

## ITEM 7

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<b>APPLICATION NO.</b>	14/00138/FULLS
<b>APPLICATION TYPE</b>	FULL APPLICATION - SOUTH
<b>REGISTERED</b>	30.01.2014
<b>APPLICANT</b>	The Trustees Of The Barker Mill Estates
<b>SITE</b>	Bargain Farm, Frogmore Lane, Nursling, SO16 0XS, <b>NURSLING AND ROWNHAMS</b>
<b>PROPOSAL</b>	Re-development of the farmstead areas to include a defined curtilage for the listed building and associated farm, demolition of other structures and the erection of 23 residential units (C3), together with associated works including drainage, vehicular accesses, car parking and landscaping.
<b>AMENDMENTS</b>	Amended plans – 12 August and 6 October 2014; Additional/amended Information – 12 & 15 August, 9 September.
<b>CASE OFFICER</b>	Miss Fitzherbert-Green

Background paper (Local Government Act 1972 Section 100D)

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### 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 CONSULTATIONS

- 2.1 Crime Design Officer – no comments received at the time of writing

### 3.0 REPRESENTATIONS

- 3.1 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.

3.2 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 that 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.

#### 4.0 **PLANNING CONSIDERATIONS**

- 4.1 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 – 6: Mitigation measures**

- 4.2 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. These reasons for refusal were presented to SAPC and not amended by the Committee resolution and therefore do not require further consideration within this report.

**Reason 7: Retention of employment Land**

- 4.3 The site is located within designated countryside as outlined within Policy SET03 of the Local Plan which allows for development providing that there is an overriding need for the proposal as appropriate to the countryside or as set out in further Local Plan policies. The principle of this development conflicts with these criteria, however needs to also be weighed against other material planning considerations. One such consideration is the overall housing land supply provision within Southern Test Valley having regard to the requirements of the NPPF (para 14 and 49). The recommendation put to SAPC had regard to a HLS shortfall in Southern Test Valley as a departure to the adopted Local Plan, with this proposal contributing towards this position.
- 4.4 Notwithstanding the adopted Local Plan, Members raised concern to this proposal against the allocation of the site in the draft Revised Local Plan (RLP) policy LE5 (Land at Bargain Farm, Nursling) for Class B1 and Class B2 employment across approximately 2.0 hectares. Supporting text to the RLP Local Economy chapter (Table 9) makes an assumption that the site would potentially accommodate 6,000sqm of Class B1 and 2,000sqm of Class B2 floorspace (8,000sqm in total). Policy T3 of the RLP identifies the remaining southern part of Bargain Farm for a park and ride facility across approximately 3.0 hectares.
- 4.5 The land allocated for employment within Policy LE5 encompasses not just Bargain Farm, but also land south of this site including part of the application site for the parcel known as AP7 (ref. 14/00147/OUTS). Members of SAPC resolved to grant permission for that application, which comprises up to 12,941sqm of Class B1 and/or Class B2 floorspace at Bargain Farm on a site area of 3.37 hectares. Both the site area and the amount of employment floorspace proposed is in excess of that put forward in the proposed allocation (Policy LE5) and is a material consideration. Although the site orientation is different to that envisaged by the policy, the housing proposed on just 0.99ha to the northern part of Bargain Farm would not prejudice the provision of the quantum of Class B1 and Class B2 employment on Bargain Farm (as a whole), as proposed in the RLP.
- 4.6 The remaining part of Bargain Farm (3.7 hectares) to the east of this application site and also to the east of the application site for 14/00147/OUTS would in principle provide an alternative location for the proposed park and ride facility to be readdressed through the Local Plan process and any subsequent planning application. This park and ride provision at Bargain Farm as a whole (as proposed in the RLP Policy T3) and as secured within Bargain Farm for five years under the S106 agreement for Lidl to the south of Brownhill Way (ref 11/00138/FULLS), would also not be prejudiced by this application for housing.

**Reason 8: Site Layout**

- 4.7 Members of SAPC raised two concerns to the site layout, the first being that the layout does not present a scheme that positions car parking spaces to relate most conveniently to residential properties. In first addressing this issue, the site layout has been designed to have regard to the site constraints comprising the available area, the position of the Grade II listed dwelling and its adjacent barn of heritage interest, and also mature trees on the site of amenity value. The remainder of the land has provided a layout that accommodates the properties and the required overall level of parking against the local plan policy TRA02. The parking is arranged either on driveways and garages within the curtilages, in a car barn or within a parking court. Whilst not all parking is immediately adjacent to the individual numbered property, such as being to the rear of a garden or to the side of neighbouring dwellings, it is nonetheless accessible. For instance, those parking spaces to the rear of gardens (e.g. plots 20, 22 and 23) have been provided with access within the garden boundaries in order to remain convenient. It remains that only plots 2 and 4 do not have their parking immediately adjacent, but there is no requirement within policy T2 of the RLP that requires parking to be immediately abutting its respective property. The parking for these plots remains close by and therefore it would be unreasonable to refuse the development on this ground.
- 4.8 The second concern of Members related to the level of passive surveillance available to parking spaces to reduce opportunities for crime and anti-social behaviour. In accordance with Policy CS1 (Community Safety), the development has been designed to provide natural surveillance across the public domain, whether this be from primary or secondary windows at either ground or first floor levels. The site layout also provides clear distinctions between public and private areas with only visitor spaces positioned on the street. Whilst SAPC have made a resolution against this policy of the RLP, Members are made aware that there have been objections received to its wording which will need to be considered when attributing weight to its draft format. The development is considered to be laid out as to provide for appropriate parking without demonstrable harm to highway safety or the potential for crime and it would be unreasonable to refuse the development on the grounds cited in reason for refusal number 8.

**Reason 9: Public Open Space**

- 4.9 Members of SAPC considered the development against policy ESN22 of the Local Plan but gave particular weight to the RLP policy LHW1 which seeks an increase in POS provision in relation to residential development for the inclusion of allotments. Again, there are objections to this Policy of the RLP in relation to this proposed increase in overall POS provision therefore limited weight can be applied to the policy for development management purposes. Therefore, Members attention is directed to the adopted local plan policy of ESN22 with the applicant to secure the appropriate level of POS through a financial contribution which would be put towards projects identified by the Parish within the Ward for which the development sits. On the grounds that policy ESN22 is met, it would be unreasonable to refuse the application against the terms of a policy to which limited weight can be attributed.

**Reason 10: Setting of Bargain Farmhouse**

- 4.10 The final concern of SAPC was that the development had not been designed as to enhance the setting of Bargain Farmhouse as a Grade II listed building by virtue of the proximity of the new dwellings. The NPPF and Policy ENV17 require that consideration be given to the relationship of new development to heritage assets to ensure that no adverse harm arises to their special character or appearance. Of interest on this site is the Grade II listed building of Bargain Farmhouse and its adjacent barn as a heritage asset. These buildings are to be retained and refurbished as per the listed building consent granted for the development by SAPC in October 2014.
- 4.11 The new development proposed in proximity to Bargain Farmhouse has been considered by Officers to improve the setting by removing the existing unsympathetic agricultural additions and provides properties that are designed to respect the scale, design and proportions of the listed building. The siting of these properties sit no closer to the dwelling than existing agricultural structures on the site and with separation provided to the listed building both to the east, west and rear, the significance and setting of this property is considered to be publicly enhanced. Notably, Bargain Farmhouse will remain as a focal point within the site and a feature of interest in the street scene therefore it is not considered that the development will reduce the ability to appreciate this heritage asset in its surroundings. Whilst the setting to this property will change, the overall proposal is deemed to be in the public benefit by bringing additional residential properties in conjunction with the formalisation of a landscaped private curtilage for the enjoyment of the occupiers. With no objection received from Design and Conservation to this proposal, it is considered that the development accords with the Test Valley Borough Local Plan 2006 policy ENV17 (Settings of Conservation Areas, Listed Buildings) and the Revised Local Plan DPD 2011 – 2029 (Regulation 22 Submission – July 2014) policy E9 (Heritage).

