

ITEM 10

APPLICATION NO.	14/00133/OUTS
APPLICATION TYPE	OUTLINE APPLICATION - SOUTH
REGISTERED	24.01.2014
APPLICANT	The Trustees Of The Barker Mill Estates
SITE	Land West Of Home Covert, Nursling Street, Nursling, NURSLING AND ROWNHAMS
PROPOSAL	Outline - Erection of up to 27,600 square metres of storage and distribution (B8) floorspace (including ancillary office accommodation), together with associated works including vehicular access, hardstanding, ancillary structures, ground works and landscaping
AMENDMENTS	12, 15, 22 August and 9 September 2014.
CASE OFFICER	Miss Katherine Fitzherbert-Green

Background paper (Local Government Act 1972 Section 100D)

1.0 INTRODUCTION

- 1.1 This item is presented to the Planning Control Committee (PCC) following the resolution of the Southern Area Planning Committee (SAPC) to refuse planning permission contrary to the Officer's recommendation and for reasons that the Head of Planning Policy and Transport advised could not be properly substantiated and would likely result in an award for costs against the Council if the applicant should lodge an appeal.
- 1.2 The SAPC report and Update Paper for the 28 October 2014 meeting are appended to this report as **Appendix A** and **Appendix B** respectively together with the drawings presented to SAPC.

2.0 REPRESENTATIONS

- 2.1 Letter of objection received by Members from BNP Paribas as agent on behalf of Ordnance Survey:
- Supports economic growth in accordance with existing and emerging plans for high quality offices, research and manufacturing development.
 - Applicant argues that there is no prospect of site being used for allocated uses.
 - LSH (Lambert, Smith and Harrison) report (to the Council) does not agree that there is no prospect of the site coming forward for the allocated use. The report states the site is attractive to potential users of all business uses and that there is a shortage of Grade A offices and that Lloyds Register, Ageas and Skandia are recent examples.
 - Hardly surprising that there has been little interest from large office occupiers during the economic downturn but this is no reason to abandon the long term plan for Adanac Park just as growth is returning.

- The LSH report does not believe that there is a demand for B2/B8 for the size envisaged and smaller requirements could be met elsewhere in Test Lane South, Nursling or Alpha Park, Chandlers Ford.
- The LSH report states that Adanac has a reasonable prospect of office use going forward and that there is no demand for B2/B8 which could be accommodated elsewhere, but this was not in the officer's original report.
- B8 and residential use will result in a loss of potential jobs.
- B2/B8 will result in unacceptable effect on the amenity of residents and it is doubted that this can be fully mitigated.

2.2 One letter received from the Agent to comment on the objection received to the planning application from BNP Paribas on behalf of the Ordnance Survey. Comments in summary:

- The 'vision' for Adanac has been formed by the landowner and seeks to deliver a quality location for employment growth and of a high quality the responds to the market needs, with flexibility on scale and use. At the time of taking their site the OS ensured the future use at Adanac but this was limited to only the adjacent site, securing that it be offices only. OS will have been aware of the potential for the remainder of Adanac to come forward for other uses, such as the hospital proposal.
- The Local Plan 'vision' was based on 1980's requirement for major corporations but the market and Government policy has changed so the policy framework is out of date and cannot be the basis of determination for applications.
- Assessments have shown there is no market for B1 use for large scale users as required by the current local policy framework. The resultant evidence included a statement from BNP Paribas that there was no demand for B1. Paragraph 22 of the NPPF requires local authorities to review its longstanding employment allocations in the context of market signals and demand for other uses.
- LSH report comments on the state of the market and that it does not support demand for large scale B1 uses at Adanac Park and the applicant has confirmed that there has been no interest shown by large scale users in Adanac and the prospects for this is minimal. BNP Paribas has provided no evidence or analysis to demonstrate that there is a reasonable prospect of take up. Examples of Lloyds Register, Ageas and Skandia all considered Adanac Park as allocation for their HQ's but chose to locate in the city centre of Southampton for operational reasons. Had these companies required a green field site, this would only have represented 50% of the available capacity over a 5 year period.
- The lack of interest from large scale users has not been confined to the downturn period of the economy as the lack of demand has been longstanding and extends through periods of both buoyancy and downturn. BNP Paribas responded to a questionnaire from the applicant in preparation for the current applications that there is no demand for a large scale B1 headquarters in out of town locations such as Adanac and that it is deemed to be more industrial.

- The proposed development at AP2 and AP3 for B8 is not limited to large scale development/users but is shown to support potential multiple occupiers as a flexible approach. In the response to the applicants questionnaire BNP Paribas responded that there is a demand for larger units and that Adanac would be a suitable location to meet this B8 demand due to location, accessibility and close to ports. This is further referred to in the Solent LEP. Adanac as a location for B8 is of fundamental importance.
- LSH report for commercial comments to the Council has been misinterpreted and misrepresented by the BNP Paribas comments in its comments in support of the OS. Contradictions have been reported between the BNP Paribas letter and its own commercial team which describes the lack of market demand for large scale B1 and the potential for B8 at Adanac Park. The LSH report has set out an overall conclusion on the suitability of the proposals.
- The NPPF gives emphasis on the deliverability of economic activity and neither BNP Paribas or the Council can offer any evidence to suggest that the supposed 1,800 jobs from B1 development are deliverable and could be realised in any reasonable timescale, so the balance is between the firm prospect of job creation and economic activity now associated with the B8 schemes against the speculative delivery of B1 jobs for which there is no certainty. Even if large scale B1 development were to come forward, this can be accommodated at AP4, AP6 and AP7, and any loss of jobs would be far into the future even on the most optimistic of market assessments.
- Regarding amenity impact on residential properties, the Environmental Health Officer has confirmed that the proposals are acceptable.
- The comments of the commercial team of BNP Paribas in responding to the questionnaire as given by the applicant's assessment/information are at variance with comments given by the planning consultants for the same company in its comments in setting out the objections of OS and should not therefore be relied upon.

3.0 **PLANNING CONSIDERATIONS**

- 3.1 The key considerations for the PCC are the reasons for refusal from SAPC. These reasons for refusal need to be weighed against the considerations given within the Officer report.

Reasons 1 – 4: Mitigation measures

- 3.2 The reasons for refusal contained within the 'Alternative Recommendation B' to SAPC concern mitigation measures to be secured via a legal agreement and/or conditions to ensure that the development appropriately addresses any harm arising from the development. These reasons for refusal were presented to SAPC and not amended by the Committee resolution as to require further consideration.

Reason 5: Retention of employment land for Class B1 only

- 3.3 The reason for refusal expresses concern that the application site would be developed for a use outside of that which it is safeguarded within Policy STV03.1 of the adopted BLP. This policy seeks the use of the site for high quality office, research or manufacturing development (Use Class B1), with the extant planning permission (07/02872/OUTS) granted in 2008 and the Revised Local Plan Policy LE6 also consistent with this approach with regard to use class of user. The proposed development seeks to introduce alternative uses to the site in the form of Use Class B8 (Storage and Distribution, including warehousing and logistics) with this diversification for Adanac Park stated to have been driven by the market, with demand for a wider form of commercial space in order to bring economic growth and new jobs. This approach takes advantage of the accessible location to the wider highway network particularly desired by Class B8 uses
- 3.4 SAPC considered that the case had not been made for Use Class B8 development, contrary Policy STV03.1 and emerging Policy LE6. The issue is one of balance between retaining Adanac exclusively for Use Class B1, or allowing an element of Use Classes B8 on this parcel. Revised Local Plan Policy LE6 retains Adanac for Use Class B1 to meet part of the strategic employment floorspace requirements for South Hampshire, prepared through the Partnership for Urban South Hampshire (PUSH). The site is treated as commitment for Use Class B1 floorspace in the South Hampshire Strategy 2012. Policy LE6 promotes a more flexible approach to how the site should be developed compared to Policy STV03.1, through the deletion of the reference to a single user or a small number of large users, and the addition of allowing exceptionally support facilities. These revisions to the policy also make the wording of Policy LE6 more flexible than the extant planning permission.
- NATIONAL PLANNING POLICY FRAMEWORK**
- 3.5 The NPPF (paras.18-22) promotes a pro-growth agenda for the planning system and that it should support sustainable economic growth. NPPF para.22 in particular advises that planning policies should avoid the long term protection of an employment site where there is no reasonable prospect of its being used for the allocated use. In such circumstances, alternative uses should be considered on their merits, having regard to market signals and the relative need for different land use to support sustainable local communities.
- 3.6 With regard to NPPF para.22, the site was identified as safeguarded for Use Class B1 use in the Borough Local Plan 1996 and this was reaffirmed in the Borough Local Plan 2006 (Policy STV03.1). In 2008 outline planning permission (07/02872/OUTS) for most of the Adanac for Use Class B1 use, with full planning permission for one plot for the new headquarters for Ordnance Survey (OS). In 2014, the draft Revised Local Plan (Regulation 19 Draft) took a more flexible approach (Policy LE6) in terms of lifting the single user or small number of large users occupier restriction. Even with this signalling of a change in the policy framework, no further proposals for Use Class B1 use occupiers have come forward. In the context of NPPF advice, there is a question mark over the prospect of all of the site coming forward for Use Class B1 use.

HOSPITAL APPEAL

- 3.7 The issue of retaining land at Adanac for Use Class B1 use was explored at the planning appeal for the proposed hospital in (10/02614/OUTS) 2011, on what is the same site as current application (14/00141/OUTS) (AP6) for 20,583sqm of Use Class B1 use floorspace. The Inspector in granting permission for the hospital gave greater weight to the potential benefits of that development to deliver jobs in the short term and support economic growth, notwithstanding the conflict with Policy STV03.1, which he concluded was out of date. The Inspector also considered the impact of a non-Use Class B1 use i.e. hospital (Use Class C2 and/or D1) on the comparative number of jobs generated. He concluded that there was no guarantee that a policy compliant development proposal would deliver as many jobs.
- 3.8 In such circumstances the NPPF advises that alternative uses should be considered on their merits having regard to market signals and relative need for different land uses to support sustainable local communities.

MARKET SIGNALS

- 3.9 The Council commissioned consultant chartered surveyors, Lambert Smith Hampton (LSH) to prepare a report Commercial Advice, August 2014, LSH on the current and likely future demand for Use Classes B1, B2 and B8 floorspace and of commercial market conditions in South Hampshire, in the context of the current planning applications for Adanac. This report made a number of conclusions concerning these Use Classes:
- Adanac is well located in relation to Southampton, proximity to the Port, transport connections to the motorway and workforce, and is therefore attractive to all business uses (Use Classes B1, B2 and B8). It provides a quality site with serviced land, with planning permission for Use Class B1, however the restriction to a single or small number of larger users (of Policy STV03.1 and Condition 35 of the extant planning permission to a single user on each plot and controls over subdivision) limits its potential (LSH, Section 1, page 13-14 and Section 5, para.5.6).
 - Use Class B8 demand is focused on the 'mid box' sized unit (50,000-99,999sqft/4,645-9,290sqm). The market for larger units (larger than 100,000sqft/9,290sqm) is limited (LSH, paras.3.12-3.13). Demand for floorspace is driven in part by the continued growth in e-commerce.
 - Use Class B2 demand is lower overall due to the size of the sector, but demand is likely to be for mid range units (30,000-100,000sqft/2,787-9,290sqm) (LSH, para.5.5).
 - Use Classes B1b (Research and Development) and B1c (Light Industry) demand is for 'mid range' units (10,764-21,528sqft/1,000-2,000sqm) and also smaller Use Class B1b units (3,229-5,382sqft/300-500sqm) (LSH, page14)
 - A high proportion of vacant available space in Use Classes B1c, B2 and B8 is of secondary or tertiary quality (LSH, Section 1, para.2.33)

- Use Class B1a (offices) there was some market recovery in 2013 (LSH, para.2.15) and there is evidence of a shortage of quality Grade A office floorspace (LSH, paras.2.20-2.22). However, Adanac does not have the credibility of an office location, despite the presence of Ordnance Survey (OS), which does not appear to have acted as a magnet for similar occupiers. The longer time goes on without further development taking place, the less likely it may do so (LSH, para.5.12). Changes in working patterns are also having an impact on overall office requirements, reducing the number of workstations and therefore floorspace required for a given number of jobs (LSH, paras.2.9-2.13).
- Within South Hampshire a number of existing companies' office leases are up for renewal in the next 5-10 years, however this is primarily focused on city centre relocations. The prospect of them potentially relocating to Adanac is limited (LSH, para.2.31 and Table, Page 25).

3.10 Whilst in principle Adanac remains suitable, attractive to the market for Use Class B1 development, this therefore needs to be considered in the context of whether there is sufficient commercial demand for this to be realised. The demand for large scale Use Class B1 users is considered unlikely to be forthcoming for the whole site. The presence of OS has not so far attracted other large scale offices as envisaged and for which demand is limited. There is also no evidence that of the large scale office letting that have taken place in the Southampton area in recent years (including Lloyds Register, Ageas, Skandia and Carnival) might have located to Adanac instead. The take up of offices in the sub-region has been low despite the strengthening economic recovery and the likelihood of office users coming forward reduces the longer time goes by, as the site lacks credibility as an office location. Secondary and tertiary quality office space is being lost to changes of use to residential, following the Government's amendments to the permitted development regime, reducing the available office stock.

3.11 The overall reading of the LSH report is that it is considered that it would be an optimistic view to assume that all of Adanac will be development for Use Class B1 in the short to medium term and there is some doubt over the long term. In these circumstances where there is doubt over the delivery of the proposed use the NPPF advises that the merits of alternative uses should be considered.

NEED FOR DIFFERENT LAND USES

3.12 In contrast, there is a need to consider the balance of competing commercial demands for Use Classes B8. Adanac is also an attractive location for these uses due to its transport connections and proximity to Southampton and its port.

3.13 There is demand for Use Class B8 in the sub-region/M27 corridor, due to for example to the general growth of internet shopping and specifically related to the port. There is a lack of demand for very large units (over 100,000sqft/9290sqm), but there is demand for mid box sized units (50,000-99,999sqft/4,645-9,290sqm) which could be accommodated on the site.

Although there are other potential sites available, supply is limited. Both the Hampshire Chamber of Commerce and the Solent LEP support a more flexible approach to permitted uses for Adanac which takes account of the demand for floorspace for other business sectors.

