

Notice of Meeting

Planning Control Committee

Date: Tuesday 16 October 2018

Time: 5.30 pm

Venue: Main Hall, Crosfield Hall, Broadwater Road, Romsey, Hampshire,
SO51 8GL

For further information or enquiries please contact:

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Legal and Democratic Service

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The recommendations contained in the Agenda are made by the Officer and these recommendations may or may not be accepted by the Committee.

PUBLIC PARTICIPATION SCHEME

If members of the public wish to address the meeting they should notify the Legal and Democratic Service at the Council's Beech Hurst office by noon on the working day before the meeting.

Membership of Planning Control Committee

MEMBER

WARD

Councillor J Budzynski (Chairman)

Andover (Winton);

Councillor J Neal (Vice-Chairman)

Andover (Millway);

Councillor G Bailey

Blackwater;

Councillor C Borg-Neal

Andover (Harroway);

Councillor P Boulton

Broughton & Stockbridge;

Councillor P Bundy

Chilworth, Nursling & Rownhams;

Councillor D Busk

Broughton & Stockbridge;

Councillor M Cooper

Romsey (Tadburn);

Councillor A Dowden

Valley Park;

Councillor C Dowden

North Baddesley;

Councillor A Finlay

Chilworth, Nursling & Rownhams;

Councillor M Hatley

Ampfield & Braishfield;

Councillor S Hawke

Andover (Millway);

Councillor I Hibberd

Romsey Extra;

Councillor J Lovell

Andover (Winton);

Councillor T Preston

Andover (Alamein);

Councillor I Richards

Romsey (Abbey);

Planning Control Committee

Tuesday 16 October 2018

AGENDA

**The order of these items may change as a result of members
of the public wishing to speak**

- 1 Apologies**
- 2 Public Participation**
- 3 Declarations of Interest**
- 4 Urgent Items**
- 5 Minutes of the meeting held on 12 June 2018**
- 6 Information Notes 5 - 10**
- 7 16/02432/OUTS - 05.10.2016 11 - 91**

**(RECOMMENDATION OF HEAD OF PLANNING AND
BUILDING: OUTLINE PERMISSION)**

**SITE: Hoe Farm, Hoe Lane, North Baddesley, SO52 9NH,
NORTH BADDESLEY / NURSLING AND ROWNHAMS
CASE OFFICER: Mr Paul Goodman**

ITEM 6

TEST VALLEY BOROUGH COUNCIL

PLANNING CONTROL COMMITTEE

INFORMATION NOTES

Availability of Background Papers

Background papers may be inspected up to five working days before the date of the Committee meeting and for four years thereafter. Requests to inspect the background papers, most of which will be on the application file, should be made to the case officer named in the report or to the Development Manager. Although there is no legal provision for inspection of the application file before the report is placed on the agenda for the meeting, an earlier inspection may be agreed on application to the Head of Planning and Building.

Reasons for Committee Considerations

Applications are referred to the Planning Control Committee from the Northern or Southern Area Planning Committees where the Head of Planning and Building has advised that there is a possible conflict with policy, public interest or possible claim for costs against the Council.

The Planning Control Committee has the authority to determine those applications within policy or very exceptionally outwith policy and to recommend to the Cabinet and to the Overview and Scrutiny Committee revisions to policy resulting from its determination of applications.

Approximately 15% of all applications are determined by Committee. The others are determined by the Head of Planning and Building in accordance with the Council's Scheme of Delegation which is set out in the Council's Constitution.

Public Speaking at the Meeting

The Council has a public participation scheme, which invites members of the public, Parish Council representatives and applicants to address the Committee on applications. Full details of the scheme are available from Planning and Building Services or from the Committee Administrator at the Council Offices, Beech Hurst, Weyhill Road, Andover. Copies are usually sent to all those who have made representations. Anyone wishing to speak must book with the Committee Administrator within the stipulated time period otherwise they will not be allowed to address the Committee.

