

**Application Number:** 25/10601 Full Planning Permission  
**Site:** THE NEW INN, MAIN ROAD, TOTTON SO40 7EP  
**Development:** Erection of two semi-detached residential dwellings (Use Class C3) and change of use of Public House (Sui generis) to allow for conversion into three self-contained residential dwellings (Use Class C3), with external alterations and associated hard and soft landscaping.  
**Applicant:** Punch Partnerships (PML) Limited  
**Agent:** CPC Planning Consultants  
**Target Date:** 30/09/2025  
**Case Officer:** Sophie Tagg  
**Officer Recommendation:** Service Manager - Grant  
**Reason for Referral to Committee:** Contrary local ward Councillor view.

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## 1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) The principle of development
- 2) The loss of an existing public house
- 3) Design, layout and impact upon street scene and heritage
- 4) Residential amenity of neighbouring properties, in respect of noise, light, visual intrusion and privacy.
- 5) Access, parking and highway safety
- 6) Trees and landscaping
- 7) Ecology and BNG

## 2 SITE DESCRIPTION

The site is situated within the defined built-up area of Totton. The site is occupied by a public house, which is a sui generis use, and has parking for approximately 7 vehicles at the front of the pub. The New Inn is a late-19th century former coaching inn and has been run as a public house continuously since its construction. The pub was renamed 'The Red Deer' in the late 20th century but has since returned to its original name. The building fronts onto Spicers Hill on a no-through road set at a lower level than the main dual carriageway. The character of the area is mixed but is predominantly residential. The main building is set back from the site frontage behind an area of hardstanding for vehicular access and parking and is accessed from Jacobs Gutter Lane. A generous sized pub garden area extends back to Jacobs Walk to the rear. Jacobs Walk is a modern housing development of detached and semi-detached houses.

The surrounding area is primarily one of residential uses, although there is a local convenience store sited adjacent to the public house. Hounslow Secondary School is also located close to the site.

### **3 PROPOSED DEVELOPMENT**

The application proposes the conversion of the public house to 3no. dwellinghouses, each providing a kitchen, living space and 3 bedrooms accessed from Jacobs Gutter Lane/Spicers Hill. The application also proposes the addition of 2no dwellinghouses, each providing a kitchen, living space and 3 bedrooms within the rear pub garden area that would be accessed via a new vehicular access from Jacobs Walk, together with associated parking.

The application proposes physical alterations to the building to facilitate the change of use. Alterations are also proposed to the site layout, including the subdivision of the site to the rear with associated fencing. The existing frontage of the site is hard surfaced and some additional landscaping of the frontage is proposed in order to facilitate an amended parking layout.

### **4 PLANNING HISTORY**

None directly relevant

### **5 PLANNING POLICY AND GUIDANCE**

#### **Local Plan 2016-2036 Part 1: Planning Strategy**

Policy CCC1: Safe and healthy communities  
Policy CCC2: Safe and sustainable travel  
Policy ECON1: Employment land and development  
Policy ECON2: Retention of employment sites and consideration of alternative uses  
Policy ENV3: Design quality and local distinctiveness  
Policy ENV4: Landscape character and quality  
Policy HOU1: Housing type, size, tenure and choice  
Policy IMPL1: Developer Contributions  
Policy IMPL2: Development standards  
Policy STR1: Achieving Sustainable Development  
Policy STR3: The strategy for locating new development  
Policy STR4: The settlement hierarchy  
Policy STR5: Meeting our housing needs  
Policy STR8: Community services, Infrastructure and facilities

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

DM1: Heritage and Conservation  
DM2: Nature conservation, biodiversity and geodiversity  
DM19: Small local shops and public houses

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

SPD - Air Quality in New Development. Adopted June 2022  
SPD - Parking Standards  
SPD - Design of Waste Management  
SPD - Mitigation Strategy for European sites

## **National Planning Policy Framework**

## **National Planning Policy Guidance**

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

**Totton & Eling Town Council:** We recommend REFUSAL, for the reasons listed, but would accept the decision reached by the District Council's Officers under their delegated powers.

The first area of concern would be the loss of a community asset and the lack of alternative public houses in the near vicinity. However, if, as suggested, the business is failing and conversion to residential use is the only viable option, this could be acceptable provided the development is carried out sympathetically and retains the current appearance of the building.

The primary concern would be at the rear of the site and the impact on existing residents of Jacobs Walk in terms of visual intrusion and additional traffic. The loss of trees and existing screening has not been offset within the site, coupled with a lack of sustainable energy solutions. The density of properties within the setting would be an overintensification of the site.

### **7 COUNCILLOR COMMENTS**

**Councillor Harrison:** Objection

I would be very sorry to see the loss of the pub from Hounslow. Hounslow is pretty much cut off from the rest of the Totton community. The community hall, the school and the shop are the only things that help bind the community, apart from the pub. Once gone, the pub will not ever come back. The town will see plenty of housing built in the coming months and years. The argument for replacing this valued facility with housing is a weak one.

### **8 CONSULTEE COMMENTS**

**NFDC Ecology:** No objection subject to conditions

**NFDC Policy:** Comment - Relevant policy is DM19

**NFDC Trees:** Following the amendments to the scheme, no objection subject to condition that cross-references directly to the submitted tree report, plan(s) so there is an enforceable document with regard to the tree protection measures on site, and a condition requesting an Arboricultural pre-commencement site meeting.

