

UPDATE PAPER

Southern Area Planning Committee

Date: Tuesday, 23rd June 2019

Time: 5.30 p.m.

Venue: Being held virtually by Microsoft Teams. The Public can listen to the live stream here: <http://www.audiominutes.com/p/player/player.html?userid=tvbc>

**Southern Area Planning Committee – 23rd June 2019
Update Paper**

The purpose of the report is to provide information on planning applications which has been received since the agenda was printed.

Report of Head of Planning

1. Background

- 1.1 Reports on planning applications are prepared for printing on the agenda some 10 days before the date of the Committee meeting but information and representations received after that time are relevant to the decision. This paper contains such information which was received before 10.00am on the date of the meeting. Any information received after that time is reported verbally.

2. Issues

- 2.1 Information and representations are summarized but the full text is available on the relevant file should Members require more details. The paper may contain an officer comment on the additional information, amended recommendations and amended and/or additional conditions.

7. **19/02811/FULLS (PERMISSION) 21.11.2019**
SITE: Land at Park Farm, North Stoneham Park,
Stoneham Lane, **CHILWORTH**

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CASE OFFICER: Sarah Barter

APPLICATION NO.	19/02811/FULLS
SITE	Land At Park Farm , North Stoneham Park, Stoneham Lane, CHILWORTH
COMMITTEE DATE	23 rd June 2020
ITEM NO.	7
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1.0 **CONSULTATIONS/REPRESENTATIONS**

- 1.1 Environmental Protection
- Comment:
A glazing and ventilation strategy has been proposed to ensure internal amenity standards are satisfactory, and the confirmation that windows will remain openable at residents discretion is noted and appreciated. The strategy should be conditioned to ensure that the acoustic advice is implemented to protect amenity.

More information will be needed to ensure the relationship between the facilities and leisure spaces and the residential use is acceptable. But it is accepted this can be achieved by condition.

- 1.2 Natural England
- Comment:
The applicant has provided detailed evidence of the nutrient inputs for the past year, 2019. As the competent authority you need to be assured that the farm type classification is appropriately precautionary. As you know, it is recommended that evidence is provided of the farm type for the last 10 years and professional judgement is used as to what the land would revert to in the absence of a planning application.

Natural England has reviewed the data provided which shows very high nitrogen inputs for 2019 and links to the dairy farm. However, it is appreciated that the data is only for one year. In many cases, the local planning authority, as competent authority, will have appropriate knowledge of existing land uses to help inform the classification. If further information is considered necessary, then we advise that the Basic Payment System codes for the land could be requested or aerial photographs could be provided to add to the evidence base.

2.0 **PLANNING CONSIDERATIONS**

- 2.1 Principles and housing Land supply (HLS)

Paras. 8.18-8.19 of the agenda report make reference to Class C2 making a contribution towards meeting HLS. Para 8.129 of the agenda report and specifically the section under housing need also makes reference to the contribution the development makes in this respect. To clarify TVBC do not monitor and report Class C2 within the HLS (as this is not included as part of the local plan requirement which is for Class C3 only). This is the position which TVBC have consistently taken in statements of HLS and at appeal.

2.2 The arguments put forward in respect of identified need for additional Class C2 accommodation indirectly freeing up existing Class C3 housing is relevant but to be clear this is a separate to the issue of HLS. The Planning Policy team have advised that the new Strategic Housing Market Assessment should provide a separate Class C2 requirement figure for the next local plan, which TVBC will be able to monitor against.

2.3 Noise

The Environmental Health officer has now had the opportunity to review the noise information provided. A glazing and ventilation strategy has been proposed to ensure internal amenity standards are satisfactory, and the confirmation that windows will remain openable at residents discretion is noted and appreciated. The strategy should be conditioned to ensure that the acoustic advice is implemented to protect amenity. There is an identified requirement for more information to ensure the relationship between the facilities and leisure spaces and the residential use is acceptable. But it is accepted this can be achieved by condition.