IMPLICATIONS FOR ALLOWING AN ELEMENT OF USE CLASS B8

- 3.14 If permission were to be granted, a significant element of Adanac would remain available for Use Class B1 use. 27,600sqm is only a relatively low proportion of the overall Adanac site. There is no evidence that an element of Use Class B8 use on Adanac, would undermine the employment land or economic objectives of PUSH for the economy of South Hampshire, or for Adanac to be a quality business park.
- 3.15 The difference in the number of jobs the current proposal could generate is 766 (assuming 70sqm per full time worker for Use Class B8 use), this compare to 766 potential jobs for Use Classes B1b and B1c (assuming 36sqm per full time worker, but for B1a is estimated at 2,300 jobs (assuming 12sqm per full time worker).
- 3.16 Whilst the proposals would generate a lower number of overall jobs than that envisaged for Adanac Park due to the different spatial requirements of the associated business users, these alternative uses will still continue to generate employment on a notable scale and support economic growth in Test Valley. The notional loss of potential jobs compared to Use Class B1, needs to be weighed against the balance of competing uses and the relative likelihood of development taking place and therefore the prospect of jobs creation being realised including the appeal Inspector's conclusion on this issue.

CONTRARY TO POLICIES STV03.1 AND LE6

- 3.17 The starting policy for consideration of proposals is the development plan. The Borough Local Plan 2006 safeguards the site for Use Class B1 development. In light of the changes proposed in the submitted draft Revised Local Plan 2014 (Regulation 22) and the conclusions of the Inspector in the 2011 appeal decision will affect the weight to be given to Policy STV03.1. The draft Revised Local Plan 2014, which includes Policy LE6 has reached the stage of submission to the Secretary of State, but has not yet been the subject of scrutiny at public examination. In that context only limited weight can be attributed to it.

CONCLUSIONS ON THE POLICY ISSUES

- 3.18 The LSH report did not explicitly conclude that there was no reasonable prospect (NPPF, para.22) of the whole of Adanac being developed for Use Class B1 development (LSH, para.8.7). The view of officers, however is that given the length of time that the Adanac site has been available for Use Class B1 use, it is now unlikely that all of the site will come forward for such development in the long term, even taking account of the current economic recovery.

- 3.19 A judgement also needs to be made as to whether the impact of the more flexible approach of Revised Local Plan Policy LE6 on the delivery of the site for Use Class B1 use. Given the market advice officers consider that it is unlikely that the proposed policy change would bring forward all of the Adanac site for Use Class B1 use.
- 3.20 The need to support economic growth is a key factor in determining whether the potential employment and economic benefits of the proposed development should prevail over the degree to which planning policy would be breached, taking account of material considerations and changes in circumstances. In the context of the 2011 appeal decision it is considered that in weighing the merits of the proposal, the balance weighs in favour of the proposal.

Reason 6 – Impact upon Residential Amenity

- 3.21 Members of SAPC additionally expressed concern regarding the relationship between the proposed use classes that have potential for generating a greater level of disturbance to both existing residential properties within the wider vicinity, in conjunction with residential development proposed (and since refused permission) to the immediate north and northeast of the site. Members will note that where there are existing properties in the vicinity, these are positioned some distance from the application site either with intervening land uses (e.g. to the east of the site) as well as existing and proposed boundary planting.
- 3.22 Members will additionally be aware that the application is in outline therefore no end user is identified and no detail provided on the layout, siting, massing and design of the final development. These are matters which would be subject to later consideration by the local planning authority. Furthermore, the application has been subject to consultation with the Environmental Protection Officer who has not given rise to any overriding objection to the proposal, subject to the imposition of conditions. The attachment of conditions will ensure that any reserved matters application coming forward can achieve an acceptable development in relation to nearby properties and as stated in the NPPG enables the development '*to proceed where it would otherwise have been necessary to refuse planning permission, by mitigating the adverse effects of the development*'. It would therefore be unreasonable to refuse the application where there is an appropriate mechanism to control the effects of the proposal.
- 3.23 Finally, concern was additionally raised as to the proposed height of any building(s) at this site which may come forward at a Reserved Matters stage. This outline application proposes a scale parameter to be secured via condition for any proposed building(s) of *up to* 18m in height, but of course any resultant design is presently unknown and could be substantially lower according to the needs of any end user(s).

The composite plans submitted with the application additionally demonstrate the level of separation between the existing residential properties to Cramer Drive, with this separation visually interrupted by the presence of Home Covert woodland which forms the western boundary to the site. Again, the potential impact of any development upon the residential amenities of these residential properties would be a matter for consideration at any reserved matters stage. This enables the Local Planning Authority to retain control of how the development comes forward at a later date.

4.0 CONCLUSION

4.1 The principle of development is deemed to be acceptable against material planning considerations and would provide employment to the locality supporting the Government's agenda for economic growth. Furthermore, no adverse harm has been demonstrated to arise at this outline stage which would result in an unacceptable relationship to residential amenity which cannot be addressed through planning condition and/or agreement. The proposal continues to be recommended for permission on the grounds that the reasons for refusal provided by SAPC cannot be properly substantiated and would likely result in an award for costs against the Council if the applicant should lodge an appeal.

5.0 RECOMMENDATION OF SOUTHERN AREA PLANNING COMMITTEE

REFUSE for the reasons outlined in **ALTERNATIVE RECOMMENDATION B** to the SAPC report (Appendix A – section 11) and for the following reasons:

5. The development proposed is for Class B8 (Storage and Distribution) which is contrary to the provisions of the Test Valley Borough Local Plan 2006 policy STV03.1 (Safeguarded Employment Land at Adanac Park) and the Revised Local Plan DPD 2011 – 2029 (Regulation 22 Submission – July 2014) policy LE6 (Land at Adanac Park) which provides for the land to be used for high quality office/research/manufacturing development (Class B1) only.
6. The development proposes a Class B8 (Storage and Distribution) use on land which sits in proximity to residential development proposed within the planning application reference 14/00131/OUTS and existing residential properties at (and accessed from) Cranmer Drive, Nursling which will receive unacceptable levels of noise, dust and smells to the detriment of residential amenity. As a maximum height of 18.0m any building within the development site will additionally be overbearing to these same residential properties. The proposal is therefore contrary to policies AME01 (Privacy and Private Open Space), AME04 (Noise and Vibration) and AME05 (Unpleasant Emissions) of the Test Valley Borough Local Plan 2006 and the National Planning Policy Framework.

6.0 RECOMMENDATION OF THE HEAD OF PLANNING POLICY AND TRANSPORT

Delegate to the Head of Planning Policy and Transport for the completion of satisfactory consultations from outstanding consultees and the applicant to enter into a legal agreement to secure:

- Approval and construction of off site highway works;
- Financial contributions towards transport infrastructure improvements;
- Provision of public art;
- A biodiversity conservation and enhancement strategy (incorporating a landscape scheme and implementation programme and a landscape/ ecological management programme) to cover the Adanac Park development area as detailed in the drawing APDF-P-1 and as amended by drawing AP6-P-5 (Rev 2.0) 'Parcel Parameter Plan' for planning application reference 14/00141/OUTS received on the 17 September 2014;
- Financial contribution for workforce development (skills training);
- To secure a Travel Plan and associated set-up, monitoring fees and bond.

then **OUTLINE PERMISSION** subject to conditions and notes:

1. Applications for the approval of all the reserved matters referred to herein shall be made within a period of three years from the date of this permission. The development to which the permission relates shall be begun not later than which ever is the later of the following dates:
 - i) five years from the date of this permission: or
 - ii) two years from the final approval of the said reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To comply with the provision of S.92 of the Town & Country Planning Act 1990.
2. Approval of the details of the layout, scale and appearance of the building(s), the means of access thereto and the landscaping of the site (herein after called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced.

Reason: To comply with Article 4 of the Town and Country Planning (General Development Procedure) Order 1995 (or any order revoking and re-enacting that Order).
3. The development hereby permitted shall be carried out in substantial accordance with the following approved drawings:
 - Parcel Parameter Plan (ref. AP3-P-5);
 - Areas & Dimensions by Development Parcel/Zone (ref AP3-P-2);
 - Proposed Tree and Vegetation Removals (ref AP3-P-4);submitted as part of the application with the design principles for any Reserved Matters application also having regard to the Adanac Park Development Framework and the Design and Access Statement submitted to accompany the planning application.

Reason: To ensure a comprehensive form of development that has a consistent design approach in accordance with policy DES01 of the Test Valley Borough Local Plan (2006).

- 4. No development shall take place until samples and details of the materials to be used in the construction of all external surfaces hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

Reason: To ensure the development has a satisfactory external appearance in the interest of visual amenities in accordance with Test Valley Borough Local Plan 2006 policy DES07.
- 5. Prior to the first occupation of the building hereby permitted, the car parking spaces including disabled parking, shall be constructed, surfaced and laid out in accordance with the approved plans. The area of land so provided shall be maintained at all times for this purpose.**

Reason: In the interests of highway safety and to ensure sufficient off-street parking has been provided in accordance Policy TRA02 of the Test Valley Borough Local Plan 2006.
- 6. At least the first 16.5 metres of the access track measured from the nearside edge of carriageway of the adjacent highway shall be surfaced in a non-migratory material prior to the use of the access commencing and retained as such at all times.**

Reason: In the interest of highway safety in accordance with Test Valley Borough Local Plan 2006 policies TRA05 and TRA09.
- 7. Any gates shall be set back at least 16.5m metres from the edge of the carriageway of the adjoining highway.**

Reason: In the interest of highway safety in accordance with Test Valley Borough Local Plan 2006 policies TRA05 and TRA09.
- 8. No development shall take place until a detailed scheme for external lighting arrangements has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and be maintained in accordance with these details in perpetuity.**

Reason: To avoid impacts to bat commuting and foraging habitat, in accordance with Policies ENV01 and ENV05 of the Test Valley Borough Local Plan.
- 9. No development shall take place until a scheme has been submitted and approved by the Local Planning Authority for the provision of opportunities to enhance biodiversity within the new building(s) and/or site. The development shall be carried out in accordance with the approved details and retained thereafter.**

Reason: To seek improvement to biodiversity in accordance with Test Valley Borough Local Plan policy ENV05 and the NPPF.
- 10. The clearance of vegetation greater than 50cm in height pursuant to facilitating the development hereby approved shall only be undertaken between September and February (inclusive). Alternatively, a competent ecologist shall undertake a pre-clearance check for occupied birds' nests and if necessary the supervising ecologist shall maintain a watching brief during vegetation clearance works. Work shall cease in any areas where occupied nests are identified**

and a 5m exclusion zone maintained around such nests, until such time as those nests become unoccupied of their own accord.

Reason: To avoid impacts to breeding birds in accordance with Test Valley Borough Local Plan (June 2006) policy DES09 and ENV05.

11. No development shall take place until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. The method statement shall provide for:
- parking onsite for contractors and delivery vehicles;
 - the management and coordination of deliveries of plant and materials as well as the disposing of waste resulting from demolition and construction activities so as to avoid undue interference with the operation of the public highway, particularly during the Monday to Friday AM peak (08.00 to 09.00) and PM peak (16.30 to 18.00) periods;
 - areas for loading and unloading;
 - areas for the storage of plant and materials;
 - security hoarding position and any public viewing platforms (if necessary);
 - site office location;
 - construction lighting details;
 - wheel washing facilities;
 - dust and dirt control measures;
 - a scheme for the recycling of construction waste; and
 - vegetation clearance details;

The Construction Method Statement shall include an implementation and retention programme for the facilities hereby listed. The development shall be subject to consultation with the Highways Agency on behalf of the Secretary of State and carried out in accordance with the approved details.

Reason: To ensure that the construction period does not have a detrimental impact upon the environment or highway safety in accordance with Test Valley Borough Local Plan policies TRA01, TRA05, ENV01, HAZ03, HAZ04, AME01, AME02, AME03, AME04 and AME05.

12. No development shall commence on site until full details of the proposed means of foul and surface water sewerage disposal have been submitted to and agreed in writing by the Local Planning Authority in consultation with Southern Water. The scheme shall subsequently be implemented in accordance with the agreed details before the first occupation unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent a negative impact from the development on the existing drainage infrastructure in accordance with Test Valley Borough Local Plan (June 2006) policy ESN30.

13. No development shall commence on site until a scheme identifying how any existing infrastructure is to be protected during the development or permanently diverted has been submitted to and agreed in writing by the Local Planning Authority in consultation with Southern Water.

The scheme shall include an implementation programme of the proposed protection or diversion of the existing water mains. Works shall be carried out in accordance with the approved details and implementation programme.

Reason: To prevent a negative impact from the development on the existing water mains infrastructure in accordance with Test Valley Borough Local Plan (June 2006) policy ESN30 (Infrastructure Provision with New Developments).

14. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through oil trap gullies or petrol/oil interceptors with an overall capacity compatible with the site being drained.

Reason: To prevent the pollution of controlled waters in accordance with Test Valley Borough Local Plan policy HAZ03.

15. In the event that contamination (that was not previously identified) is found at any time during construction works, the presence of such contamination shall be reported in writing to the Local Planning Authority without delay and development shall be halted on the affected part of the site until a remediation scheme for dealing with that contamination has been approved by the Local Planning Authority. The approved remediation scheme shall be implemented and, if requested, a verification report, for the purpose of certifying adherence to the approved remediation scheme, shall be submitted to the Local Planning Authority prior to the site being brought in to use.

Reason: To ensure a safe living/working environment in accordance with Test Valley Borough Local Plan 2006 policy HAZ04.

16. A detailed scheme for mitigating noise from the site (“noise mitigation scheme”) shall be submitted to, and approved in writing by, the Local Planning Authority prior to commencement. The approved scheme shall be implemented prior to first use and thereafter retained, unless otherwise agreed in writing by the Local Planning Authority. The submitted scheme shall include a detailed noise assessment by a suitably qualified acoustic consultant / engineer and shall include the submission of noise mitigation proposals and proposals for any appropriate noise limits and post-commencement noise verification measures. The submitted scheme shall include the site layout, building size and orientation, position of service yard and openings, noise barriers and bunds, times of vehicle movements and deliveries, times of operation, the position and sound level of any noisy external plant and machinery and the means of minimising the impact of vehicle reversing alarms. The submitted scheme shall also include confirmation that the combined BS4142: 1997 rating level of noise associated with the industrial uses would not, as a worst case, be likely to exceed 5 dB above the background noise level at any permitted time of operation.

The assessment shall be determined at the worst-affected existing or proposed residential property with planning consent (outline or full) and carried out in accordance with BS4142: 1997.

Reason: In the interests of protecting residential property from adverse levels of noise in accordance with policies AME01 and AME04 of the Test Valley Borough Local Plan 2006.

- 17. During the period of construction, no machinery shall be operated, no process carried out and no deliveries received or despatched, outside of the following times: 07.30 to 18.00 hours Monday to Friday and 08.00 to 13.00 hours on Saturdays. No such activities shall take place on Sundays, bank or public holidays.**

Reason: In the interest of the amenity of neighbouring properties in accordance with Test Valley Borough Local Plan policy AME04.