5.0 **CONCLUSION**

- 5.1 In considering the matters of principle and design, it is considered that the development is of a scale and form that creates no adverse harm to the character and appearance of the area, highway safety or to the setting of the listed building. The proposal is therefore deemed to accord with the policies of the Development Plan and 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.

6.0 **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:**

7. The proposed development is contrary to the provisions of the Test Valley Revised Local Plan DPD 2011 – 2029 (Regulation 22 Submission – July 2014) policies LE5 (Land at Adanac Park) and LE10 (Retention of Employment Land and Strategic Employment Sites) which provides for the land to be for employment uses only, with insufficient evidence submitted to demonstrate that the site is not required to meet the economic development needs of the area.

8. The proposed development does not present a site layout which has been designed to appropriately locate parking spaces that are the most convenient for the occupiers of the respective properties and/or do not benefit from sufficient levels of passive surveillance to reduce opportunities for crime and anti-social behaviour. The development is therefore contrary to the Test Valley Revised Local Plan DPD 2011 – 2029 (Regulation 22 Submission – July 2014) policies CS1 (Community Safety) and Policy T2 (Parking Standards).
9. The proposed development does not provide for net areas of onsite public open space as an integral part of the design and layout to enable residents to have access to local recreation opportunities. The development is therefore contrary to the Test Valley Borough Local Plan 2006 policy ESN22 (Public Recreational Open Space Provision) and the Revised Local Plan DPD 2011 – 2029 (Regulation 22 Submission – July 2014) policy LHW1 (Public Open Space).
10. The proposed development has not been designed and laid out as to make a positive contribution to enhancing the setting of Bargain Farmhouse as a Grade II listed building. The close proximity of new residential development will result in harm to the significance of this designated heritage asset which is not outweighed by the benefits of the development and will reduce the ability to appreciate this heritage asset in its surroundings. The development is therefore contrary to the Test Valley Borough Local Plan 2006 policy ENV17 (Settings of Conservation Areas, Listed Buildings) and the Revised Local Plan DPD 2011 – 2029 (Regulation 22 Submission – July 2014) policy E9 (Heritage).

## **7.0 RECOMMENDATION OF THE HEAD OF PLANNING POLICY AND TRANSPORT**

**Delegate to the Head of Planning Policy and Highways for**

- the completion of an Appropriate Assessment of the proposals against the conservation objectives of the New Forest National Park and the Solent and Southampton Water Special Protection Area as required by the Conservation of Habitats and Species Regulations 2010 (as amended);
- Completion of outstanding consultation responses and resolution of any issues arising;
- Completion of S106 agreement to secure:
  - Affordable housing;
  - Financial contribution towards public recreational open space;
  - Financial contribution towards transport infrastructure;
  - Financial contribution toward the Solent Disturbance Mitigation Project (SDMP) and towards the New Forest National Park in accordance with the New Forest Interim Mitigation Framework;
- Any other mitigation required from the completion of consultations;
- Not to implement the extant outline permission (07/02872/OUTS) in conjunction with this application (14/00138/FULLS) without further Transport Assessment work being completed and agreed with Hampshire County Council as the Highway Authority;
- Approval and construction of off site highway works;
- To secure a Travel Plan and associated set-up, monitoring fees and bond.

then PERMISSION subject to conditions & notes:

1. The development hereby permitted shall be begun within three years from the date of this permission.  
Reason: To comply with the provision of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. Notwithstanding the details included within the application, 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.
3. No development shall take place until an arboricultural method statement 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.

- 4. No development shall take place until a tree planting statement 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 tree planting statement must:**
  - a) Provide a schedule of trees to be planted, specifying tree species and size at time of planting;**
  - b) Provide a specification for each tree planting pit, to include the size and volume of the tree pit, loosening of pit floor and sides, method of support/guying, specification of back fill, depth of planting, detail of included irrigation or drainage infrastructure (if any), detail of surface finish;**
  - c) Confirm timing of planting and provide future maintenance schedule sufficient to secure tree establishment to independence in the landscape;**
  - d) Provide a plan at 1:200 or better, detailing the location of and full extent of each tree pit, tree planting location and all tree root barriers (if any) necessary to prevent damage or disruption to any proposed or existing hard surfacing, built structure or underground service, drain or other infrastructure;**
  - e) Provide a plan at 1:200 or better, detailing the location of all street lighting sufficient to demonstrate how street lighting is to be achieved without conflict with proposed tree planting, with allowance for reasonable growth.**

**Reason:** To ensure continuity of tree cover in the interests of the amenities of the development and in accordance with Policy DES08 of the Test Valley Borough Local Plan.

- 5. Prior to the commencement of the development, a detailed scheme for protecting the approved dwellings from noise (“noise protection scheme”) shall be submitted to and approved in writing by the Local Planning Authority. The agreed noise protection scheme shall be implemented prior to the first occupation of the dwelling(s) concerned and retained thereafter to the satisfaction of the local planning authority. The submitted scheme shall include design and construction requirements to ensure that the sound insulation performance of the structure and the layout of the dwellings are such that the indoor ambient noise levels do not exceed the values as detailed in Table 4 of BS 8233:2014 with windows closed. If when windows are open the indoor ambient noise levels would exceed the values as detailed in Table 4 of BS 8233:2014, the scheme shall also detail proposals for the provision of suitable alternative means of ventilation for the purpose of ensuring both adequate ventilation and an acceptable indoor noise environment when windows are closed. Additionally, the scheme shall include layout and design measures necessary to control external noise levels in private gardens and other outdoor amenity spaces, achieving outdoor noise levels no higher than the upper WHO guideline level of 55 dB(A) for the daytime, so far as reasonably practicable. In the event that the neighbouring land parcel (referred to as AP7 and which is the subject of planning consent 14/00147/OUTS or any other ) is permitted for B2 use, then the scheme shall also include measures for protecting the approved dwellings from industrial noise and confirmation that the combined BS4142: 1997 rating level of noise associated with the neighbouring industrial uses would not be likely to exceed a level of more than 5 dB above the background noise level at any time during permitted operating hours. The industrial noise assessment shall be determined at the worst-affected residential property 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.
- 6. No development shall take place (other than any approved demolition and site clearance works) until an assessment of the nature and extent of any contamination and a scheme for remediating the contamination has been submitted to and approved in writing by the Local Planning Authority. The assessment must be undertaken by a competent person, and shall assess the presence of any contamination on the site, whether or not it originates on the site. The assessment shall comprise at least a desk study and qualitative risk assessment and, where appropriate, the assessment shall be extended following further site investigation work. In the event that contamination is found, or is considered likely, the scheme shall contain remediation proposals designed to bring the site to a condition suitable for the intended use.**

**Such remediation proposals shall include clear remediation objectives and criteria, an appraisal of the remediation options, and the arrangements for the supervision of remediation works by a competent person. The site shall not be brought in to use until a verification report, for the purpose of certifying adherence to the approved remediation scheme, has been submitted to and approved in writing by the Local Planning Authority.**

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

- 7. 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.**

- 8. No development (including demolition) 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 dwellings 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.**

- 9. 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.**

- 10. Notwithstanding the details contained within the Landscape General Arrangement Plan (dwg INCLA\_S146.L04 Rev 1) and the Landscape Planting Plan (dwg INCLA\_S146.L05 Rev 01), no development shall take place until full details of a scheme of hard and soft landscape works for a site layout consistent with the site layout approved including planting plans;**

written specifications (stating cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities and an implementation programme has been submitted to and approved in writing by the Local Planning Authority. These details shall also include; proposed finished levels or contours; means of enclosure and hard surfacing materials (where appropriate). The landscape works shall be carried out in accordance with the approved scheme and the implementation programme.