2.4 Conditions already applied by Eastleigh BC colleagues including conditions 19, 24, 27, 28, 29, 30 and 31 on the agenda report are considered appropriate. With regards condition 25 of the agenda report the Environmental Health officer would also like to see details included within the Construction Environmental Management Plan (CEMP) regarding the use and siting of any temporary power supplies (generators), this has been inserted into condition 25.

2.5 The E and H Officer has also requested a condition in respect of any piling work to be dealt with by separate condition rather than included within the CEMP because it is foreseeable that details of the nature and extent of necessary piling and the location of the closest receptors may be unclear at the point of submission of the CEMP. A condition has been added, see condition 34. Condition 29 has been amended to include the proposed gym in the condition wording for the consideration of noise detail and design.

2.6 Nitrate Neutrality

Paragraph 8.115 of the agenda report details specific figures for nitrate neutrality sums. It states *The calculations show that, in the absence of mitigation, the development would result in an increase in nitrogen load of 303.937 Kg/TN/yr.* Further clarification is required in this respect and as such the recommendation is subject to satisfactory figures in the submitted assessment.

- 2.7 Further comment has been received from Natural England in respect of the evidence requested. The applicant has provided detailed evidence of the nutrient inputs for the past year, 2019. Natural England advise that as the competent authority TVBC need to be assured that the farm type classification is appropriately precautionary. The applicant has advised that the nitrate mitigation land is grown for maize and silage to feed an off-site dairy herd and the fields are fertilised each year with a combination of applied fertilizer and applied manure from the herd. A request has been made to the land agents for additional information/data for previous years to respond to NE comments.
- 2.8 The applicant has confirmed that the land is currently owned by the Dunford family, however Highwood have an option to purchase subject to planning being granted.
- 2.9 Environment Agency
A Technical Note was prepared by Odyssey Consulting Engineers. The Note describes how the concerns raised by the EA relate to the position of a SUDS depression and its proximity to a culvert and how these concerns have been addressed through the proposed relocation of the SUDS feature in amended plans. The subsequent plans have assured that no development proposals will be located above or near the existing culvert and construction, maintenance and future operational capacity will have no impact. Highwood have advised that as the landowners they are aware of their responsibilities under the Land Drainage Act 1991 and Watercourses Act 1991 which is covered in the Note to the EA. It should be noted that the site is in flood zone 1 and that subject to condition 13 of the agenda report HCC as the Lead Flood authority have no objection to the proposals. A final response from the Environment agency is still awaited.
- 2.10 Highway Officer comments
In response to comments made by the Highway Officer the applicant has confirmed that a sufficient number of passing bays have been provided to ensure that both refuse and fire tender vehicles can enter the CCRC via the main link roads unobstructed. The internal community road layout geometry is designed to be 4.8m which is entirely appropriate and desirable for this type of care village environment. The low speeds environment of the internal layout and the provided visibility splays will ensure that vehicles will have sufficient visibility to be able to wait for each other and safely exit the parking courts, thus there is no need for additional passing bays within the internal layout. The low frequency of refuse/fire tender/larger vehicles within the village allows for the highways to be constructed at 4.8m carriageway width which also assists with a desired low speed environment.
- 2.11 The drag distances for the refuse vehicle have been provided on Odyssey's tracking drawings and illustrate that the minimum drag distances are achievable for every plot within the development. The village roads and parking facilities will remain private and would not be adopted by HCC under a Section 38, thus 0.3m strips are not required. Streetlighting will remain private and designed at the detailed design stage of the development, appropriate to the care village context.