- 18. The Class B8 (Warehouse and Distribution) use hereby approved including all movements of Heavy Goods Vehicles to and from the site and all outdoor loading, unloading and mechanical goods handling operations shall only take place between the hours of 07:00 - 19:00 hours Monday to Friday, 08:00-13.00 Saturdays. No such activities shall take place on Sundays, bank or public holidays.**

Reason: In the interest of the amenity of neighbouring properties in accordance with Test Valley Borough Local Plan policy AME01 and AME04.

- 19. The height of any building(s) hereby proposed shall be measured from the lowest existing ground level of 14 AOD as illustrated on the approved Landscape and Ecology Plan (ref AP3-P-3).**

Reason: To ensure the development is not unduly prominent within the context and character of the surrounding area in accordance with policy DES06 (Scale, Height and Massing) of the Test Valley Borough Local Plan (2006).

- 20. No development shall take place until an arboricultural method statement ensuring protection to the adjacent woodland has been submitted to and approved in writing by the Local Planning Authority. All site work to be undertaken strictly in accordance with the requirements, specifications and timing detailed within the method statement. Specifically the method statement must:**

- 1. Provide a schedule of trees to be retained within 15m of the proposed building, the schedule to include the required root protection areas as set out in British Standard 5837:2014;**
- 2. Provide a specification for such tree protective fencing, either in accordance with the above standard or as otherwise agreed in writing with the Local Planning Authority;**
- 3. Confirm timing of erection and dismantling of such tree protective fencing, which must in any case be erected prior to commencement of any site clearance or ground works, and be retained and maintained for the full duration of works until onset of final landscape work or as otherwise agreed in writing with the Local Planning Authority;**

4. Provide a plan at 1:200 or better, detailing the location of such tree protective fencing, including annotation that such fencing shall remain in this position for the full duration of works or unless by prior written agreement with the Local Planning Authority;
5. Require a sign to be hung on such tree protective fencing, repeated as necessary, which clearly states 'Tree Root Protection Area, do not enter, do not move this fence, or such other similar wording as may be agreed in writing with the Local Planning Authority;
6. Provide a plan demonstrating that all trenching, excavation, soakaways, pipe and cable runs required by the development can be installed wholly outside the tree protection zones;
7. Demonstrate that all necessary demolition work of existing structures (including removal of existing hard surfacing) can be achieved without the processes impacting upon any retained trees or the required tree protection zones;
8. Demonstrate that all proposed structures can be built without the construction process impacting upon the retained trees or required tree protection zones;
9. Demonstrate that all site works, mixing areas, storage compounds, site buildings and associated contractor parking areas remain wholly outside any tree protection zones and at a suitable separation to prevent damage to retained trees;
10. Provide details of any specific precautions to be adopted where scaffolding may be required to be erected within the required minimum distances in line with British Standard 5837:2014;
11. Provide a schedule of all tree felling and tree surgery works proposed, including confirmation of phasing of such work.

Reason: To prevent the loss during development of trees and natural features and to ensure so far as is practical that development progresses in accordance with current best practice and in accordance with the Test Valley Borough Local Plan Policy DES 08.

21. No development shall take place until details of the Home Covert ecological buffer, including initial implementation and on-going management, shall be submitted to and approved in writing by the Local Planning Authority. This buffer is to be fenced and protected with no works or level changes within the buffer strip. Development shall subsequently proceed in accordance with any such approved details, with such features being permanently maintained in accordance with the approved details.

Reason: To conserve and enhance biodiversity, including with respect to legally protected species and Home Covert SINC, in accordance with Policies ENV01, ENV04 and ENV05 of the Test Valley local plan.

22. No development shall take place until a detailed scheme for the construction of any retaining wall between the operational area of the site and the adjacent Home Covert Site of Importance for Nature Conservation (SINC) shall be submitted to and approved in writing by the Local Planning Authority. Development shall subsequently proceed in accordance with any such approved details.
Reason: To avoid impacts to Home Covert SINC, in accordance with Policy ENV04 of the Test Valley local plan.
23. No development shall take place (including site clearance within the application site/area indicated red), until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological work, in accordance with a written brief and specification for a scheme of investigation and mitigation, which has been submitted by the developer and approved in writing by the Local Planning Authority.
Reason: The site is potentially of archaeological significance in accordance with Test Valley Borough Local Plan 2006 policy ENV11.
24. The addition of any relevant highway planning conditions from the extant planning permission (07/02872/OUTS) for Adanac Park that remain relevant to this decision.

Notes to applicant:

1. In reaching this decision Test Valley Borough Council (TVBC) has had regard to paragraphs 186 and 187 of the National Planning Policy Framework and takes a positive and proactive approach to development proposals focused on solutions. TVBC work with applicants and their agents in a positive and proactive manner offering a pre-application advice service and updating applicants/agents of issues that may arise in dealing with the application and where possible suggesting solutions.
2. The developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development. Please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel 0330 303 0119).
3. Permission is required under the Highways Act 1980 to construct/alter/close a vehicular access. Please contact the Head of Highways (West) Hampshire County Council, Jacobs Gutter Lane Hounslow, Totton, Southampton, SO40 9TQ. (02380 663311) or highways-transportwest@hants.gov.uk at least 6 weeks prior to work commencing.
4. The development hereby permitted shall be carried out and completed strictly in accordance with the submitted plans, specifications and written particulars for which permission is hereby granted or which are subsequently submitted to, and approved in writing by, the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

- 5. Please ensure that all development/works complies with the approved plans. Any changes must be advised and agreed in writing with the Local Planning Authority before they are carried out. This may require the submission of a new planning application. Failure to do so may result in enforcement action/prosecution.**
 - 6. Birds nests, when occupied or being built, receive legal protection under the *Wildlife and Countryside Act 1981* (as amended). It is highly advisable to undertake clearance of potential bird nesting habitat (such as hedges, scrub, trees, suitable outbuildings etc.) outside the bird nesting season, which is generally seen as extending from March to the end of August, although may extend longer depending on local conditions. If there is absolutely no alternative to doing the work in during this period then a thorough, careful and quiet examination of the affected area must be carried out before clearance starts. If occupied nests are present then work must stop in that area, a suitable (approximately 5m) stand-off maintained, and clearance can only recommence once the nest becomes unoccupied of its own accord.**
 - 7. Where a SUDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority to satisfy the requirements of Condition 12 should:**
 - Specify the responsibilities of each party for the implementation of the SUDS scheme;**
 - Specify a timetable for implementation**
 - Provide a management and maintenance plan for the lifetime of the development. This should include the arrangements for adoption by any public authority or statutory undertaken and any other arrangements to secure the operation of the scheme throughout its lifetime.**
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APPENDIX A

Officer's Report to Southern Area Planning Committee – 28 October 2014

APPLICATION NO.	14/00133/OUTS
APPLICATION TYPE	OUTLINE APPLICATION - SOUTH
REGISTERED	24.01.2014
APPLICANT	The Trustees Of The Barker Mill Estates
SITE	Land West Of Home Covert, Nursling Street, Nursling, NURSLING AND ROWNHAMS
PROPOSAL	Outline - Erection of up to 27,600 square metres of storage and distribution (B8) floorspace (including ancillary office accommodation), together with associated works including vehicular access, hardstanding, ancillary structures, ground works and landscaping
AMENDMENTS	12, 15, 22 August and 9 September 2014.
CASE OFFICER	Miss Katherine Fitzherbert-Green

Background paper (Local Government Act 1972 Section 100D)

1.0 INTRODUCTION

- 1.1 The application is presented to the Southern Area Planning Committee (SAPC) in accordance with the Officer Code of Conduct.

2.0 SITE LOCATION AND DESCRIPTION

- 2.1 Adanac Park is a 29 hectare site located to the east of the M271 and extends in a southerly direction from the Nursling Street to adjoin Brownhill Way from which vehicular access is taken. This access also serves the adjacent Holiday Inn which abuts, but is excluded from, the application site. The site is separated from the M271 by mature hedgerow planting and, with the exception of the presence of the Ordnance Survey, is predominately laid for grazing. The site also includes land to Yew Tree Farm and Bargain Farm (both listed buildings), of which Bargain Farm operates a small market garden with a farm shop. To the east of Adanac Park sits Home Covert (a Site of Importance for Nature Conservation) and the residential areas of Hillyfields and Nursling.
- 2.2 This application concerns a 7.66 hectare plot (referenced as AP3) which sits towards the north of Adanac Park. The land was historically used for gravel extraction but now comprises semi-improved grassland used for horse grazing. With the exception of a spoil heap to the western boundary, the site has an open character. The land gently rises as the site extends eastwards to adjoin Home Covert with the woodland demarcating much of the eastern boundary. Beyond the site to the north sits the parcel referenced as AP2, with parcel AP4 sitting parallel to the southern boundary. There is presently no vehicular access to the site although the western boundary adjoins an existing pedestrian/cycleway that links Brownhill Way to Nursling Street.

3.0 **PROPOSAL**

3.1 A suite of planning applications covering ten parcels of land has been submitted for the development of Adanac Park and Bargain Farm. This suite seeks to create a mixed use site of employment, residential and leisure (as a support facility) uses linked to Adanac Drive, with the resultant built form to be guided by an overarching strategic Development Framework which contains site parameters for each parcel. The site parameters are designed to provide a cohesive form of development across the Park by guiding the scale and layout of each parcel, whilst also retaining flexibility for how any Reserved Matters application could come forward at a later date. In summary, this suite comprises:

- 14/00131/OUTS - Erection of up to 26 residential units and a residential institution of up to 80 bedrooms;
- 14/00132/OUTS - Erection of up to 4,100 sqm of storage and distribution (B8) and/or general industry (B2) floorspace;
- 14/00133/OUTS - Erection of up to 27,600 sqm of storage and distribution (B8) floorspace (including ancillary office accommodation);
- 14/00134/OUTS - Erection of up to 10,840 sqm of business floorspace (B1);
- 14/00137/FULLS/14/00148/LBWS – Work to/change of use of Farmhouse to Class B1 with erection of 2,953 sqm business floorspace (B1);
- 14/00138/FULLS/14/00140/LBWS – Redevelopment of farmstead including demolition of structures and erection of 23 dwellings
- 14/00141/OUTS - Erection of up to 20,583 square metres of business floorspace (B1);
- 14/00147/OUTS - Erection of up to 12,941 square metres of business floorspace (B1) and/or general industry (B2)
- 14/00149/OUTS – Infrastructure (e.g. roads, drainage, groundworks);
- 14/00150/OUTS - Erection of an amenity restaurant together.

Each application also seeks associated works including vehicular accesses from Nursling Street, drainage, car parking, footpath/cycleway and landscaping.

3.2 This is an outline application seeking permission for up to 27,600 sqm for storage and distribution (Blass B8) together with onsite parking and associated infrastructure. Consideration is to be given to the principle of development only with matters of layout, scale, appearance, access and landscaping for later approval. The Development Framework provides site parameters which comprise:

- a 6.30ha development zone extending across the entire site;
- 0.36ha of landscaping to includes a minimum 10m buffer to Home Covert;
- Access to be taken from the spine road from the west and/or northern boundaries;
- Any building(s) to be 1 – 2 storeys with an upper ridge height of 18m;
- Maximum of 170 car parking spaces and 58 cycle spaces.

- 3.3 The application has been accompanied by an Environmental Assessment, a Development Framework, Design and Access Statement, Transport Assessment, Planning Statement, Economic Reports, Arboricultural Development Statement and Tree Survey Report, Statement of Community Involvement, Vitality and Viability Assessment, relevant site and parameter plans for the development site and an illustrative master plan for Adanac Park.

4.0 **HISTORY**

- 4.1 For full site history, please refer to SAPC report for planning application reference 14/00132/OUTS – Land north of Adanac Park. The most recent, and relevant history for this site comprises:

06/01125/SCOS - Scoping opinion under the EIA Regulations 1999 in relation to the comprehensive development for offices, research, development and manufacturing. Issued 11 May 2006.

07/02872/OUTS - Outline planning permission with all matters (ie layout, scale, appearance, access and landscaping) reserved for subsequent approval for that part of the application site shown hatched green on drawing number APP/001/BARW002/Rev D. Demolition of Adanac Farmhouse, site preparation works and the erection of up to 59,118 sq m of Class B1 offices, research and development and manufacturing premises for occupation by a small number of large space users together with car parking, landscaping, drainage and access roads (including spine road to the north of Plot 4). Outline planning permission with no matters reserved for subsequent approval for the new roundabout at the point of entry into the site from Brownhill Way and the spine road up to the northern edge of the wildlife corridor on Plot 4, the adjacent landscape works and the temporary haul road and the closure of Redbridge Lane between the proposed spine road and Brownhill Way, as shown on the General Layout Parameter Plan and the relevant detailed drawings submitted for approval. Outline planning permission with no matters reserved for subsequent approval for that part of the application site shown as Plot 4 on the General Layout Parameter Plan for the following development. New Class B1 Head Office building (16,409 sq.m.) with ancillary cycle, refuse storage and electricity transformer building together with a Children's Nursery (308 sq.m.) with associated access, car parking, drainage and landscape works. Permission granted 16 June 2008.

Additional relevant history

10/02614/OUTS - Outline application for the erection of a medical facility providing up to 12,800 sq.m of accommodation for a compact hospital/clinic (Use Class C2 and/or D1) with ancillary uses. Allowed on appeal – 17 November 2011

5.0 **CONSULTATIONS – final comments (in summary)**

5.1 **Planning Policy** – No objection

Development Plan

- Policy SET03 – site lies in the countryside and is contrary to this policy in the absence of an overriding need;

- Policy STV03.1 – restricts use of Adanac Park to high quality office research/manufacturing only;
- Site lies in the 'red edge' of the extant outline planning permission for Adanac Park which is in line with Policy STV 03.1. This has established the principle of development for Class B1;
- Weight should be given to recent material planning considerations. Adanac Park has been developed by the Ordnance Survey and a lapsed permission for a hospital;
- Conflict with Policy SET03 is considered to be addressed on the basis of these material changes in circumstances.

Draft Revised Local Plan DPD (2014)

- The Draft Revised Local Plan demonstrates the direction of travel of the Council. The site lies within the proposed settlement boundary of Nursling and Rownhams (COM2);
- Policy LE6 (Adanac) allows for development for high quality offices/research/manufacturing (Class B1) and (also) exceptionally support facilities;
- There is no restriction on the size of user – the reference to 'large' users not having been carried forward;
- Proposed B8 use is contrary to Policy STV03.1 and LE6;
- Evidence on commercial market demand has been submitted with the application on the potential lack of demand for large scale B1 and potential demand for Class B2 and B8 development in the sub-region;
- No named user or quantified requirement has been identified. The development is speculative;
- NPPF (para 14) - The Local Plan is not considered out of date given the strategic requirement for Class B1 in South Hampshire as set out in the South Hampshire Strategy and given the site's location;
- LE6 maintains the use class restriction to Class B1 to be in conformity with strategic guidance;
- Demand for an alternative use should be sufficiently demonstrated and considered on its merits
- NPPF (para 22) – where there is no reasonable prospect of being used of the allocated use, allocation should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainably local communities;
- NPPF (para 19) – significant weight should be placed on the need to support economic growth.