Reason: To improve the appearance of the site and enhance the character of the development in the interest of visual amenity and contribute to the character of the local area in accordance with Test Valley Borough Local Plan 2006 policy DES10.

11. No development shall take place until a schedule of landscape maintenance for a minimum period of 10 years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements and programme for its implementation. Development shall be carried out in accordance with the approved schedule.

Reason: To ensure that the works undertaken maintain the appearance of the site and enhance the character of the development in the interest of visual amenity and contribute to the character of the local area in accordance with Test Valley Borough Local Plan 2006 policy DES10.

12. During the period of demolition and 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.

13. No development (including demolition) 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.

14. Prior to the first occupation of any dwelling 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.

15. No development (including demolition) 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.

16. No development (including demolition) 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.

17. No development shall commence on site until a scheme identifying how 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).

18. No development shall commence on site until a revised site layout plan is submitted and approved in writing by the Local Planning that shows the pedestrian access to Redbridge Lane increased in width to 3m to enable use also by cyclists.

**Reason:** In the interests of encouraging the use of alternative modes of transport in accordance with policy TRA01 of the Test Valley Borough Local Plan (June 2006).

19. Prior to the commencement of development the access shall be constructed with the visibility splays of 2.4m by 43m by 1m and maintained as such at all times. Within these visibility splays, notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) no obstacles, including walls, fences and vegetation, shall exceed the height of 1 metre above the level of the existing carriageway at any time.

**Reason:** In the interest of highway safety in accordance with Test Valley Borough Local Plan 2006 policy TRA09.

20. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) no access, other than that shown on the approved plan(s), shall be formed to the site.

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

21. At least the first 6m metres of the access track measured from the nearside edge of the carriageway of Frogmore Lane 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.

22. 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.

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. No development shall commence until such time as the highway works as illustrated on drawing 4624.007 have been submitted to and approved in writing by the Local Planning Authority. These works shall be constructed prior to the first occupation of the properties hereby permitted.**

**Reason:** In the interests of highway safety in accordance policies TRA02 and TRA05 of the Test Valley Borough Local Plan 2006.

- 25. All external doors and windows are to be set back a minimum of 75mm within their openings.**

**Reason:** 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.

- 26. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the buildings are occupied. Development shall be carried out in accordance with the approved details.**

**Reason:** To ensure that the works undertaken maintain the appearance of the site and enhance the character of the development in the interest of visual amenity and contribute to the character of the local area in accordance with Test Valley Borough Local Plan 2006 policies DES10 and AME01.

**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).**

**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](mailto:highways-transportwest@hants.gov.uk) at least 6 weeks prior to work commencing.**

3. 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.
  4. 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.
  5. 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.
  6. The applicant is advised that details submitted pursuant to conditions 08 and 10 have regard to the over-arching biodiversity conservation and enhancement strategy for Adanac Park as an adjacent land use.
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## **APPENDIX A**

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

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<b>APPLICATION NO.</b>	14/00138/FULLS
<b>APPLICATION TYPE</b>	FULL APPLICATION - SOUTH
<b>REGISTERED</b>	30.01.2014
<b>APPLICANT</b>	The Trustees Of The Barker Mill Estates
<b>SITE</b>	Bargain Farm, Frogmore Lane, Nursling, SO16 0XS, <b>NURSING AND ROWNHAMS</b>
<b>PROPOSAL</b>	Re-development of the farmstead areas to include a defined curtilage for the listed building and associated farm, demolition of other structures and the erection of 23 residential units (C3), together with associated works including drainage, vehicular accesses, car parking and landscaping.
<b>AMENDMENTS</b>	Amended plans – 12 August and 6 October 2014; Additional/amended Information – 12 & 15 August, 9 September.
<b>CASE OFFICER</b>	Miss Fitzherbert-Green

Background paper (Local Government Act 1972 Section 100D)

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#### **1.0 INTRODUCTION**

- 1.1 The application is presented to the Southern Area Planning Committee (SAPC) in accordance with the Officer Code of Conduct and as a departure from the Development Plan.

#### **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 0.99 hectare site (referenced as AP8) positioned to the south of Frogmore Lane and contains the farmstead of Bargain Farm. The farm contains a number of permanent and semi-permanent buildings (e.g. sheds, polytunnels, barns) arranged predominately to sit south of Bargain Farmhouse, a Grade II listed building dating to the 17<sup>th</sup> century. Within immediate proximity to the farmhouse is a storage barn which is in poor condition. Vehicular access to the site is primarily via Frogmore Lane with a secondary access from the former Redbridge Lane.

### 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 parcels subject to outline permission and reference to those applications seeking full planning permission. 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 application seeking full planning permission for the redevelopment of the farmstead with the erection of 23 dwellings set within a cul-de-sac, with vehicular access taken from Frogmore Lane. The highway extends south into the site where it then takes a 90 degree bend to continue west and culminating in a pedestrian/cycle access to Redbridge Lane. Properties are arranged to front this highway which has a further spur serving two units which are orientated to front Frogmore Lane which again culminates in a pedestrian link that connects to Hillyfields. Central to the site is the retention of an existing oak tree which is to form a focal point to the street scene with this tree to be set within a 'Green', with a second green set adjacent to Frogmore Lane. A further landscape feature is provided to the north east corner with retention of two high quality oak trees set within a landscaped enclosure.

3.3 The proposed dwellings comprise a mix of one bed apartments through to two, three and four bedroom dwellings over a maximum of two storeys. A mix of property designs are proposed in order to create visual interest together with use of brickwork, render and timber cladding in the facing elevations and siting under clay tile and slate roofs.

All dwellings are provided with off street parking set within driveways and/or garaging to the side or rear. During the course of the application, the proposal has been amended to re-site the pedestrian link to Frogmore Lane, to correct inconsistencies/errors in the drawings and provide revised elevations for plots 20 and 21 to address initial concerns raised by the Design and Conservation Officer.

- 3.4 The application has been accompanied by an Environmental Statement, a Design and Access Statement, Economic Report, Noise Mitigation Report, Ecological Assessment, Planning Supporting Statement, a Development Framework, a Landscape Concept Strategy and a Statement of Community Involvement.

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**

- Site lies within the countryside (SET03) and the Nursling-Southampton Local Gap (SET05) and is contrary to these policies. Weight should be given to more recent material planning considerations;
- The Council has proposed that the existing local gap designation is not carried forward following permission granted at Redbridge Lane and for a warehouse (Lidl) and allocations south of Brownhill Way. Conflict with Policy SET 05 is considered to be overcome on the basis of these material changes in circumstances;
- The Draft Revised Local Plan demonstrates the direction of travel of the Council. The site lies within the larger allocation of land for Class B1 and B2 employment at Bargain Farm (Policy LE5). Policy LE10 also allocates the site for employment use;
- The presence of the listed building within the site is a planning constraint and a material consideration to achieving an appropriate type and form of development;
- The NPPF is a material consideration which gives weight to emerging plans and housing land supply with a requirement of 5 years plus a 5% buffer. There is a shortfall in housing land supply in southern Test Valley;
- If considered favourably, contributions in accordance with CIL, NPPF and Infrastructure and Developer Contributions for affordable housing, public open space, Forest Park, Education, Highways and Transport;
- Conclude no objection with material considerations outweighing Borough Local Plan policies. It is accepted that residential use would have a lesser impact on the setting of the Grade II Listed Bargain Farm House than employment use (for which the site is allocated in the draft Revised Local Plan) and would be a more appropriate form of development given these particular circumstances.

