

Application Number:	23/11050 Full Planning Permission
Site:	Land adjacent to WOODBERRY DAY NURSERY, ROLLESTONE ROAD, HOLBURY, FAWLEY SO45 2GD
Development:	9 dwellings comprising: x3No. two-storey detached 4 bedroom dwellings with detached garages, x2No. 3-bedroom dwellings and x4No. 2 bedroom, semi-detached houses; new vehicle access; alterations and extensions to the existing nursery car park and formation of a new vehicle access to serve the nursery
Applicant:	Development Matters Ltd
Agent:	The Planning Group Ltd
Target Date:	18/12/2023
Case Officer:	John Fanning
Officer Recommendation:	Service Manager - Grant
Reason for Referral to Committee:	Contrary view of the Parish Council and a District Councillor. Furthermore, the recommendation is contrary to relevant local planning policy.

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Relevant planning history
- 2) Principle of development
- 3) Housing Need and 5-year Housing Land Supply
- 4) Health and Safety Consultation Zone
- 5) Design, character and appearance
- 6) Amenity
- 7) Highways and parking
- 8) Ecology
- 9) Drainage
- 10) Habitat Mitigation
- 11) Developer Contributions

2 SITE DESCRIPTION

The application site forms part of the Woodberry Day Nursery site. The land lies to the south of Rolleston Road, near to its junction with Long Copse and Hampton Lane. The nursery building occupies the eastern part of the site on the corner with the junction, with a large car park and area of open land forming the western part of the site. The site lies just outside of the defined built-up area, positioned in an area of open space between Holbury and Blackfield.

Whilst those parts of the site covered by existing areas of hardstanding would constitute previously developed land, the majority of the application site, comprising

an extensive soft landscaped area belonging to the Day Nursery, would not constitute previously developed land (for planning policy purposes).

3 PROPOSED DEVELOPMENT

The application relates to the western segment of the site, currently used in part for car parking associated with the existing nursery. The application seeks to subdivide the existing site, with part of the site being redesigned to serve as a retained car parking area for the nursery use, served by a new vehicular access onto Rolleston Road. The other part of the site is intended to be developed to create 9 new dwellings consisting of 2 semi-detached pairs and 5 detached dwellings.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status	Appeal Description
21/11659 Replacement storage building	27/01/2022	Granted Subject to Conditions	Decided	
20/10978 Alterations and additions to existing property	09/12/2020	Granted Subject to Conditions	Decided	
18/10921 Removal of condition 6 of Planning Permission 09/93731 to allow occupancy based on Ofsted requirements	01/10/2018	Granted Subject to Conditions	Decided	
11/97122 20 houses (Outline Application with details only of access)	25/11/2011	Refused	Appeal Decided	Appeal Dismissed
09/94594 Day nursery for 40 children; demolition of existing	14/12/2009	Granted Subject to Conditions	Decided	
09/93731 Single-storey replacement nursery school	13/10/2009	Granted Subject to Conditions	Decided	
01/72988 To use social club as nursery school	01/02/2006	Granted Subject to Conditions	Decided	

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

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 HOU5: Rural Housing Exception Sites and Community Led Housing Schemes

Policy IMPL1: Developer Contributions

Policy IMPL2: Development standards
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 STR8: Community services, Infrastructure and facilities

Local Plan Part 2: Sites and Development Management 2014

DM2: Nature conservation, biodiversity and geodiversity
DM9: Green Infrastructure linkages
DM20: Residential development in the countryside

Supplementary Planning Guidance And Documents

SPD - Air Quality in New Development. Adopted June 2022
SPD - Housing Design, Density and Character
SPD - Parking Standards

National Planning Policy Framework

National Planning Policy Guidance

6 PARISH / TOWN COUNCIL COMMENTS

Fawley Parish Council:

We recommend refusal as this site is not an allocated site in the district plan.

