

Application Number:	22/10219 Outline Planning Permission
Site:	SS1 LAND NORTH OF COOKS LANE TOTTON SO40 2BQ
Development:	Development of up to 196 Dwellings, including accesses from Cooks Lane and Pauletts Lane, provision of Public Open Space & Alternative Natural Recreational Greenspace and Drainage (Outline Application with details only of Access).
Applicant:	Miss Reeves & Merlion Capital Corporation
Agent:	Ken Parke Planning Consultants Ltd
Target Date:	01/06/2022
Case Officer:	James Gilfillan
Officer Recommendation:	Service Manager - Grant
Reason for Referral to Committee:	One of the Councils Strategic sites.

1 THE MAIN ISSUES

The issues are:

- A. The Principle of the Development, Housing Land Supply and National Policy Context
- B. Housing Mix and Affordable Housing
- C. Character, Layout, Landscape, Trees and Open Space
- D. Highways and Access
- E. Flood Risk and Drainage
- F. Residential Amenity
- G. Heritage
- H. Ecology and Habitat Mitigation
 - i) Ecology and Protected Species
 - ii) Recreational Activity Impact on New Forest and Solent Habitats
 - iii) Nitrate Neutrality and Impact on the Solent Special Protection Area (SPA) and Special Area of Conservation (SAC).
- I. Other Matters

2 SITE DESCRIPTION

The application site is made up of agricultural fields located to the north of Cooks Lane adjacent to the existing residential area of Calmore. The site straddles the boundary between Totton and Eling Town and Netley Marsh Parish. It is a substantial portion of the Strategic Allocation SS1 'Land to the North of Totton' that covers a much larger area of land that extends either side of Pauletts Lane, to the A326 in the west and beyond the A36 Salisbury Road towards the M27 in the north.

The site is enclosed by Cooks Lane to the south, Salisbury Road to the east and Pauletts Lane to the west. To the north are fields also within the SS1 allocation site but outside the application site. There are residential properties on Cooks Lane and Pauletts Lane backing on to the site. There is a single residential property on the site at present, Laurel Bank Farm, accessed from Salisbury Road that would be retained, albeit with a reduced garden. There is a Grade II Listed building, Broad

Oaks Cottage, close to the western edge of the application site on Pauletts Lane.

There are several field gate accesses in to different parts of the application site from the respective surrounding roads.

The land slopes gradually down from Cooks Lane to the ditch crossing east-west along the field boundary, before rising to the north towards Salisbury Road. There are mature trees and hedgerows along boundaries, many of the trees are protected by Preservation Orders. Bog Plantation a large area of woodland, in the centre of the site, also protected. There are ditches that cross the site and surface water flooding is predicted along their route, predominately following the north boundary of the application site.

The area has a rural character owing to the dominance of agricultural uses, mature trees and very low density of the existing built form. However, the site falls within the built up area, as defined in the Local Plan, to accommodate the allocated strategic mixed-use site SS1.

3 PROPOSED DEVELOPMENT

The application is made in Outline for the development of up to 196 Dwellings, including accesses from Cooks Lane and Pauletts Lane, provision of Public Open Space, Alternative Natural Recreational Greenspace and Drainage.

The Matters under consideration by this application are:

Principle: The principle of up to 196 dwellings across the application site and the provision of Public Open Space (POS) and Alternative Natural Recreational Greenspace (ANRG) to serve the residents.

Access: The means of accessing the site on foot, cycle and by car from the adjoining routes and roads.

The detailed Matters of; Appearance, Landscaping, Layout and Scale of the development; are reserved for consideration by future applications.

The application is supported by detailed proposals of two accesses for all modes of travel from Pauletts Lane and one from Cooks Lane, to serve three development parcels. Detailed plans also propose shared cycle-pedestrian (non-vehicular) access will be provided from Salisbury Road, Pauletts Lane and Cooks Lane.

Three parameter plans are provided to support the principle of the development;

- An Access Parameter Plan;
- A Built Development Framework Parameter Plan;
- A Landscape and Drainage Parameter Plan.

with two further supporting plans;

- Indicative Proposed Site Sections;
- Pauletts Lane Area 3 Indicative pedestrian/cycle crossing.

These plans set out the extent of land proposed for development, with a range of densities and potential building heights across those parcels. Those parcels are defined by the on site management of surface water drainage and flood risk and retention of existing landscape features to contribute to the provision of adequate Public Open Space and Alternative Natural Recreational Greenspace. A potential

hierarchy of routes between the identified access points is shown, including options to link to adjoining land within the SS1 allocation.

Environmental Impact Assessment (EIA)

Despite the Council's opinion that the development constituted EIA development, the Secretary of State was invited, by the applicant, to adopt a screening opinion. The SoS issued a Screening Direction that it was not likely that significant effects would arise, alone or in combination with other SS1 sub parcels, to constitute EIA development.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description
Application Site		
21/10564 Development of up to 225 residential dwellings. Provision of public open space (POS) (approximately 2 hectares) and Alternative Natural Recreational Greenspace (ANRG) (approximately 4.8 hectares); (Request for EIA Screening Opinion)	16/06/2021	EIA Required Applicant 'appealed' this view to SoS, who directed not EIA development.
Adjoining Sites		
22/10747 - Land North of the Hollies, Hill Street. Construction of 9 detached dwellings with access from Hill Street.	13/12/2023	Approved
22/10854 - Land West of Hill Street. Construction of 60 dwellings with two accesses from Hill Street.	08/11/2023	Resolved to Grant, subject to S.106.
23/10268 - Land North of Salisbury Road (Bloor Homes) Reserved matters application for 269 homes pursuant to outline application 20/10997		Resolved to Grant subject to S.106
20/10997 - Land North of Salisbury Road (Bloor Homes) Outline planning application with all matters reserved, except means of access to the highway network, for the demolition of existing buildings and the residential (C3) development of the site with up to 280 dwellings.	16/01/2023	Granted subject to S.106 and Conditions.

5 PLANNING POLICY AND GUIDANCE

Relevant Legislation

Planning and Compulsory Purchase Act 2004. Section 38 Development Plan

Planning (Listed Buildings and Conservation Areas) Act 1990

S.66 General duty as respects listed buildings in exercise of planning functions.

National Planning Guidance

NPPF (December 2023)

NPPF Consultation Draft July 2024

July 2024 Written Ministerial Statement

Planning Practice Guidance

Local Plan 2016-2036 Part 1: Planning Strategy

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

Policy STR9: Development on land within a Minerals Safeguarding Area or Minerals Consultation Area

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 CCC1: Safe and healthy communities

Policy CCC2: Safe and sustainable travel

Policy IMPL1: Developer Contributions

Policy IMPL2: Development standards

Strategic Site 1: Land to the north of Totton

Local Plan Part 2: Sites and Development Management 2014

DM1: Heritage and Conservation

DM2: Nature conservation, biodiversity and geodiversity

DM9: Green Infrastructure linkages

Local Plan part 1: Core Strategy 2009 (Saved Policy)

CS7: Open spaces, sport and recreation

Supplementary Planning Guidance And Documents

SPD - Parking Standards

SPD - Mitigation Strategy for European Sites

SPD - Air Quality in New Development.

SPD - Planning for Climate Change

Infrastructure Delivery Plan 2018

Tree Preservation Order: 85/03/W1

Strategic Flood Risk Assessment 2024.

6 PARISH / TOWN COUNCIL COMMENTS

Netley Marsh Parish Council - April 2022

PAR 5. We are happy to accept the decision reached by the NFDC Officers under their delegated powers.

Overall the design of the application within Netley Marsh area of the application is considered acceptable.

Concerns were expressed on:

- Pauletts Lane. During original discussions the lane was supposed to be traffic free. New application uses it for access.
- Flooding issues appear to have been addressed for the area within Netley Marsh Parish. There is concern regarding flooding issues in the Totton & Eling area of the application.
- It is felt more attention is needed on the wider infrastructure implications. Infrastructure needs to be agreed and implemented prior to building commencement and needs to be linked to the infrastructure for the wider area.
- There is also concern about the additional pressure on the A326

Totton & Eling Town Council - January 2023

RECOMMENDATION PAR4: We recommend REFUSAL, for the reasons listed

- Consideration must be given to existing residents which historically have not been overlooked, new housing will literally surround them.
- Properties on Cooks Lane experience flooding in rear gardens, this existing problem would only be heightened.
- Whilst three separate vehicle accesses have been proposed on Pauletts Lane, it is felt the Lane cannot handle the increase, the proposed vehicular movements in the Transport Plan do seem miscalculated based on potential additional vehicles.
- Infrastructure facilities mainly schools and doctors have been overlooked.
- If approved it is requested that a section of the proposed houses in area 1, adjacent to Cooks Lane, be completely removed to avoid un-necessary over-looking, to avoid over intensification and complete loss of wildlife habitat.
- The impact of the development to existing residents would not 'achieve high quality design that would contribute positively to their quality life nor enhance the character and identity of the local area by creating buildings that are appropriate or sympathetic to the environment of context? - therefore failing to comply with policy ENV3.

Netley Marsh Parish Council - September 2023

PAR4. We recommend REFUSAL, for the reason listed below.

The current proposals do not take account of the rural character of Pauletts Lane, the retention of which was part of the original proposals. Further development to the west of the site will only exacerbate any problems. There are also concerns about drainage and its adequacy to cope with the amount of standing water which accumulates on the site after periods of heavy rain

Totton & Eling Town Council - September 2023

PAR4: We recommend REFUSAL, for the reasons listed.

Having reviewed the amended plans, the Town Council are of the opinion the proposal is unsatisfactory for the purpose of the application and would not be a suitable solution, it is also felt the measures proposed would do little to discourage speeding.

Our original comments still stand in that Paulett's Lane is not designed to handle the proposed volume of additional traffic this development would generate.

7 COUNCILLOR COMMENTS

Cllr A Davis: Objects to the failure to respect residents concerns, increased vehicle movements on Pauletts Lane compromising highway safety and the general lack of infrastructure to support such a proposal.

N.B Arthur Davis is no longer a district councillor.

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

New Forest District Council

Arboriculture: No Objection subject to conditions.

No objection to the access to the site or the principle of the overall layout. However, the number of paths through the woodland should be reduced at detailed design.

Archaeologist: No Objection subject to conditions.

Based on archaeological activity close to the site there is good potential for site to contain undiscovered archaeological deposits. Due to the outline form of the application a condition can be used to ensure further geophysical surveys and trenched evaluation undertaken to identify any remains or deposits that should inform detailed design work.

Conservation: No Objection.

The two main heritage assets identified are the grade II Listed Broadmoor Cottage to the west of the site and the grade II Little Testwood House to north-east of the site. The inter visibility of the site to these assets is limited and does not form a key part of their setting, as such no harm is found.

Ecologist: No Objection subject to conditions.

Sufficient survey and impact assessment of the impact of the scheme has been undertaken. The Impact assessment presents an appropriate range of mitigation for the species and habitats found. Impacts on protected New Forest and Solent habitats would occur and mitigation identified. Off site BNG is proposed. Some concerns will be addressed by detailed proposals provided at reserved matters stage.

Environment Design: Objection.

Satisfactory distribution of greenspace and location for developable parcels, which is justified through the Design and Access Statement (D&AS) and the amended landscape masterplan.

The layout illustrated within the D&AS demonstrates some unreasonable expectations regarding the intensity of development within large parts of the site and there are several concerns about potential layout issues that impact upon the delivery of good landscape, appropriate treatment of green infrastructure, good streets, respect for local context and upon the development's quality as a whole. We remain opposed to the damage to the woodland proposed by the cycleways, paths and glades within it.

The application fails to accord with ENV3 and ENV4.

Environmental Health (Pollution): No Objection subject to conditions.

Air Quality - Adequate modelling and assessment has been undertaken, no objection subject to a CEMP condition.

Noise - There is low to medium risk of noise disturbance, a condition should be imposed to undertake a stage 2 Acoustic Design Statement to ensure appropriate internal and external amenity for residents.

Lighting - A condition should be imposed seeking a lighting strategy to ensure lighting does not adversely effect amenity.

Construction - A condition should be imposed seeking a Construction Management Plan in order to minimise adverse impacts on the amenity of local residents.

Environmental Health (Contaminated Land): No Objection.

No evidence of historic uses that would result in ground contamination requiring mitigation.

Housing Team: No Objection subject to S.106.

The commitment to deliver 35% of the scheme as affordable tenures is welcomed. The proposed size mix reflects needs in Totton. As an outline application the appropriate tenure split and proposed house size mix should be secured by way of S.106 obligations.

Open Space Officer: Objection.

Raises concerns over illustrative proposals in respect of the detail and execution of

surface water drainage, play provision and landscape design.

Hampshire County Council

Countryside Services: Comments.

Expects the development to provide a financial contribution towards enhancement of the local Public Right of Way network.

Education: No Objection subject to S.106.

Considering the scheme as part of the larger strategic site with a cumulative impact, there is insufficient capacity in the local primary age schools to meet the needs of the allocated site. A proportionate financial contribution should be secured to provide additional primary age accommodation.

Highways Authority: No Objection subject to conditions and S.106.

Sufficient information, assessment and evidence has been presented to demonstrate the scheme can come forward without causing harm to pedestrian or highway safety. Conditions and S.106 obligations would secure appropriate mitigation and improvements to highway infrastructure for all users.

Minerals and Waste: No Objection subject to conditions.