**HCC Highways:** No objection

**Forestry England:** Comment - advice offered on BNG and ancient woodland, stating that existing trees should be retained wherever possible.

### **9 REPRESENTATIONS RECEIVED**

The following is a summary of the representations received.

110 letters of objection and 5 comments received:

- Pub should be retained as a valuable community facility which supports a wide range of community functions, including charity events and live music.
- Harmful impact on Hounslow and surrounding area associated with loss of pub, as it provides an important social space convenient to access for local people.
- The pub should be considered a community asset.
- Popular pub and is financially viable.
- Provides a defibrillator for Hounslow.
- The Peg and Parrot pub is not easily accessible.
- Will cause congestion on surrounding highway network, particularly along Jacobs Gutter Lane and with school traffic.
- Concerns about highway safety.
- Pressure on local infrastructure with proposed houses.
- Lots of pubs are closing.
- Pub requires investment to create a feasible business relationship.
- Provides employment.
- Surface water drainage issues.
- Do not need the additional housing.
- Need to ensure that families with a local connection and genuine need can access housing.
- More parking should be provided at the back.
- Noise and disruption of building work.
- Part of the area's heritage (The Red Deer pub).
- No objection to houses.
- Character of the building should be retained.

## **10 PLANNING ASSESSMENT**

### Principle of Development

The application site lies within the built-up area, where there is a presumption in favour of new housing in line with policies STR3, STR4 and STR5 of the Local Plan. The Council's policies encourage the siting of development within accessible locations, and residential development would be acceptable in principle in this area. Policy STR8 has a presumption against any development that involves the loss of education, health, social and other community services unless the use of the site or building is redundant or the service will be provided in another way. Policy DM19 provides specific guidance in relation to the loss of small local shops and public houses outside of defined local shopping frontages. It states that the loss of such premises will not be permitted where the proposal would result in the loss of an important local facility or if it would leave the local area without such a facility.

Careful consideration must be given to the specific impacts of the proposed use, particularly as it relates to the loss of a public house, which is considered further below.

In determining planning applications, there is a presumption in favour of the policies of the extant Development Plan unless material considerations indicate otherwise (Section 38(6) of the Act). Material considerations include the National Planning Policy Framework (NPPF).

NPPF Paragraph 11 clarifies what is meant by the presumption in favour of sustainable development. It states that for decision making it 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 [8], granting permission unless:*

*(i) the application of policies in this Framework that protect areas or assets of particular importance provides a strong 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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination."*

Footnote [8] of the NPPF clarifies that:

*"This includes, for applications involving the provision of housing, situations where: the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer as set out in paragraph 78; or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years."*

The Council cannot currently demonstrate a five-year supply of deliverable housing land supply. In such circumstances, paragraph 11(d) of the NPPF 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, where recreational and nutrient impacts are required to be mitigated. Therefore, a judgement needs to be reached as to whether policies in the Framework provide a strong 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 strong reasons for refusing the development, having applied the test at Limb 1.

The 2024 NPPF requires particular regard to be given to key policies for directing development to sustainable locations, making effective use of land, securing

well-designed places and providing affordable homes, individually or in combination when applying the said tilted balance.

The following sections of the report assess the application proposal against this Council's adopted local planning policies and consider whether it complies with those policies or not. Following this, Officers have undertaken the Planning Balance to weigh up the material considerations in this case.

#### Loss of a public house

Policy STR8 is generally supportive of proposals which involve the provision of education, health, social and other community services that are located to be accessible to all sectors of the community. The policy also has a presumption against any development that involves the loss of education, health, social and other community services unless the use of the site or building is redundant or the service will be provided in another way.

As noted above, Policy DM19 provides specific guidance in relation to the loss of small local shops and public houses outside of defined local shopping frontages. It states that the loss of such premises will not be permitted where the proposal would result in the loss of an important local facility or if it would leave the local area without such a facility. It notes that a change of use to an alternative business/employment or community use will be acceptable where the loss is permitted. In accordance with Policy DM19, justification is therefore required to demonstrate that the loss of The New Inn pub would not result in the loss of an important local facility, and that it would not leave the local area without such a facility.

The application is accompanied by a Marketing Report and Viability Study, from which it is understood that The New Inn has experienced a continuous decline in trade since 2015 and is no longer considered by the applicant to be a viable business prospect. The New Inn has been on the market since December 2024, and it is understood from the submission that there has been limited interest, particularly from pub operators. The pub currently remains open, although it is operating on reduced hours due to the lack of customers and declining trade. The Agent has advised that the pub is open Monday through to and including Thursday from 15.00 to 23.00hrs, provided customers are in the pub; on Friday and Saturday from 12.00 to 00.00hrs, again provided there are customers in the pub; and on Sunday from 12.00 to 23.00hrs. The pub is operated as a traditional 'wet led' public house with a limited food offering run under a tenancy agreement with Punch Taverns Ltd. The submitted Viability Study (produced by Savills dated May 2025) sets out that The New Inn has struggled since the economic downturn of 2008 and more recently due to Covid, as smaller public houses generally do not have the economies of scale to compete with the large managed house operations. The property has limited cover numbers and onsite parking provision and is therefore unable to attract 'destination' custom and has to rely on the local population, which, it states, do not support the business sufficiently. This would appear to be contrary to the comments received by third parties who have written in to support the pub and object to its loss. However, the applicant's case is evidenced by the barrellage figures supplied by the Applicant within the Viability Study, which show a continuous decline in trade at the pub since 2015, with the exception of 2021, when the reopening of hospitality venues led to a boost which was not an accurate representation of business performance or overall trends, with the return to a significant decline in 2022.