Following a previous application, it was required to be landscaped to return it to its original greenfield status (it is not brownfield) and the community considers the green space as a defining boundary between Holbury and Blackfield. We would like to raise the issue of the splay; as shown, this seems inappropriate for the position adjacent to the traffic lights. The Council is also concerned about the removal of the car parking provision for drop-offs to the nursery and is further concerned that a traffic report is being used which was carried out during the Covid period, which it feels is unrepresentative. We support an updated badger survey/walkover taking place.

7 COUNCILLOR COMMENTS

Cllr Peter Armstrong -

- Development of site is contrary to local planning policy
- Concern regard vehicle speeds and potential highways safety
- Exacerbate existing highways issues in vicinity
- Site should be retained as open land
- Strong levels of objection among local population

8 CONSULTEE COMMENTS

HCC Highways:

Following the submission of updated details, no objection is raised by the Highways Authority. A condition is recommended to secure details of the construction management to ensure appropriate management of the highway during construction works.

NFDC Ecologist:

No objection subject to suitable conditions to secure the enhancement and mitigation measures outlined in the ecology report. Given new dwellings are proposed, appropriate mitigation of recreational and nitrate impacts will need to be secured.

NFDC Planning Policy:

The Council cannot currently demonstrate a 5-year land supply. As such in accordance with paragraph 11(d) of the NPPF local policies may be considered to be out of date.

Health and Safety Executive:

No objection

9 REPRESENTATIONS RECEIVED

19 letters of objection received from local residents:

- Inappropriate location/site should be retained as a green space
- Local infrastructure cannot support more dwellings
- Will exacerbate existing traffic problems
- Construction will generate disturbance for nearby occupiers
- Access position is dangerous
- Site should make provision for affordable/social housing
- Further development should not be approved within proximity to Fawley Refinery
- Concerns of previous refusal and appeal should be upheld
- Harmful overlooking of neighbouring residential properties
- Highways report took measurements during COVID period and are not representative

- Previous conditions required this development to be greenspace

Note: A set of landscaping conditions (3 and 5) were imposed on application reference 09/94594. The approved landscaping scheme showed a tarmac accessway running across the site to serve a parking area in the eastern section of the site, adjacent to the nursery building, with the rest of the site being grassed and with tree planting. This condition was discharged on 10.03.2010. While the site does not appear to be in full accordance with the approved layout, the general layout is in accordance with the consented details.

- Site can be registered as a local greenspace

Note: The application relates to land currently in use as a car park serving the existing nursery, and there is no indication of special designation in this regard.

10 PLANNING ASSESSMENT

Relevant Planning History

A previous outline planning application under reference 11/97122 for 20 dwellings was refused on the site in November 2011. In summary, this application was refused on the following grounds:

- The proposal was contrary to policy, representing an unjustified residential development in the countryside.
- The proposal was harmful to the character and appearance of the countryside.
- There were felt to be inadequate visibility splays for access.
- The proposal constituted inappropriate development within the Fawley Major Hazard Consultation Zone.
- There was a failure to make appropriate provision to mitigate wider impacts associated with additional residential development (affordable housing, open space, transport network).

The application was the subject of a subsequent appeal that was dismissed in August 2012.

At the time of the appeal decision, the Council had an adopted policy restricting the provision of new dwellings outside of the defined built-up areas, which was further supported by the (at the time) emerging Local Plan Part 2. The Inspector agreed that the proposal would be contrary to this element of the Council's local policies and upheld the refusal in this regard.

Significantly, the Inspector did not find that there would be identifiable harm to the character of the area. The Inspector concluded that the appeal site would be predominantly viewed within the context of the surrounding built form of Rolleston Road and would primarily relate to the main built-up Holbury environment. The inspector did not consider that the development of the site for 20 dwellings would have a harmful impact on the character and appearance of the countryside and, furthermore, did not identify any adverse landscape impact.

In assessing highway safety, the Inspector found that there was a potential for risk and that, in the absence of appropriate survey information, the proposal should not be supported.