Commercial Advice (August 2014) – Lambert Smith Hampton (LSH)

- Recent report commissioned by TVBC on the issue of commercial market demand indicates it is not considered that there is no reasonable prospect of the site being developed for Class B1 use, it is reasonable to consider the merits of some B8 on Adanac notwithstanding the conflict with Policy STV03.1;
- There is limited demand for very large scale Class B1 offices, whilst there is demand for Class B8 floorspace which could be achieved on site;

- Majority of Adanac could continue to be for Class B1 floorspace, although the scale and nature of 27,600sqm of Class B8 floorspace in the context of Adanac is significant and major change from Class B1;
- The location and site constraints should determine the amount of floorspace which could be accommodated on the site;
- LSH advise that demand for Class B8 floorspace is likely to be for smaller scale units of 2,787-9,290sqm rather than between 10,000-50,000sqm;
- Proposal would lead to loss of potential Class B1.

Job creation

- The proposal would however lead to the loss of potential Class B1 floorspace and a notional loss of potential jobs, as the employment generated by Class B8 would likely be less than B1;
- Adanac forms a significant element of the current supply of Class B1 floorspace in Southern Test Valley and contributes to the needs of South Hampshire. This is a material consideration as there would be an overall loss of potential jobs from the suite of proposals of 27,695sqm of Class B1 floorspace and up to a notional 1,800 jobs.

10/02614/FULLS – Hospital appeal

- The Inspector gave weight to the development's employment and economic benefits notwithstanding conflict with STV03.1;
- Proposal for Class B8 floorspace as a Class B use would be closer in nature to Class B1 than a hospital;
- The Inspector considered that the external architecture of hospital/clinic buildings would not materially alter the perception of Adanac;
- Whether a Class B8 building would result in a different perception should be considered, although could be an acceptable use on a business park, subject to design and layout.

Conclusion

- In light of commercial advice commissioned by the Council, it is considered reasonable given relative competing commercial demands for difference Class B uses to consider favourably an element of Class B8 use on Adanac notwithstanding the conflict with Policy STV03.1;
- A judgement is required regarding the delivery of Class B1 floorspace in the Local Plan and other material considerations –
 - Pro-growth agenda of the NPPF;
 - The Inspector's conclusions in terms of retaining Adanac for Class B1;
 - Evidence of what the local economy and market requires;
- The strategic requirement for Class B1 floorspace was based on the needs of the local economy;
- More recent market evidence supports a demand from other sectors for Class B8;
- The scale and type of Class B1 floorspace which Adanac could accommodate in the current market is unlikely to be delivered;
- Although the proposal would potentially provide less jobs than Class B1 floorspace, it would generate employment on a significant scale and the emphasis of the NPPF is upon giving significant weight to supporting economic growth and employment;

- No objection in principle to Class B8 use of the application site;
- The scale of Class B8 floorspace which could successfully be accommodated on the application site is subject to its location and site constraints.

TVBC Highways

General

- Impact on the local highway network is a matter for HCC as the local Highways Authority and the Highways Agency to judge the impact of the proposals and to protect the interests of the travelling public in Test Valley;
- There will undoubtedly be a comparison of the likely multi modal trip generation within the site with the approved hybrid application;
- This comparison will determine if the same package of measures considered necessary at that point in time are considered necessary now or whether more is needed;
- Yew Tree Farm was excluded from the hybrid application and has since had its own detailed permission for offices;
- HCC and HA will determine the terms of a S106 Agreement;
- There is little substance in any of the outline applications to comment on;
- There is reference to an improvement to the roundabout of Brownhill Way with Adanac Drive. These works were previously the subject of a S278; any alterations will require another agreement with HCC as Highway Authority.

AP3

- Casual parking in turning areas should be discouraged;
- Site has a frontage to a fairly sharp bend on the proposed Adanac Drive. Access of any type will not be permitted within 50m of the bend.

HCC Highways – Final comments awaited at time of reporting.

Highways Agency – Final comments awaited at time of reporting.

Environmental Protection – no objection

- Objection lodged previously on the basis of an incompatible use with the adjacent site for parcel AP1. This objection is withdrawn subject to conditions and adherence to the principles of the August 2014 Noise Mitigation Strategy;
- B2 / B8 uses are a concern on this site. Such uses are typically associated with noise and other environmental inconveniences (perhaps smells, dust or fumes) that are normally incompatible with close-neighbouring residential use;
- Presence of a housing development close to the site is a major constraint to this industrial development. There is a potential impact on nearby residential uses, especially when road traffic noise has subsided;
- The final layout of the building(s) is key to controlling impacts;
- It is sensible to locate staff parking to the north-eastern corner, maximising the distance between AP1 and the AP3 building and service areas;

- Any noisy activity in the northern part of the site is only controlled by an acoustic fence of limited height rather than the full bulk of a building;
- To benefit the existing housing (to the east), it would be preferable to dispense with all outdoor service areas on the north-western elevation and confine all outdoor service areas to the long south-western elevation, thereby using the building as a noise barrier’
- Recommend condition to mitigate noise impacts;
- The specified 5dB above background noise limit represents a ‘just-acceptable’ level in noise terms and should therefore be considered as an upper ceiling limit, not a good standard of protection;
- The NPPF states that decisions should reduce adverse impacts on health and quality of life arising from noise to a minimum and one of the core principles is to seek a good standard of amenity;
- Lower limits of noise may well be appropriate but it is impossible to assess what is reasonably practicable to achieve at this outline stage, with the level of information provided. The accompanying noise assessment advises of the need for further assessment at the detailed stage;
- It is difficult to advise on hours of operation as this will largely depend on the final layout and orientation of the buildings and service yards and predicted noise levels at nearest dwellings;
- It is preferable for some degree of flexibility to be retained to review operating hour restrictions at the detailed application stage. If this is not possible or desirable, advise an hours condition.

Site Investigation

- The land investigations carried out in 2006 have been reviewed and are considered adequate for the proposed use.

Construction and Demolition Phase Impacts

- By condition or note the construction and demolition works should be restricted as the site is close to existing residential properties;
- Recommend a condition to the effect that a construction environmental management plan, covering noise and dust control during the construction and site preparation phase be submitted and approved by the LPA.

HCC Ecology

General

- Supplementary Ecological Assessment submitted detailing findings of comprehensive additional survey work and assessment;
- The over-arching Environmental Statement effectively considers potential cumulative impacts of the proposals;
- Inherent links and relationships between the proposals, and how these interact and affect ecological receptors requires referring to the overall Adanac Park development area as a whole;
- The initial response noted major concerns over the ecological surveys and data gathering, the validity of results and interpretation of those results based on incomplete information;

- Further extensive work has been carried out. Satisfied this is sufficient to allow a robust assessment of the potential impacts and greater confidence that the impacts have been considered at the appropriate context.

International sites

- The site is close to the Solent and Southampton Water SPA / Ramsar site, Solent Maritime Special Area for Conservation (SAC) and the Lower Test Valley Site of Special Scientific Interest (SSSI);
- Increase to road traffic to the M271 would not result in an increase in nitrogen deposition to the extent that the conservation objectives of the international sites or the SSSI would be undermined;
- Satisfied that the broad aspirations of the various SuDS elements in the overall development site appear to be appropriate. Detail is required to be secured via condition;
- The distance and intervening land use is such that the designated sites are unlikely to be affected by construction or operational noise;
- It has been clarified that since 2006, no further overwintering birds were seen despite regular survey and monitoring visits in recent years. No concerns over this site being used by overwintering birds associated with the SPA;
- Recreational visitor use - further information has been provided in relation to the housing proposals to show how these impacts would be addressed. This identified providing contributions to support the various Solent-based projects flowing from the SDMP. Provided these contributions are made prior to first occupation of the dwellings, no further concerns are raised.

Policy and legal considerations

- International sites are legally protected under the Conservation of Habitats and Species Regulations 2010 (as amended) (i.e. Habitats Regulations);
- Under these regulations, planning permission can be granted where development proposals have been assessed as having no 'likely significant effect' – either alone, or in combination with other plans or projects – on any international site;
- Where a development proposal is judged to have a likely significant affect, an 'appropriate assessment' (AA) of the proposals against the conservation objectives of the designated sites must be carried out, and consent only given if that assessment concludes that the development would not adversely affect the integrity of the site. Any permission granted for the housing development should include measures to secure mitigation.

Sites of Importance for Nature Conservation (SINC)

- *Home Covert SINC* – sits immediately adjacent to the site and will be exposed to increased recreational pressure and possibly impacts through increased runoff from adjacent hardstanding and general disturbance;
- The ES proposes to address these impacts through the implementation of the Home Covert Management Plan (developed in response to Redbridge Lane development). Agree this is appropriate;

- Supplementary information provides information of a minimum 10m protective buffer around the SINC between the woodland edge and development footprint. This is acceptable although more detail is required.
- *Nursling Street SINC* – Supplementary ecological information now recognises the presence of this SINC.

Habitats

- *Hedgerows* - Further hedgerow studies have been undertaken, identifying a number of hedgerows that meet the criteria for 'important' hedgerows. The proposals would result in impacts to several of these;
- *Plantation Woodland* – Initial plans identified a small area of plantation woodland with intrinsic biodiversity value to be lost to development. This area has since been identified as important to bats with a third of all bat registrations recorded in this small area. This area is now retained and it is important to ensure this area and associated bat commuting routes are protected from additional lighting impacts;
- *Watercourses* – A number of small Ordinary Watercourses cross the site. In addition to being drainage features, these typically have intrinsic ecological value and contribute to wider diversity. Several will be affected by culverting or diverting;
- Likely requirement for Ordinary Watercourse Consent which will need to show how the ecological quality will be maintained or enhanced;
- These watercourses are important to the overall drainage strategy and can't be considered as a SuDS element in their own right;
- The Water Framework Directive drives to improve the ecological quality of watercourses. There is a real opportunity via conditions for the development to have an overall beneficial effect to the watercourse habitats across Adanac Park;
- Previous survey work identified a spring-fed depression and wet flush with a recommendation to include specific prescriptions for an area of marshy grassland to offset the loss of this area. This is welcomed;
- *Arable and grassland habitats* – Concerns initially raised regarding potential impacts to arable and grassland habitats (esp rare arable plant species). Supplementary work includes further survey data and provides additional information to inform landscape schemes, which is welcomed.

Species

- *Bats* – Survey work now presents a robust picture of the site and its value for bats and clarifies the importance of maintaining/creating and enhancing ecological links across the site;
- The plantation woodland is of particular importance and the area as a whole was found to have value for Common and Soprano Pipistrelle bats, with the site being also used by a reasonable range of species including Barbastelle and Nathusius' Pipistrelle, which are both rarer species;
- *Dormouse* – The dormouse survey (although commenced late) is acceptable. The development is unlikely to affect this species;
- *Great Crested Newt* – The development is unlikely to impact upon GCN;
- *Reptiles* – Clarification has been provided with no remaining concerns over impacts to reptiles. These are likely to be absent from the site;

- *Breeding Birds* – The site has high potential to support breeding birds. A number of widespread species were identified during the Phase 1 survey;
- Impacts during site clearance and from habitat loss will be addressed through careful timing and compensatory planting. This is acceptable but it is important that site-wide planting schemes are designed and implemented to ensure that the habitat is enhanced and there is no overall net loss;
- *Invertebrates* – Further assessment provided on potential impacts drawing on more existing data than the initial assessment. This is acceptable.

Mitigation

- Mitigation recommendations are now better informed by additional survey work and updated impact assessment.

Enhancements

- Overall Park wide plan includes opportunities to ensure that overall there is no net loss of biodiversity in terms of both overall habitat areas and its function, in terms of maintaining and enhancing functioning ecological corridors;
- This development is likely to be built out in a number of phases, under different applications, and in all likelihood by different developers, it is vital that there is an over-arching strategy to ensure that there is a 'joined-up' approach to biodiversity across the area secured by a condition.

AP3

- Concern over the proximity of the B8 building to the SINC. There appears to be a change in levels of approximately 5m between the eastern and western boundary (18m falling to 13m);
- It has been confirmed that there will need to be a large amount of re-grading and excavation close to the SINC. This may have impacts to the SINC through changes in local hydrology;
- A retaining wall will need to be properly designed to avoid such impacts;
- At the outline stage, the detail of the construction of the final site is not known so details of any retaining wall construction can also not be provided;
- It is appropriate to ensure that the design of the wall is detailed through a planning condition in relation to impacts to the SINC;
- It was originally proposed to maintain a 5m buffer between the development footprint and the woodland. It has been clarified that this would be a minimum of 10m at the closest point of the building to the SINC, although somewhat wider in most locations;
- This is considered acceptable provided the ecological buffer is implemented. Detail to be secured by condition;
- Advise a condition to ensure there are no impacts to bat foraging habitat from light spill from the development;
- Suggest condition that ensures any landscaping/biodiversity measures in relation to this particular site tie in properly to the over-arching biodiversity conversation and enhancement strategy for the whole Adanac Park development area.

Natural England – no objection

- The site lies within close proximity of habitats that form part of the River Test Site of Special Scientific Interest (SSSI) and the Solent & Southampton Water Special Protection Area (SPA)/RAMSAR;
- Natural England advises that the LPA, as the competent authority under the provisions of the Habitat Regulations (Reg 61 & 62) should have regard for any potential impacts that a plan or project may have;
- The documents submitted do not include information to demonstrate that the requirements of Regulations 61 and 62 of the Habitats Regulations have been considered by the LPA (i.e. does not include a Habitat Regulations Assessment (HRA));
- Advise that the proposal is not necessary for the management of the European site and is unlikely to have a significant effect on any European site and can therefore be screened out from any requirement for further assessment;
- When recording the LPA's HRA, the conclusions regarding the likelihood of significant effects should be justified against:
 - The proximity to the Lower Test SSSI;
 - That Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application will not damage or destroy the interest features for which the site has been notified;
 - The SSSI does not represent a constraint in determining the application;
- Expect the LPA to assess and consider the other possible impacts resulting from this proposal on local sites (biodiversity and geodiversity), local landscape character and local or national biodiversity priority habitats and species.
- The application has not been assessed for impacts on protected species;
- The application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as roosting opportunities for bats or the installation of bird nest boxes. Measures should be secured if minded to grant permission in accordance with the NPPF (para 118) and Section 40 of the Natural Environment and Rural Communities Act (2006);
- The site falls adjacent to Home Covert, Nursling & Rownhams Local Wildlife Site of County wide importance.