The Marketing Report (produced by Savills dated September 2025) sets out the marketing of the pub that has been undertaken to date. The site was placed on the market on 16th December 2024, asking for offers in the region of £525,000 plus

VAT. It was reduced to £495,000 plus VAT in May 2025. The approximate Gross Internal Area is 4,386 sq ft (407.5 sq m), and the site extends to approximately 0.280 acres (0.1133 hectares). The Marketing Report confirms that interest in the property has been fairly limited, with just twelve enquires, only one of which was from a pub operator, but this interest subsequently fell away when they carried out further due diligence. Five viewings have been conducted and there have been no offers on the pub. The feedback received from those who have viewed the property was that the pub had significant drawbacks and that its location was not regarded as attractive by pub operators. Policy DM19 does not specify an expected length of marketing, but the Agent advises that 6 months marketing is an industry standard which they consider is sufficient to demonstrate that the business is not viable as a public house. In this case, the property remains on the market, which means that at the time of writing this report there has been a period of at least ten months where the pub has been available for sale. In the absence of any policy requirement on the length of a required marketing exercise, the marketing report is considered to be acceptable.

The Applicant's Viability Study sets out that having established that the pub is not viable in its current form, work has also been undertaken to determine if it could be made viable through refurbishment and/or new ownership. It is understood that the estimated investment required to refurbish The New Inn would be in the region of £435,000, in addition to the purchase of the property itself. Post-refurbishment, it is understood that the anticipated profit margin would be in the region of 10-11%, which falls below the benchmark turnover of 20-25% that pub operators use. The application site is situated outside of the defined Totton town centre boundary. The town centre boundary is around 0.6 miles away, and the town centre offers a variety of other facilities and wider food and drink uses. There are no other pubs in the immediate vicinity of the site. However, the Agent has supplied data to show that there are several pubs within a 1.5 mile radius of The New Inn. Policy DM19 states that the loss of public houses will not be permitted where the proposal would result in the loss of an important local facility or if this would leave the local area without such a facility. The applicant's Planning Statement includes a table which seeks to demonstrate the availability of pubs within close proximity of the application site. The closest alternative public house is the 'Peg and Parrot', which is located on Rumbridge Street and is situated approximately 0.8 miles away from the site. This is a 17 minute walk, 5 minute cycle and 5 minute drive, although it should be noted that this is not a particularly attractive walk, mostly alongside a very busy dual carriageway road and around the Rushington Roundabout. The closest alternative community facility which provides facilities for functions, parties and events is Hounslow Community Hall, which is 0.3 miles away or a 7 minute walk from the pub (this has not been included in the submitted Viability Report). There is also Colbury Memorial Hall which is approximately 0.4 miles from the site. This is a 10 minute walk, 5 minute drive and 3 minute cycle. A judgement has to be made regarding whether these facilities are considered close enough to serve the local community and justify the loss of The New Inn.

It is recognised that public houses provide a valued service to their local communities and that the pub has historically acted as a focal point for a variety of community functions within the local area, including charity events and live music. Comments from local residents have identified that its loss would have a harmful impact on Hounslow and the surrounding area, as it provides an important social space that is convenient to access for local people and should be considered a community asset. There have been over 100 letters of objection from local residents, the local Ward Councillor and the Town Council, who have all raised concerns regarding the loss of a pub which is considered to provide an important local facility, with other pubs not being easily accessible to the local community. It is noted that Policy DM19 identifies that in the case where the loss of a public

house is permitted, support is given to alternative business/employment or community uses. In this case, evidence has not been provided to demonstrate that meaningful consideration has been given to the potential alternative business or community use of the premises.

Notwithstanding this, the site is situated in close proximity to Hounslow Community Centre on Hounslow Avenue, Colbury Memorial Hall on Hunters Hill and pubs within the town centre, which provide community spaces for events/functions and alternative options for the social interactions that occur in a public house. Overall, on the basis of the criteria outlined above within Policy DM19 and Policy STR8, Officers recognise that the proposal would result in the loss of a public house and a local facility that is valued by local residents and the community of Hounslow, as echoed by the many letters of objection received. It would leave this part of Hounslow without a public house, with the closest public house being approximately 0.8 miles away in a location that is not so accessible by foot to people living in Hounslow. Therefore, and as a result of the proposal not having regard to potential community uses or other business uses being able to use the pub building, the proposal is not wholly compliant with Policy DM19.

However, whilst the concerns about the loss of the public house are recognised, it is also necessary to consider the level of information that has been supplied by the Applicant in relation to the viability of the pub which also needs to be weighed in the balance and assessed against Policy DM19 and STR8.

In this case, it is considered that robust evidence has been provided showing that the amount of users of the pub has reduced over time. It has also been justified by the Applicant within an acceptable marketing assessment and viability report, responding to the requirements of policy STR8 of the Local Plan, that the pub is not economically viable and there has been limited interest in the purchase of the pub whilst it has been on the open market. There has been no evidence submitted to the contrary that leads the Local Planning Authority to believe that the findings of the viability report and marketing assessment are unsound. It is considered that the pub has been marketed at a reasonable rate for a period of at least ten months, and it is accepted that there are alternative community facilities and spaces for events/functions within the local vicinity.