With regard to concerns relating to the hazard consultation zone, the Inspector noted the objection from the Health and Safety Executive and concluded that the proposal would give rise to an unacceptable hazard risk in view of the number of dwellings proposed.

The Inspector concluded that the other key matters in the reason for refusal could be resolved by the use of an appropriate legal agreement.

The circumstances of the current proposal are substantially different from those considered under this previous application. Specifically, the application is for fewer units and has been submitted in full, rather than in outline, allowing for a greater degree of detail and certainty over the specifics of the proposal. In addition, it is noted that both local and national policies are materially different from those that existed in 2011/12.

Notwithstanding this, many of these considerations and key issues remain relevant to the site and current proposal, and these matters will be addressed in more detail below.

Principle of Development

The site lies outside of the defined built-up area, the boundary of which lies directly to the north on the opposite side of the road in Holbury (which is occupied by residential dwellings) and a few hundred metres to the south in Blackfield. Policies STR3 and STR4 of the Local Plan outline that the Council will typically seek to locate

new development within these defined development boundaries. Policies HOU5 and DM20 provide further context, outlining that residential development in countryside locations should only be supported in certain circumstances – where the site is providing affordable housing to meet local needs or similar community focused schemes, or where the proposal represents the replacement of an existing dwelling, or to provide for agricultural or forestry workers specifically.

The current scheme for 9 new dwellings does not fall within the remit of any of these exception criteria and, as such, the proposal is contrary to Local Plan policy (in the same way that the 2011/12 scheme was contrary to policy). Paragraph 47 of the National Planning Policy Framework references planning law which 'requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise'. This means that this proposal should not be approved unless there are considered to be material considerations that would justify a departure from policy.

Housing Need and 5-year Housing Land Supply

Notwithstanding the above, it is noted that there is a defined need for new dwellings within the district as a whole, with both local and national policies encouraging the provision of new housing.

In terms of the national policy context, the National Planning Policy Framework (NPPF) has historically required Local Planning Authorities to be able to demonstrate the provision of a 5-year housing land supply to demonstrate that sufficient housing provision is being made within the district. The Council has made significant efforts to address shortfalls in housing land supply, with the allocation of a number of strategic sites, as well as approval of windfall developments on unallocated sites. However, notwithstanding this, the Council cannot currently demonstrate a 5-year land supply, with the most recent assessment citing a supply of 3.07 years.

The NPPF was updated in December 2023, with the effect that a lack of a 5-year housing land supply no longer needs to be considered in the case where the adopted plan is less than 5 years old and the plan identified at least a 5-year supply of sites when it was adopted. However, with regard to footnotes 40 and 79 of the NPPF, any applications submitted prior to the date of the new NPPF still need to be considered in the context of the previous provisions of the NPPF, meaning these recent changes are not applicable to the current proposal - which was registered before the updated NPPF was published.

Section 11d) of the NPPF outlines that permission should be granted where 'the policies which are most important for determining the application are out of date' subject to compliance with the application of other policies within the NPPF. A caveat to this is presented in section 11d)ii. which states that if an application is to be refused in this circumstance then it must be on the basis that any adverse impacts from granting consent should significantly and demonstrably outweigh the benefits, within the context of the NPPF framework. Footnote 8 clarifies that for the purposes of housing provision, such policies will be considered to be out of date where the Local Planning Authority cannot demonstrate a five year housing land supply.

On the basis of the above and with regard to the consultation response from the Councils' Planning Policy team, these considerations are relevant and important in terms of how the proposed scheme should be assessed.

In the specific case of the current application site, it is also relevant to note that the proposal is situated in immediate proximity to the defined built-up area, with the other side of the road to the north being a relatively typical residential frontage, whilst the site is also a relatively small distance from the built-up area of Blackfield to the south. A more detailed consideration of whether the proposal integrates into the pattern and character of the surrounding area will be considered in more detail below.