Landscape – comment

- Whilst there is no landscape objection to the principal of the development proposed, it is not clear from the information submitted if there is adequate space within the plot for the extent of development proposed;
- This could result in insufficient space for planting, particularly on the road frontage where significant SUDS structures are shown immediately adjacent to the site frontage;
- There are areas of concern which can be dealt with by conditions/s106 -
 - Landscaping to road frontage: suggest a min 4m landscape strip within the plot frontage is reserved for landscaping to give a buffer/soft edge between the site and the footpath.

- Width of the buffer to Home Covert (i.e. distance from edge of tree canopy to any building) to be 15m (subject to advice from Ecologist/Arboricultural Officer) with no level change in this area;
- Lighting – both for general visual impact but also for bats etc on the Home Covert side of the site;
- Height and length of building – this depends on the cut and fill/floor level;
- Landscape details, implementation programme and management plan.

Trees – no objection

- Tree retention, protection during construction and proposed planting are matters of detail that will need to be addressed in future full or reserved matters applications;
- In this instance there will be need to concentrate on scope of impact to woodland and woodland boundary trees.

Environment Agency

- Having assessed the application with regard to the development type and location of the proposal, confirm that there are no bespoke comments to make.

Southern Water

- The exact position of the water main must be determined on site before the layout of the proposed development is finalised;
- All existing infrastructure should be protected during construction works;
- No excavation mounding or tree planting should take place within 6m either side of the public water main without consent from Southern Water;
- Any sewer found during construction works requires an investigation to ascertain its condition, the properties served and potential means of access before further works commence on site;
- There is currently inadequate capacity in the local network to provide foul and surface water sewage disposal to service the proposed development;
- The development would increase flows to the public sewerage system and existing properties and land may be subject to a greater risk of flooding as a result;
- Additional off-site sewers, or improvements to existing sewers will be required to provide sufficient capacity to service the development. Section 98 of the Water Industry Act 1991 provides a legal mechanism to request the appropriate infrastructure and provided to drain to a specific location;
- SUDS systems rely upon facilities which are not adoptable by sewerage undertakers. The applicant will need to ensure that arrangements exist for the long term maintenance of the SUDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity;
- Good management will avoid flooding from the proposed surface water system which may result in the inundation of the foul sewerage system;
- Proposed means of surface water drainage is via a watercourse. The adequacy of the proposals to discharge surface water to the local watercourse should be considered by the relevant authority for Land Drainage Consent;

- Land uses such as general hardstanding that may be subject to oil/petrol spillages should be drained by means of oil trap gullies or petrol/oil interceptors;
- Southern Water can provide a water supply to the site following a formal application for connection and on-site mains.

Art Officer - Comments awaited at time of reporting.

Economic Development Officer -

- The 2008 proposals secured a sum of monies for construction apprenticeships, work placements etc. Would like to keep this provision.

6.0 **REPRESENTATIONS** Expired 13.03.2014

6.1 **Nursling and Rownhams Parish Council –**

Initial comments –

- It is apparent that there are elements of the overall scheme that do not accord with the current Borough Local Plan and the emerging Local Plan;
- Examples are the large B8 warehouse which will have a significant impact on existing local residents and the inappropriate housing at the bottom of Nursling Street which will also be affected by activity emanating from the large warehouse;
- There are other deviations from policy such as the proposed introduction of B2 development;
- Concern in which the proposal for Bargain Farm has been turned 90 degrees. The Parish Council accepted the location of the Park & Ride to run along Adanac Drive and Brownhill Way screened by a woodland boundary in accordance with the emerging Local Plan;
- In addition to a landscaped (cars in a park) concept, the boundary screening would provide a visual separation between Nursling and Southampton which was a compromise reached during the Plan's consultation process.

Further comments - objection

- Loss of employment land;
- Contrary to BLP (2006) and emerging Local Plan;
- Increase traffic in Nursling Street;
- Position of housing close to proposed building for distribution/storage or general industry use;
- Contrary to policy STV 03.1 (Safeguarding Employment Land); STV03.3 (On-site Transport Measures), STV03.4 (Off-site Transport Measures), AME04 (Noise);
- Proposed mitigation for school parking is quite inadequate as there is no alternative parking spaces available in the housing estate;
- This application together with 9 further applications for Adanac Park, development in Redbridge Lane and the LIDL distribution centre are estimated to produce a further 14,500 vehicle movements per day on top of what is considered already overloaded stretches of highway (M27, M271 and Brownhill Way).

Hampshire Chamber of Commerce (HCoC) – comments in summary

- HCoC commented on the economic policies of the South East Plan and the Development Plan Documents in the Southampton Area including the Test Valley and Eastleigh Local Plans;
- HCoC supports the proposals in this suite of planning applications;
- Adanac Park land has been constrained by a restrictive planning vision which has resulted in the land not being available to develop to any timescale;
- The new proposals -
 - are planned to meet the current needs of the market
 - serve both Southampton and Test Valley economies at a crucial time in the recovery;
 - create a flexible development framework for Adanac Park that provides employment floor space of the form and scale required by the market, boosting job generation and supporting inward investment;
 - represent a major boost to the local Southampton economy, with the site sitting close to the M271 and Southampton Docks with generation of jobs and uplift of GVA;
- The Chamber notes concerns about the need to implement suitable accompanying transport improvements ahead of, or complementary to development;
- The financial benefits of the development are huge (e.g. 3,600 new jobs, £3.5m business rate revenue per annum – 50% retained by the local authority; £134m GVA economic uplift per annum once developed);
- The benefits in terms of business rate generation and New Homes Bonus are massive with a significant proportion of this money available to the local authorities to invest in the local area;
- HCoC has always supported Adanac Park as a major strategic development site for the south. This Master Plan will add to the range of flexible, high profile facilities now coming forward to meet market demand from high value technology and logistics companies.

Ordnance Survey (OS) – objection (*comments in summary*)

- OS is supportive of local economic growth and would encourage appropriate development in accordance with the vision for Adanac Park set out in adopted and emerging planning policy and embodied in the existing outline consent;
- The planning applications run contrary to policy and conflict with local and national planning policy, with insufficient compelling reasons to justify a departure from policy;
- Due to the prolonged economic downturn, there has been little interest in the site from large office occupiers since 2008. This is not reason to abandon the long term plan for Adanac Park;
- The TV Employment Land Update (2012) indicates that there is a reasonable prospect of Adanac Park fulfilling its purpose as a strategic employment allocation capable of accommodating large scale requirements over the plan period (i.e. until 2029);
- More time should be allowed to enable the site to attract large scale occupiers and fulfil its potential as envisioned by the 'saved' and emerging planning policies.

Offices B1(a)

- Adanac Park is safeguarded for a high quality office/research/manufacturing development under policy STV 03.1 of the TVBLP which supports the promotion of a high technology cluster (science park) as a cohesive (not piecemeal) development and to create a similar environment to Chilworth Science Park;
- Doubt that piecemeal, small scale office development would meet the requirement for “high quality” development in the same way that a headquarters style development – such as the Ordnance Survey building;
- The proposal conflicts with the requirement for “a single large user (or a number of large users) seeking to establish a major operation with secure boundaries and a clear corporate identity”;
- There are high levels of office vacancy in the region. It is preferable if small scale B1 users utilise existing stock before allowing development on an out of town greenfield site;
- Inadequate demonstration that there is no land allocated for business or industrial use in South Hampshire capable of meeting current requirements;
- Applications do not comply with the maximum density requirement, being 2,887sqm/ha compared to Policy STV 03.1 of 2,500 sqm/ha;
- The proposal does not constitute sustainable development;
- Proposal would compete with and impact upon consented/viable office schemes in Southampton City Centre. A search (March 2014) indicates 49,130 sqm of smaller offices currently available in the city centre;
- Business currently based in the city centre would consider moving out if suitable space was available at Adanac Park. This would adversely affect the city centre;
- The office vacancy rate in the Solent LEP area stands at 27.80% suggesting that there is an excess of supply and even with improving demand it will be many years before the excess supply is taken up;
- Lack of development at this site cannot be said to be holding back economic growth as businesses have a wide selection of office premises to choose from.

Highways

- The site is on the fringe of Southampton and will encourage the use of the private car. It cannot be considered to represent sustainable development;
- The proposal fails to provide adequate access to passenger transport services. The site is a long cul-de-sac of up to 1km in length which makes penetration by commercially viable bus services difficult;
- It will result in significant HGV traffic;
- The Traffic Assessment accompanying the applications has significant shortcomings and is incapable of addressing potential impacts that the proposals would bring about.
- There are inconsistencies and omissions in the applicant’s Transport Assessment that undermine its value. Of ten junctions identified, six have not been assessed, with this information stated to follow;

- Applicant's traffic survey (2013) suggests a drop in traffic levels at the Brownhill Way/Frogmore Lane junction contrary to alternative data. This throws doubt on the validity of the 2013 traffic survey data;
- The Transport Assessment assumes less overall traffic than the consented scheme, adopts lower trip rates for the B1 elements than the consented scheme and fails to take account of HGVs;
- The consented bus scheme provided a 'pump prime' funded bus service on the understanding that it would become commercially viable before the end of the funding period. The Phase 1 diverted route has not reached commercial viability despite the funding ending in less than a year;
- The move from B1 to B2 uses will significantly reduce potential patronage and undermine conclusions on future viability of a bus service;
- Nursling Street is unsuitable to accommodate the demand associated with the proposed residential and nursing home uses and is unsuitable for bus movements;
- The Brownhill Way junction and the estate road form the sole route to the majority of the development with widths as low as 6.5m. Design guidance advises a minimum width of 7.3m for the anticipated HGV movements;
- A dual carriageway access would be preferred, similar to the access to Nursling Industrial Estate. A dual carriageway design provides suitable redundancy in the event of carriageway blockages;
- Traffic calming measures suited to high levels of HGV movements would be needed for the Adanac Park estate road (e.g. realignment of the carriageway to avoid the overly long straight sections);
- A full and complete understanding of the implications of the proposed development cannot be drawn for the application documentation undermining the validation of the application.

4 letters of support from Meachers Global Logistics; 15 Tate Road, Redbridge; 31 Five Elms Drive, Romsey; 5 Wolseley Road, Southampton; 83 Barons Mead, Maybush on the grounds of:

- Internet shopping and growth of imports via Southampton port fuelling growth in demand for new high quality storage and distribution premises;
- The supply of such premises needs to increase to keep rental levels competitive;
- Lack of supply of distribution facilities would increase demand further, increase rents and costs and stifle economic growth;
- Wondered in past why Adanac Park, with good access to the motorway network should be developed primarily for offices;
- Welcome current masterplan as it provides more space for storage and distribution and provide for a range of flexible, high profile facilities to meet market demand which is vital to the local and regional economy;
- Perfect location for business and industrial use;
- Close to the M27/M3 transport links and giving much needed employment to the area and expanding local economy;
- The additional provision of 2 small scale housing sites, a care home and a restaurant maintains a human scale to the plans;
- Production of local jobs and revenue to TVBC;
- Will use poor quality land to very good effect;

- Provide much needed housing – more housing should be provided than what is being applied for to make for greater sustainability of the whole site;
- Area is at threat from travellers during the summer and constantly plagued with random ponies not very well looked after;
- If the site remains undeveloped, the local dog walkers will eventually think its permanent – and will moan if it is developed in say, 5/10 years time.

4 letters of objection from 1 and 2 New Cottages, 16 Betteridge Drive; 15 Wilks Close, Romsey on the grounds of:

- Have enjoyed the village nature and atmosphere of Rownhams. This development will destroy any village character which does still remain;
- Multiplication of congestion and hold ups so that the whole area will come to a standstill and be intolerable;
- Area will become an unattractive place to live and work;
- Development of more green space close to Nursling and Rownhams. Too much has been lost to buildings, highways, and roundabouts;
- Need places for wildlife to flourish as defined in the recent 'State of Nature' report;
- Industrial development to the east of the M271 is inappropriate and unnecessary given the number of empty units on the existing industrial park to the west of the motorway;
- Farmland to be sacrificed defines the character of this neighbourhood and is a green edge to the built environment;
- Bargain Farm and its farm shop provides a livelihood for 4 families and is used by a high proportion of residents;
- Permission has already been granted for more housing and commercial development that the infrastructure and road system can support even with limited alterations included;
- The claimed increase in job opportunities will simply draw even more people into an already overcrowded area;
- Covering green space with tarmac and concrete is known to exacerbate flooding;
- Close to housing;
- Flood risk;
- Loss of green gap between Nursling and Rownhams;
- Do not want 24 hour working.

2 letters of comment from - 29 Testlands Avenue; and 6 Rosewall Road, Maybush;

- This area has long needed infrastructure however am concerned about the farm being lost as this does have a purpose for those locally;
- Presume the storage and distribution areas are mainly warehouses for companies (i.e. supermarkets) – employment;
- No consideration given to leisure. Need to disregard David Lloyds – not all of us can and want to join that;
- Sir Ebenezer Howard founded Welwyn Garden City and considered areas of well being to his future residents. Lordshill/Nursling etc are becoming a city outside a city;

- Please would you also consider a roller skating structure for this in this area – it is a bonus and many people of all ages congregate there. It would encourage employment, bring in revenue and be a good replacement for the lack of an ice rink. Would put up the funding myself however am not financially well off and would work there myself – voluntarily if needed;
- Housing has been excluded;
- The environment as in the woods have been considered;
- Would like access to a Doctors surgery and a chemist in or around Nursling Street;
- Would be nice to have an old fashioned bakery selling fresh home cooked bread, cakes and pies (like the old days).

7.0 **POLICY**

7.1 **Government Guidance** - National Planning Policy Framework (NPPF) and National Planning Policy Guidance.

7.2 **Test Valley Borough Local Plan 2006 (TVBLP) –**

SET03 (Development in the Countryside); ENV01 (Biodiversity and ecological conservation); ENV04 (Sites of Importance for Nature Conservation); ENV05 (Protected Species); ENV09 (Water Resources); ENV11 (Archaeology and Cultural Heritage); ENV17 (Setting of listed buildings..); HAZ02 (Flooding); HAZ03 (Pollution); HAZ04 (Contaminated land); TRA01 (Travel Generating Development); TRA02 (Parking Standards); TRA04 (Financial Contributions to Transport Infrastructure); TRA05 (Safe Access); TRA06 (Safe Layout); TRA07 (Access for Disabled People); TRA08 (Public Rights of Way); TRA09 (Impact on Highway Network); DES01 (Landscape character); DES02 (Settlement Character); DES05 (Layout and Siting); DES06 (Scale, Height and Massing); DES08 (Trees and Hedgerows); DES10 (New Landscaping); AME04 (Noise and Vibration); STV03.1 (Safeguarded Employment Land at Adanac Park); STV03.2 (Landscape Features at Adanac Park); STV03.3 (On-site Transport Measures at Adanac Park); and STV03.4 (Off-site Transport Measures at Adanac Park).