Accordingly, the considerations set out above will need to be weighed up in the overall planning balance which concludes this report.

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

Policy ENV3 of the Local Plan stipulates that new development will be required to be well-designed to respect the character, identity and context of the area's towns. Moreover, the policy states that new development will be required to create buildings, streets and spaces which are sympathetic to the environment and their context in terms of layout, landscape, scale, height, appearance and density and in relationship to adjoining buildings, spaces and landscape features.

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

Local Plan Part 2 Policy DM1 states that development proposals should conserve and seek to enhance the historic environment and heritage assets, with particular

regard to local character, setting, management and the historic significance and context of heritage assets. This includes a balancing exercise between impact on Heritage Assets against public benefits, which is also referred to in the National Planning Policy Framework (NPPF). Paragraph 215 of the NPPF confirms that the public benefits of bringing a heritage asset into its optimum viable use should be weighed in favour of the proposed development.

In assessing the character of the area, the site is set within a predominantly residential area and is bounded by residential development. There is a small convenience store located next to the pub on the corner of Jacobs Gutter Lane. The New Inn was built in the late 19th century and features common features found on pubs of the period such as rounded gables, cornice string courses, decorative window surrounds with moulded architraves with prominent keystones and other stucco decorative details. The pub appears as essentially symmetrical in its overall form from the front, with the northern section being a detached building which has been linked to the rest of the building by a modern extension. The Heritage Statement identifies that there have been some losses to the original historic fabric of the building, but many of its original features are still intact, which combine to create a cohesive and attractive building which externally retains most of its original character. The side and rear elevations are not regarded to be of any architectural quality. It is concluded that the building derives all of its architectural merit from its primary front façade.

The pub is considered to be a Non-Designated Heritage Asset, and a Heritage Assessment has been submitted as part of the application. The alterations to the front elevation include the removal of the non-original modern single storey flat roofed link between the main pub and the building to the east and the insertion of new windows in the northern section in a style matching those on the southern section. To the rear of the building, the proposal seeks the removal of a mix of lean-tos and sheds. The proposed internal subdivision of the pub has been carried out to provide each dwelling with an acceptable amount of living space in line with Nationally Described Space Standards. The limited external changes ensures that the building is retained in its current form, with improvements made to remove inappropriate modern additions. Having regard to the existing public house as a Non-Designated Heritage Asset, it is considered that the proposed physical subdivision and associated new boundaries would be sympathetic in this context. The proposals would preserve and enhance the building, and would not be harmful to the character and appearance of the area. The merits of the scheme would provide significant public benefits, including securing the long-term future use and maintenance of a heritage asset.

The frontage of the site to the Main Road will be improved by introducing trees and landscape planting, as well as the use of an alternative hard landscape surface to break up the existing tarmac area.

The proposal results in the loss of overgrown vegetation (mainly non-native conifers) that would be removed as part of the proposal. The existing oak tree (protected by a TPO) which provides public amenity value and contributes to the visual amenity of the street scene will be retained.

Given the location of the new dwellings at the rear of the site set back and behind the highly visible and architecturally significant façade of the New Inn, facing onto Main Road, it is considered that they would not harm the setting of the Non-Designated Heritage Asset. The proposed new dwellings fronting Jacobs Walk would be of a comparable scale, being two storeys in height and constructed of materials that would be similar to that of the existing properties along Jacobs Walk with red facing brick and clay roof tiles. They would be acceptable within the street

scene and of a high standard and appropriate within the context. The parking area would be broken up by landscaping and hedge planting to improve the visual impact on the street scene and reflect the existing character of Jacobs Walk.

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

With regard to the additional landscaping proposed to the front and rear of the site, a landscaping condition has been recommended to secure the final appearance of the plot within the context of the surrounding street scene. Overall, it is considered that the additional landscaping proposed would enhance the appearance of the property.

Overall, the layout and design is considered to be of a high standard, following the principles set out within Policy ENV3 and Policy DM1 of the Local Plan, retaining the historic building so that the existing form of the buildings fronting Spicers Hill remains the same. The additional two dwellings facing Jacobs Walk would reflect the existing pattern of development, with opportunities to provide soft landscaping throughout the site. It is considered that the development to the rear would be a good use of land within the built-up area and would be contextually appropriate in this area.

#### Residential amenity

Policy ENV3 of the Local Plan requires the impact of development proposals upon the amenity of existing and future occupiers to be taken into consideration, in relation to residential amenity. It therefore needs to be considered whether the impact of the development would be acceptable in respect of privacy, light and outlook; and also whether the proposed development would provide sufficient private amenity space for occupiers of the proposed dwellings.

With regard to residential amenity, a distance of 21 metres has been provided between the rear of the existing building and the rear of the new houses fronting Jacobs Walk, which would be sufficient to prevent any harmful overlooking between the proposed dwellings, with the new gardens being large enough to give sufficient private outdoor space for each dwelling.

The existing separation to the neighbour at No 3 Spicers Hill would be retained so that amenity impacts on this neighbour would not result in undue harm in terms of being overbearing or resulting in loss of light. The first floor bedrooms in Plot 3 are served by a window and rooflights on the south-west facing roof slope, so the relationship with No.3 Spicers Hill and 2 and 2A Jacobs Gutter Lane is acceptable and would not result in undue overlooking from first floor windows.