Health and Safety Consultation Zone

As noted above, a previous application on the site was objected to by the Health and Safety Executive on the grounds that the proposal represented an inappropriate development within the consultation zone of the nearby Fawley Refinery and other associated sites. The specific concern raised was that the density of development was too high (specifically, development in excess of 40 dwellings per hectare) and would result in an unacceptable hazard risk.

In the case of the current proposal, it is noted that the density of the proposed development is much reduced compared to the previously refused scheme. Unit numbers have been reduced from 20 to 9, so the scheme would have a density of only 19 dwellings per hectare for the residential portion of the site. The Health and Safety Executive were consulted on the current proposal and raised no objections to the development. As such, one of the main objections to the 2011/2012 scheme would no longer apply.

Design, character and appearance

At present, the site is accessed from a single vehicular entrance point at the western end of the site, with the frontage being predominantly screened by a hedge, with a pedestrian access closer to the main building and a fenced boundary treatment around the nursery building. The application proposes the formation of a new vehicular access and hard surfacing roughly in the location of the existing pedestrian access to form a new car park for the nursery. The existing access would be removed and a new access formed further to the east. The frontage would be opened up, with an area of landscaping immediately on the site frontage and an access route running in front of a broken-up row of dwellings, set well back from the site frontage.

This would represent a substantial change to the existing appearance of the site within the street scene. There is existing residential development on the southern side of Rolleston Road further to the west, but there would be a retained visual break of open space between that development and the application site. The proposed development would represent a reasonably low-density residential form, with the buildings being well set back from the immediate site frontage and well spaced within the plot. It is considered that with regard to the appearance and layout, the proposed development would integrate with the residential street scene on the northern side of the road. It is not considered that the proposal would substantially erode any sense of the green gap retained between Holbury and Blackfield and instead would present as part of the existing envelope of development within Holbury, with the low density of development providing a transition to the retained open space beyond.

The alterations to the car park to serve the existing nursery, including the new access, would somewhat open up the parking area in the context of the visibility within the surrounding street scene. There would be an increase in visible hard surfacing. However, there would also be an improvement in accessibility and additional public surveillance of the parking area in terms of crime and safety.

Overall, it is considered that subject to a suitable landscaping condition the appearance of this section of the site would be acceptable in the context of the surrounding area.

As a whole, it is considered that the development would include generous areas of soft landscaping to provide an appropriately green setting. The development would have an attractive sense of spaciousness that would be responsive to the wider context. In the same way that the appeal inspector concluded that a more intensive development of the site would not be harmful to the character and appearance of the countryside, it is not considered that this significantly less intensive development would be materially harmful in terms of its visual and landscape impact, taking into account the site's location and broader context. As such, this does weigh materially in favour of the scheme, given the lack of a 5-year housing land supply.

More generally, it is important to note that the site sits in a comparatively sustainable location in immediate proximity to the nearby facilities and amenities associated with the built-up area and would sit within this developed context, rather than being situated in a more isolated rural environment. As the site is sustainably located, this again weighs somewhat in favour of the proposed development, given the lack of a 5-year housing land supply.

Amenity

The proposal would represent an intensification of the use of the site in terms of associated comings and goings and associated activity, in addition to introducing new dwellings into the street scene.

It is considered that the site is sufficiently set back from neighbouring properties to have no adverse impact in terms of privacy, light, outlook or general amenity. While there would be an increase in activity associated with the proposed residential use, it is not considered that this would be at a level that would be harmful to the amenities of the existing nearby residential properties or indeed the existing day nursery.

Highways and Parking

With regard to the new dwellings, the proposal identifies 2 or 3 parking spaces on the available site plan per dwelling, though it is noted that given the available hardstanding on the frontage, potentially more vehicles could be parked on the driveways. It is considered that this level of car parking would comply with the standards laid out in the Council's Parking Standards SPD.

With regard to the nursery use, at present the site benefits from a larger informal area of open land without specific parking bays and a smaller more formalised parking area close to the building. Following the proposal, the size of the available parking area would be substantially reduced, with 23 identified parking bays. Some improvements to accessibility are noted in terms of the provision of defined disabled access bays, proposed EV charging and 10 cycle hoops. Turning bays are proposed to ensure that vehicles can enter and leave the site in a forward gear.