The east edge of the site falls within the Mineral safeguarding area. Whilst there may not be sufficient value in the minerals on site to justify extensive extraction, a Mineral Resource Assessment should be secured by condition to explore the potential for the use of existing materials on site during construction of the proposed scheme, including and changes in levels and landscaping that can rely on lower grade/quality materials.

Lead Local Flood Authority: No Objection subject to conditions.

The information submitted by the applicant in support of this planning application indicates that surface water runoff from the application site will be managed through attenuation basins. A significant level of modelling has been carried out, and a flood meadow / wetland area, localised land raising / bunds, provision of new ditches and SuDS have been proposed to manage this overland flow path within the proposals. This is also acceptable in principle.

Others

New Forest National Park Authority: Comments.

Comment that delivery of the whole allocated site in a comprehensive coordinated approach could ensure better outcomes for the delivery of green infrastructure, drainage, affordable housing and nutrient neutrality.

Environment Agency: No objection subject to conditions.

Extensive review of modelling inputs, sensitivity testing and analysis of potential flood risks have been undertaken and accepted. Subject to conditions securing appropriate finished floor levels for the proposed dwellings and detailed design of the flood mitigation measures no properties will be at risk of flooding nor would the scheme exacerbate any existing flood risk.

Hampshire Fire & Rescue Service: Comments.

Comment only that standards for fire access and fire safe construction materials should be adhered to.

Hampshire Swifts: Objection.

Objects to the lack of ecological enhancement including provision of features to support Swifts.

Southern Water: No Objection subject to conditions.

A desk top study indicates that reinforcement of the existing foul sewer network is likely to be required. Detailed modelling will be undertaken and enhanced capacity improvements agreed with the developer. No objection subject to a condition securing phased implementation of the development to allow sewerage network enhancement to be delivered.

9 REPRESENTATIONS RECEIVED

The following is a summary of the representations received.

41 letters have been received objecting to the proposals on:

Principle

- Social housing is out of character with the area
- Development and access should be comprehensive with adjoining land
- Already plenty of other developments in the waterside area
- The land is used for public recreation

Highways

- Increased traffic on Pauletts Lane would affect the character of the area and conflict with highway and pedestrian safety
- Accesses on to Pauletts Lane would not be safe
- Access from Cooks Lane would create unsafe cross roads with Buckland Gardens
- Access should be from Salisbury Road
- Insufficient public transport and active travel routes
- Off site parking compromising amenity and causing nuisance

Character

- Overdevelopment, excessive scale compared to Calmore, poor design, insufficient variety of design
- Design and density would be out of character with existing properties along Cooks Lane
- Detrimental impact on the setting of a listed building

Amenity

- Overbearing and overlooking impacts on existing residential properties
- Rear garden access causing anti-social issues
- Noise and dust disturbance during construction
- Disturbance, littering and loitering

Others

- Flood risk would be unacceptable
- Failure to accommodate wheeled bins in the design
- Education and medical infrastructure already oversubscribed, improvements to infrastructure need to be in place first
- Impact on and loss of trees
- Loss of wildlife and countryside and lack of opportunity to retain or preserve habitats. Failure to incorporate adequate ecological enhancement measures
- New drainage ditch would cause water logged conditions in rear gardens, how would they be maintained
- What future proofing for climate change and renewable energy sources are being provided

10 letters have been received supporting the proposal on:

- Provision of new homes is supported, it will give young local people a chance to get onto the housing market without having to move away
- Thoughtful development that will increase the prosperity of the neighbourhood and have a positive knock effect for the surrounding area
- Provision of a good mix of housing and affordable housing is supported
- Provide for those looking to downsize or upsize
- Support growth in jobs in Southampton
- Less demand for Council housing
- Plenty of greenspace, sensible cycle links, more patronage of village hall and new ecology opportunities
- Provide publicly accessible open space for existing residents
- Scheme includes bungalows

10 PLANNING ASSESSMENT

A) Principle of Development

Local Plan policy STR1 'Achieving sustainable development' sets the overarching requirements expected of developments to achieve sustainable development. The first three requirements are particularly relevant to this application;

i) Ensuring housing needs are met by delivering development in sustainable locations;

ii) Requiring a context led approach to the design of development and secure a high quality design that maintains local distinctiveness, safeguards landscapes and heritage assets;

iii) Achieving environmental gains, avoiding or mitigating the impact of development on the integrity of protected habitats in the New Forest and Solent.

Policy STR4 sets a settlement hierarchy for the New Forest. The site falls within Totton, included in the list of 'Towns', the largest settlements in the hierarchy, considered to be the most sustainable locations for large scale residential development, such as the scheme proposed by this application.

Policy STR3 presents the strategy for locating new development, seeking to direct development to accessible locations that help to sustain the vitality and viability of the towns and villages of the plan area.

The location of the development, within the defined built up area of Totton is appropriate for the scale of the proposed development, in accordance with the requirements of STR3 and STR4.

Policy STR5 sets the housing need targets and the trajectory for delivering the housing to meet the overall identified need, against which the 5 year supply of land for housing is calculated. The delivery strategy identifies that circa 60% of the District's housing needs will be delivered by Strategic Site Allocations, of which this application site is located within.

The site falls within the built up area as defined by the proposals map. It is part of a larger site allocated for residential led mixed use development by Strategic Site policy SS1 (Land North of Totton), set out in full below:

Strategic Site 1: Land to the north of Totton

i. Land to the north of Totton, as shown on the Policies Map is allocated for residential-led mixed use development and open space and will comprise the following:

- At least 1,000 homes, dependent on the form, size and mix of housing provided.**
- A commercial core west of Pauletts Lane including around five hectares of land for business and employment uses.**
- A community focal point in a prominent location including ground floor premises suitable for community use.**
- Contributions to educational provision to include two hectares of land to be reserved for a primary school.**
- On-site provision of formal public open space.**

ii. The masterplanning objectives for the site as illustrated in the Concept Master Plan are to create a well-designed and integrated extension to Totton whilst maintaining the rural character of Hill Street and Pauletts Lane and a countryside edge to the New Forest National Park. Development will be required to:

- a. Create an integrated network of natural green spaces to frame development, using and enhancing important tree belts, hedgerows and woodland blocks (including Bog Plantation, Hatton's Plantation and Kilnyard Copse), and by making a positive feature of water courses, to connect new greenspace to existing footpaths and rights of way to Loperwood, Sharveshill Plantation, Wade Hill Drove and Testwood Lakes.**
- b. Set development behind the ridgeline on the northern and northwestern edges to maintain an open landscape and an appropriate westbound transition from urban Southampton to the countryside edge of the New Forest National Park.**
- c. Provide traffic calming and crossing points for the A36 (Salisbury Road) and creating a choice of vehicular routes including an alternative route west of Pauletts Lane between the A36 and Loperwood suitable for two-way traffic including buses, and an eastwest pedestrian and cycle route across Pauletts Lane.**

iii. Site-specific Considerations to be addressed include:

- a. The need for an agreed comprehensive development framework for the whole allocation to ensure the effective coordination between multiple land interests to deliver an integrated, whole-site approach to the provision of access, community facilities, open space and natural recreational greenspace for habitat mitigation.**
- b. Design and other appropriate measures to mitigate potential noise and air quality impacts from the M27/A31, A36 and the A326.**
- c. To assess the need for, and to provide where necessary, enhancements to the A326 and A36 junctions to provide safe**

vehicular access for the development.

- d. The Grade II listed building Broadmoor Cottage, Pauletts Lane should be retained within an appropriate setting so that its significance can be appreciated.***
- e. The preparation of a detailed site-specific Flood Risk Assessment (FRA) will be required which would demonstrate that there will be no inappropriate development within Flood Zone 3b.***

The concept masterplan supporting the policy in the Local Plan presents a very broad approach to the layout of development and open space across the wider site. That masterplan does not place the commercial core, employment land, community uses or land for education services on the land subject to this application. As such the lack of provision of such other uses by this application does not weigh against it.

Policy SS1 (criterion iii (a)) recognises a need for the multiple land ownership interests to come together and prepare a comprehensive development framework for the entire allocation in order to ensure delivery of an integrated, whole site, approach to the provision of routes across it, the mix of uses and facilities and spread of green space. It has not been possible to secure such a development framework. However, this should not and can not preclude consideration of applications, assessment on their merits and discharge of the duty of the Local Planning Authority (LPA) to determine planning applications made to it.

Third party comments received objecting to more residential development due to the amount of development in the Waterside area of the New Forest already are given little weight. The Local Plan has adopted a strategy to meet the objectively assessed housing needs of the District, this allocation is part of that strategy, and as such is required to meet identified need. The provision of up to 196 homes on this site contributes significantly towards the target of delivering at least 1000 homes from the entire SS1 allocation. At present 418 dwellings have planning permission or a resolution to grant planning permission

Being within the defined built up area and on land allocated for housing led development, the principle of the development is acceptable and accords with policies STR3, STR4 and STR5, making a positive contribution to the successful implementation of the development plans approach to meeting its identified housing needs.

Housing Land Supply and National Policy Context

In determining planning applications decisions should be made in accordance with the policies of the extant Development Plan unless material considerations indicate otherwise (Section 38(6) of the Planning & Compulsory Purchase Act). Material considerations include the planning policies set out in the National Planning Policy Framework (NPPF).

Paragraph 11 of the NPPF clarifies what is meant by the presumption in favour of sustainable development for decision taking. It states:

For decision-taking this means: ‘...

- c) approving development proposals that accord with an up-to-date development plan without delay; or*

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole'.

Taking NPPF paragraph 11(c), if the proposed development accords with the local plan it should be approved.

If the development does not accord with the local plan, the development must be considered against NPPF paragraph 11(d).

In light of the current NPPF (December 2023), planning applications registered before 19 December 2023, such as this application, remain subject to the policies of the previous NPPF in relation to the requirement to demonstrate a 5 year housing land supply. In such circumstances, the Council is currently unable to demonstrate a 5 year housing land supply, with 3.07 years of supply being the current published position.

This position was exemplified in the recent appeal decision at Orchard Gate, Noads Way, Dibden Purlieu (NFDC Ref:22/10813), that was received on 16 January 2024. The Inspector confirmed that paragraph 11(d) of the NPPF was engaged due to the lack of a 5 year housing land supply and after an appropriate balancing exercise was undertaken concluded that the harm he identified did not significantly and demonstrably outweigh the scheme benefits and the scheme should be approved.

Footnote 8 to the NPPF paragraph 11 is clear that in such circumstances where a 5 year supply of deliverable housing sites is not demonstrated those policies which are most important for determining the application are to be considered out-of-date meaning that the presumption in favour of sustainable development in paragraph 11 is engaged.

Taking the first limb of paragraph 11(d), as this report sets out, in this case there are specific policies in the NPPF which protect areas of assets of particular importance referred to within footnote 7 of the NPPF, namely habitat sites, heritage assets and flood zones. Therefore, a judgement will need to be reached as to whether policies in the Framework provide a clear reason for refusing the development. Where this is found to be the case, the development should be refused.

The second limb of paragraph 11(d), namely whether the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF taken as a whole (the so called 'tilted balance'), will only apply if it is judged that there are no clear reasons for refusing the development having applied the test set out in the first limb.

The remainder of this report will assess the application against the relevant policies of the development plan and relevant material considerations. The report concludes with a balancing exercise as per the requirements of paragraph 11d, limb 2 in the NPPF.

B) Housing Mix and Affordable Housing.

Local Plan Policies HOU1 and HOU2 seek to ensure that new residential development provides a mix and choice of homes by type, size, tenure and cost. Current evidence suggests that there is a need for a greater proportion of new stock to be smaller-to-medium-sized homes, this is emphasised by the consultation response from the NFDC Housing Officer, when referring to those registering a need for affordable housing in the Totton area. A supporting table within the Local Plan (Figure 6.1 - below) sets out the need for different house types within the District.

	1-2 bed	3-bed	4+ bed
Affordable rental homes	60-70%	25-30%	5-10%
Affordable home ownership	55-65%	30-35%	5-10%
Market homes	30-40%	40-45%	20-25%

Figure 6.1 supporting policy HOU1 also seeks to set out the combination of tenure and unit size. Whilst the Council's Housing team would prefer to see a higher number of 1 bed units, the table included in the development plan combines need for 1 and 2 bed units as a single category, therefore it would not be possible to require a higher percentage of 1-bed units specifically.

The outline application does not commit the scheme to a precise number of dwelling sizes. It would be appropriate to ensure a suitable range of dwelling sizes is delivered in order to provide a diversity in housing choice as advocated by policy HOU1. A condition would be imposed to set a range of dwelling sizes.

Adopted policy HOU2 sets the targets for delivery of affordable housing in the District. Falling within 'Totton and the Waterside' in accordance with HOU2 i) the scheme is required to deliver 35% affordable housing, which the scheme offers to do. Based on the proposed 196 dwellings there is a requirement for 69 dwellings to be secured. The provision will be split 70:30 between affordable (affordable rent and social rent) rent and affordable home ownership. The affordable rental properties would be split 50:50 between affordable and social rent in accordance with HOU2 criterion iii). This would be secured by a S.106 legal agreement.

The following Affordable Housing Mix has been agreed with the site promoters:

	1-bed1	2-bed	3-bed	4-bed
Social Rent	35-45%	35-45%	10-20%	0%
Affordable Rent	35-45%	35-45%	10-20%	0%
Shared Ownership	0-5%	55-65%	30-35%	2-5%

As such, the proposed Affordable housing mix provides for a mix of house types, terraced, semi-detached, detached and flats. This supports a wide range of choices and costs within the market and housing needs and is supported by NFDC Housing officers. The proposed mix would reflect the District housing need and would also coincidentally be in line with identified needs in the Totton area which specifically includes smaller rented units.