7.3 **Draft Revised Local Plan (2014)** - On the 24 July 2014 the Council approved the Revised Local Plan for submission to the Secretary of State for Examination. At present the document, and its content, represents a direction of travel for the Council. The weight afforded to it at this stage would need to be considered against the test included in para 216 of NPPF. It is considered that the Revised Local Plan does have a bearing on the determination of this application.

7.4 **Supplementary Planning Documents (SPD)** - Infrastructure and Developer Contributions SPD (February 2009); Cycle Strategy and Network SPD (March 2009); Test Valley Access Plan SPD.

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- The principle of development and sustainability;
- Highway safety and impact of additional traffic on the highway network;

- The character and appearance of the area;
- Impact upon the natural environment (inc. trees, landscape, protected species and designated European sites of ecological importance);
- Drainage and Flooding;
- Mitigating the impact of development.

Background

- 8.2 Adanac Park has a long standing association as a strategic employment site for large scale users and benefits from an extant planning permission up to 75,000 sqm of employment floorspace for Class B1 use (i.e. offices, research & development and manufacturing). With the exception of the Ordnance Survey headquarters, the site remains undeveloped with it claimed by the applicant that the permission for large scale users has failed to attract developer interest. The proposal outlined within the suite of planning applications currently under consideration is a revised approach stated to be based on market drivers for smaller and more flexible office developments and logistics space.

Principle of development

- 8.3 The site is located within an area designated as countryside within the adopted TVBLP where there is a general restraint of development unless there is a demonstrated overriding need. The principle of development has to also have regard to the long standing safeguard of Adanac Park for employment land within a series of Local Plans. This safeguard is continued within Policy STV03.1 of the adopted BLP for a high quality office, research or manufacturing development which can be brought forward in the event of an exceptional need, and where that need cannot be met elsewhere in South Hampshire on allocated or permitted employment sites. More specifically, the policy sought to provide for a single or number of large scale users where a clear corporate identity could be established. This approach is reflected within the extant outline planning permission granted in 2008 and within the later appeal decision for a hospital to the south of the Park in 2011. These planning decisions are given significant weight as material planning considerations in accepting the principle of bringing this site forward, even for the Use Class and speculative nature of the development proposed within a countryside location.

Test Valley Revised Local Plan (RLP)

- 8.4 The Revised Local Plan, whilst not yet adopted, is a further material consideration as it represents the direction of travel for the Borough. Within the RLP, it is proposed to extend the settlement boundary of Nursling and Rownhams to incorporate Adanac Park thus removing the countryside designation. Furthermore the RLP no longer safeguards Adanac Park but in fact allocates the land for 'high quality office/research/manufacturing Class B1' (and exceptionally) support facilities and also removes the restriction on the site providing for large scale users only. As such, given the planning history for the site and the emerging Local Plan as material considerations, it is deemed appropriate to bring a form of development forward at this stage.

Acceptability of a Class B8 use

- 8.5 This application seeks outline permission for Use Class B8 (Warehousing and distribution) uses on this parcel as opposed to the policy compliant use of Class B1. The proposal is therefore contrary to policy STV03.1 of the TVBLP and Policy LE6 of the RLP. Notwithstanding this, the application states that this diversification of uses sought for Adanac Park is being driven by the market, with demand for a wider form of commercial space in order to bring economic growth and new jobs, whilst also taking advantage of the accessible location to the wider highway network particularly desired by Class B8 users. It is additionally stated that the current policy framework for Adanac Park *'actively places barriers in the way of development, unless it is for a specific form of development that no longer exists in the marketplace'*.
- 8.6 In responding to this request for the inclusion of Use Class B8 at Adanac Park, the Council has sought independent commercial advice to examine the current status of the market place and to quantify the need for the alternative Use Classes sought. The advice received is stated to be less academic than that submitted within the application, is more up to date, based on active market research and also includes consideration of other competing sites omitted by the applicant. Notwithstanding this, it has been agreed that the market for business space (for offices and industrial premises) is improving with it believed that the majority of demand is for smaller scale units of 2,787 – 9,290sqm (i.e. 30,000 – 100,000 sq ft) in Classes B1, B2 and B8 use as opposed to the single large scale users. For instance, with specific reference to Class B8, it is suggested that there is no market awareness or evidence of large scale B8 requirements now that the Lidl development is under way. Whilst there is a reasonable prospect of the site being developed for Class B1 use, Adanac Park does not have the same 'credibility' as an office location as other sites in South Hampshire, despite the presence of Ordnance Survey. The lack of interest for the site has possibly been attributed to the minimum size restriction, which has since been removed within the RLP Policy LE6. It is concluded that it would be reasonable to consider favourably the alternative use sought.
- 8.7 The recommendation made to this application has been mindful of the independent commercial advice received and has balanced this advice against the requirements of the NPPF which has a strong pro-growth agenda. The proposed change in use from Class B1 (as sought through the BLP and RLP) to Classes B2 and/or B8 would result in a lower number of jobs being secured for Adanac Park as a whole due to the different spatial requirements of the associated business users. Notwithstanding this, these alternative uses will still continue to generate employment on a notable scale and support economic growth in Test Valley. This approach is consistent with the emphasis of the NPPF and, coupled with evidence that there is demand for such development; it is considered appropriate to accept the Class B8 uses sought for this parcel. The proposal is therefore recommended for permission as an exception to the Local Plan policy.

Sustainability

- 8.8 Sustainability is at the heart of the NPPF with the three dimensions to sustainable development: social, economic and environmental clearly reflected in the Council's emerging policies. Proposals that bring new development provide in turn social and economic benefits through construction, jobs and the increased spending power to an area and therefore support the provision of development on this site. The site is additionally in a highly accessible location with Nursling and Rownhams identified in the TVBC Settlement Hierarchy Paper (2014) as a 'Key Service Centre' scoring highly on access to a range of services and facilities as to enhance its sustainability. These considerations, together with the potential to incorporate ecological mitigation, weigh in favour of this site being a sustainable location appropriate for development.

Highways

- 8.9 The application is submitted in outline only with site specific highway matters (e.g. access, parking provision and layout) reserved for later consideration. Notwithstanding this, the principle of development has been considered against the Local Plan TRA policies addressing highway and transport matters and the more site specific transport policies of STV03.3 and STV03.4 for on and off site transport measures respectively. Highway matters have been considered against the cumulative impact of the suite of applications for Adanac Park as well as in relation to this particular parcel.
- 8.10 In summary, the application indicates that the access proposals for the development have been informed by discussions with the relevant Highways and local authorities. It is concluded that the traffic associated with the park wide development will be no greater than that accepted within the extant permission for Adanac Park and would generate a peak hour increase on the local highway network of "generally less than 5%". On key routes that would carry the most traffic, flows in future years are expected to "increase to around 10%" in peak hours. As with the extant permission, the current suite of applications would be expected to secure appropriate mitigation measures to reduce any likely significant effects on the highway network which may include highway improvements to the offsite network and footpath/cycleways in the form of physical provision and/or financial contributions. Such measures would be necessary to ensure that the development accords with policies TRA04 and TRA09 of the Local Plan or equivalent policies within any revised Local Plan.
- 8.11 At the time of reporting, final comments are awaited from Hampshire County Council as the local Highways Authority and also the Highways Agency given the submission of additional and amended highways information to address deficiencies within the original submission. It is nonetheless understood that this additional information is being positively viewed as addressing initial concerns raised by the Highways Agency and Hampshire County Council. The final position will be provided within the Update Paper and the recommendation to the Committee amended as required.

Parcel AP3

- 8.12 At the site level, the parameter plan accompanying the outline application suggests access via the spine road to the west or northern boundary. The position, form and detail of the chosen access will be a matter for determination at the Reserved Matters stage and determined by the resultant layout of the development parcel for the end user. The detail of the highway infrastructure at this stage will need to accord with the relevant TRA policies (or equivalent within any Revised Local Plan) concerning matters such as safe access, layout and parking standards (cars and cycles).

Impact upon the character and appearance of the area

- 8.13 In accordance with policies SET01 and DES02, consideration is required of how the development will relate to the character of the area. In this location, the character is defined by the landscaped embankment to the motorway, with this greenfield site extending eastwards towards Home Covert providing a wooded backdrop. At present, the site has an open aspect with uninterrupted views into and across the site from the existing pedestrian/cycleway. Development of this site will represent a significant alteration to this existing character; however this is an inevitable consequence of accepting this form of development in this location.

Design Principles

- 8.14 The outline application has been accompanied by a Parameter Plan which imposes site constraints for any future developer to ensure that the resultant layout, design and landscaping has regard to the overall development framework for Adanac Park. For this parcel, the parameter plan responds to the form of development proposed at this plot with the majority (81%) of the site area given over for a new building(s) and servicing. Further constraints are imposed in terms of ridge and storey heights, maximum building length and width and maximum car and cycle parking spaces. This current proposal for the plot envisages a building(s) of up to two storeys citing a maximum height of 18m which could create an unduly prominent building(s) depending upon the siting given a 5m variation in ground levels across the site with land rising from west to east. In response, a condition is attached to ensure that the maximum ridge height is measured from the lowest existing ground level to the north of the plot (14m AOD) within the proposed developable area as cited on the Landscape and Ecology Parameter Plan.
- 8.15 Whilst this concern is raised, it is recognised that the final design, massing and thus height is likely to be driven by the end user(s) and is a matter for the reserved matters stage. Nonetheless, any detailed design will need to be mindful of its siting and setting in relation to Adanac Park, the prominence on a principle route into Southampton as well as the adjacent development proposed on adjoining parcels. The applicant has additionally requested that this outline permission be tied via condition to the Development Framework and the Design and Access Statement for this parcel which stresses a commitment to “delivering a high quality development across the *whole* [Officer emphasis] of Adanac Park” comprising “attractive built form and landscape planting”. The design approach will therefore need to use scale,

form and detail to create a strong sense of place, with encouragement given to the use of quality materials and sustainable technologies. Any reserved matters submission will be considered against the relevant DES policies (or equivalent within a Revised Local Plan).

Amenity

- 8.16 Policies AME01 and AME02 consider the effect of development upon neighbouring residential amenities, addressing aspects of privacy and private open space and daylight/sunlight respectively. These policies are not restricted to the consideration of residential development only and are equally applicable to commercial development. In this instance, matters relating to privacy and amenity are to be addressed at any Reserved Matters stage once the resultant layout of the site is known.
- 8.17 The AME policies (AME03 and AME04) continue with consideration of noise, vibration and emissions to ensure that no unacceptable harm arises to property and people in the locality. The Use Classes proposed have been a cause of concern to Environmental Protection, with these uses having potential to cause disturbance to neighbouring land, which in this case includes existing and proposed residential development. In order to ameliorate the concerns, further supporting information has been received in the form of noise mitigation strategies and, subject to conditions; an initial objection raised to the application from Environment Protection has since been removed. The development, subject to accordance with these planning conditions, is deemed to be acceptable at this outline stage and accords with the AME policies of the Local Plan.

Impact upon the natural environment

Trees and landscaping

- 8.18 Policies DES01 seeks to ensure a development has regard for its landscape character with policies DES08, DES09 and DES10 also seeking the retention of existing landscape and wildlife features and encouraging hard and soft landscaping features. The need to achieve a landscaped setting for the development is also recognised within Policy STV03.2 which requires any employment development to be set in its own 'extensively landscaped grounds' with 40% of the total site area to comprise soft landscaping. This application fails to achieve this level of landscaping, with removal of scattered trees, some of which are reported to be of a moderate quality (but not protected) to the north east of the site and new planting only proposed in any substantial form to the eastern boundary given the sensitive relationship to Home Covert. No further landscaping is proposed within the main body of the site given the functional service space required to support a Class B8 use. With weight given to the RLP as a material consideration to bring forward development at Adanac Park, it is appropriate to note that the 40% soft landscaping threshold has not been carried forward into policy LE6. Therefore with no objection raised by the Landscape and Arboricultural Officers; it would be unreasonable to refuse the application against the DES policies of the Local Plan.

Ecology

- 8.19 Local Plan policies ENV01 and ENV05 seek to ensure that adverse harm does not arise upon biodiversity interests and protected species respectively, and that opportunities are sought for providing biodiversity enhancements where appropriate. This location also requires consideration against ENV04 due to the proximity of Adanac Park to both the Nursling Street and Home Covert Sites of Importance for Nature Conservation (SINC). This parcel of Adanac Park has a very sensitive relationship to Home Covert given the extent of the site area and the proximity to the SINC. This site therefore has ecological interest offering foraging and commuting opportunities for species such as bats and badgers, with an existing Oak tree likely to support roosting bats.
- 8.20 Addressing ecological matters for this outline application sits firstly within a park wide context given the ecological interrelationships between the parcels and the transient nature of fauna (in particular). The application was accompanied by a Phase 1 Habitat Survey which was supplemented with further park wide survey work and analysis to satisfy deficiencies and concerns initially raised by the HCC Ecologist. It has since been demonstrated that the current proposals for Adanac Park and also for this individual application site will not have any adverse impact upon the nearby SINC nor protected species such as birds, bats, badgers, dormouse, reptiles, invertebrates and their habitats, particularly given the retention of the woodland. This is subject however to implementation of an overarching ecological management plan for Adanac Park to address the ecological interrelationships between the various parcels, with this plan to be integrated with a landscape scheme. This approach is deemed necessary to bring continuity across the parcels that make up Adanac Park and recognises the potential for individual parcels to be developed by differing end users.
- 8.21 This particular application site also creates additional ecological constraints upon development given both the proximity to Home Covert and the significant variation in topography. Changes to this topography (e.g. from cut and fill) has potential to alter the local hydrology impacting upon the SINC and therefore any resultant reserved matters application will need to be sensitive to this as well as the proximity of any built form and external lighting to the woodland in order to maintain foraging habitats, particularly for bats. This requirement would also be complemented with measures to seek biodiversity enhancements on site (e.g. bat and bird boxes) as required by the NPPF.

Impact upon European sites of ecological importance

- 8.22 Adanac Park sits within proximity to habitats that form part of the River Test Site of Special Scientific Interest (SSSI) and the Solent & Southampton Water Special Protection Area (SPA)/RAMSAR and are afforded protection under the EC Habitats Directive 1992 effected in the UK through the Conservation of Habitats & Species (Amendment) Regulations 2011. These Regulations place a requirement upon the local planning authority as the 'competent authority' to have regard for any potential impacts that the proposal may have through undertaking a Habitats Regulations Assessment (HRA). This which forms an initial screening of whether the proposal is to have a 'likely significant effect' upon the designated site(s). If the HRA identifies a significant (adverse) effect,

then an 'Appropriate Assessment' is required before any planning permission is granted. In this instance, an HRA has been undertaken for Adanac Park (as a whole) as part of the Local Plan process given the allocation of the site for employment purposes. This has been supplemented by consultation with HCC Ecology and Natural England during the course of considering the suite of applications submitted.