**Trees – no objection**

- Mature oak trees on road frontage to north, group of field maples towards centre of site worthy of being constraints to development layout planning; Other blackthorn and goat willows around site margin of little merit;
- Proposed layout allows for retention of three of the four frontage oak;
- An oak to be removed suffers from “Chicken of the Woods” - a decay organism that will ultimately render the tree hazardous – not worthy of retention with in a new development. Best of the field maple also to be retained
- Remaining issues concern a conflict between the western frontage Oak and a cycleway/footpath beneath canopy; no details with regard to demolition and reinstatement of buildings close to root protection areas;
- All services, drains or other underground works to remain outside of required root protection areas for retained trees;
- Requires a demonstration that proposed new planting can be achieved without conflict to new structures (inc. boundary features, hard surfacing, services, street lighting, separation from housing/gardens) together with levels information in relation to eastern access, footpaths and verges;

- Revisions to the application address the concerns raised and it remains desirable for these items to be clarified prior to the issue of any consent.

**Landscape – no objection**

- Subject to hard and soft landscape conditions and a long term landscape management plan included as part of a S106 agreement;
- Majority of issues raised previously have been dealt with. In particular the removal of a footpath in the root protection area of an existing tree;
- A new access onto Frogmore Lane has been created which Landscape has no objection to.

**Design and Conservation - Final comments awaited at time of reporting.**

**Environment Protection – no objection**

- Primary concern relates to the relationship of this site to AP7 to the south (14/00147/OUTS). Granting permission for housing places a new constraint on the proposed industrial development;
- Would prefer AP7 to consist of B1 uses rather than B2 uses;
- A noise condition should cover road traffic noise protection measures on the basis that predicted noise levels are elevated (by a small margin) above WHO guideline levels potentially affecting both garden and internal spaces when windows are open for ventilation and comfort cooling;
- Mitigation required via condition against industrial noise exposure in the event that the neighbouring land parcel AP7 were to be developed for B2 uses;
- It is not known whether the housing scheme will precede the industrial development or vice versa, so suggest both applications are conditioned to ensure that industrial noise levels are not unacceptably high to the dwellings at Bargain Farm;
- A supplementary site investigation is necessary to consider the possibility of encountering land contamination;
- Site is close to existing residential properties and the proposal requires the demolition of several buildings with dust and noise control measures especially important at this site. Suggest condition for an environmental management scheme for the demolition and construction phase.

**Housing**

- Housing is happy that the application is providing the required amount of affordable dwellings. Mix meets current housing need;
- Hampshire Home Choice (register for people in housing need) identifies 2,495 households (Feb 2014) with a greater need for smaller accommodation.
- 'HomesinHants' assess eligibility of applicants for shared ownership with 427 Test Valley applicants on the register (Oct 2013)
- Recommends the tenure to be a mix of 70/30 split of Affordable Rent and Shared Ownership units;
- Expect the affordable units to be delivered by one of TVBC's partner registered providers;

- Affordable houses are required to be to HCS Design and Quality Standards and dispersed throughout the development (i.e. not in groups more than 10);
- Note that 9 affordable dwellings are located to the south west part and would prefer to see these more evenly dispersed and integrated;
- Affordable dwellings to be restricted in perpetuity to occupation by households in housing need;
- 10% of the units to be constructed to either wheelchair standards or Lifetime Homes standard;
- Affordable housing land transferred to the affordable housing provided (preferably a registered provider) should be made available clean and serviced to the site boundary and at nil cost. Reasonable build costs can be required;
- Housing would be pleased to support the delivery of 9 affordable homes to meet housing need.

## **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.

#### *Bargain Farm*

- European Designations – contributions should be secured for all elements of residential development considered to contribute to the in-combination 'likely significant effect' on the Solent SPA suite in order to address potential impacts to these European designations;
- Condition required to ensure that any landscaping/biodiversity measures in relation to this site tie in to the overarching biodiversity conservation and enhancement strategy for the whole Adanac Park development area.

#### **Natural England**

- 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;
- Housing allocations across the Solent raised concern about the potential recreational disturbance on bird populations that in the three SPAs that cover the majority of the Solent coast;
- The Solent Disturbance and Mitigation Project (SDMP) assessed the current and future levels of recreational activity on the Solent and to model the predicted impacts on bird populations;
- The SDMP concluded that:
  - there is a high number of recreational visits to the three SPAs and future increase is high;
  - lower bird densities were observed at sites that have greater recreational disturbance;
  - there is a significant correlation between visitor numbers and housing numbers near the coast;
  - Current levels of disturbance had a depressing effect on the populations of four SPA species and that future housing scenarios would exacerbate this effect for two species;
- Advise that an increase in the number of dwellings (within the 5.6km zone defined by the SDMP) would be likely to have a significant effect;
- No information has been put forward by the applicant to assess or guard against there being a significant effect on the SPA(s);
- Advise that it is likely to have a significant effect on the SPA;
- The Habitats Regulations requires the LPA to undertake an Appropriate Assessment and ascertain that there will not be an Adverse Effect on the Integrity of the designated site or put in place measures which remove the likelihood of significant effect;
- Note the intention of the applicant to make the relevant contributions to the SDMP towards a scheme of access management measures to prevent an increase in the population close to the SPA from having any significant effect on the SPA;
- The application has not been assessed for impacts on protected species.

## **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;
- HCC and HA will determine the terms of a S106 Agreement;
- There is little substance in any of the outline applications to comment on;
- Application Form confirms the onsite roads to be public. Uncertain if the proposed surfacing material will be acceptable to the Highways Authority (i.e. Resin Bonded Gravel and Vehicular Addagrip Rhine Gold or similar) or gates that appear to be able to be closed across the access from Redbridge Lane;
- The cobbled sett thresholds across the fill carriageway width are not conducive to cycling;
- Photographs of indicative materials bear no resemblance to the materials shown on the plan;
- The testing of the proposed access arrangement would be helpful. If approved these work will have to be covered by a s278 Agreement because this section of Adanac Drive is adopted as public highway.

### *AP8*

- The design of the access across the former Redbridge Lane will need to take into account use by pedestrians and cyclists;
- Redbridge Lane needs some work to make it more attractive to pedestrians and cyclists; the design needs careful consideration and be subject of a S106 agreement;
- Width of the access to Redbridge Lane should be increased to 3m to accommodate cyclists. A minor encroachment under the tree canopies will be required.

**HCC Highways** - Final comments awaited at time of reporting.

**Highways Agency** – No objection.

**HCC Archaeology** – no objection

- The Archaeological Desk Based Assessment (DBA) identified that the site has the potential to contain as yet unknown archaeological remains and the nature of the landscape has high archaeological potential;
- A scheme of mitigation will need to be devised and further archaeological information will be required by survey;
- Archaeological matters are not suggested to prove overriding and recommend a condition to secure further archaeological survey sufficient to identify as yet unrecorded archaeological remains at the site and an appropriate mitigation for any remains impacted by the development;

- Need for trial trenching survey to unambiguously describe the archaeological remains, their date, character and state of preservation, and to identify types of archaeological remains which do not respond well to geophysical survey. Results of survey work should be available to early to ensure sufficient time is allowed within the development process to accommodate the necessary archaeological mitigation, including archaeological excavation.

### **Southern Water**

- Exact position of public sewers must be determined on site before the layout is finalised. Diversion of sewers may be possible providing this results in no unacceptable loss of hydraulic capacity and the work is carried out at the developer's expense to the satisfaction of Southern Water;
- Required easements to be provided to any diverted apparatus for maintenance with no soakaways, development or tree planting within the easements to public sewers. Other existing infrastructure should be protected during construction;
- The applicant may wish to amend the layout or combine a diversion;
- 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;
- Southern Water can provide a water supply to the site;
- Request conditions attached regarding the proposed infrastructure.

### **HCC Education**

- In order to mitigate the impact of this development on school places in the area, a contribution towards the provision of education infrastructure must be paid.

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;
- Increased 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).

*Final comments - objection*

- Previous comments still stand;
- Contrary to SET03 as it is housing development in the countryside;
- The site plan is to a very small scale, but from it the parking arrangements appear to be badly designed;
- Consideration needs to be given to the TVBC Crime & Disorder Reduction Partnership Plan and Secured by Design;
- Urge that the application is refused.