Speakers are limited to a total of three minutes per item for Councillors with prejudicial interests, three minutes for the Parish Council, three minutes for all objectors, three minutes for all supporters and three minutes for the applicant/agent. Where there are multiple supporters or multiple objectors wishing to speak the Chairman may limit individual speakers to less than three minutes with a view to accommodating multiple speakers within the three minute time limit. Speakers may be asked questions by the Members of the Committee, but are not permitted to ask questions of others or to join in the debate. Speakers are not permitted to circulate or display plans, photographs, illustrations or textual material during the Committee meeting as any such material should be sent to the Members *and* officers in advance of the meeting to allow them time to consider the content.

Content of Officer's Report

It should be noted that the Officer's report will endeavour to include a summary of the relevant site characteristics, site history, policy issues, consultations carried out with both internal and external consultees and the public and then seek to make a professional judgement as to whether permission should be granted. However, the officer's report will usually summarise many of the issues, particularly consultations received from consultees and the public, and anyone wishing to see the full response must ask to consult the application file.

Status of Officer's Recommendations and Committee's Decisions

The recommendations contained in this report are made by the officers at the time the report was prepared. A different recommendation may be made at the meeting should circumstances change and the officer's recommendations may not be accepted by the Committee.

In order to facilitate debate in relation to an application, the Chairman will move the officer's recommendations in the report, which will be seconded by the Vice Chairman. Motions are debated by the Committee in accordance with the Council's Rules of Procedure. A binding decision is made only when the Committee has formally considered and voted in favour of a motion in relation to the application and, pursuant to that resolution, the decision notice has subsequently been issued by the Council.

Conditions and Reasons for Refusal

Suggested reasons for refusal and any conditions are set out in full in the officer's recommendation.

Officers or the Committee may add further reasons for refusal or conditions during the Committee meeting and Members may choose to refuse an application recommended for permission by the Officers or to permit an application recommended for refusal. In all cases, clear reasons will be given, by whoever is promoting the new condition or reason for refusal, to explain why the change is being made.

Decisions Subject to Completion of a Planning Obligation

For some applications, a resolution is passed to grant planning permission subject to the completion of an appropriate planning obligation (often referred to as a Section 106 agreement). The obligation can restrict development or the use of the land, require operations or activities to be carried out, require the land to be used in a specified way or require payments to be made to the authority.

New developments will usually be required to contribute towards the infrastructure required to serve a site and to cater for additional demand created by any new development and its future occupants. Typically, such requirements include contributions to community facilities, village halls, parks and play areas, playing fields and improvements to roads, footpaths, cycleways and public transport.

Upon completion of the obligation, the Head of Planning and Building is delegated to grant permission subject to the listed conditions. However, it should be noted that the obligation usually has to be completed sufficiently in advance of the planning application determination date to allow the application to be issued. If this does not happen, the application may be refused for not resolving the issues required within the timescale set to deal with the application.

Deferred Applications

Applications may not be decided at the meeting for a number of reasons as follows:

- * The applicant may choose to withdraw the application. No further action would be taken on that proposal and the file is closed.
- * Officers may recommend deferral because the information requested or amended plans have not been provided or there has been insufficient time for consultation on amendments.
- * The Committee may resolve to seek additional information or amendments.
- * The Committee may resolve to visit the site to assess the effect of the proposal on matters that are not clear from the plans or from the report. These site visits are not public meetings.

Visual Display of Plans and Photographs

Plans are included in the officers' reports in order to identify the site and its surroundings. The location plan will normally be the most up-to-date available from Ordnance Survey and to scale. The other plans are not a complete copy of the application plans and may not be to scale, particularly when they have been reduced from large size paper plans. If further information is needed or these plans are unclear please refer to the submitted application in the reception areas in Beech Hurst, Andover or the Former Magistrates Court office, Romsey. Plans displayed at the meeting to assist the Members may include material additional to the written reports.

Photographs are used to illustrate particular points on most of the items and the officers usually take these. Photographs submitted in advance by applicants or objectors may be used at the discretion of the officers.

Human Rights

"The European Convention on Human Rights" ("ECHR") was brought into English Law, via the Human Rights Act 1998 ("HRA"), as from October 2000.