- 8.23 The assessment of the development proposed for Adanac Park as a revision to the extant permission concludes that the type of development, the potential infrastructure (e.g. drainage) and effects beyond the site boundaries (e.g. traffic generation) would not adversely impact or undermine the conservation objectives of these sensitive sites. In particular, Adanac Park is not being used by overwintering birds nor will the proposed employment development increase recreational or other disturbance in areas used by overwintering or breeding birds within the boundary of the Solent and Southampton Water SPA. The TVBC HRA does assess the site as having a likely significant effect in combination with other plans or projects with respect to "potential increases in airborne pollutants potentially affecting the habitats and vegetation features" that the Solent Maritime SAC and Solent and Southampton Water Ramsar sites are designated for. This 'potential' impact however has not been recognised by Natural England at the project level for Adanac Park with no objection raised to this planning application. On this basis, the development proposals are judged to not have any 'likely significant effect' upon the integrity and conservation interests of these sensitive sites and there is no requirement to undertake any Appropriate Assessment or seek specific mitigation in relation to the development proposal.

Flood Risk, Drainage and Water Resources

Flood risk

- 8.24 Policy HAZ02 requires that development shall not give rise to any increase in flood risk to people or properties both on and off site and that provision is made for flood protection and mitigation. The Environment Agency designates the site as falling within Flood Zone 1 which has the lowest probability of fluvial flooding (i.e. 0.1% - a 1:1000 chance). The Environment Agency has therefore raised no overriding objection to the development on fluvial flood risk grounds.

Foul and Surface Water Drainage

- 8.25 Disposal of foul water generated by the development will require connection to the local public sewerage system which is a matter to be addressed through the Water Industry Act 1991. An application will therefore be required to Southern Water as the statutory undertaker and regulators of this legislation. It will then be for Southern Water to determine if any additional off-site sewers or improvements to existing sewers are required to provide sufficient capacity to serve the development. Similarly, approval from Southern Water will also be required when considering a drainage strategy for addressing surface water disposal. At this outline stage, it is suggested that surface water disposal is to be via provision of a sustainable urban drainage system (SUDS) which could mean to enable surface water to filter into the ground at source and/or possible provision of attenuation ponds to detain and store water runoff with discharge to an existing watercourse.

An approach will be sought to ensure that any installed drainage infrastructure is of sufficient capacity to service the development with surface water flows leaving the site being no greater than the existing greenfield rates. At this outline stage the proposal accords with policy HAZ02.

Water resources

- 8.26 Southern Water is additionally the statutory undertaker for the provision of a water supply to service the development. Again, such provision is a matter secured under the Water Industry Act 1991 and would provide the legal mechanism to secure additional capacity in the local network through additional off site mains or improvements to existing mains. Measures to minimise water consumption and the demand for water resources can also be secured via planning condition to ensure that the proposed development complies with policy ENV09 of the Local Plan (or equivalent within a Revised Local Plan).

Mitigating the impact of the development

- 8.27 TVBLP policies and accompanying Infrastructure SPD seek to ensure that development does not result in an adverse effect on existing infrastructure, and makes appropriate provision to mitigate such impact. It is therefore common to anticipate that development would either, by way of Obligation (legal agreement) make appropriate provision/improvements on-site or provide a financial contribution towards provision elsewhere. It has been recognised that there will be a requirement to seek mitigation measures, in particular to address transport improvements and the local highway infrastructure, ecological mitigation and landscape management but possibly also towards public art and providing opportunities for skills training. Where mitigation is sought, due consideration will be given to the three tests as set out within the Community Infrastructure Levy Regulations 2010, namely that a planning obligation must be (a) necessary to make the development acceptable in planning terms; (b) directly related to the development; and (c) fairly and reasonably related in scale and kind to the development. At the time of reporting, there is on-going discussion as to the form in which mitigation will be secured and it may be necessary to provide an update to the Committee within the Update Paper.

9.0 CONCLUSION

- 9.1 Subject to consideration of outstanding consultation responses, the principle of development is considered acceptable against material planning considerations having regard to the adopted and revised Local Plans and planning history. The nature of the development proposed would provide employment to the locality supporting the Government's agenda for economic growth whilst being positioned in an accessible location. With no adverse harm arising at this outline stage pursuant to matters of landscape, ecology and amenity which cannot otherwise be addressed through planning condition and/or agreement, the proposal is recommended for permission.

10.0 RECOMMENDATION A

Delegate to the Head of Planning Policy and Transport for the completion of satisfactory consultations from outstanding consultees and the applicant to enter into a legal agreement to secure:

- financial contributions towards transport infrastructure improvements;
- contributions towards or implementation of off site highway works;
- provision of public art;
- a biodiversity conservation and enhancement strategy (incorporating a landscape scheme and landscape/ecological management programme) to cover the Adanac Park development area as detailed in drawing APDF-P-1 Adanac Park;
- financial contribution for workforce development (skills training);
- Implementation of a Travel Plan;
- Any other requirements or amendments to the above requirements as a result of outstanding consultations;

then **OUTLINE PERMISSION** subject to conditions and notes:

1. Applications for the approval of all the reserved matters referred to herein shall be made within a period of three years from the date of this permission. The development to which the permission relates shall be begun not later than which ever is the later of the following dates:
 - i) five years from the date of this permission: or
 - ii) two years from the final approval of the said reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To comply with the provision of S.92 of the Town & Country Planning Act 1990.
2. Approval of the details of the layout, scale and appearance of the building(s), the means of access thereto and the landscaping of the site (herein after called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced.

Reason: To comply with Article 4 of the Town and Country Planning (General Development Procedure) Order 1995 (or any order revoking and re-enacting that Order).
3. The development hereby permitted shall be carried out in substantial accordance with the following approved drawings:
 - Parcel Parameter Plan (ref. AP3-P-5);
 - Areas & Dimensions by Development Parcel/Zone (ref AP3-P-2);
 - Proposed Tree and Vegetation Removals (ref AP3-P-4);

submitted as part of the application with the design principles for any Reserved Matters application also having regard to the Adanac Park Development Framework and the Design and Access Statement submitted to accompany the planning application.

Reason: To ensure a comprehensive form of development that has a consistent design approach in accordance with policy DES01 of the Test Valley Borough Local Plan (2006).
4. No development shall take place until samples and details of the materials to be used in the construction of all external surfaces hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure the development has a satisfactory external appearance in the interest of visual amenities in accordance with Test Valley Borough Local Plan 2006 policy DES07.

5. Prior to the first occupation of the building hereby permitted, the car parking spaces including disabled parking, shall be constructed, surfaced and laid out in accordance with the approved plans. The area of land so provided shall be maintained at all times for this purpose.

Reason: In the interests of highway safety and to ensure sufficient off-street parking has been provided in accordance Policy TRA02 of the Test Valley Borough Local Plan 2006.

6. At least the first 16.5 metres of the access track measured from the nearside edge of carriageway of the adjacent highway shall be surfaced in a non-migratory material prior to the use of the access commencing and retained as such at all times.

Reason: In the interest of highway safety in accordance with Test Valley Borough Local Plan 2006 policies TRA05 and TRA09.

7. Any gates shall be set back at least 16.5m metres from the edge of the carriageway of the adjoining highway.

Reason: In the interest of highway safety in accordance with Test Valley Borough Local Plan 2006 policies TRA05 and TRA09.

8. No development shall take place until a detailed scheme for external lighting arrangements has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and be maintained in accordance with these details in perpetuity.

Reason: To avoid impacts to bat commuting and foraging habitat, in accordance with Policies ENV01 and ENV05 of the Test Valley Borough Local Plan.

9. No development shall take place until a scheme has been submitted and approved by the Local Planning Authority for the provision of opportunities to enhance biodiversity within the new building(s) and/or site. The development shall be carried out in accordance with the approved details and retained thereafter.

Reason: To seek improvement to biodiversity in accordance with Test Valley Borough Local Plan policy ENV05 and the NPPF.

10. The clearance of vegetation greater than 50cm in height pursuant to facilitating the development hereby approved shall only be undertaken between September and February (inclusive). Alternatively, a competent ecologist shall undertake a pre-clearance check for occupied birds' nests and if necessary the supervising ecologist shall maintain a watching brief during vegetation clearance works. Work shall cease in any areas where occupied nests are identified and a 5m exclusion zone maintained around such nests, until such time as those nests become unoccupied of their own accord.

Reason: To avoid impacts to breeding birds in accordance with Test Valley Borough Local Plan (June 2006) policy DES09 and ENV05.

11. No development shall take place until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. The method statement shall provide for:
- parking onsite for contractors and delivery vehicles;
 - the management and coordination of deliveries of plant and materials as well as the disposing of waste resulting from demolition and construction activities so as to avoid undue interference with the operation of the public highway, particularly during the Monday to Friday AM peak (08.00 to 09.00) and PM peak (16.30 to 18.00) periods;
 - areas for loading and unloading;
 - areas for the storage of plant and materials;
 - security hoarding position and any public viewing platforms (if necessary);
 - site office location;
 - construction lighting details;
 - wheel washing facilities;
 - dust and dirt control measures;
 - a scheme for the recycling of construction waste; and
 - vegetation clearance details;

The Construction Method Statement shall include an implementation and retention programme for the facilities hereby listed. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the construction period does not have a detrimental impact upon the environment or highway safety in accordance with Test Valley Borough Local Plan policies TRA01, TRA05, ENV01, HAZ03, HAZ04, AME01, AME02, AME03, AME04 and AME05.

12. No development shall commence on site until full details of the proposed means of foul and surface water sewerage disposal have been submitted to and agreed in writing by the Local Planning Authority in consultation with Southern Water. The scheme shall subsequently be implemented in accordance with the agreed details before the first occupation unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent a negative impact from the development on the existing drainage infrastructure in accordance with Test Valley Borough Local Plan (June 2006) policy ESN30.

13. No development shall commence on site until a scheme identifying how any existing infrastructure is to be protected during the development or permanently diverted has been submitted to and agreed in writing by the Local Planning Authority in consultation with Southern Water. The scheme shall include an implementation programme of the proposed protection or diversion of the existing water mains. Works shall be carried out in accordance with the approved details and implementation programme.

Reason: To prevent a negative impact from the development on the existing water mains infrastructure in accordance with Test Valley Borough Local Plan (June 2006) policy ESN30 (Infrastructure Provision with New Developments).

- 14.** Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through oil trap gullies or petrol/oil interceptors with an overall capacity compatible with the site being drained.

Reason: To prevent the pollution of controlled waters in accordance with Test Valley Borough Local Plan policy HAZ03.

- 15.** In the event that contamination (that was not previously identified) is found at any time during construction works, the presence of such contamination shall be reported in writing to the Local Planning Authority without delay and development shall be halted on the affected part of the site until a remediation scheme for dealing with that contamination has been approved by the Local Planning Authority. The approved remediation scheme shall be implemented and, if requested, a verification report, for the purpose of certifying adherence to the approved remediation scheme, shall be submitted to the Local Planning Authority prior to the site being brought in to use.

Reason: To ensure a safe living/working environment in accordance with Test Valley Borough Local Plan 2006 policy HAZ04.

- 16.** A detailed scheme for mitigating noise from the site (“noise mitigation scheme”) shall be submitted to, and approved in writing by, the Local Planning Authority prior to commencement. The approved scheme shall be implemented prior to first use and thereafter retained, unless otherwise agreed in writing by the Local Planning Authority. The submitted scheme shall include a detailed noise assessment by a suitably qualified acoustic consultant / engineer and shall include the submission of noise mitigation proposals and proposals for any appropriate noise limits and post-commencement noise verification measures. The submitted scheme shall include the site layout, building size and orientation, position of service yard and openings, noise barriers and bunds, times of vehicle movements and deliveries, times of operation, the position and sound level of any noisy external plant and machinery and the means of minimising the impact of vehicle reversing alarms. The submitted scheme shall also include confirmation that the combined BS4142: 1997 rating level of noise associated with the industrial uses would not, as a worst case, be likely to exceed 5 dB above the background noise level at any permitted time of operation. The assessment shall be determined at the worst-affected existing or proposed residential property with planning consent (outline or full) and carried out in accordance with BS4142: 1997.

Reason: In the interests of protecting residential property from adverse levels of noise in accordance with policies AME01 and AME04 of the Test Valley Borough Local Plan 2006.

- 17. During the period of construction, no machinery shall be operated, no process carried out and no deliveries received or despatched, outside of the following times: 07.30 to 18.00 hours Monday to Friday and 08.00 to 13.00 hours on Saturdays. No such activities shall take place on Sundays, bank or public holidays.**
Reason: In the interest of the amenity of neighbouring properties in accordance with Test Valley Borough Local Plan policy AME04.
- 18. The Class B8 (Warehouse and Distribution) use hereby approved including all movements of Heavy Goods Vehicles to and from the site and all outdoor loading, unloading and mechanical goods handling operations shall only take place between the hours of 07:00 - 19:00 hours Monday to Friday, 08:00-13.00 Saturdays. No such activities shall take place on Sundays, bank or public holidays.**
Reason: In the interest of the amenity of neighbouring properties in accordance with Test Valley Borough Local Plan policy AME01 and AME04.
- 19. The height of any building(s) hereby proposed shall be measured from the lowest existing ground level of 14 AOD as illustrated on the approved Landscape and Ecology Plan (ref AP3-P-3).**
Reason: To ensure the development is not unduly prominent within the context and character of the surrounding area in accordance with policy DES06 (Scale, Height and Massing) of the Test Valley Borough Local Plan (2006).
- 20. No development shall take place until an arboricultural method statement ensuring protection to the adjacent woodland has been submitted to and approved in writing by the Local Planning Authority. All site work to be undertaken strictly in accordance with the requirements, specifications and timing detailed within the method statement. Specifically the method statement must:**

 - 12. Provide a schedule of trees to be retained within 15m of the proposed building, the schedule to include the required root protection areas as set out in British Standard 5837:2014;**
 - 13. Provide a specification for such tree protective fencing, either in accordance with the above standard or as otherwise agreed in writing with the Local Planning Authority;**
 - 14. Confirm timing of erection and dismantling of such tree protective fencing, which must in any case be erected prior to commencement of any site clearance or ground works, and be retained and maintained for the full duration of works until onset of final landscape work or as otherwise agreed in writing with the Local Planning Authority;**
 - 15. Provide a plan at 1:200 or better, detailing the location of such tree protective fencing, including annotation that such fencing shall remain in this position for the full duration of works or unless by prior written agreement with the Local Planning Authority;**

