

**Application Number:** 23/11296 Full Planning Permission  
**Site:** Land adj to 20 OAKLEY CLOSE, HOLBURY, FAWLEY  
SO45 2PJ (SUBJECT TO LEGAL AGREEMENT)  
**Development:** Erection of 7 bungalows with parking accessed from Ruxley  
Close  
**Applicant:** Mr Readhead  
**Agent:** ARC Architects Ltd  
**Target Date:** 05/02/2024  
**Case Officer:** Sophie Tagg  
**Officer Recommendation:** Grant Subject to Conditions  
**Reason for Referral to Committee:** Parish Council contrary view

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## 1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Principle of development
- 2) Design, site layout and impact on local character and appearance of area
- 3) Impact on trees
- 4) Impact on Highway safety, including matters relevant to car parking, access and public right of way.
- 5) Impact on residential amenity of adjacent neighbouring properties, in respect of noise, light, visual intrusion and privacy.
- 6) Impact on ecology
- 7) Habitat Mitigation and Air Quality

This application is to be considered by Committee because the recommendation is contrary to the view of Fawley Parish Council.

## 2 SITE DESCRIPTION

The application site is located within the built-up area in Holbury. It comprises an area of grassland/field associated with No. 20 Oakley Close, a residential dwellinghouse. There is a post and rail fence which segregates the site from the garden area of No.20. The field appears to have been last used as grazing but is currently not being used. On the eastern part of the site which is separated from the field by another post and rail fence, there are 4no. brick and corrugated metal sheet buildings. The site is bound by a combination of established hedging and close-board fencing to the south and north.

There are two access points into the site: one from the garden of No.20 and the other from Ruxley Close via a metal gate.

## 3 PROPOSED DEVELOPMENT

The planning application proposes to demolish the existing structures on the site and develop the site with seven bungalows. There would be 3no. 3 bedrooms

dwelling and 4 no. 2 bedroom dwellings, which would be of a varied design and appearance, utilising clay effect tiles and a variety of facing materials, including render, timber boarding and brick with upvc windows and doors.

The access into the development is proposed from Ruxley Close. Car parking is proposed for each dwelling.

During the course of the application, Officers have negotiated with the Applicants, and amendments have been received, with an additional consultation being undertaken. The amended plans have reduced the overall number of dwellings from 9 to 7 bungalows. This has resulted in an increase in the level of frontage amenity space and has increased the gaps between the proposed dwellings to provide additional soft landscaping and more space for front garden areas, parking and turning.

#### **4 PLANNING HISTORY**

No recent history directly relevant to site

#### **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 IMPL1: Developer Contributions

Policy IMPL2: Development standards

##### **Local Plan Part 2: Sites and Development Management 2014**

DM2: Nature conservation, biodiversity and geodiversity

DM3: Mitigation of impacts on European nature conservation sites

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

SPD - Air Quality in New Development. Adopted June 2022

SPD - Parking Standards

SPD - Planning for Climate Change

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

##### **Fawley Parish Council:**

##### *Initial response*

We recommend refusal as the parish council considers this to be overdevelopment; it is contrary to planning policy and not in the local plan. We also raise a health and safety concern relating to residents crossing the road to access their garages if this proposal went ahead and note that the report of Hampshire Highways has not been received so full data is not available.

## *Response to amended plans*

We recommend refusal; the parish council considers this to be overdevelopment and agrees with the objection of the ecological consultee. We also raise a health and safety concern relating to existing local residents crossing the road to access their garages if the proposal went ahead and access for emergency vehicles. The new proposal appears to result in a loss of light to a neighbouring property and we query whether the positioning and size of the bin store is suitable for the development with the introduction of wheelie bins. The Parish Council identifies that the application does not acknowledge any of the site characteristics

## **7 COUNCILLOR COMMENTS**

### ***Councillor Armstrong***

I have seen the technical drawing from HCC for a refuse truck but it takes no account of residents' vehicles which are currently parked daily (when they are home) along the proposed entrance to the new development and along part of the entrance part of Ruxley Close and have been for many years. A desk exercise seems to have been conducted by HCC with no understanding of current local residents' parking requirements and need. It shows no other vehicles present on this technical drawing.