**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; 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;
- Development would benefit everybody;
- 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; 8 Nutfield Road; Bargain Farm 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;
- Loss of the farm following nearly 100 years of farming the land by a single family, with this land kept tidy and asked for nothing in return. No guarantee is being provided for the displaced persons to have a job. It is hoped they will be compensated very well. The farm business cannot be passed on to future generations;
- Spencer Farm was removed from agriculture with the families nor the villages benefitting from any of the development;
- Many people depend on the farm shop at Bargain Farm with no shops within 1 – 1 ¼ miles of the village;
- Enough land should be left together with the shop to that a comfortable living can be made;
- What is happening about the barn in the farmyard?
- Object to the demolition of the old barn building which has stood since the 15<sup>th</sup> – 16<sup>th</sup> century and through two world wars and maybe the civil war;
- Overdevelopment of Frogmore Lane which is now a main road for cars;
- Speed limits are not enforced creating a danger to the young and elderly.
- 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;
- Will destroy the rural character of the area;
- The developments do not appear to include mitigation in the form of banks, tree/hedge planting and noise barriers.



**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); SET05 Local Gap; 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); AME05 (Unpleasant Emissions); 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;
- The character and appearance of the area;
- Design;
- Residential Amenity;
- Highway safety and impact of additional traffic on the highway network;
- The effect upon the natural environment (e.g. landscape, trees, protected species and designated European sites of ecological importance);
- Flood Risk, Drainage and Water Resources;
- Setting of a heritage asset;
- Mitigating the impact of development.

### **Principle of development**

- 8.2 The site is located within designated countryside where there is a general policy of restraint for development as outlined within Policy SET03 of the Borough Local Plan. This policy allows for development in the countryside provided that there is overriding need for the proposal in such a location or that the development is of a type appropriate to the countryside as set out in further Local Plan policies. The principle of this development conflicts with these criteria, however needs to also be weighed against other material planning considerations, the main consideration being the overall housing provision within Southern Test Valley having regard to the requirements of the NPPF.
- 8.3 At the heart of the NPPF is a presumption in favour of sustainable development indicating that where relevant policies of the Local Plan are out of date, permission should be granted 'without delay' unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the scheme (NPPF para 14). Paragraph 49 of the Framework states that "*Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites*". The requirement in the NPPF for the Council to have, or not as the case maybe, a deliverable five year supply of housing land, plus at least 5% (as prescribed in Paragraph 47 of the NPPF), is a material consideration that could justify granting a planning permission contrary to SET03.

- 8.4 The five year supply position has been given weight as a material consideration by Planning Inspectors in appeal decisions across the country and also within Test Valley (e.g. Harewood Farm, Andover and Nutburn Road, North Baddesley). Reference is therefore drawn to the required Housing Land Supply position for Southern Test Valley which currently stands at 4.45 years against a minimum requirement for 5.25 years. With this shortage currently in place, paragraph 14 is engaged and forms a strong material consideration weighing heavily in favour of the proposal worthy of a departure from policy SET03 of the Local Plan.

*Loss of a local shop*

- 8.5 Policy ESN18 (Retention of Existing Local Shops and Public Houses) seeks to ensure that development which results in the loss of local shops will only be permitted if it can be demonstrated that the use is no longer commercially viable or cannot be made commercially viable. It is understood that Bargain Farm operates a local farm shop from the site which sells farm produce produced on the land with the submission omitting any supporting information addressing matters of viability. The proposal is therefore contrary to policy ESN18 of the BLP. Notwithstanding this, regard also has to be given to other material considerations which are pertinent to this site. For instance, the BLP safeguards some land at Bargain Farm for employment at Adanac with this land presently subject to the application 14/00150/OUTS (Land at Adanac Triangle). Bargain Farm is additionally allocated in its entirety within the Revised Local Plan under policies LE5 and T3 for employment and a park and ride respectively. Whilst there are objections to these policies, there is anticipation that the farm land and therefore its shop will be lost in the long term.

*Sustainability*

- 8.6 Sustainability is at the heart of the NPPF and is comprised of three dimensions - economic, social and environmental. Against these dimensions, proposals that boost the supply of housing are considered, by the Government, to provide social and economic benefits through construction (jobs, the supply of building materials etc), and the spending power that an increased population brings to an area. The scheme would also provide for a housing need (both open market and affordable) and contribute towards improvements in the area to mitigate the impact of development (e.g. highway works, public open space provision, leisure improvements and education spaces). The Council would also receive New Homes Bonus equivalent to 6 years of Council Tax for each new dwelling delivered, which is capable of being a material consideration and can be considered an economic benefit of the scheme.
- 8.7 In terms of location, Nursling and Rownhams has also been identified in the TVBC Settlement Hierarchy Paper (2014) as a 'Key Service Centre' scoring highly on access to a range of services and facilities enhancing their sustainability. As such, the location of the site adjoining the settlement boundary as an expansion of Nursling, when set against the criteria of the NPPF weighs in favour of the site as being a sustainable location appropriate for development.

### **Loss of Agricultural Land**

- 8.8 The NPPF (para 111-112) seeks to encourage the effective use of land by re-using brownfield land and where significant development of agricultural land is to be necessary; areas of poorer quality land should be used in preference to that of a higher quality. This site is principally brownfield land, containing various structures, albeit in an agricultural use with the development not deemed to be of a large scale as to be considered as ‘significant’ against the NPPF. Given the location and longstanding strategic allocation of adjacent land for employment uses, the proposal on this particular site is not deemed to be removing a large scale area of agricultural land and would accord with this requirement of the NPPF.

### **Character and appearance of the area**

- 8.9 In accordance with policies SET01 and DES02, consideration is required of how the development will relate to the character of the area which in this location is defined by its suburban setting. Existing residential development at the adjacent Hillyfields comprises of detached, semi-detached and terraced two storey dwellings or flats of an architectural character commensurate with the period of build. This development will form an extension to this development of its own integral character whilst also providing a mix of accommodation to provide local choice and provide for a mixed community ensuring that policy ESN03 (Housing Types, Density and Mix) is also met.

### **Design**

#### *Siting, layout, scale, height and massing*

- 8.10 The development is of a scale and massing that will relate to the predominant two storey form in the locality and whilst the site is self-contained to the south of Frogmore Lane, it retains visual and physical connection to Hillyfields in order to integrate with the surrounding area. It is noted that the Parish Council comment that the site has been badly designed, although the nature of these concerns are not quantified. Notwithstanding this, the layout of the site provides for a strong street frontage with properties orientated to provide passive surveillance across public spaces. The two storey form of the proposed properties also ensures that the development is in scale with other residential buildings in the immediate vicinity, including Bargain Farmhouse which itself is two storeys and does not detract from the surrounding character of the area. The proposal therefore accords with policies DES05 (Layout and Siting) and DES06 (Scale, Height and Massing).

#### *Detailed appearance and materials*

- 8.11 Policy DES07 (Appearance, Detail and Materials) seeks to ensure that any building is of a high standard, attractive appearance and adds visual interest, as well as expressing its purpose and complementing local building styles. The design of the site has a traditional context with simple facades and detailing, with a mix of design and property type providing variation in the street scene. A mixed palette of materials will provide local distinction to the development but will also complement the locality with properties to be constructed from brick and render siting under slate or tiled roofs. The proposal accords with policy DES07.

### **Residential Amenity**

- 8.12 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. The layout has been designed to ensure that the proposed properties benefit from private garden spaces of a minimum length of 9m and a level of privacy commensurate with policy AME01. The property of Bargain Farmhouse also provided with new private garden space within a defined curtilage. The orientation of dwellings also ensures that properties benefit from a level of sunlight and daylight as to also accord with policy AME02.