As such, the scheme would deliver the social benefits of providing housing, in a mix of housing types and sizes, creating a mixed and balanced community as well as

giving a wide choice.

Therefore, subject to a s106 planning obligation securing the proposed affordable housing in perpetuity, and a condition ensuring a variety of dwelling sizes for the open market dwellings, the proposal accords with Local Plan Policies HOU1 and HOU2.

C) Parameter Plans (Access, Built Environment and Landscape), Public Open Space and Trees

Local Plan Policy Strategic Site 1 (Land to the north of Totton) sets out the aim of the policy is *inter alia*:

"to create a well-designed and integrated extension to Totton whilst maintaining the rural character of Pauletts Lane".

It goes on to require development to:

"Create an integrated network of natural green spaces to frame development, using and enhancing important tree belts, hedgerows and woodland blocks (including Bog Plantation, Hatton's Plantation and Kilnyard Copse)".

Local Plan Policy ENV3 (Design quality and local distinctiveness) sets out that all development should achieve high quality design that contributes positively to local distinctiveness, quality of life and enhances the character and identity of the locality by creating buildings, streets, places and spaces that are functional, appropriate and attractive. New development will be required to address specific design criteria (i) to (vii).

Local Plan Policy ENV4 (Landscape character and quality) sets out that where development is proposed there is a requirement to retain and/or enhance the following landscape features and characteristics through sensitive design, mitigation and enhancement measures, to successfully integrate new development into the local landscape context, addressing supporting design criteria (i) to (vi).

The national Planning Practice Guidance (PPG) sets out additional guidance over and above that set out in the National Planning Policy Framework (NPPF). The PPG confirms that applications for Outline planning permission seek to establish whether the scale and nature of a proposed development would be acceptable before fully detailed proposals are put forward.

The PPG also confirms that Parameter Plans can include information on the proposed land use, building heights, areas of potential built development, structure of landscape and green infrastructure, access and movement and other key structuring and placemaking components. Parameter Plans can provide elements of the framework within which more detailed design proposals are generated, but they are not a substitute for a clear design vision and masterplan, and need to be used in a way that does not inhibit the evolution of detailed proposals. For example, setting maximum parameters for aspects such as building heights can still allow flexibility in determining the detailed design of a scheme.

Parameter Plans

The application is supported by Parameter plans setting out the following:

- Access – including vehicular, cycle and pedestrian access points

- Built Framework – including the proposed housing areas and their proposed respective densities
- Landscape and Drainage – sets out the location of public open space, drainage features, Alternative Natural Recreational Greenspace and landscape buffers

i) Access Parameter Plan

The Access parameter plan sets out the vehicular, cycle and pedestrian access points into the application site to be determined in this application. The indicative Local Plan concept masterplan, accompanying policy SS1, includes an indicative primary access in to the site from Cooks Lane. The proposed joint vehicular and cycle/pedestrian access from Cooks Lane serving the larger portion of the proposed development reflects the concept masterplan.

The proposal does not include a secondary access from Salisbury Road – as indicated in the Local Plan concept masterplan. An access at this point would be on land partly outside the control of the applicants and hence it may not be deliverable.

The Local Plan concept masterplan also locates residential development parcels along Pauletts Lane, but without indication as to where access would be delivered. The proposal includes a single joint vehicular and cycle/pedestrian access from Pauletts Lane for each of the two smaller housing development parcels in the western portion of the application site.

As such, the proposed Access Parameter Plan is an acceptable basis for providing vehicular, cycle and pedestrian access and routes at the detailed design stage in a future Reserved Matters application.

Based on the proposed points of access as fixed points being considered by this application the Access Parameter Plan also illustrates a network of dedicated streets and shared pedestrian and cycle routes using the proposed points of access could be laid out.

NFDC Environmental Design has objected to the presence of routes through the Bog Plantation woodland as it would likely require the removal of trees in order deliver useable pedestrian and cycle paths.

However, the proposed routes on the Access Parameter Plan are purely indicative, as described on that plan and demonstrate what connectivity could be achieved. The final routes will be determined as a 'Layout' issue in a future Reserved Matters application. Bog Planation is subject to a Tree Preservation Order and any future access through it would therefore need to be designed to a high standard compatible with the future retention and health of the woodland. However, this is clearly a matter for determination at the Reserved Matters stage. A suggested informative has been added to the recommendation.

ii) Built Framework and Density Parameter Plan

The Built Framework Parameter Plan proposes three parcels of built form, areas 1, 2 and 4. 1 would contain the majority of the housing, accessed from Cooks Lane. Areas 2 and 4 are much smaller and are both accessed separately from Pauletts Lane. Area 3 is the majority of the proposed public open space.

Area 1 is the largest of the three development parcels and is located in the eastern

portion of the application site north of Cooks Lane. The majority of Area 1 would provide housing at a built density of between 30 and 40 dwellings per hectare (dph). Buildings in this area would be between 1.5 and 2.5 storeys high. The Built Framework parameter plan places this core area adjacent to public open space, which ensures an opportunity to provide setting for any taller buildings, natural surveillance and limiting the potential for a cramped appearance or visually discordant built relationship.

In the northernmost part of Area 1 is a smaller area which would provide housing at a built density of 50+ dph. Buildings in this area would be up to 3 storeys high in order to achieve the proposed number of dwellings and to make effective and efficient use of land. This area would likely facilitate smaller dwellings (1 or 2 bedrooms) and thus make a positive contribution towards a mix of homes by type, size, tenure and cost in line with Local Plan Policy HOU1.

The Built Framework parameter plan places this core area adjacent to some of the open space, which ensures an opportunity to provide setting for any taller buildings, natural surveillance and limiting the potential for a cramped appearance or discordant built relationship, that might occur elsewhere within the application site.

A second sub-area is included at the southern edge of Area 1, adjacent to residential properties on Cooks Lane that back on to the application site. Here a lower density of between 20 and 25 dph is proposed and a lower height of buildings that will better relate to the existing context and provide a better transition between the proposed and existing built form, that do not share the residential estate characteristics of the land further south. Whilst the extent of detail is limited to the principles explained, this reduced density does respond positively to residents' concerns in respect of the potential impacts that a change in character arising from the proposed development would cause.

Area 2, at the southern end of Pauletts Lane, is divided into two sub areas to reflect the relationship of the parcel with other properties backing on to the application site. A density range of 15-20 dph, with house sizes of 1 to 2 storeys, in the southern half would respect the low density character of Pauletts Lane and existing properties. The northern half has only one residential neighbour so would not require such a low density or lower building heights to achieve a satisfactory relationship. Furthermore its small size as a development parcel and close proximity to proposed open space on site would ensure that any scheme at the top of the proposed density range will still be spacious.

Area 4, at the northern end of Pauletts Lane has a similar context to that of Area 2 and proposes a similar density and building height range. This parcel is also surrounded by proposed open space.

NFDC Environmental Design has raised a range of concerns to the scale of development, the potential intensity of development that would occur and the assumed poor design that would arise as a result of seeking to deliver the proposed number of dwellings.

However, Officers consider that the Parameter Plan clearly articulates for decision makers the proposed areas of different built density. The proposed density ranges suitably reflect Local Plan Policy HOU1 and the strategy to ensure that all residential development addresses diversity of housing needs of local people at all stages of life by providing a suitable mix and choice of homes by type and size. NFDC Environmental Design has not provided any design narrative as to why built development adjacent to woodland has to be lower density. There is clear capacity within the site for taller buildings up to three-storeys and this can assist in meeting

the Policy aim of a diverse range of housing options.

It is considered that the principles being established at this outline stage provide a positive response to the context of the site and the need to deliver homes and contribute to the successful implementation of the policy and local plan. Lower densities for parcels 2 and 4 are entirely appropriate to the prevailing character of Pauletts Lane, these parcels have little frontage to Pauletts Lane, placing the development parcels predominately behind existing landscape or residential plots, thereby preserving the balance of built and rural edge to the lane. Where the Built Framework parameter plan shows built form could front Pauletts Lane, it is considered that this would be likely to manifest itself as individual detached houses or a streetscene with spacious properties between the built form.

Combined with the wider range of densities proposed for Area 1, the scheme seeks to maintain the character and setting of the wider area and make efficient use of the land available for development, in line with NPPF Chapter 11 paragraphs 128-129. The site does not abut the rural edge of the proposed built up area, as identified by the policies map, nor the New Forest National Park, separated by land to the north and west within the strategic allocation that does. As such the scheme does not need to address a change in character to respect the transition away from the built up area.

As such, the character and appearance of these areas will vary based on their density, architectural style and the hierarchy of streets and routes through those areas. Each of these detailed design considerations will be determined through subsequent Reserved Matters applications.

Whilst Strategic Site policy SS1 requires a minimum of 1000 homes are delivered within the allocation, the acknowledged lack of a 5 year supply of land for homes suggests much greater use of land allocated for development should be made. In May 2024 the council published a Housing Delivery Action Plan due to the rate of delivery of housing in the district falling below 95% of its identified annual needs. One of the identified actions to achieve delivery targets is to "take a proactive approach to bring forward existing sites to seek to ensure that development comes forward as soon as possible and continue to ensure that the development capacity of sites is optimised", it is therefore imperative that

iii) Landscape and Drainage Parameter Plan, Public Open Space and Trees

The Landscape and Drainage Parameter Plan indicates how the proposed development parcels have been defined by the presence of existing landscape features, including drainage features and proposed measures to manage water flows. The Bog Plantation (which is identified in the Local Plan SS1 site Concept Masterplan) is retained in its entirety, the proposed development proposals are considered to be appropriately separated from its edge. The majority of existing boundary trees and hedgerows would be retained, including some of the former field divisions, as would drainage ditches across the site. The plan also demonstrates how and where the scheme will accommodate open spaces that are large enough to perform as Alternative Natural Recreational Greenspace (ANRG) and linked in a way to provide attractive and functional spaces, meeting the design and spatial requirements of the European Sites Mitigation SPD and positively contributing to the amenity needs of residents.

Essentially, it is considered that the provision of public access through the Bog Plantation woodland would contribute attractively to the character of the public open space being provided on site and most particularly the attractiveness of the ANRG by contrasting with the open grassland aspects and adding variety, as such

accepting the principle is not considered unacceptable, despite the concern of the NFDC Environmental Design Officer.

To reiterate, the proposed pedestrian and cycle routes across the public open space in both the Landscape and Drainage Parameter Plan – and the Access Parameter Plan – are purely indicative at this stage, as described on those plans, and give an indication of the connectivity that could be established. The national Planning Practice Guidance is clear that the matter of how routes and open space within a development are provided, situated and orientated in relation to each other is a Layout matter. Reserved matters application of Landscape would present the landscape plans for the open spaces to ensure they deliver attractive spaces that function well and are usable for informal recreation.

Public Open Space

In accordance with Local Plan Policy CS07, based on the principle of requiring 3.5ha per 1000 population, 198 dwellings the requires a total of 1.8ha of Public Open Space. That breaks down to:

- 1.02ha of informal open space;
- 0.13ha of play space;
- 0.64ha of formal space.

As shown on the Landscape Parameter Plan a total of 1.85ha is provided for throughout the site, including elements of the existing landscape and framing the development parcels and complementing the Alternative Natural Recreational Greenspace. This would deliver in excess of the requirement for informal public open space which is 1.15 hectares given that Formal public open space provision will be addressed through an off-site s106 contribution.

In accordance with Policy SS1 and specific requirements identified by the Infrastructure Development Plan, financial contributions towards the provision of a MUGA style pitch and cricket pitch, to be delivered in Totton, are required. This is consistent with other applications within Strategic Site SS1. A proportionate contribution of £398 per dwelling towards wider community formal open space projects would therefore be secured through the s106.

The s106 legal agreement would also ensure management and maintenance of on site open spaces and play facilities is secured. Expected to take the form of a management company, details will be required to be established prior to first occupation.

The comments from NFDC Environmental Design on the useability of the public open space taking into account drainage are noted. However, there is clearly an excessive provision of informal public open space over and above Policy requirements and as such there is capacity for some of this land to be utilised for drainage solutions during periods of higher rainfall without falling below Policy space requirements.

In respect of surface water drainage, the principle of attenuation basins has been included within the open spaces shown on the landscape parameter plans. In doing so it would be possible to integrate these into the landscape setting, by making use of the wider spaces in which they would be located, reducing the depth of the basins required to achieve the necessary attenuation volumes. Existing overland water flows in the northern part of the site would be accommodated and used to contribute towards the landscape of the site as a water meadow. This environment would contribute positively to the variety of biodiversity supported on site and also address

retention of the natural site drainage.

The ANRG design guidance included in the Mitigation for Recreational Impact on European Sites SPD at paragraphs 5.13 - 5.14 of Appendix 4 allows for such scenarios. Whilst the drainage strategy indicates it is not expected that there will be water in the basins for long periods of the year, a sufficient amount of ANRG would still be provided should use of the basins be precluded for periods of the year.

The matter raised by NFDC Environmental Design with regard to the lack of accessibility of buffer strips and hence cannot be counted towards public open space is accepted. However, with 0.7 hectares of excessive informal public open space there would still clearly be a sufficient quantum to meet Policy requirements.