I have already been told by a resident that the NFDC refuse truck has had to mount a pavement to get to the end. Unsure whether this has been now and again or regular. Would be dependent on time of day. The proposed entrance will mean residents' cars/vehicles can't park there. This will result in cars/works vehicles (the later would restrict larger vehicles going up or down Ruxley Close), parked all along Ruxley Close and even out onto Watton Road when local residents are home. This will not give two-way access. There will be nowhere for visitors for the proposed properties, and if they park where current residents do there will be friction. Any parking restrictions proposed in this area will only exacerbate the problems I have highlighted and will bring about quite a number of very unhappy residents, even more than current ones, to this proposed development/access issues.

The applicant owns a house at one end of the green space, and suitable access would therefore be possible elsewhere than Ruxley Close.

## **8 CONSULTEE COMMENTS**

### **NFDC Ecologist**

An Ecological Assessment Report by ABR Ecology Ltd, dated 1 st April 2024 has now been submitted. I have no objections provided the recommendations in the report are secured, namely those provided in Section 4 and Appendix G of the aforementioned report.

### **HCC Highways**

Additional information has been provided, confirming the geometry of the access and internal road, along with additional tracking. This is acceptable to the Highway Authority. As such, there is no objection to this application.

### **NFDC Tree Team**

No Objection Subject to Condition(s)

### **NFDC Waste and Recycling**

No objection. Plans are acceptable. Suggest that no parking lines are put in turning points.

### **Health and Safety Executive**

HSE does not advise, on safety grounds, against the granting of planning permission in this case.

## **9 REPRESENTATIONS RECEIVED**

The following is a summary of the representations received.

22 Letters of objection:

- Inappropriate and dangerous access from Ruxley Close - too narrow, congested during the day and night; unsuitable for construction traffic and refuse lorries - more traffic will contribute to the problems and more cars parked will limit view of drivers.
- Watton Road is congested.
- Development is too dense
- Impact upon the protected tree
- Access for residents of Ruxley Close could be restricted. They need daily access to garages.
- Wildlife in the area will be affected
- Privacy impact to residents of Ruxley Close (No.11-18) and 53 and 67 Holbury Drove
- Overbearing roofline which will block light from kitchen and lounge and impact upon aspect, privacy and enjoyment of property (occupier of 67 Holbury Drove)
  
- Drainage - land liable to flooding - drainage not clear on plans
- Disturbance from noise dust and fumes
- Pathway adjacent to site is poorly maintained

2 Letters of support:

- Much needed development to create retirement bungalows
- Opportunity for Council to create front drives for properties along Ruxley Close to allow parking and EV charging points
- Bungalows in keeping with area

## **10 PLANNING ASSESSMENT**

### Principle of Development

The application site lies within Holbury's built-up area, where there is a presumption in favour of new housing. However, the benefits of the proposal in terms of new housing provision must be weighed against the potential harm caused, which is examined in the following sections.

The site is located within Flood Zone 1 and therefore a Flood Risk Assessment is not required.

The site is also located within the Fawley Major Hazard Consultation zone. The level of proposed development would not give rise to an unacceptable health and safety risk, based on the comments of the Health and Safety Executive.

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

Policy ENV3 of the Local Plan stipulates that new development will be required to be well-designed to respect the character, identity and context of the area's towns. Moreover, the policy states that new development will be required to create buildings, streets and spaces which are sympathetic to the environment and their

context in terms of layout, landscape, scale, height, appearance and density and in relationship to adjoining buildings, spaces and landscape features.

Policy ENV4 of the Local Plan seeks to ensure that all new development is appropriate and sympathetic to its setting and landscape. Specifically, it needs to be considered whether the design, materials, layout, vehicular access, parking and turning arrangements proposed would preserve or enhance the quality of the area, including making allowance for meaningful landscaping.

In assessing the character of the area, the site is set within a predominantly residential area and is bounded by residential development. The surrounding form of development comprises a row of two-storey terraced dwellings and 2no. associated detached blocks of single-storey garages and parking to the south and detached dwellings to the north. The 7no. dwellings are proposed to be single-storey bungalows, and the main views into the site would be from Ruxley Close, although there is screening in the form of an established hedgerow along the boundary.