#### *Noise*

- 8.13 The AME policies continue with consideration of noise and vibration from nearby land uses and the effect of these upon the amenity of occupants. The application has been considered by Environment Protection and notes the relationship of the site to the proposed amenity restaurant (14/00150/OUTS – AP9) and Class B1 and B2 industrial site (14/00147/OUTS) as noise generating sources. The relationship of these sites however to Bargain Farm are addressed within the respective outline applications with conditions to be recommended to ameliorate adverse levels of harm arising. With no objection raised by Environment Protection, the proposed development is deemed to accord with policies AME04 (Noise and Vibration) and AME05 (Unpleasant Emissions).

### **Highway safety and impact of additional traffic on the highway network**

- 8.14 The Local Plan contains a number of policies (TRA) that address issues of traffic and land use, examining aspects of highway safety, parking provision, access and site layouts and the impact on the highway network. The existing site is principally served by an access to Frogmore Lane with a secondary access to Redbridge Lane. Both are to be retained, albeit to Redbridge Lane this will comprise a pedestrian/cycle link only. An assessment of the highway issues arising from the proposed development upon the adopted highway is presently awaited from Hampshire County Council at the time of writing. However, at the local level, no overriding objection has been raised from the TVBC Highways Officer to the layout, parking provision and access, albeit a minor adjustment is required to the pedestrian access to Redbridge Lane which is addressed through a planning condition. Subject to a satisfactory response from Hampshire County Council, the completion of a S106 to secure an off-site financial contribution and the imposition of planning conditions, the proposal is deemed to accord with the TRA policies of the Local Plan addressing traffic generation, parking and access.

### **Natural Environment**

#### *Trees and landscaping*

- 8.15 The site presently contains a small number of trees that, whilst not subject to any Tree Preservation Order, do have amenity value and their retention is desired in the long term. These trees have therefore been incorporated into the layout of the development to be positioned within communal greens. This retention will be supplemented with new hard and soft landscaping with careful regard given to hard surfacing materials and planting detail.

The site is also enclosed with a 4m wide landscaping belt providing visual separation and screening from adjacent land uses. The proposal is therefore acceptable against policies DES08 and DES10.

*Ecology*

- 8.16 Local Plan policies ENV01 and ENV05 seek to ensure that adverse harm does not arise upon biodiversity interests and protected species respectively. These policies place a responsibility upon the applicant to demonstrate that any protected species have been accounted for within the submission. In this instance the application has been accompanied by the appropriate ecological survey work to the satisfaction of the HCC Ecologist demonstrating that there are no overriding ecological constraints to the development. No objection is therefore raised as to the impact of the development upon species that receive strict legal protection by national and international legislation under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2010. Notwithstanding this, the recommendation requires the incorporation of measures (e.g. bird and bat boxes) to provide net gains for biodiversity in line with the NPPF as secured by planning condition.

*Designated European Sites of Ecological Importance*

- 8.17 The site is in close proximity to European designated sites afforded protection under the Conservation of Habitats and Species Regulations 2010 (i.e. 'Habitat Regulations') and therefore has potential to affect their special interests. In particular, Natural England has made particular reference to the relationship of this site to the Solent and Southampton Water Special Protection Area (SPA). The Habitat Regulations place a requirement upon the Local Planning Authority as the 'competent authority' and 'decision-taker' to assess any 'likely significant effect' of any development upon a European Site (i.e. SAC), either alone or in combination with other development, where such development is not directly connected to the management of the site for nature conservation. The decision-taker has to be 'certain' that any likely significant effect will not occur or can be sufficiently mitigated. The advice from consultees, as experts in nature conservation, is that the current proposal, either alone or in combination with other developments is likely to give rise to a 'likely significant effect' from increased recreational pressure to both these designated SPAs and in the absence of mitigation.
- 8.18 Mitigation to protect the Solent SPA from the impact of the development can be provided either on or off site. On site, it would be necessary to provide a proportion of on-site open space equivalent to 8ha/1000 population that would provide a semi-natural experience for walkers and dog walkers, for instance to enable dogs to be exercised off the lead and reduce visitor trips and thus disturbance to the SPA. This level of semi-natural open space would be in addition to that required against the criteria of policy ESN22 of the Local Plan. As an alternative, off site mitigation can take the form of a financial contribution towards the Solent Disturbance Mitigation Project (SDMP) which is an approach agreed by TVBC Cabinet in May 2014 that considers the potential for residential development within 5.6km of the Solent SPA where this is to have a 'likely significant effect'. In the absence of such on site space,

a financial contribution (secured via legal agreement) is to be calculated against the number of dwellings proposed and pooled with monies collected by other local planning authorities along the Solent coast. The monies would be used to deliver a strategic impact avoidance scheme, which could include managing access to the site. This requirement is reflected within the recommendation to Committee alongside the statutory requirement to undertake an Appropriate Assessment to fulfil the Habitats Regulations.

### **Flood Risk and Drainage**

#### *Flood Risk*

- 8.19 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 1000 to 1 chance). Given this lowest level of risk in conjunction with the site area sitting under 1h hectare, there is no requirement for any formal Flood Risk Assessment to be submitted.

#### *Foul and Surface Water Drainage*

- 8.20 The proposed development is to increase flows to the local public sewerage system for which Southern Water have indicated there is inadequate capacity to receive this additional flow. It will therefore be necessary to seek additional off-site sewers or improvements to existing sewers to provide sufficient capacity to serve the development. The mechanism for seeking these improvements is through the Water Industry Act 1991 and therefore the recommendation contains appropriate conditions/notes for advice.

### **Land Contamination**

- 8.21 The application has been considered by the Environment Protection team with regard to the potential for land contamination. This site has not been subject to previous investigation therefore such a requirement is secured by planning condition.

### **Relationship to Heritage Assets**

- 8.22 The NPPF and Policy ENV17 requires that consideration be given to the relationship of new development to heritage assets to ensure that no adverse harm arises to their special character or appearance. This site comprises the residential curtilage to Bargain Farmhouse as a Grade II listed building with its adjacent barn. This barn is not listed in its own right nor is it considered to be curtilage listed as it has an agricultural rather than domestic use. It is however of local interest due to the date of its construction and does contribute positively to the historic setting of the listed building. The retention of this building has therefore been deemed important to the Design and Conservation Officer.
- 8.23 In addressing the principle of development, it is acknowledged that the site has been allocated within the Revised Local Plan (Policy LE5) for employment use. This allocation thus gives an expectation that the setting of these heritage assets is likely to change in the long term, both in terms of land use and built form. However, it is suggested that a residential development in this location, whilst contrary to the local plan (both the BLP and RLP), is more commensurate to Bargain Farmhouse, itself being a residential unit.

The application will therefore bring a domestic character which will better relate to the listed building and its adjacent barn.

- 8.24 In addressing the residential development proposed, the site layout has been designed to have regard to Bargain Farmhouse by providing it with a spacious curtilage and offsetting the position of the closest properties. This ensures that the Farmhouse remains as a focal point and feature of interest in the street scene of Yew Tree Lane. To the rear of Bargain Farmhouse and at right angles is the adjacent barn which is retained to demarcate the eastern boundary of the curtilage and . To the south of the barn, it is proposed to erect a pair of semi-detached dwellings that mark the 90 degree bend in the highway. It is these plots that have given rise to concern from Design and Conservation in respect of the scale and massing in relation to the barn. Originally designed as a two storey pair, revised elevations have been submitted which amend the closest property to the barn to be 1 ½ storeys with first floor accommodation provided in the roof space. The ridge of this property is no greater than Yew Tree Farmhouse. The acceptability of this revised property to the setting of the listed building is awaiting comment from Design and Conservation at the time of reporting.

#### **Mitigating the impact of development**

- 8.25 TVBLP policies and accompanying 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. In this particular case the principle of mitigating the impact of development through financial contributions towards affordable housing provision, public open space provision and off site highway measures together with ecological mitigation. In considering the need for developer contributions due consideration has been 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.

#### **9.0 CONCLUSION**

- 9.1 Subject to consideration of outstanding consultation responses, the principle of development is considered acceptable against material planning considerations. Furthermore the development, whilst resulting in the loss of a farm shop and significantly altering the setting of Bargain Farmhouse as a listed building, is considered to be of a scale and form that creates no adverse harm to the character and appearance of the area, residential amenity or highway safety subject to planning conditions and completion of a legal agreement.