Table 7 of the Parking Standards SPD outlines that day nurseries should typically seek to secure 1.5 parking spaces per member of staff, with 1 'long stay' cycle hoop per 6 full time staff and 2 'short stay' hoops per establishment. An application on the site in 2018 identified there were 27 staff employed (though it is noted this included both full time and part-time staff with no break down of full time equivalent numbers). In support of the current application, the applicant has provided some financial records which indicate that more recently in 2022, the average number of employees on the site is 16, which would still result in a potential shortfall of 1 space in the

context of the above parking standards. On balance, it is considered that the general suite of improvements to the parking layout in terms of accessibility improvements and support for alternate transport provision are sufficient to mitigate a potential shortfall of 1 parking space and, as such, no objection is raised in terms of the proposed parking arrangement.

The Highway Authority initially raised some concerns with regard to the formation of the two new accesses onto the highway and requested additional clarification of details and further surveys to be undertaken. Following the submission of additional details on the vehicle tracking within the site, sightlines for vehicles entering and leaving and site and traffic surveys, the Highway Authority have advised they do not have any objection to the new proposed accesses, subject to a suitable condition to secure details of construction works which may effect the highway. The condition recommended by the Highway Authority incorporates a requirement to provide a method statement on the phasing of development, which will be used to ensure appropriate continuity of access and facilities for the existing use during construction works.

For the reasons outlined above, it is considered that the proposal secures suitable parking provision for the proposed development and would not otherwise be harmful to highway safety. As such, another of the main objections to the 2011/2012 development would no longer be a reason to refuse planning permission.

Ecology

An ecological survey has been submitted with the application, which offers an overview of the existing ecological features of the site and a scheme of appropriate mitigation and enhancement that has been reviewed and accepted by the Council's Ecologist. Of note, evidence of the presence of badgers within the site was noted, so a condition is recommended in line with the Ecologist's recommendation to secure a further updated survey and management plan during construction. The proposal lists a suite of biodiversity enhancements as part of the development, and an appropriate condition is recommended to secure this aspect of the proposal.

Drainage

The site does not lie within an area of identified flood risk and no specific drainage concerns have been identified in relation to the proposed development. The application does potentially result in some increase in hard surfacing on the site with a potential for an increase in surface water run off. The application has submitted a scheme of works to address drainage within the site and appropriate conditions are recommended to secure these details.

Habitat Mitigation

In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment has been carried out as to whether granting permission would adversely affect the integrity of the New Forest and Solent Coast European sites, in view of 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 a habitat mitigation contribution in accordance with the Council's Mitigation Strategy.

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 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 to include undertaking a water efficiency calculation, together with a mitigation package to addressing the additional nutrient load imposed on protected European Sites by the development. A Grampian style condition to address this is proposed.

Air Quality

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 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.

Developer Contributions

It is noted that Policy HOU2 requires an affordable housing commitment for developments of 11 or more dwellings or of more than 1000 sq m gross internal floor area. The development does not exceed these criteria and, as such, it is not considered appropriate to seek to secure any contribution in this regard.

It is noted that with regard to Policy CS7, there is an expectation for sites over 0.5ha to provide suitable on site public open space provision (including play space). While the application site as a whole is over this limit, at 0.59ha, this includes the part of the site to be retained to serve as the car park for the nursery use. The proposed residential portion of the site is 0.46ha. It is noted that the two elements of the proposal could have been submitted as individual applications. However, submission of the scheme as a single proposal is clearly beneficial to allow appropriate assessment of the scheme as a whole. Given the circumstances outlined above, it is not considered appropriate or necessary to require on-site open space or off-site contributions to be provided in association with the residential element of the scheme.