The separation distance between the proposed closest rear window of Plot 4 and the existing first floor window to 2a Jacobs Gutter Lane would be approximately 16 metres, with 9 metres to their rear private amenity space. Having regard to the oblique angle between the properties, this is considered to be an acceptable relationship and not one that would result in undue harm to the residential amenities of the neighbour.

There is a side facing window proposed in the north-east elevation of Plot 4 and the south-west elevation of Plot 5 which serve bathrooms. It is reasonable to apply a

condition restricting the windows to be obscurely glazed and fixed shut below a height of 1.7metres above the finished floor level.

There are 2no rooflights and an existing side facing window proposed to the south-western elevation of Plot 3 and side facing windows serving bedrooms and bathroom in Plot 1 and 2. The rooflights would be set higher into the roofscape and the bathroom window in Plot 2 would be obscurely glazed, and it would be reasonable to impose a condition restricting the window in this regard. Based upon the location of the rooflights, and the staggering of those windows within Plot 1 and 2, any mutual overlooking issues with the bedroom windows in Plot 1, Plot 2 and Plot 3 would not be so significant as to be unacceptable. In terms of affording natural daylight into the two first floor bedrooms within Plot 3, it is considered that there would be sufficient natural light through the provision of a rooflight to each bedroom as commonly found within converted loft spaces.

Otherwise, the relationship with the surrounding development is acceptable and would not result in undue overlooking or loss of outlook, given separation distances. Bin storage and collection points are easily accessible and designed in line with the NFDC Design of Waste Management SPD. Collection will be from Jacobs Walk for 3 of the units and from Spicers Hill for 2 of the units.

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

Overall, It is considered that the proposal would not have a harmful impact on the amenity of surrounding properties and would thereby be compliant with the requirements of Policy ENV3.

#### Highway safety, access and parking

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

Policy ENV3 indicates that new development should integrate suitable car and cycle parking spaces to address the needs of the proposed development without being prejudicial to the character and quality of the surrounding area or highway safety. In accordance with NFDC Parking Standards SPD (April 2022), the requisite parking spaces for 3 no. 3 bedroom dwellings in the converted pub and 2no. additional dwellings is 9.5 spaces for a communal parking arrangement (1.9 spaces per unit) or 12.5 spaces for on plot parking spaces (2.5 spaces per unit). The proposal for 10 parking spaces underprovides against the standard by 0.5 of a space per unit. However, the proposal is considered acceptable (arranged with two spaces per unit), particularly given the site is located within walking distance of several bus stops and there are no highway restrictions. Cycle parking spaces within individual cycle stores for each property are proposed to be provided for each unit in accordance with the Parking Standards SPD within each of the plots.

The Transport Statement that has been submitted as part of the application sets out that there will be a reduction in the number of vehicular trips associated with the site

in comparison to the existing use as a public house. The proposed 5 dwellings are predicted to generate 22 movements per day / 3 movements in a peak hour. The existing public house, operating at its peak business, would have potential to generate more vehicular traffic than the proposed use, and therefore the proposal would result in a deintensification in traffic movements associated with the site. Paragraph 116 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. In this case, the Highway Authority were consulted and raised no objection. Given the response of the Highway Authority, Officers are therefore satisfied that the proposals would not be of severe detriment to the operation and safety of the local highway network. Overall, it is considered that the proposal would not result in severe harm to public highway safety.

### Landscape impact and trees

In accordance with Policy ENV3 of the Local Plan, the development should take account of landscape features. Policy ENV3(vi, vii) identifies the importance of providing green spaces with suitable planting and attractive landscaping within application sites.

Policy ENV4 seeks to retain and/or enhance landscape features through sensitive design, mitigation and enhancement measures. In this case, the trees of note are primarily T1 (Oak), T2 (Walnut) and T3 (Oak). Situated on the southern corner boundary of this site, fronting onto Jacobs Walk, is T3, a mature Oak tree that has recently been protected by Tree Preservation Order TPO/0007/25. T3 is a significant tree of high landscape and amenity value. There is no development proposed within or close to its Root Protection Area (RPA).

Hard surfacing is proposed within the RPA of T1 to form the new access. The removal of T2 is proposed to facilitate the development.

The car parking area at the rear of the site would constitute a minor encroachment into the root protection area of two trees; the other is a grouping of 3 hawthorn trees grouped as one tree. It is proposed to utilise a cellular confinement tree protection system with gravel top surfacing to enable permeability and prevent soil compression and the transfer of weight onto the trees' roots. Cross-section plans with respect to the site access were submitted during the course of the application. It is proposed to remove one tree T2 and a section of coniferous hedgerow at the rear of the site. This tree is heavily ivy clad and is of a low category C2 quality. To support this application an Arboricultural Impact Assessment, Method Statement and Tree Protection Plan have been submitted. The Council's Tree Officer is satisfied with the assessment that has been undertaken and has raised no objection to the proposal subject to conditions.

It is considered reasonable for the Local Planning Authority to control any additional hardstanding and structures within the root protection area of the trees, and this is encompassed within the aforementioned condition removing permitted development rights.

### Ecology

Policy DM2 of the Local Plan Part 2 seeks to conserve nature and enhance biodiversity and states that the Council will use planning conditions to provide mitigation and, where appropriate, enhancement measures.