## **10.0 RECOMMENDATION A**

### **Delegate to the Head of Planning Policy and Highways for**

- the completion of an Appropriate Assessment of the proposals against the conservation objectives of the Solent and Southampton Water Special Protection Area as required by the Conservation of Habitats and Species Regulations 2010 (as amended);
- Completion of outstanding consultation responses and resolution of any issues arising;
- Completion of S106 agreement to secure:
  - Affordable housing;
  - Financial contribution towards public recreational open space;
  - Financial contribution towards transport infrastructure;
  - Financial contribution toward the Solent Disturbance Mitigation Project (SDMP);
  - Any other mitigation required from the completion of consultations

then PERMISSION subject to conditions & notes.

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

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

2. Notwithstanding the details included within the application, 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.

3. No development shall take place until an arboricultural method statement 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.

4. No development shall take place until a tree planting statement 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 tree planting statement must:
  - f) Provide a schedule of trees to be planted, specifying tree species and size at time of planting;
  - g) Provide a specification for each tree planting pit, to include the size and volume of the tree pit, loosening of pit floor and sides, method of support/guying, specification of back fill, depth of planting, detail of included irrigation or drainage infrastructure (if any), detail of surface finish;
  - h) Confirm timing of planting and provide future maintenance schedule sufficient to secure tree establishment to independence in the landscape;

- i) Provide a plan at 1:200 or better, detailing the location of and full extent of each tree pit, tree planting location and all tree root barriers (if any) necessary to prevent damage or disruption to any proposed or existing hard surfacing, built structure or underground service, drain or other infrastructure;**
- j) Provide a plan at 1:200 or better, detailing the location of all street lighting sufficient to demonstrate how street lighting is to be achieved without conflict with proposed tree planting, with allowance for reasonable growth.**

**Reason:** To ensure continuity of tree cover in the interests of the amenities of the development and in accordance with Policy DES08 of the Test Valley Borough Local Plan.

- 5. Prior to the commencement of the development, a detailed scheme for protecting the approved dwellings from noise (“noise protection scheme”) shall be submitted to and approved in writing by the Local Planning Authority. The agreed noise protection scheme shall be implemented prior to the first occupation of the dwelling(s) concerned and retained thereafter to the satisfaction of the local planning authority. The submitted scheme shall include design and construction requirements to ensure that the sound insulation performance of the structure and the layout of the dwellings are such that the indoor ambient noise levels do not exceed the values as detailed in Table 4 of BS 8233:2014 with windows closed. If when windows are open the indoor ambient noise levels would exceed the values as detailed in Table 4 of BS 8233:2014, the scheme shall also detail proposals for the provision of suitable alternative means of ventilation for the purpose of ensuring both adequate ventilation and an acceptable indoor noise environment when windows are closed. Additionally, the scheme shall include layout and design measures necessary to control external noise levels in private gardens and other outdoor amenity spaces, achieving outdoor noise levels no higher than the upper WHO guideline level of 55 dB(A) for the daytime, so far as reasonably practicable. In the event that the neighbouring land parcel (referred to as AP7 and which is the subject of planning consent 14/00147/OUTS or any other) is permitted for B2 use, then the scheme shall also include measures for protecting the approved dwellings from industrial noise and confirmation that the combined BS4142: 1997 rating level of noise associated with the neighbouring industrial uses would not be likely to exceed a level of more than 5 dB above the background noise level at any time during permitted operating hours. The industrial noise assessment shall be determined at the worst-affected residential property 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.

- 6. No development shall take place (other than any approved demolition and site clearance works) until an assessment of the nature and extent of any contamination and a scheme for remediating the contamination has been submitted to and approved in writing by the Local Planning Authority. The assessment must be undertaken by a competent person, and shall assess the presence of any contamination on the site, whether or not it originates on the site. The assessment shall comprise at least a desk study and qualitative risk assessment and, where appropriate, the assessment shall be extended following further site investigation work. In the event that contamination is found, or is considered likely, the scheme shall contain remediation proposals designed to bring the site to a condition suitable for the intended use. Such remediation proposals shall include clear remediation objectives and criteria, an appraisal of the remediation options, and the arrangements for the supervision of remediation works by a competent person. The site shall not be brought in to use until a verification report, for the purpose of certifying adherence to the approved remediation scheme, has been submitted to and approved in writing by the Local Planning Authority.**

**Reason:** To ensure a safe living/working environment in accordance with Test Valley Borough Local Plan 2006 policy HAZ04.
- 7. 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.
- 8. No development (including demolition) 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 dwellings 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.
- 9. 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.**

- 10. Notwithstanding the details contained within the Landscape General Arrangement Plan (dwg INCLA\_S146.L04 Rev 1) and the Landscape Planting Plan (dwg INCLA\_S146.L05 Rev 01), no development shall take place until full details of a scheme of hard and soft landscape works for a site layout consistent with the site layout approved including planting plans; written specifications (stating cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities and an implementation programme has been submitted to and approved in writing by the Local Planning Authority. These details shall also include; proposed finished levels or contours; means of enclosure and hard surfacing materials (where appropriate). The landscape works shall be carried out in accordance with the approved scheme and the implementation programme.**

**Reason: To improve the appearance of the site and enhance the character of the development in the interest of visual amenity and contribute to the character of the local area in accordance with Test Valley Borough Local Plan 2006 policy DES10.**

- 11. No development shall take place until a schedule of landscape maintenance for a minimum period of 10 years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements and programme for its implementation. Development shall be carried out in accordance with the approved schedule.**

**Reason: To ensure that the works undertaken maintain the appearance of the site and enhance the character of the development in the interest of visual amenity and contribute to the character of the local area in accordance with Test Valley Borough Local Plan 2006 policy DES10.**

- 12. During the period of demolition and 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.**

- 13. No development (including demolition) 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.

- 14. 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.

- 15. No development (including demolition) 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.

- 16. No development (including demolition) 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.**

- 17. No development shall commence on site until a scheme identifying how 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).**

- 18. No development shall commence on site until a revised site layout plan is submitted and approved in writing by the Local Planning that shows the pedestrian access to Redbridge Lane increased in width to 3m to enable use also by cyclists.**

**Reason: In the interests of encouraging the use of alternative modes of transport in accordance with policy TRA01 of the Test Valley Borough Local Plan (June 2006).**

- 19. Prior to the commencement of development the access shall be constructed with the visibility splays of 2.4m by 43m by 1m and maintained as such at all times. Within these visibility splays, notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) no obstacles, including walls, fences and vegetation, shall exceed the height of 1 metre above the level of the existing carriageway at any time.**

**Reason: In the interest of highway safety in accordance with Test Valley Borough Local Plan 2006 policy TRA09.**

- 20. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) no access, other than that shown on the approved plan(s), shall be formed to the site.**

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

- 21. At least the first 12m metres of the access track measured from the nearside edge The proposed development fails to make provision in the form of a contribution towards public open space provision as mitigation against an identified deficiency in the quality of existing public open space in the locality which is necessary to make the development acceptable in planning terms.**

It is therefore considered to be contrary to Test Valley Borough Local Plan (June 2006) Policy ESN22 (Public Recreational Open Space Provision) and the Test Valley Infrastructure and Developer Contributions Supplementary Planning Document (2009). 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.

22. 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.

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).  
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.
3. 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.
4. 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.



