addressed through suitable planning conditions.

The application initially sought to provide a package treatment plant (to deal with sewerage) within the public open space area at the front of the site. This was deemed inappropriate and amended plans have subsequently been submitted, which shows a more suitable arrangement in terms of the development's landscape setting, although precise details will need to be agreed through the landscape condition.

Developer Contributions

As part of the development, the following will need to be secured via a Section 106

agreement:

- Habitat Mitigation contribution (New Forest infrastructure): £54,681
- Habitat Mitigation contribution (New Forest non-infrastructure): £8330
- Solent Aware contribution: £7554
- Air Quality Mitigation contribution: £927
- Transportation contributions: £13,500
- Education contribution: £39,320
- Formal Public Open Space contribution: £3582
- Secure designated areas as Public Open Space, together with the management arrangements for this land and future public access
- S106 Monitoring contributions (covering £808 commencement charge & £6542 Public Open Space monitoring charge)

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

CIL Summary Table

Type	Proposed Floorspace (sq/m)	Existing Floorspace (sq/m)	Net Floorspace (sq/m)	Chargeable Floorspace (sq/m)	Rate	Total
Dwelling houses	1275.74	206	1069.74	1069.74	£80/sqm	£116,848.52 *

Subtotal:	£116,848.52
Relief:	£0.00
Total Payable:	£116,848.52

* The formula used to calculate the amount of CIL payable allows for changes in building costs over time and is Index Linked using the RICS CIL Index (<https://www.rics.org/uk/products/data-products/rics-community-infrastructure-levy-index/>) and is:

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

11 OTHER MATTERS

N/A

12 CONCLUSION / PLANNING BALANCE

The site is allocated for development by Policy SS1 of the Local Plan Part 1: Planning Strategy. The principle of development is therefore in accordance with strategic policies STR3, STR4 and STR5. This scheme would make a positive contribution towards successful implementation of the development plan.

The application proposes a small-scale residential development on one small part of the Strategic Site 1 policy allocation. The development would be in accordance with the Strategic Site policy. The development would be well-designed, sympathetic to its context and would have an appropriate relationship to neighbouring properties. The development could be provided without adversely affecting highway safety,

important trees or ecological interests. The development would be acceptable in itself, but it would also be responsive to the Concept Masterplan for the Strategic Site and would relate appropriately to the approved outline development proposals for the adjacent part of the Strategic Site. Therefore, it is not considered the development would prejudice the delivery of a suitable layout for the wider strategic site. For viability reasons, it is accepted that an affordable housing contribution would not be justified. Overall, therefore, subject to conditions and subject to securing habitat mitigation requirements, public open space and education and transportation contributions through a Section 106 legal agreement, the application is recommended for permission.

13 RECOMMENDATION

Delegated Authority be given to the Service Manager Development Management to **GRANT PERMISSION** subject to:

i) the completion of a planning obligation entered into by way of a Section 106 Agreement to secure:

- A Habitat Mitigation contribution (New Forest infrastructure) of £54,681
- A Habitat Mitigation contribution (New Forest non-infrastructure) of £8330
- A Solent Aware contribution of £7554
- An Air Quality Mitigation contribution of £927
- Transportation contributions amounting to £13,500
- An Education contribution of £39,320
- A Formal Public Open Space contribution of £3582
- Designated areas of on-site Public Open Space, together with the management arrangements for this land and future public access
- S106 Monitoring contributions (covering £808 commencement charge & £6542 Public Open Space monitoring charge)

ii) the imposition of the conditions set out below.

Proposed Conditions:

1. Commencement of Development

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. Approved Plan Numbers

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

- D-250 rev C - Plot 1 - Floor Plans as Proposed
- D-251 rev A - Plot 2 - Floor Plans as Proposed
- D-252 rev A - Plots 3 & 4 - Floor Plans as Proposed
- D-253 rev B - Plot 5 - Floor Plans as Proposed
- D-254 rev B - Plots 6 & 7 - Floor Plans as Proposed