A Preliminary Ecological Appraisal (PEA) has been submitted as part of the application. The report concludes that it is unlikely that any of the three loft spaces are currently in use by void roosting bats. An overall assessment of the building's potential to house roosting bats concluded that it offers low suitability. Likewise, the trees on the site were regarded as having negligible suitability for roosting bats. It is considered unlikely that any other protected species would be present at the site. The Council's Ecologist has raised no objection to the proposal subject to the inclusion of a condition requesting an ecological enhancement schedule to be completed prior to the commencement of the development, which should provide evidence of ecological features.

As of 2nd April 2024, developers must deliver achievement of Biodiversity Net Gain (BNG) on 'smaller' sites - which includes residential development of between 1 and 9 units as a requirement of planning permission. A small site BNG metric and a separate BNG Assessment has been submitted.

The baseline biodiversity units of the site have been calculated at 0.44 habitat units and 0.02 hedgerow units. The on-site biodiversity units after the completion of development have been calculated at 0.3 habitat units and zero hedgerow units. Therefore, in order to achieve 10% net biodiversity gain, 0.19 habitat units off site and 0.022 hedgerow units will need to be provided, which will include 0.13 units of individual tree habitats. It is proposed that these habitat units are delivered through purchase of off-site Biodiversity Net Gain Credits, thereby fulfilling the statutory obligations to provide 10% BNG with the application.

The Planning for Climate Change SPD sets out recommended measures to achieve climate adapted development. As set out within the submitted Air Quality Assessment produced by Kalaco Group Ltd, the proposal will meet several of the requirements set out within the SPD, providing landscaping, cycle parking and EV charging points. The properties are also located within a sustainable location close to an existing bus route and local centre.

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

### Habitat Mitigation and Air Quality

#### a) Recreational Impacts

The site lies in close proximity to the New Forest Special Area of Conservation (SAC), New Forest Special Protection Area (SPA) and New Forest Ramsar site and the Solent and Southampton Water SPA, Ramsar site and Solent Maritime SAC. The proposals would result in additional residential dwellings. There is a likely cumulative impact on the New Forest European Sites from recreational disturbance. In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment has been carried out as to whether granting planning permission would adversely affect the integrity of the New Forest SAC, SPA and Ramsar site, and the Solent and Southampton Water SPA, Ramsar site and Solent Maritime SAC, in view of those sites' conservation objectives. The Assessment concludes that the proposed development would, in combination with other developments, have an adverse effect due to the recreational impacts on the European sites, but that the adverse impacts would be avoided if the planning permission were to be conditional upon the approval of proposals for the mitigation of that impact in accordance with the Council's Mitigation Strategy or mitigation to at least an equivalent effect. The Agent has confirmed that the contributions towards the Council's mitigation package will be paid upfront via a Unilateral Undertaking. This will need to be completed before any planning permission is issued.

## b) Air quality monitoring

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

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

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

### Developer Contributions

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

Provisions to be secured via a S106 Agreement:

- An Air quality monitoring contribution of £560
- A Habitat Mitigation (Access Management and Monitoring) Contribution of £4,955
- A Habitat Mitigation (Bird Aware Solent) Contribution of £4,535
- A Habitat Mitigation (Infrastructure) Contribution of £34,110

Monitoring Charges

- Recreational Habitat Mitigation commencement of £878

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

Type	Proposed Floorspace (sq/m)	Existing Floorspace (sq/m)	Net Floorspace (sq/m)	Chargeable Floorspace (sq/m)	Rate	Total
Dwelling houses	575	411	164	164	£80/sqm	£19,730.46 *

Subtotal:	£19,730.46
Relief:	£0.00
Total Payable:	£19,730.46

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

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

## 11 CONCLUSION / PLANNING BALANCE

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, Paragraph 11 of the NPPF 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 housing land supply, however, means, that the presumption in favour of sustainable development - 'the tilted balance' - in NPPF paragraph 11(d)(ii) is engaged for this application.

For decision-taking this means: 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:

*'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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination'.*

Firstly, in considering the adverse impacts, the application would result in the loss of a public house facility and the identified conflict with policy DM19 is identified above as a harm from the development. Officers have carefully weighed up all of the

information submitted with the planning application. The value that public houses play within a local community is recognised, and Policies STR8 and DM19 identify that the loss of such uses carries material weight in the assessment process, particularly where the proposal represent the sole facility within an area. In this case, while the proposal would result in the loss of a public house that provides an important local facility to the immediate community of Hounslow, as echoed by the letters of objection received, it has been justified by the Applicant through a comprehensive marketing assessment and viability report that the pub is not economically viable, and there has been limited interest in the pub. There has been no evidence submitted to the contrary that leads Officers to believe that the findings of the viability report and marketing assessment are unsound. Evidence has been provided showing that the amount of users of the pub has reduced over time. It is considered that the pub has been marketed for sale at a reasonable rate for a period of at least ten months, and it is noted that there are alternative community facilities and spaces for events/functions within the local vicinity.

Moving to the consideration of the benefits; it is considered that the proposal would deliver a sustainable form of development, with five new dwellings proposed within the built up area of Totton, which would be sympathetic to the local context and to the existing building which is considered to be a Non-designated Heritage Asset. The proposals would be beneficial in ensuring that the Non-designated Heritage Asset is retained in a viable use.