The Landscape Parameter Plan also indicatively indicates how the required amount and a variety of space for play could be delivered. Shown in principle on the parameter plans, detailed proposals for the design and layout of the residential areas could accommodate Local Areas for Play (LAP's) within the residential areas. Provision of a Local Equipped Area for Play (LEAP) in a dedicated area of open space is acceptable in principle. Details of the type and range of equipment or natural features to be used in the play areas would be required to accompany the reserved matters applications in order that they meet the needs of the development. The concerns of NFDC Environmental Design that a LEAP would take the form of an enclosed square space that would not relate to the surrounding landscape fail to recognise the purpose of its inclusion on the Parameter Plan, in order to show the size of space being provided. The final designs of play spaces will be determined through a future Reserved Matters application.

Retaining the primary existing landscape features of the site and accommodating them in the landscape proposals contributes to the requirement of paragraph (ii) (a) of policy SS1 to "*Create an integrated network of natural green spaces to frame development, using and enhancing important tree belts, hedgerows and woodland blocks*" and perpetuates the contribution of those features to the overall character of the area.

The scheme retains a large area of open space alongside Pauletts Lane, between development parcels 2 and 4. Whilst the landscape treatment of that space may change from existing, it will still retain a long length of undeveloped landscape frontage to Pauletts Lane, a strong characteristic of the Lane at present, furthermore it would retain the views across that land to the Bog Plantation, another strong landscape feature of the area and a positive feature of the proposed layout. As such, whilst recognising that development is going to change the character and this is only part of the land allocated for development, it is considered this layout will satisfy the policy SS1 paragraph (ii) aim of maintaining the rural character Pauletts Lane and set a framework to contribute to delivery of an integrated network of green spaces as expected by paragraph (ii) (a).

As such, the proposed informal public open space accords with Local Plan Policy CS7. Suitable conditions and a S.106 obligation can ensure sufficient, publicly accessible, open space and play facilities are provided on-site and a suitable contribution to wider off-site community formal open space provision.

Further commentary on the proposed Alternative Natural Recreational Greenspace (ANRG) is set out later in the Committee report.

Trees

The tree survey supporting the application identifies a minimum of 98 trees, groups

of trees and hedges present on the site. That excludes the Bog Plantation, a large group of maturing trees in the centre of the site, which has not been surveyed in any detail due to the density and number of trees therein.

Many of the trees located along field and site boundaries are protected by Tree Preservation Orders. Only one of which is protected, a category B Oak tree, would be removed to facilitate the proposed access to the Area 2 residential parcel.

This tree as a category B tree, is a constraint to the development and its loss would be noticeable in the short term, however category A and B Oak trees sit either side of that proposed access and will preserve landscape dominance in views along Pauletts Lane and space is available beside the proposed access road, within the site, for replacement tree planting. The NFDC Arboricultural Officer does not object to the loss of the category B tree because of these factors and the wider benefits of the scheme the tree loss supports. It is noted that the density of trees alongside Pauletts Lane further north would require greater tree removal to achieve a safe access were it provided in a different location.

Low category trees and hedges would also be removed within the site to facilitate the development. As category C and U trees these are not considered to be significant constraints to development and as such there is no objection to their loss. New landscape planting across the wider site, in open space and landscape setting along roads in the residential parcels would be able to mitigate their loss and enhance the tree cover on site by introducing tree planting in currently open fields.

The Built Framework parameter plan and illustrative section drawings demonstrate that adequate separation from retained trees and hedgerows, including the Bog Plantation can be achieved, to preserve their wellbeing and accommodate appropriate residential amenity. Some key landscape features on the east side of Area 1 are excluded from the development parcels in order to preserve their contribution to the landscape of the site and provide a basis for open space within the built environment. The reserved matters applications of Landscape and Layout would have to respect their retention and could potentially enhance their appearance with new planting.

The NFDC Arboricultural Officer raises concerns about the extent of paths illustratively shown through the Bog Plantation. The concern goes beyond the effect of constructing paths on roots, but also the impact of providing access to the woodland and the need for active management of the trees in order to maintain the safety of users, including any subsequent signage or lighting.

The arboricultural assessment comments that proposed footpaths around the site, especially those passing through the Bog Plantation could be laid in a no-dig specification to minimise the impact on trees. However, due to the outline nature of the application detailed assessment of topography and tree quality, within the Bog Plantation to determine a precise route has not been undertaken. Whilst design solutions will be possible and suggests the principles can be accepted, it doesn't deal with the principle of the area becoming more accessible and the concern for the natural character of the woodland as a result of being more actively managed.

A balance has to be struck between providing permeability throughout the entire site, making use of the existing landscape features as a benefit for attractive open spaces and successful ANRG and preserving the natural environment. The Strategic Site Policy SS1 criterion (ii) (c) advocates forming an east-west link for pedestrians and cyclists and access points on the respective boundaries are shown. The precise route of a link is not before the Council, as it would be subject to consideration by the detailed reserved matters application of Layout. Whilst it is likely that routes through

the Bog Plantation are likely to occur, the concern of the NFDC Arboricultural Officer will need to be addressed in a future Reserved Matters application.

The arrangement of protective fencing around the trees to be retained has been shown and would adequately protect the trees during development. The NFDC Arboricultural Officer does note that aspects of the existing and proposed drainage infrastructure are located within the exclusion area, and whilst the proposed drainage infrastructure would not directly impact on rootzones, a revised Arboricultural Method Statement will be required to recognise that works will occur within areas currently shown to be within protective fencing. A condition will be imposed to secure a revised Arboricultural Method Statement. In any event, details of the final layout of the scheme are likely to place paths through exclusion zones, requiring revised details of construction methods and protective fencing to justify that approach.

The loss of one category B tree is not considered to materially undermine the overall acceptability of the scheme. Especially where the size and amount of open space to be provided with the scheme ensures space will be available for adequate compensatory planting to be secured.

Summary

Objections to the impact of the development on the Bog Plantation woodland have been received from the NFDC Arboricultural Officer and NFDC Environment Design. However, by virtue of the allocation of the surrounding land for residential led mixed use development this will unavoidably introduce new residential activity in the area. Whilst the detailed provision of paths through the woodland is not under consideration at this time, it does have benefits for the amenity of residents, active travel and permeability and would ensure active management and passive surveillance of the space is secured.

Concerns from the NFDC Environment Design Officer primarily relate to details that are not before the Council at this time and can be assessed through the detailed design in a later Reserved Matters application. However, it should be acknowledged that any such assessment has to recognise the importance of ensuring land identified for development is used effectively and efficiently to meet all aspirations of the development plan.

Based on the proposed plans and level of detail under consideration by this outline application, the scheme presents optimal use of the site in terms of meeting housing needs, retains high quality and important landscape features, proposes a suitable framework for public open space to be determined through a future Reserved Matters application and will contribute successfully to the amenity and wellbeing needs of residents. It will deliver important additional residential development in a manner that responds positively to the distinctiveness of the existing context and requirements of policies SS1, ENV3, ENV4 and CS7 contributing to a sustainable development in accordance with STR1 and NPPF.

D) Highways and Access

Access to the site is the only detailed 'Matter' before the Council as part of this Outline Planning Application.

In accordance with Local Plan policy CCC2 proposed development is required to deliver safe and sustainable travel, by prioritising safe and convenient pedestrian access within developments, provide or contribute to the provision of dedicated cycle routes and lanes, consider the impact of development on bridleways, provide

sufficient car and cycle parking in accordance with the parking standards SPD, provide infrastructure for electric vehicles and contribute to the provision of highway or public transport measures.

It also recognises that the Strategic Site Allocation Policies may make site specific requirements. In this case policy SS1 site specific consideration (iii) (c) requires assessment of the need to enhance the junctions between the A326 and A36.

The scheme proposes to form accesses from Cooks Lane, Pauletts Lane and Salisbury Road in to the application site, for all modes of travel, in order to achieve safe and sustainable access.

Access

Each proposed development parcel, as shown on the parameter plan, would be served by an access for all forms of travel. Detailed proposals of these accesses have been provided, demonstrating sufficient width to accommodate the size of vehicles expected to be using them and sufficient visibility for measured vehicle speeds on the respective roads.

The access from Cooks Lane would serve the largest development parcel, carrying the highest number of vehicle movements. It is located broadly in the location of an indicative Primary Access shown on the Concept Masterplan for the Strategic Allocation. It would form a new cross road junction with Buckland Gardens, which Hampshire Highway Authority (HA) indicate can be in accordance with recently adopted technical highway design guidance, provided minor road design speeds do not exceed 20mph. In this case the 'minor roads, would be the new estate road serving the development and Buckland Gardens. The design of the proposed estate road, would be subject to review at Reserved Matters application stage and Buckland Gardens is a short residential cul-de-sac, where vehicles will not travel far, building up much speed, before arriving at the existing junction with Cooks Lane. It is therefore reasonable to accept that the Hampshire highway technical design guidance can be achieved.

The access would take the form of a standard bell mouth design, with 'give way' lines. Pavements would follow the junction radii and dropped kerb crossings, with tactile surfaces would support access to the south side of Cooks Lane. All of these works would fall within the existing highway so would need to be delivered to the standards required by Hampshire Highway Authority.

Representations received object to this access on safety grounds evidenced by the common occurrence of vehicle accidents in the vicinity. The speed limit is 30mph at this point and there is nothing inherently wrong with the highway that the HA require this scheme to address in order to ensure safety of the proposed access. Sufficient visibility is achieved for the measured speeds to meet the required standards. The width of the bell mouth at the junction between Buckland Gardens and Cooks Lane would be narrowed to improve its safety, contributing to achieving the 20mph design speed. The HA do not believe that the accidents referred to by representations demonstrate that the proposal would be unsafe or exacerbate an existing problem.

The two accesses from Pauletts Lane would serve much smaller parcels of development and thus smaller volumes of vehicle movements. Both accesses result in the loss of short sections of hedgerow and in the case of the southern access, a tree, to facilitate the development. Seeking to provide a vehicle link between these parcels and parcel 1 accessed from Cooks Lane, to avoid accesses on to Pauletts Lane, would result in significantly greater amount of tree and landscape loss than the proposed approach.

A third development parcel and vehicular access along Pauletts Lane was removed from the scheme due to the inability to achieve sufficient visibility to preserve highway safety without unacceptable amount of tree removal.

Serving smaller development parcels with lower densities and thus lower numbers of dwellings the access openings on to Pauletts Lane are not as extensively engineered, with narrower openings and footways only on one side. This strikes a reasonable balance between preserving the landscape edge of Pauletts Lane and ensuring highway safety.

It is acknowledged that large vehicles will manoeuvre over the majority of the width of Pauletts Lane to access and egress those development parcels. That has not been raised as unacceptable by the HA, who suggest the width of the first section of road inside the respective parcels could incorporate widths that would assist manoeuvres, a matter to be presented by reserved matters applications for Layout.

It is expected that these three accesses would serve primary vehicle routes in to the site, from which secondary routes would extend. Whilst the Design and Access statement and illustrative site section plans have sought to set out the form these may take, their precise size, design and route would be subject to the detailed designs provided with the reserved matters application of Layout and would have to demonstrate safety can be achieved for all users and ensure they deliver an attractive residential character.

Three shared pedestrian/cyclist accesses would also be provided to deliver enhanced accessibility for sustainable modes of travel. On the east side, at the existing access from Salisbury Road (to be retained to serve the existing dwelling Laurel Bank Farm), on the west side from Pauletts Lane and south east corner from Cooks Lane. These accesses would link to off site destinations such as the new Aldi foodstore on Salisbury Road and Totton football ground, other SS1 sub parcels and Calmore village hall to the west and routes in to Calmore neighbourhood centre and Totton town centre to the south.

An objective of policy SS1 is to provide a shared pedestrian and cycle route east-west crossing Pauletts Lane. The provision of non-vehicular accesses from Salisbury Road and Pauletts Lane create destinations for such a route across the site. Its final route would be considered by the reserved matters of Layout and have regard to preservation of trees in the Bog Plantation. In the absence of proposals for the land west of Pauletts Lane, or the land being in the control of the applicant, provision of a road crossing could not be designed at this time, however the principle of the access will be secured with a route upto the highway edge on the east side of Pauletts Lane.

The Highway Authority raise no objections to the proposed accesses, accepting that sufficient widths and visibility can be achieved to preserve highway and pedestrian safety, according with policy CCC2 of the Local Plan.

Trip Generation and Vehicle Movements

The policy for Strategic Site 1 seeks provision of a new north-south vehicular route on the west side of Pauletts Lane, between the A36 and Cooks Lane/Loperwood Lane, suitable for 2-way traffic including buses. The site subject to this application is east of Pauletts Lane, so can not make provision for such a route.

The application is supported by a Transport Assessment that undertakes appropriate modelling to identify likely trip generation and distribution. It includes predictions on cumulative growth from other developments and background growth. That

modelling work has been accepted by the highway authority and does not identify any material impact to the free flow of traffic on the highway network or safety conflicts, other than the ability of the A36/A326 junction to absorb the additional movements, identified by paragraph (iii) (c) of the SS1 site specific policy. Furthermore, nor does that assessment indicate that this application should not proceed without the north-south route across the strategic site identified at paragraph (ii) (c) of policy SS1, having first been provided.