D-255 rev B - Plot 8 - Floor Plans as Proposed
D-256 rev C - Plot 9 - Floor Plans as Proposed
D-257 - Brook House - Floor Plans as Existing
D-258 - Brook House - Floor Plans as Proposed
D-220 rev C - Plot 1 - Elevations as Proposed
D-221 rev A - Plot 2 - Elevations as Proposed
D-222 rev A - Plots 3 & 4 - Elevations as Proposed
D-223 rev C - Plot 5 - Elevations as Proposed
D-224 rev B - Plots 6 & 7- Elevations as Proposed
D-225 rev C - Plot 8 - Elevations as Proposed
D-226 rev C - Plot 9 - Elevations as Proposed
D-227 - Brook House - Elevations as Existing
D-228 - Brook House - Elevations as Proposed
D-100 rev C - Location Plan
D-105 rev B - Block Plan
D-263 rev B - Block Plan with Current Layout of Neighbouring Development
D-111 rev Y - Site as Proposed (Site Layout Plan)
D-114 rev B - Diagrammatic Site Plan as Proposed
Tree Protection Plan 230313-BH-TPP-NB rev B

Reason: To ensure satisfactory provision of the development.

3. **Nutrient Neutrality and Water Efficiency**

The development hereby permitted shall not be occupied until:

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

b) A mitigation package addressing the additional nutrient input arising from the development has been submitted to, and approved in writing by, the Local Planning Authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European Sites by the development when fully occupied and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites; and

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.

4. Parking provision

The development hereby permitted shall not be occupied until the spaces shown on the approved plans for the parking and turning of motor vehicles have been provided. These spaces shall thereafter be retained and kept available for their intended purpose at all times.

Reason: To ensure adequate parking provision is made in the interests 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.

5. Cycle Parking Provision

Each of the new dwellings shall not be occupied until cycle parking has been provided for that dwelling, the details of which shall have been submitted to and approved in writing by the Local Planning Authority before the development proceeds above the slab level of any of the proposed new dwellings. The cycle parking that is provided shall be in full accordance with the approved details and shall be retained at all times thereafter.

Reason: To ensure adequate cycle parking provision is made in the interest of sustainability 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.

6. Electric Vehicle Charging Points

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 the new dwellings shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be provided before the approved dwellings have been occupied and shall thereafter be retained in accordance with the approved details.

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).

7. **Construction Method Statement**

No development shall start on site until a construction method statement has been submitted to and approved in writing by the Planning Authority, which shall include:

- (a) A programme of phasing of demolition and construction work;
- (b) The provision of long term facilities for contractor parking;
- (c) The arrangements for deliveries associated with all construction works;
- (d) Methods and phasing of construction works;
- (e) Access and egress for plant and machinery;
- (f) Protection of pedestrian routes during construction;
- (g) Location of temporary site buildings, compounds, construction material, and plant storage areas;

Demolition and construction work shall only take place in accordance with the approved method statement.

Reason: In the interests of highway safety and the amenity of the locality.

8. **Levels**

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

9. **Drainage**

Before first occupation of the development hereby approved, a surface water sustainable drainage system (SuDS) shall be designed and installed in accordance with the Scott White and Hookins Flood Risk Assessment and Drainage Strategy, dated April 2023 (Reference 304102-SWH-ZZ-01-S-RP-0001). The system shall 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. Tree Protection during construction

The trees on the site which are shown to be retained on the approved plans shall be protected during all site clearance, demolition and building works in accordance with the measures set out in the submitted A.J. Monk Consulting Method Statement V2, dated November 2023, and the accompanying Tree Protection Plan Drawing no. 230313-BH-TPP-NB Rev B.

Reason: To ensure the retention of existing trees and natural features and avoidance of damage during the construction phase in accordance 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.

11. Tree protection: pre-commencement site meeting

Prior to the commencement of any works (including site clearance, demolition and construction works), 3 working days' notice shall be given to the Local Planning Authority to attend a pre-commencement site meeting to inspect all tree protection measures, which shall be in accordance with the AJ Monk Consulting Arboricultural Report and Method Statement v2 (November 2023) and Tree Protection Plan Drawing 230313-BH-TPP-NB rev B.

Reason: To ensure retained and important trees are appropriately protected during construction works, in accordance 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.

12. Tree protection - submission of details

No development, demolition or site clearance shall take place until the following information has been submitted and agreed to in writing with the Local Planning Authority:

- a) A method statement and engineering drawings for the installation of new hard surfaced areas of Plots 5 and 9 of the approved development;
- b) A plan showing the location of service routes, including the position of soakaways;
- c) A plan showing the location of the site compound and mixing areas.