The proposal would have an acceptable impact upon the character of the area, trees, ecological interests and neighbouring amenity. In the short term, the proposal would generate economic benefits through potential construction employment opportunities in the locality.

Applying the first limb of paragraph 11d of the NPPF, subject to the prior completion of a Section 106 legal agreement or Unilateral Undertaking to secure appropriate mitigation contributions, it is not considered that there any policies affecting identified assets of particular importance that would provide a strong reason to refuse this application.

Applying the second limb of paragraph 11d of the NPPF, whilst some adverse impacts are identified, the Council finds itself in the midst of a housing crisis, with its housing land supply position at 1.53 years. Accordingly, the requirement for the delivery of housing within the defined settlement boundary, in a sustainable location is considered to weigh substantially in favour of the proposal.

When the benefits of providing 5 additional houses are weighed up against the loss of a Public House which the evidence suggests is not economically viable, it is not considered the adverse effects of granting planning permission would significantly and demonstrably outweigh the benefits, having regard to the Council's lack of a 5-year housing land supply. In coming to this conclusion, regard has also been had to the proximity of other public houses and community facilities to the application site.

On balance, therefore, and with consideration of the above issues, the proposed development is considered justified and acceptable subject to a number of detailed conditions. On this basis, the application is recommended for conditional approval.

## 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 the mitigation contributions required and set out in section 10 of the report
- ii) the imposition of the conditions set out below.

### Proposed Conditions:

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

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

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

24.3540.101 P5;  
24.3540.110 P3;  
24.3540.102 P4;  
24.3540.103 P4;  
24.3540.109 P1;  
24.3540.001 P1;  
24.3540.002 P1;  
24.3540.003 P1;  
24.3540.004 P1;  
24.3540.005 P1;  
24.3540.100 P1;  
24.3540.104 P2;  
24.3540.105 P2;  
24.3540.106 P1;  
24.3540.107 P2;  
24.3540.108 P1.

Reason: To ensure satisfactory provision of the development.

3. The first floor bathroom windows labelled on the approved plans as the north-east elevation of Plot 2, the east elevation of Plot 4 and the west elevation of Plot 5 shall be:

- i) obscurely glazed, and
- ii) non-opening at all times unless the parts that can be opened are more than 1.7m above the floor,

and the windows shall be retained as such in perpetuity.

Reason: To safeguard the privacy of the adjoining neighbouring properties in accordance with Policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

4. The development hereby permitted shall not be occupied until:

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

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

The mitigation package shall include a timetable for implementation and measures for retention and maintenance of that mitigation package, which shall thereafter be implemented.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation for is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017.

5. Before development proceeds above slab level, samples or exact details of the facing and roofing materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved details.

Reason: To ensure an acceptable appearance of the development in accordance with Policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

6. Prior to the commencement of development hereby approved, an Ecological Enhancement Schedule (such as the Council's template available at: Ecological Enhancement Schedule - New Forest District Council) supported by an appropriately detailed plan showing the locations of the enhancement measure(s), shall be submitted to and approved in writing by the Local Planning Authority. Prior to occupation, evidence shall be submitted to confirm the agreed features have been installed as agreed, for example, a photographic record and/or a signed statement by a suitably qualified ecologist.

Reason: To ensure that biodiversity enhancement measures are delivered throughout the development in accordance with Local Plan policy DM2

7. No development (including site preparation, clearance and demolition) shall take place until the tree protection measures as set out in the submitted Mulberry Arboricultural Implications Assessment Ref TRE/NIH, dated 2nd June 2025, and the Arboricultural Method Statement ref TRE/NIH, dated 2nd June 2025, have been fully implemented and installed on site. The tree protection measures shall be maintained and retained on site in accordance with the approved details throughout the development unless otherwise agreed with the Local Planning Authority.

Reason: To ensure the retention of existing trees and natural features and avoidance of damage during the construction phase in accordance with Policies ENV3 and ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

8. Prior to the commencement of development or any associated works (including site clearance, demolition and construction works), 3 working days' notice shall be given to the Local Planning Authority (Tree Officer) to attend a pre-commencement site meeting before any development or associated works is then undertaken on site.

Reason: To ensure the retention of existing trees and natural features and avoidance of damage during the construction phase in accordance with Policies ENV3 and ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

9. Prior to commencement of development, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following details:
  - a) Development contacts, roles and responsibilities
  - b) A public communication strategy, including a complaints procedure.
  - c) A Dust Management Plan (DMP) including suppression, mitigation and avoidance measures to control dust.

- d) Noise reduction measures, including use of acoustic screens and enclosures, the type of equipment to be used and their hours of operation.
- e) Measures to control light spill and glare from any floodlighting and security lighting installed.
- f) All works and ancillary operations in connection with the construction of the development, including the use of any equipment or deliveries to the site, which shall be carried out only between 0800 hours and 1800 hours on Mondays to Fridays and between 0800 hours and 1300 hours on Saturdays and at no time on Sundays, Bank Holidays or Public Holidays.
- g) Details of the storage of materials and machinery during construction.

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

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

10. Prior to the first occupation of each residential unit hereby permitted, the cycle parking facilities for that dwelling as shown on the Proposed Site Plan ref 24.3540.101 Rev P5 shall be provided and made available for use in accordance with the approved plans, and these cycle parking facilities shall thereafter be retained, maintained and kept available for the occupants of the development at all times.