The scheme would result in more vehicle movements along Pauletts Lane. The modelled trip distribution and generation identify an additional 45 trips during the AM and PM peak periods, this accounts for 18% increase in the overall number of movements along Pauletts Lane at those periods. Very extensive discussion and negotiation has occurred between the Applicant and the highway authority in order to ensure highway safety is preserved and avoid tree or hedgerow loss. During those negotiations and prior to revisions to the scheme to exclude development from Area 3, measures to slow vehicle movements were proposed by the Applicant, in order to demonstrate safe visibility could be achieved from Area 3, however in the absence of a history of road collisions resulting in casualties there is no strong case for physical traffic calming to be installed. Furthermore, the highway authority have identified that carriageway traffic calming on Pauletts Lane would likely create further hazards for pedestrians, cyclists and potentially conflicts for large agricultural vehicles.

There is no objection, from the HA, to the scheme based on the narrow width of Pauletts Lane and as such there are no proposals for widening works to Pauletts Lane to be secured, nor in the absence, at this time, of any proposals to deliver the new north-south link road advocated by policy SS1, is it appropriate to seek the closure of Pauletts Lane to through traffic.

In respect of comments made in representations received regarding blocking off Pauletts Lane, there is no policy basis for such an approach, furthermore with existing residential properties relying on Pauletts Lane for access, such interventions would not be feasible at this time nor necessary in the interests of highway safety.

Hampshire Highways Officers do not raise an objection to the scale of additional vehicle movements along Pauletts Lane, nor through the junctions at either end.

In accordance with paragraph (iii) (c) of site policy SS1 it has been identified that the cumulative scale of vehicle movements generated by the quantum of housing expected to be delivered by the entire Strategic Allocation would result in highway safety conflicts on the A326 as a result of queuing cars at the junction with the A36 Salisbury Road. Each application contributing to delivery of the Strategic Allocation is required to make a proportionate contribution towards the project to mitigate the conflict. In this case, as an outline application, a contribution of £1500 per dwelling would be secured by a S.106 agreement.

The Access parameter plan provides an illustration of the routes the site could deliver that would contribute to wider improvements to sustainable and active travel across the entire strategic site. The east west link described above would aid non-motorised travel from and to other sub-parcels of the Strategic Allocation and potentially connect to attractors such as a local centre and employment opportunities identified by the Strategic Site Policy.

Furthermore, the Access Parameter plan demonstrates opportunities to contribute to a network of routes connecting to the land immediately to the north of this application site. These routes should extend to Salisbury Road and support non-motorised travel from the permitted schemes to the north of Salisbury Road. This is a positive feature of the scheme that would contribute to a reduction in the traffic movements

generated by the entire strategic allocation.

The HA have requested a financial contribution towards projects improving access for cyclists and pedestrians. The Local Cycling, Walking Infrastructure Plan (LCWIP) seeks to enhance priority and safety for cyclists and pedestrians on routes to Totton Town Centre and train station. Based on predicted additional vehicle flows as a percentage of overall flows along Salisbury Road, a contribution of £315,811, towards the full cost of the package of improvements identified by the LCWIP, is required. These enhancements would complement the provision of such dedicated routes across the site and allow residents and visitors to travel further by those non-motorised modes safely, contributing to a reduction in reliance on the private car and the multiple benefits for air quality and health that arise from less carbon based miles and improved active travel.

There would also be minor improvements to provide safer crossing points of roads in the vicinity of the application site, at the junction of Cooks Lane with Calmore Drive and Calmore Road. At the roundabout on Salisbury Road and routes towards Calmore local centre where the nearest school is located. These would contribute to improving safety and accessibility for residents to encourage walking to those destinations.

Hampshire CC Countryside officers have requested a financial contribution towards improved maintenance of the existing Public Right of Way (PROW) network in the area, due to the likely increase in use arising from delivery of the strategic allocation. There are no PROW's crossing the site or that it seeks to directly connect to. Furthermore, there is no identified project or scheme of improvement presented, nor justification for maintenance being a requirement of making the scheme acceptable, nor is the contribution of £1000 per dwelling justified as being reasonable in scale to the impact or a reflection of the cost of the unidentified works. As such the request fails to meet the CIL regulation 122 tests that any obligation is, necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development.

A residents travel plan has been submitted in support of the application, presenting measures that would be delivered to encourage use of alternative modes of travel, promoting schemes to encourage walking and cycling, support national lift share week and providing details of sustainable travel in the area. This has been accepted by the HA and would be captured by the S.106 legal agreement.

Provision of on site parking would be a matter to be assessed by reserved matters applications of layout, providing the details against which to assess the parking needs of the development. There is no reason to expect the scheme would not be able to comply with the adopted parking standards SPD. In the event shared or courtyard parking is provided evidence that Electric Vehicle Charging points are capable of being provided would be expected.

Should flats be provided then communal bike storage facilities would be expected to be provided to encourage use and reduce reliance on the private car. It would be expected that houses would be designed to be capable of providing storage in garages or shelters in gardens.

Details of the Layout of the scheme would have to demonstrate it could be serviced by the Council's refuse collection fleet and ensure refuse is readily accessible for efficient collection in accordance with any adopted design guidance in place that reflects the Councils waste collection regime.

If unmanaged, short term impacts could occur for highway safety during construction. There is no vehicle weight limit restriction on Pauletts Lane, but there is a vehicle width restriction. A Construction Management Plan will be required to manage the matter. Such a plan could consider matters regarding vehicle routing, deliveries and the transfer of equipment and materials across the wider site, with respect to the safety of large HGV using Pauletts Lane, as well as wheel washing facilities and contractor parking. A condition could reasonably be imposed to secure details.

Subject to financial contributions, enhancement projects and suitable conditions the scheme would preserve highway and pedestrian safety and would make a positive contribution towards providing a network of routes that would encourage sustainable modes of travel. As such, the proposed accesses and highway works accord with policies STR1, CCC2 and SS1.

E) Flood Risk and Drainage

Local plan policy CCC1 seeks to ensure that development does not result in hazards that prejudice the health and safety of communities and the environment, and also take opportunities to address existing hazards. It confirms that in areas of flooding, vulnerable development will not be permitted unless in accordance with the sequential and exceptions test. Paragraph 8.12 confirms that the Council will apply national policy as set out in chapter 14 of the NPPF.

Based on the recently published Strategic Flood Risk Assessment for the district the application site is in fluvial flood zone 1, being the land outside areas identified as being at risk of flooding under current or future flood scenarios from rivers. There are areas of the site identified as being at risk of surface water flooding associated with existing ditches and overland flows that cross the site. Largely located within the northern portion of the application site following the site boundary.

The application is supported by detailed assessments and analysis of the extent of the flood risk and proposals for managing the risk and ensuring the development parcels are protected or located in areas not at flood risk.

There are significant overland flows in the north-west corner of the site, where water flows under Pauletts Lane from land to the west. A flood meadow is proposed to be better defined to preserve a habitat that has formed naturally and the existing drainage it provides. It is designed to offer a preferential flow path, capturing flood water that spills over Pauletts Lane, during periods of heavy rainfall and convey it to the ditches heading east off site, but without increasing flow rates.

Parameter plans indicate access to area 4 would be immediately adjacent to the flood meadow and an internal road would likely cross the meadow to serve the majority of the built form within the development parcel. The route would be safe from flood risk and the level of the road will be capable of being above the flood meadow. Indicative proposals show how the access road could cross that space, however until such time as the design of the layout and arrangement of the internal roads and house plots is prepared, the precise specifications for that road and crossing have not been prepared. However, it is clear from the illustrative material that an appropriately designed solution could be achieved.

Pauletts Lane is known to flood close to the position of the access to Area 4. Analysis of ground levels and assessment of water depths and volumes has been undertaken and indicate that safe access away from the site would be possible in a northerly direction.

The consultation response from Hampshire County Council as Lead Local Flood Authority acknowledges the significant level of flood modelling that has been carried out by the applicant to support the application and the extent of attention put to measures to manage the flood risk and avoid flooding on site or down stream.

The consultation response received from the Environment Agency, who have extensively scrutinised the details and inputs used to prepare the flood models presented by the applicant, also reach the conclusion, that the scheme manages the identified flood risk to protect the proposed development and existing residents subject to suitable conditions.

Where achievable, in order to minimise the risk to parts of the site in the future, new ditches and earth bunds would be formed to direct existing surface water flooding around the development parcels and in to the existing ditch network.

The approach prioritises the sequentially safest land in the first instance, then uses natural features to protect the areas assessed as being at minor risk over the lifetime of the development.

Conditions requested by the Environment Agency require submission and agreement of the detailed design of the mitigation measures and finished floor levels of the dwellings prior to commencement of development. The purpose and necessity for the conditions is entirely reasonable, but rather than be a pre-commence condition, will be required at the stage of submission of Reserved Matters for Layout and Landscape in order to ensure the mitigation is embedded in the overall design of the scheme.

Due to poor percolation conditions on site and the shallow depth of ground water below existing ground levels, the surface water drainage approach is to make use of the existing network of ditches taking water off site. In order to maintain existing green field discharge rates attenuation basins would be formed to store water during periods of high rainfall in order to prevent overtopping ditches causing problems on site or down-stream.

Attenuation basins have been shown on the parameter plans, with indicative calculations for their size and depth. The largest of these, serving area 1, the largest development parcel would indicatively require a depth of 1.3m. This would be in a 60m wide piece of open space, adequately capable of absorbing the gradient change as part of the landscape design. Basins serving other development parcels would not be so deep, nor need to accommodate such large volumes of water, so would contribute differently to the landscape setting of the site.

The Lead Local Flood Authority consultation response support the principles of the drainage strategy and the suggested conditions are recommended to secure the final design of the drainage strategy to accommodate the detailed design of the development parcels.

Southern Water have indicated that the existing Foul Water drainage network may not have sufficient capacity to accommodate all of the foul water drainage needs of the development. They do indicate a willingness to work with the developer to assess the opportunity to deliver enhancements in due course and that there may be some capacity in the network for some dwellings to be occupied in advance of improvements. They have requested the development is phased to allow any required enhancements to be delivered in a timely manner, a condition has been included in the recommendation.

Sufficient analysis and information has been provided to demonstrate to the

satisfaction of both the Environment Agency and the Lead Local Flood Authority that the scheme can safely deal with the existing surface water impacts on the site and safeguard the proposed development parcels from future flood risk. As such in accordance with the requirements of policy SS1 paragraph (iii) (e), policy CCC1 and the NPPF, subject to conditions the development will deal with surface water sustainably and avoid placing residents at risk.

F) Residential Amenity

Local Plan policy ENV3 at paragraph (ii) requires development, to avoid unacceptable effects by reason of visual intrusion, overbearing, overlooking, shading, noise and light pollution.

There are existing residential properties backing on to the site along Cooks Lane and Pauletts Lane. The application proposes built form close to the boundaries of those properties, however given the size of the neighbouring plots, their position, to the south and west of the application site in most cases, and the scale and density proposed for the adjoining areas, there is no reason to believe that an acceptable relationship between the existing and new development can not be achieved.

Details of the Appearance, Layout and Scale of the development would be subject to future applications at which time the individual circumstances of each relationship will be suitably assessed in order to ensure amenity is preserved.

Concerns raised in representations received regarding the loss of views of open fields are acknowledged, however the principle of residential development is established by adoption of the development plan. Whilst some residents would be able to see the proposed development from their property, that does not mean their outlook or privacy would be detrimentally compromised and the right to a view is not a material planning consideration.

Due to their location, the proposed accesses would not compromise the amenity of nearby residents. The residential nature of the scheme would not give rise to a type, form or pattern of vehicle movements that would be out of character with the residential characteristics of the area.

Existing residents would have access to the new open space being made available and accessible on the site for informal recreation needs.

There is potential for short term disturbance during construction, such impacts would be addressed by way of a Construction Management Plan to consider how to minimise the spread of dust and avoid noise disturbance when detailed design and layout plans are confirmed and the construction process being considered. A condition could ensure a Plan is provided prior to the commencement of works.

There is nothing about the proposals that would prejudice residential amenity. It would be entirely possible to reasonably preserve the amenity of existing residents in accordance with Policy ENV3, detailed assessment of which would be undertaken upon receipt of Reserved Matters applications.

G) Heritage Assets

There are no designated heritage assets on the site, nor is the site in or adjacent to a Conservation Area.

The application is supported by a Heritage Assets Statement that identifies there are two Listed Buildings close to the site whose significance could be affected by the

proposed development.

Local Plan policy DM1 sets the policy approach to assessing the impact of development on heritage assets, seeking to conserve or seek to enhance the historic environment and heritage assets. A proportionate approach to the scale of harm should be considered, based on the significance of the asset and public benefits of a scheme may be considered to outweigh less than substantial harm. The presence of archaeological remains need to be considered and where appropriate mitigation measures included to reduce or avoid any impact.

One of the identified listed buildings, Broadmoor Cottage (referenced as Broad Oaks Cottage on OS maps and on the ground) is referred to in the Strategic Site Policy, paragraph (iii) (b). It is a Grade II Listed Building located on the west side of Pauletts Lane, opposite Area 2 of the proposed development.

There would be no impact on its historic fabric or features of special architectural interest it possesses. Due to its position set back from Pauletts Lane, there is little scope for inter visibility between the building and application site.

Any impact to the setting of the Listed Building would be as a result of the change to the character of Pauletts Lane arising from development of land along its length rather than the direct loss or erosion of its plot or the association of the listed building to historic agricultural activities in the area. The concept masterplan for SS1 recognised development on the east side of Pauletts Lane opposite the Listed Building would be appropriate. Furthermore, as described in section C, the development would be positioned behind the mature landscape along Pauletts Lane and at a density and scale that would minimise the impact on the character of Pauletts Lane, and thus the setting of the listed building.

The NFDC Conservation Officer is content that there would be no harm to significance of the Broadmoor Cottage as a designated Heritage Asset.