Development shall only take place in accordance with these approved details.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area, in accordance with Policies

13. **External Lighting**

No development shall take place until a scheme of external lighting for the development to include a “sensitive lighting design strategy for biodiversity” in line with BCT / ILP Guidance Note 08/18 ‘Bats and artificial lighting in the UK’ [or subsequent version] has been submitted to and approved in writing by the local planning authority. The scheme / strategy shall:

- a) include the predictions of both horizontal illuminance across the site and vertical illuminance affecting immediately adjacent receptors.
- b) identify those areas/features on site that are particularly sensitive for bats (or other ecological receptors) and that are likely to cause disturbance in or around their breeding sites and resting places or along important commuting routes used to access key areas of their territory, for example, for foraging; and
- c) show how and where external lighting will be installed (through the provision of appropriate lighting contour (lux) plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not cause nuisance, or disturb or prevent the above species using their territory or having access to their breeding sites and resting places and that dark corridors will be maintained.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy.

Reason: To ensure lighting from the development does not adversely affect the amenities of the area or protected species and to comply with Policies ENV3 and ENV4 of the Local Plan 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).

14. **Ecological Method Statement**

Before the commencement of development, an ecological method statement shall be submitted to and approved in writing by the Local Planning Authority. The ecological method statement shall set out how the following works will be implemented and supervised:

- a) removal of major deadwood to Tree 18 - a Pedunculate Oak (as described in Paragraph 4.16 of the Peach Ecology Ecological Assessment, issue 4, dated 9th October 2023).
- b) vegetation clearance with particular regard to dormice (as described in Paragraph 4.37 of the Peach Ecology Ecological Assessment, issue 4, dated 9th October 2023).

Development shall only be implemented in accordance with the approved details.

Reason: To safeguard ecological interests in accordance with Policies ENV3 and ENV4 of the Local Plan 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).

15. Ecological enhancement measures

The development hereby approved and all associated works shall be undertaken in strict accordance with the recommendations of the submitted Ecological Assessment (Section 5 and Appendix E of the Peach Ecology Ecological Assessment, dated October 2023). The proposed ecological enhancement measures illustrated in Appendix E of the Ecological Assessment shall be carried out in full before any of the approved dwellings are occupied or within such other alternative timescale as may be first agreed in writing with the Local Planning Authority. The approved ecological enhancement features shall be retained thereafter.

Reason: To safeguard protected species and to deliver ecological enhancements in accordance with Policies ENV3 and ENV4 of the Local Plan 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).

16. External Materials

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 development 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.

17. Joinery details

Before their first installation, typical joinery details (larger scale elevations / sections) of the windows and doors 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: The dwellings have been carefully designed, and these design details are important in ensuring that the dwellings are of a suitably high design quality, in accordance with Policy DM1 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

18. Landscaping details

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

- (a) the existing trees and shrubs which have been agreed to be retained;
- (b) a specification for new planting (species, size, spacing and location);
- (c) areas for hard surfacing and the materials to be used;
- (d) the treatment of the boundaries of the site and other means of enclosure;

- (e) details of the location, design and specification of any package treatment plant or related or similar facility for dealing with foul drainage from the site;
- (f) a method and programme for its implementation and the means to provide for its future maintenance.

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

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.

19. Landscaping implementation and maintenance

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size or species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the appearance and setting of the development is satisfactory 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.

20. Acoustic Mitigation

The dwellings hereby approved shall not be occupied unless acoustic mitigation and ventilation measures have been incorporated into each dwelling in full accordance with Sections 7.3 and 7.4 of the Venta Acoustics ProPG Acoustic Design Statement (Report VA4964.231012.NIA, dated 23rd October 2023).

Reason: To ensure that the occupants of the proposed dwellings have satisfactory levels of amenity in terms of their noise environment, and to comply with Policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park.

21. Connection to adjacent land

The proposed pedestrian footpath connection to the north of Plot 5 that extends to the site's eastern boundary shall be provided and made available either before first occupation of the development or such other timescale as may be approved in writing with the Local Planning Authority.

Reason: The application site forms one part of a Strategic Site allocation, and in the interests of securing accessible and joined-up green infrastructure it is essential that there is appropriate connectivity between the different parts of the Strategic Site.

22. **Restriction of enclosures to Public Open Space areas**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any re-enactment of that Order) no means of enclosure otherwise approved by Class A of Part 2 of Schedule 2 to the Order shall be erected on or around the boundaries of the areas identified as public open space on the approved site layout plan (D-111 rev Y) (other than as may be approved through Condition 18 above) without express planning permission first having been granted.

Reason: To ensure these areas of Public Open Space are not enclosed in a visually or functionally inappropriate manner 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.

Further Information:

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PLANNING COMMITTEE

December 2023

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Scale 1:1000

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scale.