Reason: To promote sustainable modes of travel.

11. Prior to the first occupation of each residential unit hereby permitted, the spaces for that unit as shown on plan 24.3540.101\_P5 for the parking of motor vehicles shall be provided and made available for use in accordance with the approved plans. The spaces shown on plan 24.3540.101\_P5 for the parking of motor vehicles shall be retained and kept available for the parking of motor vehicles for the dwellings hereby approved at all times.

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

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

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

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

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

13. The hard and soft landscaping scheme as approved under Condition 12 shall be fully implemented prior to first occupation or in accordance with any phasing submitted to and agreed in writing by the Local Planning Authority. Any trees or shrubs which die, become damaged or diseased within 5 years of the full completion of the development, or from when they are planted, whichever is the later, shall be replaced with the same species in the first available planting season (November to March) unless the Local Planning Authority has agreed in writing to a change of species beforehand.

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

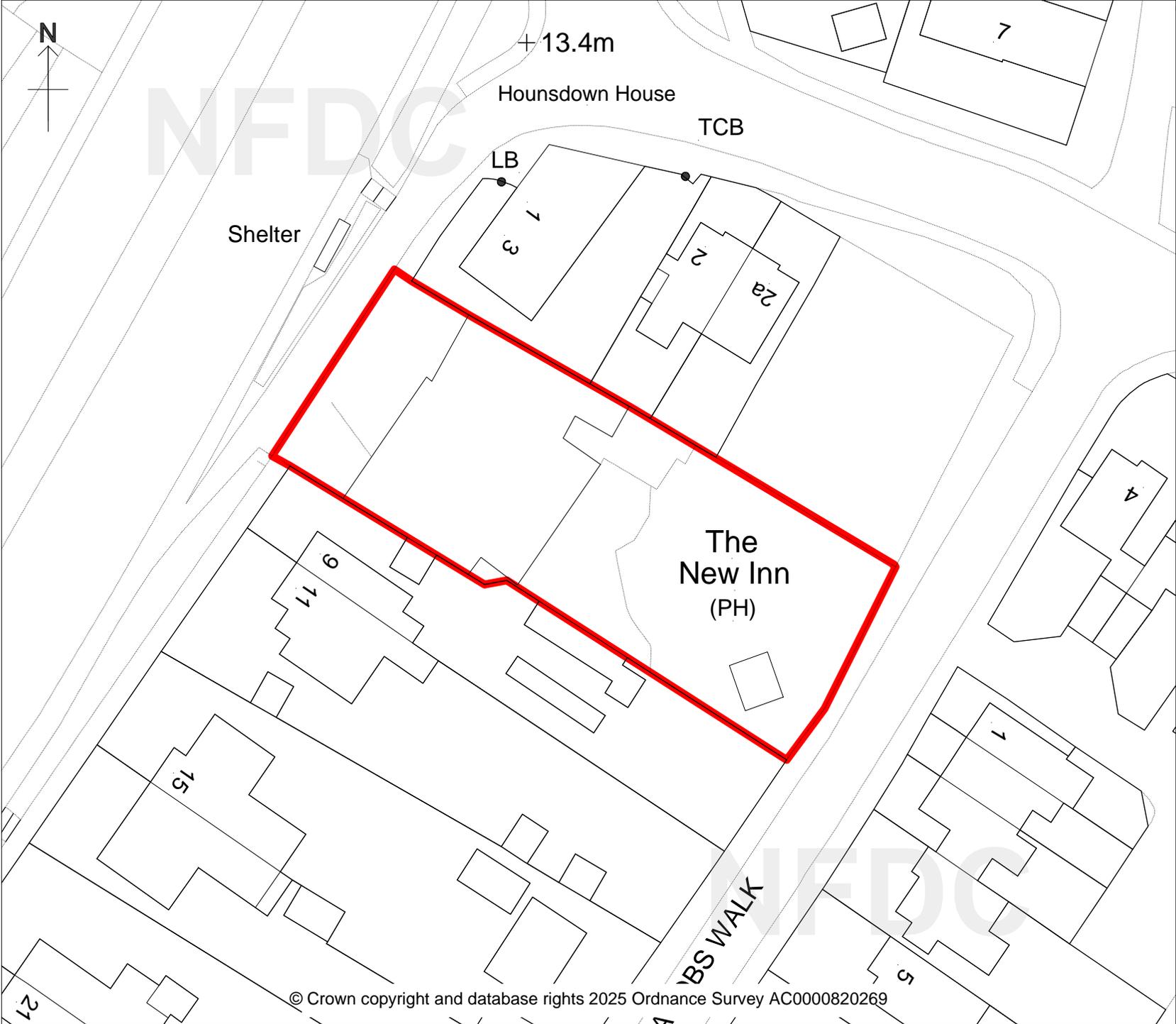
14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 As Amended (or any re-enactment of that Order), no development otherwise approved by Classes AA, A, B, C, E or F of Part 1 of Schedule 2 to the Order or any means of enclosure otherwise approved by Class A of Part 2 of Schedule 2 to the Order shall be erected or carried out without express planning permission first having been granted.

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

**Further Information:**

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**New Forest**  
DISTRICT COUNCIL

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**PLANNING COMMITTEE**

**November 2025**

The New Inn  
Main Road  
Totton  
25/10601

Scale 1:500

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