The second designated Heritage Asset identified by the Heritage Asset Statement, is Little Testwood House also a Grade II Listed Building. This is approximately 220m away from the application site, with extensive landscape setting and Salisbury Road separating the sites, nor any vantage points from which inter visibility of the respective sites, for there to be any impact on the significance of the Listed Building. Other applications within the SS1 allocation, north of Salisbury Road, have undertaken trench based surveys checking for the presence of archaeological remains. Features of interest have been identified by those surveys, however the Heritage Asset Statement, for this application, advocates a Written Scheme of Investigation is prepared. The consultation response from the Archaeologist requests a Geophysical survey is also undertaken. As this is an outline application it is reasonable to impose a condition securing this approach in order that any archaeology present on site can be assessed for its significance and influence the detailed design of the Layout of the scheme.

There is limited interaction between the proposed scheme and heritage assets in the area, sufficient to conclude that there will not be any impact on the two listed buildings close to the site preserving their significance, setting and special architectural interest. As such the scheme accords with policy DM1.

H) Ecology and Habitat Mitigation

i) Ecology and Protected Species

Local Plan policy DM2 seeks to preserve or avoid impacts on features of nature

conservation interest, including international, national and local designations and species. The development should include features to incorporate features to encourage biodiversity and retain and where possible enhance features of nature conservation value within the site. Conditions could be used to minimise damage, provide mitigation and site management measures and, where appropriate, compensatory and enhancement measures.

The application is supported by sufficiently detailed ecological surveys of the site and an Ecological Impact Assessment, appraising the impact of the development and identifying appropriate mitigation measures. There are no habitats or species recorded as being present on site that prevent the principle of the scheme or dictate the arrangement of parameter plans or the location of the accesses for the development. However, alongside the requirements for dealing with site drainage, the existing trees, hedgerows and ditches have influenced the parameter plans and siting of accesses thereby minimising the overall impact of the development on existing ecology.

The NFDC Ecologist is content that it would be possible to mitigate for the impact of the development on the species identified as being present on site. Mitigation measures include a sensitive lighting strategy, bird and bat boxes installed in buildings, including swift bricks as requested by Hampshire Swifts and on trees, hedgehog routes through fences and relocation of slow worms.

Whilst not identified as present on site, protected Dormice have been identified in sufficient proximity to the site that re-survey of the site for their presence, prior to hedgerow removal, is advocated. A precautionary approach to hedgerow removal would then be undertaken in order to minimise the potential for harm to occur should Dormice be hidden from view.

The Ecologist raises concerns about the potential for access routes through the Bog Plantation causing harm to features of ecological interest. However, at this time with the fully detailed design for those routes not before the Council for consideration, detailed ecological surveys, to inform routes, have not been undertaken. Any proposals presenting these routes will need to be supported by additional survey work to demonstrate what impact might occur and any mitigation required. A woodland management plan is advocated in any event by the ecological impact appraisal as part of ensuring its ecological role is preserved but allow use for ANRG through the introduction of paths. Whilst the NFDC Ecologist accepts that details will follow concerns remain regarding the principle, as the benefits of providing those routes can not be weighed against the potential harm.

As the application is made in Outline and many of these mitigation measures are related to the Appearance of the buildings and site Landscape, details of which are subject to Reserved Matters applications, it would be appropriate to secure the general strategy by condition requiring a scheme to be presented in due course.

Whilst the scale of the scheme would meet the requirement to make the mandated 10% Biodiversity Net Gain improvement, the legislation is clear that applications submitted prior to spring 2024, when the legislation was published, are not required to achieve the 10% level; this application was received in 2022. However, biodiversity net gain is still a requirement in Local Plan policies STR1 and DM2, as such a condition will be used to secure details of the approach to deliver a biodiversity net gain and the monitoring and review mechanisms. Due to the scale of the development it is unlikely that sufficient enhancements can be delivered on site to demonstrate an overall gain, as such the applicant proposes to secure credits at a compensation scheme within the district.

ii) Recreational activity impact on New Forest and Solent Habitats

Policy ENV1 of the Local Plan requires developments proposing more than 50 dwellings to make provision for ANRG on site as part of the proposed scheme. The policy expects 8Ha of ANRG to be provided per 1000 residents.

In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment has been carried out as to whether granting permission would adversely affect the integrity of the New Forest and Solent Coast European sites, in view of that site's conservation objectives. The Assessment concludes that the proposed development would, in combination with other developments, have an adverse effect due to the recreational impacts on the European sites.

Such adverse impacts would be avoided by provision of Alternative Natural Recreational Greenspace (ANRG), on the site as part of the design and layout of the scheme, in accordance with ENV1 and the design requirements of the Mitigation Strategy SPD.

Based on the Housing Mix (see Section B of the Planning Assessment), the proposed 196 homes generate a need for at least 4.09ha of ANRG. The proposed scheme delivers 5.3ha of ANRG on site, compliant with the policy requirements. There is a qualitative aspect to the design of the ANRG, this is discussed in consideration of Landscape design. In principle the scheme provides sufficient quantity of ANRG to meet the policy requirements. Secured for delivery by a S.106 legal agreement, that will include requirements of managing and maintaining the space, as with the public open space that responsibility is expected to be via a management company.

Furthermore, the applicant will enter into a Section 106 legal agreement to secure a habitat mitigation contribution in accordance with the Council's Mitigation Strategy towards the costs of providing Access Management and Monitoring.

The applicant will also agree to provide the financial contribution towards protecting Solent sites from recreational pressure, in accordance with the Bird Aware Solent strategy which will also be secured through a Section 106 legal agreement.

iii) Nitrate neutrality and impact on the Solent SPA and SACs

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 that site's 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.

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 addressing the additional nutrient load imposed on protected European Sites by the development, likely to take the form of purchasing nitrate offsetting credits in a mitigation scheme.

A Grampian style condition has been agreed with the applicant and is attached to this permission.

Air Quality Monitoring

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 NOx, 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.

Subject to conditions and obligations secured by a S.106 agreement, the scheme would mitigate impacts on sensitive protected habitats off-site in the New Forest and Solent. On site ecology can be preserved and enhanced. The scheme would comply with Policies ENV1 and DM2 contributing to the delivery of a sustainable development in accordance with policy STR1.

I) Other Matters

Education

The mix of uses proposed by site specific policy SS1 includes allocation of land for the provision of new school and contributions towards the provision of education. Local Plan policies STR6 and IMPL1 also seek to ensure developments mitigate their impacts on services and facilities in accordance with the Infrastructure Development Plan.

As part of the wider SS1 allocation, the scheme would give rise to a number of school age children that could not be accommodated in existing schools, despite the capacity identified across the wider network of schools in Totton. A proportionate financial contribution of £4,369.00 per dwelling (excluding 1-bed dwellings), to reflect the final number of dwellings may change, would be secured by a S.106 legal Agreement, to be used to provide additional primary age school places in accordance with a project identified by Hampshire County Council to enhance Calmore infant and junior schools. There is sufficient capacity in Secondary age schools, that no impact requiring mitigation would occur.

Minerals Safeguarding

Local Plan policy STR9 seeks to protect or avoid sterilisation of important mineral resources located in the District, in accordance with the Hampshire Minerals and Waste Local Plan. This may require prior extraction or encourage developers to retain the materials for use on site where there aren't viable quantities for commercial extraction.

The site is at the very edge of the safeguarded area protecting superficial sand and gravel. The application is supported by a Phase II minerals investigation. The bore holes dug and samples taken indicate an inconsistent presence of those aggregates, consistent with being at the edge of the safeguarded area. It is accepted that there are not economically viable quantities of aggregates on site to justify prior extraction, however the applicant may consider recovering materials excavated for use in the development, particularly in landscaping, ground raising or levelling. A condition is advocated by the Hampshire County Minerals consultation response, securing a strategy for extraction and re-use of minerals identified on the site. As excavations and either re-use or disposal of materials from site would occur in any event, it would not be an onerous requirement to invite the applicant to consider how they may be used or disposed of, which may have financial benefits.

Air Quality and Pollution

Local Plan policy CCC1 sets out the health and safety of communities should not be prejudiced by pollution or hazards, including air quality. The Council has also adopted an Air Quality in New Development SPD.

The scheme is supported by an Air Quality assessment. That report concludes the air quality in the area can safely support residential development without risk to human health, nor would the transport generated by the development and cumulatively with adjoining developments represent a risk in the future. The scheme will make provision to support sustainable forms of travel and installation of electric vehicle charging equipment to minimise any further impact on air quality.

A dust management plan as part of a Construction Management Plan would avoid excessive short term impacts during construction, a condition could be used to secure such a plan and is merited. Due to the size of the scheme it is likely to result in new residents being on site before all dust generating construction has been completed, it would also protect existing residents from such nuisance.

Infrastructure and Services.

Concerns raised by representations received regarding the increased pressure on existing infrastructure, services and facilities in the area is acknowledged. The scheme will make contributions towards improved highway infrastructure, improved recreational facilities, contribute towards education facilities locally. It will also be required to make a Community Infrastructure Levy payment.

There is no definitive evidence that the scheme needs to actively make provision of further facilities, or that existing facilities cannot accommodate the population increase.

The NPPF (Paragraph 30) sets out that development plans should set out the contributions expected from development including, amongst other things, health infrastructure. However, there is no Policy in the NFDC Local Plan which sets out an explicit expectation that a contribution should be made to local health facilities. Nonetheless, health service providers do have the option of bidding for Community Infrastructure Levy (CIL) funds where projects can be assessed against other proposed infrastructure projects for limited funds.

Renewable Energy and Climate Change SPD.

The Planning Statement supporting the application acknowledges that technology could be incorporated to minimise reliance on centralised sources of energy generation, such as solar PV, solar water heating or air source heat pumps. It also

advocates a fabric first approach to ensure the construction of the buildings themselves minimises the energy needs of the development from the outset. In the absence of adopted policies setting defined targets for energy from renewable sources and the outline nature of the application, it would not be possible to require further intervention. In any event the scheme would have to comply with the Governments current requirements for energy efficiency secured by the Building Regulations

During consideration of this application, the Council has adopted its Climate Change SPD. As this guidance document seeks to influence the design and layout of a scheme from its initial inception it does not applications already submitted. However, based on the outline nature of the application there are limited details to consider against its requirements. Any applications for the Reserved Matters of layout and design could undertake more detailed assessment against its guidance.
Developer Contributions

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

Air Quality Monitoring:

Provision of £109 per dwelling based on final number of dwellings approved.

Recreational Habitat Mitigation:

- Infrastructure Habitat Mitigation: Phased delivery of 4.12ha of publicly accessible ANRG, with arrangement for the future management and maintenance to be agreed.
- Provision of Non-Infrastructure Habitat Mitigation (Access Management and Monitoring) financial contribution appropriate to final housing mix. Currently:
£489.00 per 1 bed dwelling
£693.00 per 2 bed dwelling
£956.00 per 3 bed dwelling
£1,174.00 per 4 bed dwelling
- Provision of Bird Aware Solent financial contribution appropriate to final housing mix. Currently:
£465.00 per 1 bed dwelling
£671.00 per 2 bed dwelling
£875.00 per 3 bed dwelling
£1,029.00 per 4 bed dwelling

Highways:

- Provision of £1,500 per dwelling towards A326/A31 southbound off slip junction capacity improvement project.
- Provision of off site WCHAR pedestrian paths and crossing improvements
- Provision of £315,811.00 towards pedestrian and cyclist improvements projects in Totton in accordance with HCC LCWIP.

Education:

- Provision of £4,369.00 per dwelling (excluding 1-bed dwellings) towards Primary age school infrastructure

Monitoring Charges:

- Recreational Habitat Mitigation Commencement Checks: £847.00
- Affordable Housing Monitoring: £847.00
- Recreational Habitat Mitigation on site monitoring: £24,356.00
- Biodiversity Net Gain on site monitoring: £10,450

- Public Open space on site monitoring: £13,726.00

Affordable Housing:

- Secure 35% (at least 69 dwellings) of the scheme as affordable housing in the adopted size and tenure mix.
- Secure phased provision.

Recreation

- Secure on site informal open space provision of 1.03ha
- Secure on site play area provision of 0.13ha
- Phased provision with arrangement for the future management and maintenance to be agreed.
- Provision of £398.00 per dwelling towards formal public open space towards the provision and maintenance of off site sports facilities to include one or more of the following:
MUGA Sports pitches in wider SS1;
Cricket pitch within locality of Totton;
Other off site sports facilities within the vicinity of the development;

As part of the development, subject to the final floorspace of the development and any relief being granted, 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			0	0	£80/sqm	£0.00 *

Subtotal:	£0.00
Relief:	£0.00
Total Payable:	£0.00

11 CONCLUSION / PLANNING BALANCE

Planning Committee Members will be aware that Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out the starting point for the determination of planning applications:

'If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.'

As set out earlier in this report, NPPF paragraph 11 clarifies the presumption in favour of sustainable development.

Paragraph 11(c) states for decision making this means approving development proposals that accord with an up-to-date development plan without delay.

The lack of a demonstrable five-year supply of land for housing development, consistent with the recent Orchard Gate appeal decision means, however, that the presumption in favour of sustainable development in NPPF paragraph 11(d) is

engaged for this application specifically the second limb which states permission should be granted unless:

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole.

As such this concluding part of the report will undertake the so called "tilted balance" required by paragraph 11d(ii) of the NPPF.