The site would be accessed from the end of Ruxley Close. The dwellings would be set within a cul-de-sac style development, with 5 bungalows facing south and two bungalows set at the end of the cul de sac facing east. The bungalows would each have an area of frontage providing green amenity space to allow for landscaping which would soften the overall impact of the built form and the parking to the front of the properties. The existing protected tree in the south-eastern corner would be retained. Visually, the proposed dwellings have been designed in a traditional manner using sympathetic materials, all with individual design features that include the use of a mix of render, timber cladding and brick facing materials and clay effect roof tiles. An element of variety has been added in the design, to avoid repetition.

The total area of the site is 0.3 hectares. The development is considered to be of an appropriate density, calculated as 23.3 dwellings per hectare, reasonably reflecting the character and density of the wider area. It is considered that the scale and appearance of the development, and the layout of the site, would be compatible with the wider context and would not appear out of character with the form of existing development.

It would be appropriate to restrict future alterations to the bungalows to ensure the dwellings remain of an appropriate scale in this location and to ensure there would be no unacceptable impacts on the residential amenity of neighbouring occupiers. Therefore, permitted development rights are proposed to be removed so that the local authority are able to control future alterations to the properties.

Overall, the layout and design is considered to be of a high standard, following the principles set out within Policy ENV3, noting the gaps between the properties and the landscaped front garden areas. The proposed development has been designed so that the dwellings would retain space around the buildings, with opportunities to provide soft landscaping throughout the site. It is considered that the development would make a positive contribution to the character of the area, would be a good use of an underutilised area of land within the built-up area and would be contextually appropriate in this area.

#### Impact on trees including trees subject to TPO

In accordance with Policy ENV3 of the Local Plan the development should take account of landscape features. Situated on the south-western corner of the site is a mature oak protected by Tree Preservation Order TPO/0015/23/T1 which contributes to the verdant setting of the site.

To support this application an Arboricultural Impact Assessment, Method Statement and Tree Protection Plan have been submitted. The Tree Officer considers that the proposed development will not have any adverse impact on the protected trees subject to conditions. It is also considered reasonable for the local planning authority to control any additional hardstanding and structures within the root protection area of the protected oak tree and this is encompassed within the aforementioned condition removing permitted development rights.

Impact on Highway safety, including matters relevant to car parking, access and public right of way

The application has been assessed against policy CCC2 of the Local Plan, which seeks to ensure that there is sufficient car and cycle parking and the provision of infrastructure to support the use of electric car charging. Additionally, Policy IMPL2 relating to development standards places a requirement on new developments to make provision to enable the convenient installation of charging points for electric vehicles, which is now secured through the Building Regulations.

The development seeks to provide a total of 14 car parking spaces on the driveways set within each plot. Based upon the Council's adopted car parking standards, the proposed number of car parking spaces would be slightly below the recommended requirement, whereby for three 3-bedroom dwellings and four 2-bedroom dwellings it is recommended that 15.5 on plot spaces be provided. On balance, it is considered that given the site is located within walking distance of a bus stop and given the data set out within Annex 2 of the SPD identifying that car ownership levels are lower per person in Holbury and Blackfield, the reduced level of car parking is acceptable. Importantly, given the site's particular context, it is not considered that a shortfall of 1.5 car parking spaces below the recommended standard would result in additional parking on the public highway that would be detrimental to highway safety.

Ruxley Close is adopted highway up to the turning head and boundary of the site. The comments from the Local Ward Councillor and local residents have been considered. The plans show that adequate visibility splays are available, and plans have been provided showing sufficient space for manoeuvring to allow larger vehicles to access and egress the site appropriately. The Highway Authority have raised no objection and the Council's Waste Strategy Officer raises no objection in terms of waste collection. A condition is recommended to ensure that before first occupation of any dwelling on the site, provision for car parking and the manoeuvring of vehicles shall have been made within the site in accordance with the approved plans and shall be permanently retained.

Paragraph 115 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. In this case, the Highway Authority were consulted and raised no objection. Given the response of the Highway Authority, Officers are therefore satisfied that the proposals would not be of severe detriment to the operation and safety of the local highway network. Overall, it is considered that the proposal would not result in severe harm to public highway safety.

Impact on residential amenity of adjacent neighbouring properties, in respect of noise, light, visual intrusion and privacy

Policy ENV3 of the Local Plan requires the impact of development proposals upon the amenity of existing and future occupiers to be taken into consideration, in relation to residential amenity. It therefore needs to be considered whether the

impact of the development would be acceptable in respect of privacy, light and outlook; and also whether the proposed development would provide sufficient private amenity space for occupiers of the proposed dwellings.