As part of the development, the following will need to be secured via a Section 106 agreement or unilateral undertaking prior to any grant of consent:

Air Quality Monitoring contribution: £927

Recreational Habitat Mitigation:

- Infrastructure Habitat Mitigation (Provision): £50,583
- Non-Infrastructure Habitat Mitigation (Access Management and Monitoring): £7,828
- Bird Aware Solent: £7,164

It is noted that these figures are index linked and will rise on the 1st April 2024.

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

Type	Proposed Floorspace (sq/m)	Existing Floorspace (sq/m)	Net Floorspace (sq/m)	Chargeable Floorspace (sq/m)	Rate	Total
Dwelling houses	998.15	0	998.15	998.15	£80/sqm	£117,013.89 *

Subtotal:	£117,013.89
Relief:	£0.00
Total Payable:	£117,013.89

11 OTHER MATTERS

N/A

12 CONCLUSION / PLANNING BALANCE

The site is situated outside of the defined built-up area, with the proposed residential development being clearly contrary to the policies of the Council's adopted Local Plan.

However, it is considered that there are a number of material considerations that weigh significantly in favour of the proposal.

Firstly, due to the Council's lack of a deliverable 5-year housing land supply, there is evidently a strong need to secure additional housing within the area, and the 'tilted balance' of the NPPF must be applied to the proposal.

Secondly, having regard to the previous 2012 appeal decision affecting this site, it is considered that the proposed development would not have a harmful impact on the character and appearance of the countryside. Instead, it is considered the proposal would be well-designed and sensitive to the site's context, sitting comfortably in the context of the surrounding development on the edge of Holbury. It is considered that the development would integrate successfully into the surrounding area. Furthermore, the site is a sustainable location, with good access to local facilities and amenities.

It is also important to note that fundamental concerns raised by the previously refused development for 20 dwellings - in terms of highway safety and health and safety - have been addressed. It is considered that there will not be a harmful impact on highway safety, whilst adequate parking provision has been secured for the existing and proposed developments.

Accordingly, when applying the 'tilted balance' of the NPPF, it is not considered that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits of providing 9 additional homes within a sustainable location. Therefore, whilst recognising that the provision of these homes in this countryside location would conflict with Local Plan policy, it is considered that on the basis of Paragraph 11d) of the NPPF, there are material considerations that fully justify making a decision that would be contrary to policy. As such, the application is recommended for conditional approval, subject to the prior completion of a Section 106 legal agreement to secure those matters set out in the report above.

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 or unilateral undertaking to secure those matters set out in the 'Developer Contributions' section of this report.
- ii) 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:

Drg No: 839-22 (Access Assessment - Issue 3) Dated: 23.02.24,
Received: 23.02.24

Drg No: 839-22-05 Rev D (Access details) Dated: 22.02.24, Received:
23.02.24

Drg No: 839-22-30 (Drainage construction details) Dated: Sept 2023,
Received: 18.01.24

Drg No: 839-22-15 Rev B (Drainage site layout) Dated: 06.01.24,
Received: 18.01.24

Drg No: 839-22-02 Rev A (Site survey) Dated: 30.09.23, Received:
18.01.24

Drg No: 839-22-70 Rev A (Vehicle swept path analysis) Dated: 06.01.24,
Received: 18.01.24
(Road safety audit - brief) Dated: 20.12.23, Received: 18.01.24
(Road safety audit - response) Dated: 04.01.24, Received: 18.01.24
(Road safety audit) Dated: 24.12.23, Received: 18.01.24
Drg No: J02737 (Energy Statement) Dated: 20.10.23, Received: 23.10.23
Drg No: 6.0 Rev A (Shed elevation and floor plan) Dated: Feb 23,
Received: 18.01.24
Drg No: 2.0 Rev A (Proposed elevation and floor plan) Dated: 10.10.23,
Received: 23.10.23
Drg No: 3.0 Rev A (Proposed elevation and floor plan) Dated: 10.10.23,
Received: 23.10.23
Drg No: 4.0 Rev A (Proposed elevation and floor plan) Dated: 10.10.23,
Received: 23.10.23
Drg No: 1.02 Rev D (Proposed site plan) Dated: 14.01.24, Received:
18.01.24
Drg No: 1.0 Rev A (Site location plan) Dated: 10.10.23, Received:
23.10.23
Drg No: 1.01 (Block plan) Received: 23.10.23
(High speed internet statement) Received: 23.10.23
(Design and access statement) Received: 23.10.23
Drg No: PEA 22-09 247.1 (Ecological appraisal) Dated: 14.09.2023,
Received: 23.10.23
(Planning statement) Received: 23.10.23