- 16. Require a sign to be hung on such tree protective fencing, repeated as necessary, which clearly states 'Tree Root Protection Area, do not enter, do not move this fence, or such other similar wording as may be agreed in writing with the Local Planning Authority;**
- 17. Provide a plan demonstrating that all trenching, excavation, soakaways, pipe and cable runs required by the development can be installed wholly outside the tree protection zones;**
- 18. Demonstrate that all necessary demolition work of existing structures (including removal of existing hard surfacing) can be achieved without the processes impacting upon any retained trees or the required tree protection zones;**
- 19. Demonstrate that all proposed structures can be built without the construction process impacting upon the retained trees or required tree protection zones;**
- 20. Demonstrate that all site works, mixing areas, storage compounds, site buildings and associated contractor parking areas remain wholly outside any tree protection zones and at a suitable separation to prevent damage to retained trees;**
- 21. Provide details of any specific precautions to be adopted where scaffolding may be required to be erected within the required minimum distances in line with British Standard 5837:2014;**
- 22. Provide a schedule of all tree felling and tree surgery works proposed, including confirmation of phasing of such work.**

Reason: To prevent the loss during development of trees and natural features and to ensure so far as is practical that development progresses in accordance with current best practice and in accordance with the Test Valley Borough Local Plan Policy DES 08.
- 21. No development shall take place until details of the Home Covert ecological buffer, including initial implementation and on-going management, shall be submitted to and approved in writing by the Local Planning Authority. This buffer is to be fenced and protected with no works or level changes within the buffer strip. Development shall subsequently proceed in accordance with any such approved details, with such features being permanently maintained in accordance with the approved details.**

Reason: To conserve and enhance biodiversity, including with respect to legally protected species and Home Covert SINC, in accordance with Policies ENV01, ENV04 and ENV05 of the Test Valley local plan.
- 22. No development shall take place until a detailed scheme for the construction of any retaining wall between the operational area of the site and the adjacent Home Covert Site of Importance for Nature Conservation (SINC) shall be submitted to and approved in writing by the Local Planning Authority. Development shall subsequently proceed in accordance with any such approved details.**

Reason: To avoid impacts to Home Covert SINC, in accordance with Policy ENV04 of the Test Valley local plan.
- 23. Any other conditions required from the completion of consultations.**

Notes to applicant:

- 1. In reaching this decision Test Valley Borough Council (TVBC) has had regard to paragraphs 186 and 187 of the National Planning Policy Framework and takes a positive and proactive approach to development proposals focused on solutions. TVBC work with applicants and their agents in a positive and proactive manner offering a pre-application advice service and updating applicants/agents of issues that may arise in dealing with the application and where possible suggesting solutions.**
- 2. The developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development. Please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel 0330 303 0119).**
- 3. Permission is required under the Highways Act 1980 to construct/alter/close a vehicular access. Please contact the Head of Highways (West) Hampshire County Council, Jacobs Gutter Lane Hounslow, Totton, Southampton, SO40 9TQ. (02380 663311) or highways-transportwest@hants.gov.uk at least 6 weeks prior to work commencing.**
- 4. The development hereby permitted shall be carried out and completed strictly in accordance with the submitted plans, specifications and written particulars for which permission is hereby granted or which are subsequently submitted to, and approved in writing by, the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.**
- 5. Please ensure that all development/works complies with the approved plans. Any changes must be advised and agreed in writing with the Local Planning Authority before they are carried out. This may require the submission of a new planning application. Failure to do so may result in enforcement action/prosecution.**
- 6. Birds nests, when occupied or being built, receive legal protection under the *Wildlife and Countryside Act 1981* (as amended). It is highly advisable to undertake clearance of potential bird nesting habitat (such as hedges, scrub, trees, suitable outbuildings etc.) outside the bird nesting season, which is generally seen as extending from March to the end of August, although may extend longer depending on local conditions. If there is absolutely no alternative to doing the work in during this period then a thorough, careful and quiet examination of the affected area must be carried out before clearance starts. If occupied nests are present then work must stop in that area, a suitable (approximately 5m) stand-off maintained, and clearance can only recommence once the nest becomes unoccupied of its own accord.**
- 7. Where a SUDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority to satisfy the requirements of Condition 12 should:**
 - Specify the responsibilities of each party for the implementation of the SUDS scheme;**

- Specify a timetable for implementation
 - Provide a management and maintenance plan for the lifetime of the development. This should include the arrangements for adoption by any public authority or statutory undertaken and any other arrangements to secure the operation of the scheme throughout its lifetime.
8. Any other notes required from the completion of consultations.

11.0 ALTERNATIVE RECOMMENDATION B

In the event that an un-resolvable objection is received from any outstanding consultations then delegate to Head of Planning Policy and Highways for REFUSAL for the following reasons:

1. In the absence of a legal agreement to secure improvements to local highway infrastructure, the proposal would result in an unmitigated form of development on the local highway and transport infrastructure serving the area to the detriment of both existing and future highway users. The proposal is contrary to policies TRA04 (Financial Contributions to Transport Infrastructure) and TRA09 (Impact on the Highway Network) of the Test Valley Borough Local Plan 2006 and the Infrastructure and Developer Contributions Supplementary Planning Document (2009).
 2. In the absence of a legal agreement to secure the provision of proportionate financial contributions towards the provision of public art and up-skilling opportunities for the local workforce and apprenticeships in the construction industry directly related to the development the proposal is contrary to policy ESN30 (Infrastructure provision within new development) of the Test Valley Borough Local Plan 2006 and the adopted Test Valley Borough Council Infrastructure and Developer Contributions Supplementary Planning Document (2009).
 3. In the absence of securing a biodiversity conservation and enhancement strategy (incorporating a landscape scheme and landscape/ecological management programme) to cover the Adanac Park development area as detailed in drawing APDF-P-1 Adanac Park, the proposal is likely to have an adverse effect upon protected species and the Great Covert Site of Importance for Nature Conservation contrary to policies DES09 (Wildlife and Amenity Features), DES10 (New Landscape Planting), ENV01 (Biodiversity and Geological Conservation), ENV04 (Sites of Importance for Nature Conservation) and ENV05 (Protected Species) of the Test Valley Borough Local Plan.
 4. In the absence of securing noise mitigation measures for the construction and operation of the site, the development is likely to have an adverse effect upon residential properties in the local area. The proposal is therefore contrary to Policy AME01 (Privacy and Private Open Space) and AME04 (Noise and Vibration) of the Test Valley Borough Local Plan (2006).
 5. Any other reasons required from the completion of consultations.
-

APPENDIX B

Officer's Update Report to Southern Area Planning Committee – 28 October 2014

APPLICATION NO.	14/00133/OUTS
SITE	Land West of Home Covert, Nursing Street, Nursling, NURSLING AND ROWNHAMS
COMMITTEE DATE	28 October 2014
ITEM NO.	8
PAGE NO.	56-96

1.0 CONSULTATIONS (in summary)

1.1 HCC Highways – No objection

Access

- Means of access is not a matter for consideration although the Transport Assessment includes a proposed improvement of Adanac Drive at its junction with Brownhill Way;
- This involves lane widening to provide for the use of two right turning lanes which has been subject of a Concept Design Check and is acceptable.

Traffic Impact

- The Transport Assessment assesses the cumulative impact of ten separate applications within, and adjacent to, Adanac Park and compare the impact of the extant permission;
- The vehicular trip generation for the AM (8.00-9.00.00hrs) and PM (17.00-18.00hrs) peaks have been agreed with an AM peak of 43 trips in and 23 out and a PM peak of 39 trips in and 47 out;
- HGV movements are forecast to increase but overall the separate applications (AP1-AP10) are forecast to generate less vehicular trips than the extant permission by 200 in the AM peak and 188 in PM peak;
- In a scenario where the extant permission is implemented rather than AP1-AP6 then the full traffic generation envisaged would be realised;
- It is agreed that the proposed development (AP3) will not generate a greater level of traffic than that currently considered.

Highway Review

- The same transport contributions and improvements required for the extant outline permission are required for this current suite of applications;
- These works cover the dualling of Brownhill Way, upgrading of M271 J1, works at Test Lane roundabout, a Toucan crossing on Brownhill Way and the M27 J3 works and are to be secured by a S106 agreement;
- Require a highway contribution, Controlled Parking Zone contribution, Second Bus Service contribution, Lordshill Roundabout contributions and Redbridge Flyover/Gover Road contribution and are to be secured by a S106 agreement.

Travel Plan

- An Over-arching Framework Travel Plan is proposed for the site as a whole;
- A Framework Travel Plan was submitted, and revised in line with the HCC Guidance on Development Related Travel Plans. Issues initially raised have now been addressed;

- The Travel Plan will need to be secured.

Personal Injury Accidents (PIA)

- Additional information submitted identifies PIA clusters including the M27 J3 and M271 J1 with queuing being the main contributory factor;
- Scheduled improvements are likely to reduce queuing at these junctions;
- A PIA cluster at Romsey Road south of Brownhill Way with measures proposed to mitigate this problem. Southampton City Council is the highway authority responsible for another cluster onto Lordshill roundabout.

Highways Agency – Directs conditions to be attached to any planning permission granted.

HCC Archaeology – No objection

- Would endorse the Archaeological Assessment submitted with the application but feel that the archaeological potential is higher than articulated in the report;
- The mitigation section is a little weak in its reliance on the LPA's archaeologist but endorse the need for a preliminary archaeological survey. The results of that survey will identify the location, extent, character and significance of archaeological remains and inform the mitigation strategy;
- The archaeological potential of the landscape is higher than the report gives credit;
- Urge the applicant to address this preliminary archaeological survey as early as possible so that archaeological issues arising can be addressed in a timely manner.

TVBC Highways

Amendment to comments on page 61 under the heading 'AP3', first bullet point to read:

- Causal parking in turning areas should be discouraged with this extended to Adanac Drive and any extension thereof.

2.0 REPRESENTATIONS

2.1 Nursling and Rownhams Parish Council

Replacement of '*Further comments*' (which relate to AP1 in error) with the following:

Objection on the following grounds:

- Contrary to BLP and emerging Local Plan because it is not high quality development required against policy STV03.1;
- Environmental issues with the development being so close to housing and Home Covert;
- This application together with 9 further applications for Adanac Park, proposed development in Redbridge Lane and the Lidl distribution centre are estimated to produce a further 14,500 vehicle movements per day on top of what is considered already overloaded stretches of highway (M27, M271 and Brownhill Way).

Comments received from the Parish Council on 27 October 2014 (in summary):

Objection reinforced with additional points as follows:

- A building of 18.7m in height within AP3 would be over twice the height of

houses within AP1 and overbearing. Policies DES05 and DES06 apply.

- Existing housing in Nursling plus potential housing within AP1 will be downwind of general industry class B2/B8 within AP3 and subject to any smells, noise and dust. Policies AME01, AME04 and AME05 apply;
- If AP3 is approved, any noise protection scheme should also incorporate other areas than the proposed development at AP1 including lower Nursling Street, Cranmer Drive, lower end of Winstanley Road, Hillyfields and if approved, Bargain Farm;
- Should AP3 receive consent, the operating times be conditioned so that works are restricted to no wider than 0730 - 1800 hrs Monday to Friday and 0800 - 1300 hrs on Saturdays, with no work on Sundays or Public Holidays, unless otherwise agreed with the Local Planning Authority;
- Ensure that Skills Training must be applicable to Test Valley residents.

Letter of support from ‘Business South’ (comments in summary)

- Business South is a premier business engagement organisation which unites business leaders to drive economic prosperity, with the aim of making the region a great place to work, invest, study, live and enjoy;
- In early October a private sector led consortium promoted the Southampton/ Portsmouth region at a MIPIM UK Property event promoting major development opportunities the region can offer for investors, developers and businesses;
- Adanac Park was amongst the potential sites promoted;
- Aware of the need for more high quality distribution and storage facilities to meet increasing demand;
- Business South is keen to support the vision within the masterplan for Adanac;
- Welcome the increased jobs the proposed development plans will bring and endorse the proposals that will see the opportunity contained in this site fully realised.

Single letter of objection from 3no Redbridge Ward Councillors (in summary)

- A joint submission was made for the Lidl warehouse as we want sustainable jobs and sustainable development. Believe that residents should benefit at the same time as suffering the costs of this proposal on their lives;
- Views on the Lidl development have not changed and are consistent with views on these outline applications;
- Significant number of people objected to the Lidl application, particularly those closest to the site on Lower Brownhill Road, in the cottages to be demolished and at the northern end of Mansel Road West. Holy Family Primary School also objected;
- Object on noise and pollution;
- Object on increased traffic which is already heavy on Lower Brownhill Road, Brownhill Way and the local junctions. Closure of Redbridge Lane has increased traffic on other routes;
- 15,500 more journeys will make things worse;
- Provision must be made to protect species (e.g. slow worms) and biodiversity already threatened by the Lidl development;
- Translocation of wildlife to one location will be sufficient to save them;

- Significant visual impact on residents with trees taking time to grow to block this huge unsightly building;
- Negative impact on house prices;
- Overlooking;
- Safety of children at the school with picking up and dropping off of children;
- Impact of a restaurant on the trade of four pubs in Redbridge Ward;
- The applications must make a significant contribution towards public transport;
- No application on a park and ride is forthcoming which has been waited for by staff at Southampton General Hospital and local residents;
- The applications must properly consider cycling and pedestrians as green space will be negatively affected;
- Ask that BREEAM excellent standards are applied to all developments. TVBC does not have such a policy and it is asked that one is brought in;
- All buildings should also have renewable energy and encourage renewables;
- Consideration should be given to employing local people and apprentices, and developing local skills and training – including people of Redbridge Ward;
- Lack of formal consultation of Ward Councillors by Southampton City Council (SCC) planning officers;
- A submission was made by SCC without considering Ward Councillor views as determined by the SCC Scheme of Delegation. Request the SCC Scheme of Delegation be reviewed.

3.0 RECOMMENDATION

3.1 Amended recommendation with respect to the 2nd, 4th and 6th bullet points to read as cited below:

- **Approval and construction of off site highway works;**
- **A biodiversity conservation and enhancement strategy (incorporating a landscape scheme and implementation programme and a landscape/ecological management programme) to cover the Adanac Park development area as detailed in the drawing APDF-P-1 and as amended by drawing AP6-P-5 (Rev 2.0) 'Parcel Parameter Plan' for planning application reference 14/00141/OUTS received on the 17th September 2014;**
- **To secure a Travel Plan and associated set-up, monitoring fees and bond.**

Additional conditions

- 23. No development shall take place (including site clearance within the application site/area indicated red), until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological work, in accordance with a written brief and specification for a scheme of investigation and mitigation, which has been submitted by the developer and approved in writing by the Local Planning Authority.**
Reason: The site is potentially of archaeological significance in accordance with Test Valley Borough Local Plan 2006 policy ENV11.
- 24. The addition of any relevant highway planning conditions from the extant planning permission (07/02872/OUTS) for Adanac Park that remain relevant to this decision.**

Amendment to condition

- 11. To include a requirement for consultation to the Highways Agency on behalf of the Secretary of State.**
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