With regard to residential amenity, concerning the closest property to the development to the north-west (No. 67 Holbury Drove), the distance between the south-eastern corner of 67 Holbury Drove and north-western corner of Plot 1 is approximately 11 metres. Although the roof form of Plot 1 would be seen from No.67, this relationship is not considered materially harmful due to the scale and orientation of Plot 1 and the degree of separation between the 2 properties, with Plot 1 being set off the shared boundary. As such, it is not considered the proposal would cause an unacceptable loss of light, outlook or level of overlooking of 67 Holbury Drove.

Plot 2 would be 17.5 metres away from No. 18 Ruxley Close, whilst Plots 3 and 4 would be over 23 metres away from No.11-18 Ruxley Close to the south of the site. The properties which back onto the site along Holbury Drove have deep rear gardens and the distance from the rear of the properties to the bungalows are over 30 metres away. The buildings along the southern boundary of 59 Holbury Drove, close to the site boundary, are garden outbuildings. The properties proposed are single-storey, and it is considered that the relationship with the surrounding development is acceptable and would not result in undue overlooking or loss of outlook given separation distances and intervening features such as vegetation and fencing.

Having regard to the concerns of local residents, and in line with Policy ENV3 of the Local Plan and the Air Quality in New Development SPD, it would be appropriate to request that a Construction Environmental Management Plan be submitted to ensure that the works would not have a harmful impact in terms of construction noise, hours of working and dust suppression; and this therefore forms the requirements of a condition.

#### Impact on Ecology and Biodiversity Net Gain

The comments from local residents have been considered and the Council's Ecologist has been consulted. A Preliminary Ecological Appraisal (PEA) was submitted during the course of the application. The PEA makes recommendations and suggestions for ecological enhancements, and a planning condition has been applied which requires that the Applicant provide the enhancements set out.

In this case, the national mandatory 10% BNG requirement is not applicable. The application is defined as a 'small development' and it was submitted prior to the 2 April 2024 when the national BNG requirement commenced.

The Planning for Climate Change SPD sets out recommended measures to achieve climate adapted development. The proposal will meet several of the requirements set out within the SPD providing a sustainable surface water drainage system, modern insulation to enhance the thermal properties of the dwellings, cycle parking and EV charging points and the properties are located within a sustainable location close to an existing bus route and local centre.

#### **Habitat Mitigation and off-site recreational impact**

#### Habitat Mitigation and Air Quality

#### a) Recreational Impacts

The site lies in close proximity to the New Forest Special Area of Conservation (SAC), New Forest Special Protection Area (SPA) and New Forest Ramsar site and the Solent and Southampton Water SPA, Ramsar site and Solent Maritime SAC. The proposals would result in additional residential dwellings. There is a likely cumulative impact on the New Forest European Sites from recreational disturbance.

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 planning permission would adversely affect the integrity of the New Forest SAC, SPA and Ramsar site, and the Solent and Southampton Water SPA, Ramsar site and Solent Maritime SAC, 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 the adverse impacts would be avoided if the planning permission were to be conditional upon the approval of proposals for the mitigation of that impact in accordance with the Council's Mitigation Strategy or mitigation to at least an equivalent effect. The Agent has confirmed that the contributions towards the Council's mitigation package will be paid post decision via a S106 Legal Agreement which has been executed.

#### b) Air quality monitoring

Since July 2020 the Council is required to ensure that impacts on international nature conservation sites are adequately mitigated in respect of traffic-related nitrogen air pollution (including NO<sub>x</sub>, nitrogen deposition and ammonia). Given the uncertainties in present data, a contribution is required to undertake ongoing monitoring of the effects of traffic emissions on sensitive locations. A monitoring strategy will be implemented to provide the earliest possible indication that the forms of nitrogen pollution discussed (including ammonia concentrations) are beginning to affect vegetation, so that, if necessary, measures can be taken to mitigate the impact and prevent an adverse effect on the integrity of the SAC habitats from occurring. A financial contribution is required towards monitoring and, if necessary (based on future monitoring outcomes), managing or mitigating air quality effects within the New Forest SPA, SAC and Ramsar site. This will be paid post decision via a S106 Legal Agreement which has been executed.