The adverse impacts identified are:

The principle of providing routes through and introducing residential activity could have a detrimental impact on ecological and arboricultural character and value of the Bog Plantation woodland and as such require ongoing active management to ensure safety of users.

However, these issues will be addressed in detail at the Reserved Matters Stage. Moreover, through the inclusion of the Bog Plantation in the Site Allocation it was always likely that these issues may arise given the closer proximity of new housing as out in the Local Plan Concept Masterplan.

These harms are to be weighed against the following benefits:

The scheme would have significant social benefits associated with it. The proposal is for new residential development of up to 196 dwellings which would make a very significant contribution to the housing land supply in the District of approximately six months supply.

Whilst the outline application does not present a final design strategy, the illustrative material does propose flats and houses, in a mix of sizes, creating a mixed and balanced community as well as giving a wide choice of housing options. Furthermore, it would provide a Policy HOU2 compliant level of 35% of the housing as affordable housing, with the appropriate mix of Shared Ownership, Affordable and Social Rent

Successful implementation of the Local Plan, by ensuring allocated sites deliver suitable housing using land effectively, significantly reduces the pressure to accept less desirable and less sustainable countryside locations and windfall sites subject to non-residential designations that are not planned for. Significant weight is afforded to this benefit.

Although not in wealth generating or employment sectors prioritised by the development plan policies STR6 'Sustainable economic growth' and ECON1 'Employment land and development', the scheme would have short term significant economic benefits during construction, involving extensive employment in a wide range of sectors across the construction industry. Construction workers bring spend into local shops and services, as in due course would residents of the scheme, as well as their use of services at home

The scheme would have environmental benefits of delivering development on an allocated site in a sustainable location where local services and facilities can be accessed by modes of transport other than the private car. It will also make provision of new sustainable travel infrastructure, both on and off site. It would deliver modern housing built to the most up to date building regulations, providing energy efficiency and high levels of insulation.

The scheme would deliver new public open space close to existing residential areas, benefitting the wellbeing of existing residents as well as meeting the needs of occupiers of the development.

These extensive economic, environmental and social benefits contribute to the delivery of sustainable development as defined by NPPF paragraph 8 and will demonstrably outweigh the identified harms and the 'tilted balance' should further weigh in favour of approving this sustainable development.

Based on the parameter plans under consideration in this outline application the principle of the layout of the scheme would respect and retain the principal landscape setting including trees, preserve residential amenity, highway safety and designated heritage assets.

The proposal is considered to represent an optimal use of the site taking these and other material considerations into account. The proposal sets out a suitable range of built densities which reflects the need for effective use of land as a resource and the need for a wider range of residential typologies in light of the District's identified housing need.

Subject to conditions and S.106 obligations safe vehicular access to the site would be provided as well as multiple enhancements to improve options to travel by non-vehicular modes.

The proposal has received local objections that are not supported by the technical advice of consultees such as Hampshire County Council as Highway Authority and Lead Local Flood Risk Authority, Natural England and the Environment Agency. No substantive alternative evidence has been submitted to set aside the views of statutory consultees.

The development of part of this allocated site will undoubtedly change and have an urbanising impact on the local character, this must be balanced against the allocation of the site in the Local Plan and the need to deliver new housing including an element of affordable housing and recognise that this application site is immediately adjacent to the existing edge of the urban area and is only one part of a larger site where significant change will occur.

The planning consideration undertaken at chapter 10, demonstrates that, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, the scheme is in accordance with the development plan.

The Council has carried out an Appropriate Assessment under the Habitat Regulations (as amended) at this stage and concluded that the impact of additional Nitrogen entering the Solent will cause harm but that a scheme of mitigation can be brought forward to offset such harm. Furthermore, an Appropriate Assessment of the recreational impacts demonstrates harm would occur to protected habitats in the New Forest, but that mitigation is delivered on site and by obligations in the S.106 legal agreement. The scheme will protect important landscape features on and around the site, support ecology including protected species and deliver biodiversity net gain.

The scheme has economic, environmental and social benefits that, along with compliance with the development plan, would secure a sustainable development. For the purposes of consideration of this application, the Council cannot demonstrate it has a 5 year supply of land for housing therefore the NPPF directs a presumption in favour of sustainable development. In accordance with paragraph 11(d) of the NPPF the benefits of the proposal have been weighed against the identified harm.

There are no other material considerations or significant impacts that demonstrably outweigh the identified benefits and therefore this proposed development is recommended for permission.

12 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;

Air Quality Monitoring:

Provision of £109 per dwelling, total figure based on final number of dwellings approved.

Recreational Habitat Mitigation:

- Infrastructure Habitat Mitigation: Phased delivery of 4.12ha of publicly accessible ANRG, with future transfer to a Management Company provision of a management plan including arrangements for the funding of the ANRG maintenance and a mechanism to ensure that the ANRGs maintained and managed in perpetuity should the management company fail to exist or fail to undertake the maintenance of the land in accordance with any management plan.
- Provision of Non-Infrastructure Habitat Mitigation (Access Management and Monitoring) financial contribution appropriate to final housing mix. Currently:
£489.00 per 1 bed dwelling
£693.00 per 2 bed dwelling
£956.00 per 3 bed dwelling
£1,174.00 per 4 bed dwelling
- Provision of Bird Aware Solent financial contribution appropriate to final housing mix. Currently:
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Highways:

- Provision of £1,500 per dwelling towards A326/A31 southbound off slip junction capacity improvement project.
- Provision of off site WCHAR pedestrian paths and crossing improvements
- Provision of £315,811.00 towards pedestrian and cyclist improvements projects in Totton in accordance with HCC LCWIP.
- Provision of residents travel plan.

Education:

- Provision of £4,369.00 per dwelling (excluding 1-bed dwellings) towards Primary age school infrastructure

Affordable Housing:

- Secure 35% (at least 69 dwellings) of the scheme as affordable housing in the adopted size and tenure mix.
- Secure phased provision.

Recreation

- Secure on site informal open space provision of 1.03ha
- Secure on site play area provision of 0.13ha
- Phased provision and transfer to management company, including arrangements for funding the maintenance and a mechanism to ensure that the POS is maintained in perpetuity should the management company fail to exist or fail to undertake the maintenance in accordance with any management plan.
- Provision of £398.00 per dwelling towards formal public open space towards the provision and maintenance of off site sports facilities to include one or more of the following:
MUGA Sports pitches in wider SS1;
Cricket pitch within locality of Totton;
Other off site sports facilities within the vicinity of the development;

Monitoring Charges:

- Recreational Habitat Mitigation Commencement Checks: £847.00
- Affordable Housing Monitoring: £847.00
- Recreational Habitat Mitigation on site monitoring: £24,356.00
- Biodiversity Net Gain on site monitoring: £10,450
- Public Open space on site monitoring: £13,756.00

ii) the imposition of the conditions set out below.

Proposed Conditions:

1. Reserved matters timescales

The first application for the approval of Reserved Matters shall be made within a period of three years from the date of this permission. All subsequent Reserved Matters applications shall be submitted no later than 3 years from the date of the approval of the first reserved matters application.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004)

2. Reserved Matters

Except for off site highway works secured to support this proposal, no development shall take place until approval of the details of the Appearance, Landscaping, Layout and Scale ("the reserved matters") has been obtained from the Local Planning Authority. The development shall only be carried out in accordance with the details which have been approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

3. Commencement time limits

The development shall be begun no later than two years from the final approval of the last of the reserved matters to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

4. **Approved Plans**

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

Site location plan DWG No.P001 rec'd 25/02/23
Cooks Lane Area 1 access ref:183744/G/005 rev C rec'd 03/08/23
Pauletts Lane Area 2 access ref:183744/G/006 rev D rec'd 03/08/23
Pauletts Lane Area 4 access ref:183744/G/008 rev D rec'd 03/08/23
Cooks Lane ped/cycle link ref:183744_G_009 rev A rec'd 15/12/23
Salisbury Road ped/cycle link ref:183744_G_010 rec'd 15/12/23

Reason: To ensure satisfactory provision of the development.

5. **Approved parameter plans.**

The Reserved Matters details to be submitted in accordance with conditions 1 & 2 shall be broadly in accordance with the Development Parameter Plans comprising:

Access Parameter Plan DWG No.P015 rev B rec'd 07/12/23
Built Framework Parameter Plan DWG No.P016 rev B rec'd 07/12/23
Landscape & Drainage Parameter Plan DWG No.P017 rev B rec'd
07/12/23

Indicative Proposed Site Sections DWG No.P005 rev C rec'd 07/12/23
Pauletts Lane Area 3 Indicative ped/cycle crossing ref:183744/SK06 rec'd
08/01/24

For the avoidance of doubt, the roads, footpaths and cycle routes shown on the Access parameter plan are for indicative illustrative purposes only and demonstrate the opportunities for connectivity.

Reason: To ensure satisfactory provision of the development.

6. **Phasing**

Prior to the commencement of development on site, a plan and strategy for the phased delivery of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. It shall demonstrate how the scheme will be delivered and proportionate delivery of ANRG, POS and Foul Water Sewerage network upgrades will be provided to match the needs of occupation. The approved strategy shall then be implemented unless with prior written consent to any variation.

Reason: In order to ensure timely and appropriate delivery of the development and to ensure it meets the recreation and habitat mitigation needs and in accordance with Policies STR1, ENV1 & CCC1 of the New Forest District Local Plan Part 1: Planning Strategy 2020 and CS7 of the New Forest District Core Strategy 2009.

7. **CMP**

Prior to the commencement of development on site a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The CMP shall include, but not limited to, the following details:

- Development contacts, roles and responsibilities
- Public communication strategy, including a complaints procedure.
- 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.
- Use of fences and barriers to protect adjacent land, properties, footpaths and highways.
- Details of parking and traffic management measures, site compound, delivery routes and storage areas.
- Measures to control light spill and glare from any floodlighting and security lighting installed.
- Pest control

The approved details shall be implemented before the development hereby permitted is commenced and retained throughout the duration of construction. The development shall only be carried out in accordance with the CMP so approved.

Reason: In the interests of highway, pedestrian safety and residents amenity and to reflect the phased requirements of condition No.5 of this permission and in accordance with CCC1 of the New Forest District Local Plan Part 1: Planning Strategy 2020.

8. **CEMP**

Prior to the commencement of development, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority.

The plan shall include, but not be limited to, measures to provide:

- Protective fencing and buffering of the Bog Plantation and all retained hedgerows and trees;
- Dust control and minimisation
- Pollution prevention measures;
- Lighting control;
- Noise control and minimisation
- Vegetation removal under supervision / timing of works e.g. birds and dormice; and
- Methods to prevent badgers (and other mammals) getting trapped in excavations.

The agreed plan shall then be implemented and followed for the duration of

construction as appropriate to the nature of the works and impact.

Reason: In the interests of protecting sensitive features of nature conservation and in accordance with Policy CCC1 of the New Forest District Local Plan Part 1: Planning Strategy 2020 and DM02 of the New Forest District Local Plan Part 2: Sites and DM policies 2014.

9. **Detailed drainage design.**

No development shall begin until a detailed surface water drainage scheme for the site, based on the principles within the Flood Risk Assessment and Surface Water Drainage Strategy V3, received 03/08/23, has been submitted and approved in writing by the Local Planning Authority. The submitted details should include:

- A technical summary highlighting any changes to the design from that within the approved Flood Risk Assessment.
- a. Detailed drainage layout drawings at an identified scale indicating catchment areas, referenced drainage features, manhole cover and invert levels and pipe diameters, lengths and gradients.
- b. Detailed hydraulic calculations for all rainfall events, including the listed below. The hydraulic calculations should take into account the connectivity of the entire drainage features including the discharge location. The results should include design and simulation criteria, network design and result tables, manholes schedule tables and summary of critical result by maximum level during the 1 in 1, 1 in 30 and 1 in 100 (plus an allowance for climate change) rainfall events.
- c. The drainage features should have the same reference that the submitted drainage layout.
- d. Confirmation on how impacts of high groundwater will be managed in the design of the proposed drainage system to ensure that storage capacity is not lost, and structural integrity is maintained.
- e. Confirmation that sufficient water quality measures have been included to satisfy the methodology in the Ciria SuDS Manual C753.
- f. Exceedance plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria.

The approved details shall then be implemented and no dwelling shall be occupied until such time as its surface water drainage is provided.

Reason: In order to ensure sufficient and appropriate surface water site drainage is provided to protect the site and surroundings from flood risk and in accordance with policies ENV3, CCC1 of the New Forest District Local Plan Part 1: Planning Strategy 2020 and the NPPF.

10. **Incidental mineral extraction**

Prior to commencement of the development hereby approved on site, the following details shall be submitted to and agreed in writing with the LPA, which may be included within a construction management plan or similar.

- g. a method for ensuring that minerals that can be viably recovered during the development operations are recovered and put to beneficial use; and
- a method to record the quantity of recovered mineral (re-use on site or off site) and to report this data to the MPA.

The development shall be carried out in accordance with the details so agreed.

Reason: In the interests of utilising any mineral deposits which could be used on the site as part of the construction works and in accordance with Local Plan Policies STR1 and STR9

11. **Archaeology**

Prior to the submission of any application for any matter reserved by condition no.2 a geophysical survey and associated interpretive report of the site marked for development by this Outline permission, shall be undertaken and submitted to and approved by the LPA.

In accordance with the findings of the geophysical survey a Written Scheme of Investigation for Trench Evaluation of the site marked for development shall be submitted to and approved by the LPA before trenched evaluation begins.