Reason: To ensure satisfactory provision of the development.

3. Prior to construction above slab level, 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.

4. The development hereby permitted shall not be occupied until the access, cycle storage provision, areas identified as turning heads within the western part of the site and the hatched areas for vehicle turning in the eastern part of the site have been provided in accordance with the approved details. The turning areas and parking spaces shall thereafter be retained for those purposes at all times.

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

5. Prior to the commencement of development, a scheme of landscaping of the site shall be submitted to and approved 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.

Prior to the occupation of the development hereby approved, the hard surfacing and means of enclosure shall be implemented in accordance with the agreed 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.

6. 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.

7. The development hereby approved shall be undertaken in full accordance with the mitigation and enhancement measures set out in Section 6 of the submitted Ecological Appraisal (Ref PEA 22-09 247.1) unless otherwise first agreed in writing with the Local Planning Authority.

Reason: To safeguard protected species in accordance with Policies ENV3, ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park and Policies DM1, DM2 and DW-E12 of the Local Plan for the New Forest District outside the National Park (Part 2: Sites and Development Management).

8. Prior to the commencement of any construction work on site, an updated badger survey/walkover shall be undertaken by a suitably qualified and experienced ecologist and an appropriate Method Statement and updated Mitigation Strategy for badgers during construction (to reflect the findings of the survey) shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the approved Method Statement and Mitigation Strategy.

Reason: To safeguard protected species in accordance with Policies ENV3, ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park and Policies DM1, DM2 and DW-E12 of the Local Plan for the New Forest District outside the National Park (Part 2: Sites and Development Management).

9. No development shall commence on site until a construction method statement has been submitted to and approved in writing by the Local Planning Authority, which shall include:
- a) a programme of and phasing of demolition and construction work
 - b) the provision of long term facilities for contractor parking
 - c) the arrangement for deliveries associated with all construction works
 - d) methods and phasing of construction works, including details of management of existing facilities during 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
 - h) wheel washing facilities or prevention methods to prevent mud spilling on to the highway

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

Reason: In order that the Local Planning Authority can properly consider the effect of the works on residential amenity and highway safety and in accordance with Policy ENV3 of the Local Plan Part 1 Planning Strategy.

10. Prior to commencement of development, a Biodiversity Enhancement Plan providing full details of ecological enhancement bird and bat boxes, (including number, specification and location) shall be submitted to and approved in writing by the Local Planning Authority. Development shall only proceed in accordance with the approved details and evidence of delivery of enhancements shall be provided prior to occupation of the dwellings hereby approved.

Reason: To safeguard protected species in accordance with Policies ENV3, ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park and Policies DM1, DM2 and DW-E12 of the Local Plan for the New Forest District outside the National Park (Part 2: Sites and Development Management).

11. 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.

12. Prior to the occupation of the development hereby approved, the development shall be implemented in accordance with the details outlined in the submitted Drainage Strategy (Issue 2) (dated 18.01.24).

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.