#### c) Nitrate neutrality and impact on Solent SAC and SPAs

There is existing evidence of high levels of nitrogen and phosphorus in the water environment, with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. Natural England have now raised this with the Council and other Councils bordering the Solent catchment area and have raised objections to any new application which includes an element of new residential overnight accommodation unless nitrate neutrality can be achieved or adequate and effective mitigation is in place prior to any new dwelling being occupied. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. The Council has a policy in its new Local Plan which seeks to safeguard against any adverse impact and to ensure that suitable mitigation is in place to avoid any harmful impact on sites of importance for nature conservation. An Appropriate Assessment as required by Regulation 63 of the Habitat Regulations has been carried out, which concludes that the proposed project would have an adverse effect due to the additional nitrate load on the Solent catchment. As the Competent Authority, the Council considers that there needs to be a mitigation project to provide this development with a nitrate budget. For this reason, a Grampian



Condition will be imposed and a further Appropriate Assessment carried out on discharge of this condition.

### Developer Contributions

As part of the development, the following will/has been secured via a Section 106 agreement:

- Air quality monitoring contribution is £763
- The Habitat Mitigation (Access Management and Monitoring) Contribution is £5640
- The Habitat Mitigation (Bird Aware Solent) Contribution is £5309
- The Habitat Mitigation (Infrastructure) Contribution is £37,485 .

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

Type	Proposed Floorspace (sq/m)	Existing Floorspace (sq/m)	Net Floorspace (sq/m)	Chargeable Floorspace (sq/m)	Rate	Total
Dwelling houses	564.5	165	399.5	399.5	£80/sqm	£46,833.69 *

Subtotal:	£46,833.69
Relief:	£0.00
Total Payable:	£46,833.69

## **11 CONCLUSION / PLANNING BALANCE**

Overall, it is considered that the proposal would deliver a sustainable form of development, with 7 new dwellings proposed within the built up area of Holbury, which would be contextual of the existing form of development and which would make good use of an underutilised area of land. Given the Council's lack of a 5-year housing supply, there would be clear economic, social and environmental benefits in providing much needed additional housing in a sustainable location, reasonably close to local facilities.

The proposal would have an acceptable impact upon the character of the area, trees, ecological interests, neighbouring amenity, and protected habitats, subject to conditions as set out in the report above, in accordance with policies of the development plan. In terms of highway safety, the comments of the local residents have been fully considered. However, there has been no objection raised by the Highway Authority or the Waste and Recycling Officer in relation to the access arrangements proposed from Ruxley Close into the site. From a highway safety perspective, the proposal is therefore considered acceptable.

A S106 Legal Agreement has been executed, securing the necessary habitat mitigation requirements. The application is therefore recommended for approval.

## 12 RECOMMENDATION

### Grant Subject to Conditions

#### 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 and reports:

9757 / 300 REV C  
9757/ 301  
9757/ 302 REV A  
9757/303  
9757/304  
9757/305  
9757/306  
9757/307 Rev A  
9757/308 Rev A  
9757/309  
9757/310  
9757/111  
6099-001 REV A  
099-202 REV A  
6099-203 REV B  
ITR/6099/THN.1  
RNAPC/525/TCP/1  
RNAPC/525/TPP/3  
Air Quality Statement (December 2023).

Reason: To ensure satisfactory provision of the development.

3. Before development commences, samples or exact details of the facing and roofing materials, along with the details of the windows and doors, including materials and colours 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 buildings in accordance with Policy ENV3 of the Local Plan Part 1.

4. 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 the works are done in a manner which safeguards the character of the area in accordance with Policy ENV 3 of the Local Plan.

5. Prior to first occupation of any dwelling on the site, provision for car parking and the manoeuvring of vehicles shall have been made within the site in accordance with the approved plans and shall be permanently retained thereafter to serve the development hereby approved.

Reason: In the interests of highway safety in accordance with Policy ENV3 (iv) of the Local Plan Part 1.

6. 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 tree and shrub planting (species, size, spacing and location);
- (c) areas for hard surfacing, including the access road and car parking areas, and the materials to be used;
- (d) the treatment of the boundaries of the site and other means of enclosure;
- (e) a method and programme for its implementation and the means to provide for its future maintenance.

No development shall take place 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 safeguard trees and natural features which are important to the visual amenities of the area in compliance with Policies ENV3 and ENV4 of the Local Plan Part 1.