A Trench Evaluation report of the findings and any recommendations, including timetable for action to be taken, shall be submitted to and approved by the LPA and used to inform the design of any application submitted for the Reserved Matter of Layout and Landscape required by condition no.2 of this permission. The recommendations and timetable of the report shall then be implemented as approved.

Reason: In order to identify, document and assess the significance of any archaeological remains of features on the site and in accordance with DM1 of the New Forest District Local Plan Part 2: Sites and DM policies 2014 and NPPF.

12. **BNG**

Prior to the commencement of development, a strategy for the delivery of Biodiversity Net Gain and a Monitoring and Management Plan shall be submitted and approved in writing by the Local Planning Authority. It shall include:

- Methods for delivering an increase in existing site BNG in accordance with the most up to date Natural England bio-diversity metric;
- Responsibilities for delivering BNG
- Description of the habitats to be managed;
- Ecological trends and constraints on site that might influence management;
- Clear timed and measurable objectives in the short, medium and long-term for BNG - Detail objectives for all habitats (target condition) and define key indicators to measure success;
- Define appropriate management options and actions for achieving aims

- and objectives;
- A commitment to adaptive management in response to monitoring to secure the intended biodiversity outcomes;
- Preparation of a work schedule;
- Details for a formal review process when objectives are not fully reached;
- Key milestones for reviewing the monitoring;
- Establish a standard format for collection of monitoring data to make it repeatable and consistent;
- Identify and define set monitoring points (representing the key habitats on site) where photographs can be taken as part of monitoring to record the status of habitats on site.

The BNG monitoring report shall be produced by a suitably qualified and experienced ecologist and shall include the following for the target habitats:

- Credentials of the ecologist undertaking the monitoring
- Assessment of habitats against the objectives defined in the management plan;
- Any presence recorded of target species;
- Date stamped photos accompanied by detailed site notes on extent of growth and condition using indicators in the management plan with any other notes of interest;
- If the target species /habitat is not present, provide detailed site notes in factors that are / could hinder growth or establishment;
- Detailed specific recommendations (where appropriate) on management actions to promote growth /establishment of target species / habitats including timescales for undertaking actions and marked site plans to show the actions;
- Photographs from the fixed monitoring points detailed in the management plan using high quality images. The agreed methods of delivering BNG shall then be implemented in accordance with agreed timetable and thereafter managed and monitored as agreed.

Reason: In order to ensure appropriate delivery of bio-diversity net gain and in accordance with policies STR1 of the New Forest District Local Plan Part 1: Planning Strategy 2020 and DM2 of the New Forest District Local Plan part 2: Sites and DM policies 2014.

13. **Implement EclA.**

The recommendations and conclusions of the Environmental Impact Assessment received 14/07/22 shall be implemented and followed throughout implementation of the development hereby approved. No dwelling shall be occupied until a plan and schedule showing the location of the installation of the enhancement features proposed by chapter 7 of the EclA has been submitted and approved in writing. The plan and schedule shall then be implemented as agreed in advance of each respective dwelling being occupied. The installed features shall thereafter be retained.

Reason: In the interests of supporting ecology and mitigating the effect of development and in accordance with STR1 of the New Forest District Local Plan Part 1: Planning Strategy 2020 and DM2 of the New Forest District Local Plan Part 2: Sites and DM policies 2014.

14. Ecological Enhancement Schedule

Prior to the commencement of development above damp proof course, a monitoring schedule of the approved ecological enhancements measures, including their form and location, shall be submitted to the Local Planning Authority

Reason: In order to assist monitoring of the delivery of the approved ecological enhancements.

15. Water Efficiency & Nitrate Neutrality

The development hereby permitted shall not be occupied until:

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;

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.

16. Noise Assessment

Any application for the Reserved Matter of Layout shall be accompanied by a stage 2 Acoustic Design Statement, in accordance with ProPG Planning and Noise 2017, to demonstrate how internal and external noise levels for the development shall not exceed the designated minimum standards stated. The measures relied upon to achieve the standards shall thereafter be implemented alongside implementation of the development as approved.

Reason: In order to ensure sufficient amenity for residents in accordance with CCC1 of the New Forest District Local Plan Part 1: Planning Strategy 2020.

17. Ditch surveys

Prior to commencement of installation of the surface water drainage network as approved by condition No.8 of this decision, the condition of the ditch network, which will take surface water from the development site, should be investigated. If necessary, improvement to its condition as reparation, remediation, restitution and replacement should be undertaken in order to provide the drainage capacity included in the drainage design calculations and future resilience. Evidence of this, including photographs should be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development hereby approved.

Reason: In the interests of ensuring the surface water drainage network on site is fit for purpose and minimise the risk of surface water flooding in the area and in accordance with policies ENV3 & CCC1 of the New Forest District Local Plan Part 1: Planning Strategy 2020 and the NPPF.

18. Drainage maintenance

Details for the long-term maintenance arrangements for the surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings. The submitted details shall include;

- a. Maintenance schedules for each drainage feature type and ownership
- b. Details of protection measures.

The approved details shall then be implemented in accordance with the timescales included therein.

Reason: In order to ensure the surface water drainage infrastructure is maintained to minimise the risk of surface water flooding occurring and in accordance with policies ENV3 & CCC1 of the New Forest District Local Plan Part 1: Planning Strategy 2020 and the NPPF.

19. **Unexpected contamination**

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority and work must cease on that phase of development. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared in writing and submitted to and approved in writing by the Local Planning Authority before approved works can re-commence in that phase. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CCC1 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park and Policy DM5 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

20. **Housing Mix**

The open market dwellings to be delivered by the scheme shall accord with the following housing mix:

	<u>1&2 bed</u>	<u>3bed</u>	<u>4bed</u>
Open Market dwellings	30-35%	50-55%	5-15%

Reason: In order to ensure a variety of dwelling sizes to deliver a mixed and balanced community as required by policy HOU1 of the New Forest District Council Local Plan Part 1: Planning Strategy 2020

21. **Woodland Management**

Prior to first occupation of the development hereby approved, a woodland management plan for the Bog Plantation, as shown on the plans, shall be submitted to and approved in writing by the Local Planning Authority. It shall include a schedule of work for the protection and maintenance of the trees and timescales for those works and a program for renewal and replacement planting. The approved works shall then be implemented as approved in accordance with the timescales therein.

Reason: In order to ensure the long term management and protection of ecological and landscape value of the trees in accordance with policies ENV3 & ENV4 of the New Forest District Local Plan Part

22. Access completion

No dwelling hereby approved shall be occupied until the vehicular access serving its relevant 'Area' of development has been completed as shown in principle on the approved 'Access' plans.

Reason: To ensure safe access to the dwelling and in the interests of highway and pedestrian safety and in accordance with policy CCC1 of the New Forest District Local Plan Part 1: Planning Strategy 2020.

23. Implementation of Flood Risk Assessment

The development shall be carried out in accordance with the submitted flood risk assessment (by Vectos, version 3, ref 183744, received 03/08/2023) and the following mitigation measures it details in Section 5:

- Finished floor levels shall be set no lower than 150mm above the 1 in 100 year 40% climate change flood event or 150mm above ground level, whichever is higher.

Any reserved matters application required by condition 2 of this permission shall demonstrate that these finished floor levels have been incorporated in the detailed design of the scheme. These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

24. Overland flow mitigation

Any submission of reserved matters applications as required by condition 2 of this permission shall include a scheme of mitigation measures to convey overland flood flows across the development without causing flood risk to property. This should also include the funding, management and future maintenance of these features for the life of the development.

The scheme shall be implemented in accordance with phasing arrangements to be submitted to and agreed in writing with the Local Planning Authority. The measures detailed shall be retained and maintained thereafter throughout the lifetime of the development.

Reasons: To ensure the measures are integrated with the detailed design of the scheme and to reduce the risk of flooding to the proposed development and future occupants and to ensure that

there are no detrimental impacts to flood storage or flood flow routes

25. Pre-commencement site meeting

Prior to the commencement of works (including site clearance, demolition and construction works) 3 working days notice shall be given to the Local Planning Authority Tree Officer to attend the pre-commencement site meeting as specified within the submitted Barrell Tree Consultancy Manual for Managing Trees on Development Sites V2.1 SGN 1: Monitoring tree protection.

Reason: In order to ensure tree protection measures secured by condition 7 are in place.

26. Sensitive lighting strategy

Prior to the commencement of development above damp proof course, a "site wide sensitive lighting design strategy for biodiversity" in line with BCT / ILP Guidance Note 08/18 'Bats and artificial lighting in the UK' for all areas to be lit shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- identify those areas/features on site that are particularly sensitive for bats 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;
 - 1) Identify and take account dedicated bat roost features provided by the development; and
 - 2) 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 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 agreed strategy, and these shall be retained and maintained thereafter to preserve the strategy.

Reason: In the interests of visual amenity and supporting ecology in the area in accordance with policy ENV3 of the New Forest District Local Plan Part 1: Planning Strategy 2020 and DM2 of the New Forest District Local Plan Part 2: Sites and DM policies 2014.

27. Dormice re-survey

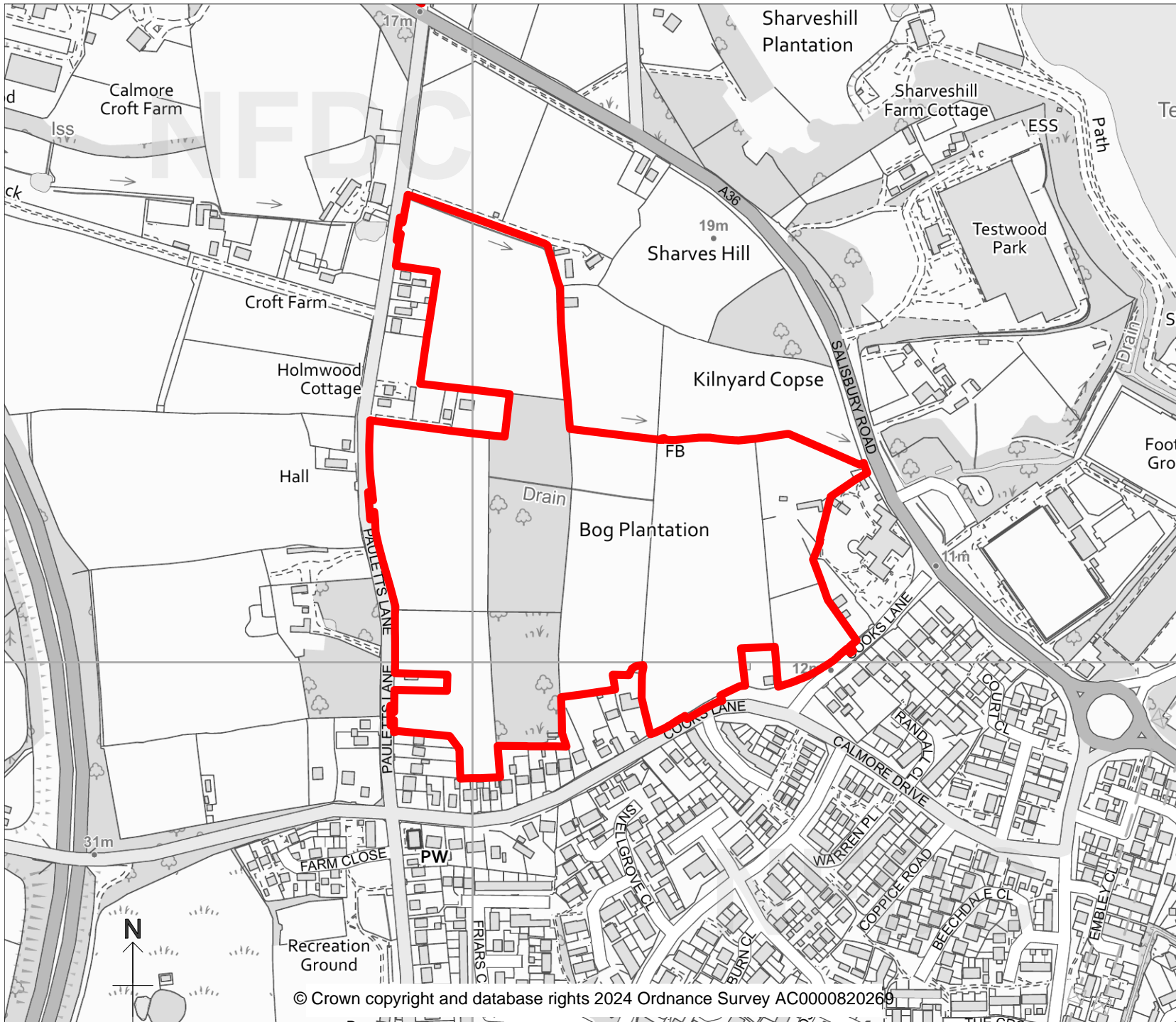
Prior to the commencement of any development hereby approved, including vegetation clearance on site, a revised survey of the site for the presence of Dormice shall be undertaken. The survey shall be undertaken by appropriately qualified personnel and the survey methodology, conclusions and any required mitigation shall be submitted to and approved in writing by the Local Planning Authority. The conclusion of the report and any agreed mitigation shall be carried out prior to vegetation removal and subsequent protection measures shall be incorporated in a CEMP required by condition 8 of this permission.

Reason: In the interests of preserving protected species. ,

Further Information:

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New Forest

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PLANNING COMMITTEE

November 2024

SS1 - Land North of
 Cooks Lane
 Totton
 22/10219

Scale 1:5000

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