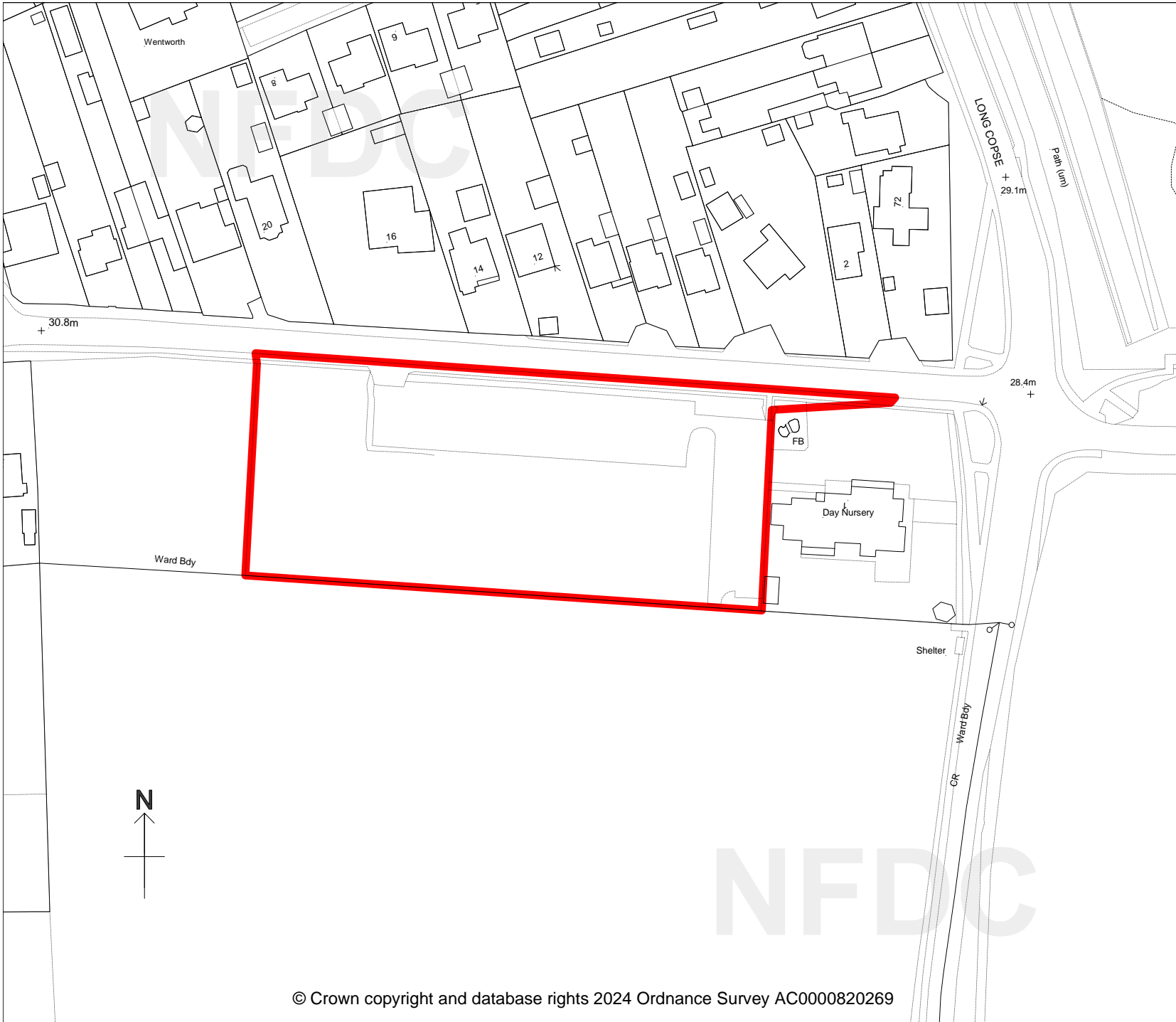
13. Prior to the commencement of development, details of levels, including finished floor levels for all buildings, levels of hard surfacing and access routes, shall be submitted to and agreed in writing by the Local Planning Authority. Development shall only proceed in accordance with the approved details.

Reason: To ensure that the development addresses the existing site levels and integrates with neighbouring land uses.

Further Information:

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PLANNING COMMITTEE

March 2024

Land adj to Woodbury Day Nursery
Rollestone Road
Holbury
23/11050

Scale 1:1250

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