7. The hard and soft landscaping scheme as approved under Condition 6 shall be fully implemented prior to first occupation or in accordance with any phasing submitted to and agreed in writing with the Local Planning Authority. Any trees or shrubs which die, become damaged or diseased within 5 years of the full completion of the development, or planting whichever is the later, shall be replaced with the same species in the first available planting season (November to March) unless the Local Planning Authority has agreed in writing to a change of species beforehand.

Reason: To ensure that the development takes place in an appropriate way and to safeguard trees and natural features which are important to the visual amenities of the area in compliance with Policies ENV3 and ENV4 of the Local Plan Part 1.

8. The ecological enhancements identified within the Ecological Assessment Report by ABR Ecology Ltd, dated 1st April 2024, as specifically set out within Section 4 and Appendix G of the aforementioned report, shall be installed prior to first occupation of the dwellings hereby approved and shall thereafter be retained in perpetuity.

Reason: To safeguard protected species and to deliver Biodiversity Net Gain in accordance with Policy DM2 of the Local Plan for the New Forest District outside the National Park (Part 2 : Sites and Development Management).

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any re-enactment of that Order), no extension otherwise approved by Classes AA, A, B or C of Part 1 of Schedule 2 to the Order, garage or other outbuilding otherwise approved by Class E of Part 1 of Schedule 2 to the Order, hard surfaces incidental to the enjoyment of a dwellinghouse otherwise approved by Class F of Part 1 of Schedule 2 to the Order or means of enclosure otherwise approved by Class A of Part 2 of Schedule 2 to the Order shall be erected or carried out without express planning permission first having been granted.

Reason: In view of the physical characteristics of the plot, the Local Planning Authority would wish to ensure that any future development proposals do not adversely affect the visual amenities of the area and the amenities of neighbouring properties, contrary to Policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park.

10. 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.

11. 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 RNapc Arboricultural Impact Assessment ref 525/AIA/1 dated 20th November 2023, Arboricultural Method Statement: a Construction Specification for trees Ref 525/AMS/1 and Tree Protection plan RNapc/525/TPP/3 or as may otherwise be agreed in writing with the Local Planning Authority.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area.

12. Prior to the commencement of development (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 and confirm that they have been installed as illustrated and specified within the submitted RNapc Arboricultural Impact Assessment ref 525/AIA/1 dated 20 November 2023, Arboricultural Method Statement: a Construction Specification for trees Ref 525/AMS/1 and Tree Protection plan RNapc/525/TPP/3.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area.

13. On completion of the installation of the Cellular Confinement System and before occupation of any dwelling, photographic evidence demonstrating that the works have been completed in accordance with the submitted Richard Nicholson Arboricultural Method Statement: a Construction Specification for trees Ref 525/AMS/1 and Tree Protection plan RNapc/525/TPP/3 shall be submitted to the Local Planning Authority.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area.

14. Before development commences, details of cycle storage for each dwellinghouse shall be submitted to and approved in writing by the Local Planning Authority. The development shall only proceed in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority. The approved cycle storage shall be provided prior to first occupation and shall thereafter be retained and maintained at all times.

Reason: To ensure cycle storage provision is provided in accordance with the Council's adopted standards to ensure the proposals offer appropriate alternatives to the motor car in the interests of sustainable development.

15. Prior to commencement of development, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following details:
- Development contacts, roles and responsibilities
  - Public communication strategy, including a complaints procedure.
  - A Dust Management Plan (DMP) including suppression, mitigation and avoidance measures to control dust.
  - Noise reduction measures, including use of acoustic screens and enclosures, the type of equipment to be used and their hours of operation.
  - Measures to control light spill and glare from any floodlighting and security lighting installed.
  - All works and ancillary operations in connection with the construction of the development, including the use of any equipment or deliveries to the site, which shall be carried out only between 0800 hours and 1800 hours on Mondays to Fridays and between 0800 hours and 1300 hours on Saturdays and at no time on Sundays, Bank Holidays or Public Holidays.
  - Details of the storage of materials and machinery during construction.