5. 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.
6. The applicant is advised that details submitted pursuant to conditions 08 and 10 have regard to the over-arching biodiversity conservation and enhancement strategy for Adanac Park as an adjacent land use.
7. Any other reasons 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. The proposed development fails to make provision in the form of a contribution towards public open space provision as mitigation against an identified deficiency in the quality of existing public open space in the locality which is necessary to make the development acceptable in planning terms. It is therefore considered to be contrary to Test Valley Borough Local Plan (June 2006) Policy ESN22 (Public Recreational Open Space Provision) and the Test Valley Infrastructure and Developer Contributions Supplementary Planning Document (2009).**
  - 5. The site lies within proximity to the Solent and Southampton Water SPA/RAMSAR and Lower Test Valley SSSI designated for their conservation importance. In the absence of mitigation, it is not possible to conclude that the development, either alone or in combination with other proposed plans or projects, will not have any likely significant effect upon the integrity of these designated sites from additional recreational pressures, the proposed development is contrary to the Conservation of Habitats and Species Regulations 2010, and policies ENV01 (Biodiversity & Geological Conservation), and ENV03 (Sites of Special Scientific Interest) of the Test Valley Borough Local Plan (2006) and the Solent Disturbance and Mitigation Project – Interim Framework (2014).**
  - 6. In the absence of a legal agreement to secure the provision of new affordable housing, including their subsequent retention in perpetuity to occupation by households in housing need and ensuring that the units are dispersed throughout the development, the development fails to comply with, and is therefore contrary to policy ESN04 (Affordable Housing) of the Test Valley Borough Local Plan 2006 and the Test Valley Affordable Housing SPD (2008) thereby exacerbating an existing need for such housing in the locality.**
  - 7. Any other reasons required from the completion of consultations.**
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## **APPENDIX B**

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

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<b>APPLICATION NO.</b>	14/00138/FULLS
<b>SITE</b>	Bargain Farm, Frogmore Lane, Nursling, SO16 0XS <b>NURSING AND ROWNHAMS</b>
<b>COMMITTEE DATE</b>	28 October 2014
<b>ITEM NO.</b>	10
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#### **1.0 CONSULTATIONS (in summary)**

##### **1.1 Design and Conservation – No objection**

- Conditions for materials, window and door details, boundary treatments and road/pavement surfacing;
- The bulk of the houses on Plots 20 and 21 has been reduced. No further objection to the proposals.

#### **HCC Highways**

##### *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 4 trips in and 10 out and a PM peak of 9 trips in and 4 out;
- 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;
- Subject to the applicant committing to a S106 restriction to ensure that the remaining extant outline permission will not be implemented alongside those parts of the current application that are outside the extant permission red line, then it is accepted that the level of traffic does not exceed levels associated with the consented scheme;
- Should the extant permission be implemented and the applicant wishes to implement this application, then further Transport Assessment work will be needed.

##### *Access*

- Vehicular access for the site is proposed via the existing priority junction off Frogmore Lane with amendments to the radii and width;
- Pedestrian provision will also be provided on the southern side of Frogmore Lane either side of the junction. This will need to link to the existing footway provision on the northern side of Frogmore Lane;

- These works will be subject to a S278 Agreement should permission be granted and involve preliminary and detailed design checks to ensure the accesses is designed in accordance with current design and safety standards.

#### *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.

#### *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.

#### *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.

## **2.0 REPRESENTATIONS**

- 2.1 Omission of representation from the Ordnance Survey on the grounds that no comments were submitted to this application reference.

### **Nursling and Rownhams Parish Council**

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

#### **Objection**

- Would like the retention of the Farm Shop much used by local (and future) residents as well as anyone employed within Adanac Park;
- A shop, with ancillary storage facilities for the shop, is definitely required;
- Houses, designed in a manner which respects the character and setting of the Listed Farm House, may be appropriate to maintain the character of the area;
- With an increase in houses there will be additional demand for allotments;
- This farmland is Grade 1 agricultural land therefore an area of land adjacent to development surrounding the farm house should be allocated to provide a minimum of 25 allotments which will serve new housing development in this area as well as existing;

- 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 the 6 October 2014:*

- Previous objection still stands;
- Development contrary to SET03 as it is housing development in the countryside;
- The site plan is to a small scale but from it the parking arrangements appear to be badly designed;
- Consideration needs to be given to the TVBC Crime & Disorder Reduction Partnership Plan and Secured by Design;
- Urge that this application is refused.

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

Objection reinforced with additional points as follows:

- Wish to see the completion of S106 to secure:
  - Public open space – no land is offered only financial contributions which alone are not satisfactory to the Parish Council;
  - Re-enforce a requirement for land on Bargain Farm to be allocated for allotments as part of the Open Space requirements in the RLP catering for Adanac and Redbridge Lane housing;
  - Condition 5 detailing noise protection for housing is essential;
  - Condition 12 is in accordance with TVBLP policy AME04;
  - Condition 13
- Object to design. Consideration should be given to TVBC Crime and Disorder Reduction Partnership and Secured by Design;
- Should comply with policies CS1 and T2 – parking should be well designed and appropriately located as to be convenient to users –
  - Not a single unit has official parking in front of the house;
  - A majority of houses front onto the highway. Although on street parking will be easy and convenient for the owner – it will be obstructive;
  - Units 1 – 5 only have 3 parking areas, all being one behind the other;
  - Units 4 & 5 are likely to use the visitor parking spaces;
  - Units 2 and 5 are not able to see their cars once parked;
  - Units 6 – 9 use a “Car Barn” and will not be able to see their cars;
  - Units 10 – 17 have 2 to 3 car spaces but in a line away from the highway. This is likely to lead to “on street” parking;
  - Units 13 & 14 are likely to use the Visitor Spaces in front of their house;
  - Units 18 & 19 have limited visibility of their cars so unit 19 likely to use the visitor space opposite;
  - Units 20 & 21 have 2 spaces at the bottom of their garden, making viewing impossible from downstairs rooms;
  - Units 22 & 23 have 2 spaces at the bottom of their garden making viewing impossible and may well park in Frogmore Lane where there is an entrance to the new estate;

- The site lies within the larger allocation of land for Class B1 and B2 (Policy LE05). Policy LE10 also allocates the site for employment use;
- 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 PLANNING CONSIDERATION**

3.1 Para 8.11 (page 116) – typo – AP6 should read AP4.

Para 8.24 (page 159) – reference to Yew Tree Lane (5<sup>th</sup> line) should read Frogmore Lane and reference to Yew Tree Farmhouse (3<sup>rd</sup> line from bottom) should read Bargain Farmhouse.

### **4.0 RECOMMENDATION**

4.1 **Correction to header – the application should be delegated to the Head of Planning Policy and Transport and not the Head of Planning Policy and Highways.**

**Amended recommendation**

- 1<sup>st</sup> bullet - to include reference to the New Forest National Park;
- 3<sup>rd</sup> bullet – to secure mitigation towards the New Forest National Park in accordance with the New Forest Interim Mitigation Framework.

**Additional S106 requirement to comprise:**

- Not to implement the extant outline permission (07/02872/OUTS) in conjunction with this application (14/00138/FULLS) without further Transport Assessment work being completed and agreed with Hampshire County Council as the Highway Authority;
- Approval and construction of off site highway works;
- To secure a Travel Plan and associated set-up, monitoring fees and bond.

**Amended conditions**

14. Prior to the first occupation of any dwelling 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.

21. At least the first 6m metres of the access track measured from the nearside edge of the carriageway of Frogmore Lane 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.

**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. No development shall commence until such time as the highway works as illustrated on drawing 4624.007 have been submitted to and approved in writing by the Local Planning Authority. These works shall be constructed prior to the first occupation of the properties hereby permitted.**  
**Reason:** In the interests of highway safety in accordance policies TRA02 and TRA05 of the Test Valley Borough Local Plan 2006.
- 25. All external doors and windows are to be set back a minimum of 75mm within their openings.**  
**Reason:** 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.
- 26. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the buildings are occupied. Development shall be carried out in accordance with the approved details.**  
**Reason:** To ensure that the works undertaken maintain the appearance of the site and enhance the character of the development in the interest of visual amenity and contribute to the character of the local area in accordance with Test Valley Borough Local Plan 2006 policies DES10 and AME01.
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