- 2.12 Clarification on age restriction on accommodation
To clarify any queries around the age restriction on the accommodation the age restriction would apply to a primary resident, but their spouse/partner or surviving spouse/partner may be younger, this is included in the S106.
- 2.13 Clarification on tree planting to be undertaken
Paragraphs 8.32 and 8.81 refer to 142 trees being provided. As per volume 2 of the arboricultural method statement this has been amended to provide 200 replacement trees as a result of the amended proposals.
- 2.14 Correction
Paragraph 3.4 states that there are 4 blocks of contemporary design. The contemporary design relates to block A3, B2, C, D1 and D2 creating 5 blocks with the contemporary design.
- 2.15 Condition 25
The wording has been amended to include *All works shall be retained and maintained for the entirety of the works and carried out in accordance with the approved CEMP*. To ensure matters such as measures to prevent mud on the road are mitigated throughout the build.
- 2.16 Paragraphs 8.11 – 8.14
To be clear the information set out in these paragraphs is derived from the applicant's submission.

3.0 **AMENDED RECOMMENDATION**

Delegate to Head of Planning and building for:

The completion of Legal agreement to secure (Amended list):

- **Care Home obligations with specific care home package**
- **Wellness suite and the restaurant facilities to be made available for wider public use (for local residents aged 55 or over as private members)**
- **Transport Services**
- **Heritage Management**
- **HCC Footpath works**
- **Permissive path**
- **Management of woodland**
- **Nitrogen Neutrality mitigation**
- **Health Facilities Contribution – Eastleigh BC only**

And:

- **The receipt of satisfactory nutrient balancing assessment and budget calculation.**
- **The receipt of a satisfactory consultation reply from Natural England in respect of additional evidence for Nitrate Neutrality.**
- **The receipt of a satisfactory consultation reply from the Environment Agency in respect of existing on site culvert.**

Then PERMISSION subject to conditions 1 – 24, 26 – 28, 30 – 33 and amended condition 25 and 29, and additional condition 34:

- 25. Before development commences, a Construction and Environmental Management Plan (CEMP), shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following details:**
- i the timing and phasing of the works and lorry routing**
 - ii the incidental recovery of minerals for construction works;**
 - iii the location of temporary site buildings and plant and material storage areas,**
 - iv the arrangement for construction deliveries and access**
 - v dust impacts and controls**
 - vi temporary construction car parking both on and off-site,**
 - vii temporary lighting ,**
 - viii mud on the road mitigation,**
 - ix a scheme for controlling noise and vibration from demolition and construction activities.**
 - x the protection of pedestrian routes during construction,**
 - xi storage of and collection of waste**
 - xii controls for the volume and the quality of surface water runoff,**
 - xiii watercourse crossings and any proposed diversions (temporary or permanent),**
 - xiv a map or plan showing habitat areas to be specifically protected (identified in the ecological reports) during the works and any necessary mitigation for protected species to include:**
 - a. The timing of the works**
 - b. Watercourse crossings and any proposed diversions (temporary or permanent)**
- The measures to be used during construction in order to minimise environmental impact of the works on habitats (considering both disturbance and pollution prevention)**
- xv Information on the persons/bodies responsible for particular activities associated with the construction phase**
 - xvi Details of the Heras fencing to be installed 2 meters off set from the listed garden wall for the duration of the construction with all works carried out within the 2m zone to be conducted via a ‘permit to work’ system**
 - xvii the use and siting of any temporary power supplies (generators)**
- All works shall be retained and maintained for the entirety of the works and carried out in accordance with the approved CEMP.**
- Reason: In the interests of amenity, highway safety and protection of ecological features in accordance with policy LHW4, T1 and E5 of the Revised Borough Local Plan 2016.**
- 29. Details of the building sound insulation for the spa, gym and café/restaurant design to prevent breakout noise shall be submitted to the Local Planning Authority for approval prior to installation. The approved plant design to be installed prior to first occupation and thereafter maintained.**
- Reason: to protect the amenity health and wellbeing of future occupiers in accordance with policy LHW4 of the Revised Local Plan 2016.**

- 34. No percussive or vibratory piling work shall be conducted on site until a noise and vibration assessment has been conducted and a scheme of mitigation measures has been submitted to and agreed in writing by the Local Authority. The agreed mitigation measures shall be carried out in accordance with the approved details.
Reason: to protect the amenity, health and wellbeing of future occupiers in accordance with policy LHW4 of the Revised Local Plan 2016.**