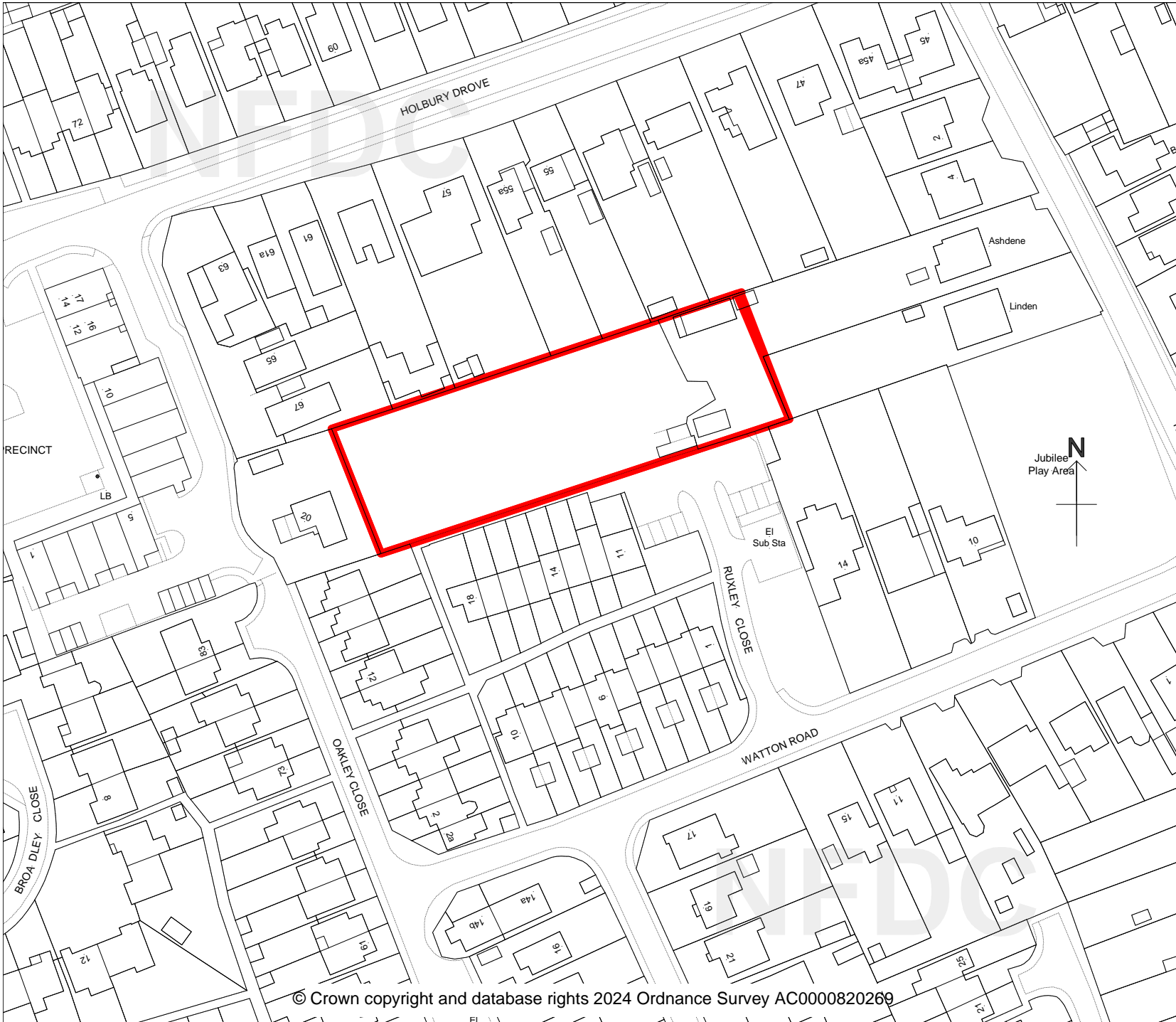
The approved details shall be implemented before the development hereby permitted commences and shall be adhered to throughout the period of construction. The development shall only be carried out in accordance with the CEMP as approved.

Reason: To protect the amenity of residents in accordance with Policy ENV3 of the Local Plan Part 1.

**Further Information:**

Sophie Tagg

Telephone: 023 8028 5439



# New Forest

DISTRICT COUNCIL

Tel: 023 8028 5000  
[www.newforest.gov.uk](http://www.newforest.gov.uk)

Mark Wyatt  
 Service Manager  
 Development Management  
 New Forest District Council  
 Appletree Court  
 Lyndhurst  
 SO43 7PA

## PLANNING COMMITTEE

August 2024

Land adj 20 Oakley Close  
 Holbury  
 Fawley  
 23/11296

Scale 1:1250

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