The HRA introduces an obligation on the Council to act consistently with the ECHR.

There are 2 Convention Rights likely to be most relevant to Planning Decisions:

- * Article 1 of the 1st Protocol - The Right to the Enjoyment of Property.
- * Article 8 - Right for Respect for Home, Privacy and Family Life.

It is important to note that these types of right are not unlimited - although in accordance with the EU concept of "proportionality", any interference with these rights must be sanctioned by Law (e.g. by the Town & Country Planning Acts) and must go no further than necessary.

Essentially, private interests must be weighed against the wider public interest and against competing private interests. Such a balancing exercise is already implicit in the decision-making processes of the Committee. However, members must specifically bear Human Rights issues in mind when reaching decisions on all planning applications and enforcement action.

Natural Environment and Rural Communities Act 2006 (NERC)

The Council has a duty under the Natural Environment and Rural Communities Act 2006 as follows: *"every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity"*.

It is considered that this duty has been properly addressed within the process leading up to the formulation of the policies in the Revised Local Plan. Further regard is had in relation to specific planning applications through completion of the biodiversity checklists for validation, scoping and/or submission of Environmental Statements and any statutory consultations with relevant conservation bodies on biodiversity aspects of the proposals.

Provided any recommendations arising from these processes are conditioned as part of any grant of planning permission (or included in reasons for refusal of any planning application) then the duty to ensure that biodiversity interest has been conserved, as far as practically possible, will be considered to have been met.

Other Legislation

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that determination of applications be made in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the Borough comprises the Test Valley Borough Revised Local Plan (2016). Material considerations are defined by Case Law and includes, amongst other things, draft Development Plan Documents (DPD), Supplementary Planning Documents (SPD) and other relevant guidance including Development Briefs, Government advice, amenity considerations, crime and community safety, traffic generation and safety.

On the 24 July 2018 the Government published a revised National Planning Policy Framework (NPPF). The revised NPPF replaced and superseded the previous NPPF published in 2012. The revised NPPF is a material consideration in planning decisions.

So that sustainable development is pursued in a positive way, at the heart of the revised NPPF is a presumption in favour of sustainable development. Decisions should apply a presumption in favour of sustainable development. This does not change the statutory status of the development plan as a starting point for decision making. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Where a planning application conflicts with an up to date development plan, permission should not usually be granted. Local planning authorities may take decisions which depart from an up to date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

For decision-taking, applying the presumption in favour of sustainable development means:

- Approving development proposals that accord with an up to date development plan without delay; or
- Where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless:
 - The application of policies in the revised NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

- Any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the revised NPPF when taken as a whole.

Existing Local Plan policies should not be considered out of date because they were adopted prior to the publication of the revised NPPF. Due weight should be given to them, according to their degree of consistency with the revised NPPF (the closer the policies in the Local Plan to the policies in the revised NPPF, the greater the weight that may be given).

ITEM 7

APPLICATION NO.	16/02432/OUTS
APPLICATION TYPE	OUTLINE APPLICATION - SOUTH
REGISTERED	05.10.2016
APPLICANT	The Ashfield Partnership
SITE	Hoe Farm, Hoe Lane, North Baddesley, SO52 9NH, NORTH BADDESLEY / NURSLING AND ROWNHAMS
PROPOSAL	Outline application for up to 300 dwellings with associated open space, roads, parking, service infrastructure, allotments and landscaping and potential for ancillary uses including employment, retail and health provision; along with the creation of new vehicular access points to Hoe Lane and Sylvan Drive.
AMENDMENTS	None
CASE OFFICER	Mr Paul Goodman

Background paper (Local Government Act 1972 Section 100D)

1.0 INTRODUCTION

- 1.1 This application was considered by the Planning Control Committee on 12 June 2018 when it was resolved to:
- 1.2 Delegate to the Head of Planning & Building for the completion of a legal agreement to secure the following:
- Provision of 40% affordable housing on site and financial contribution to partial units, with final tenure and mix to be agreed.
 - Financial contribution to and provision of off-site highways works.
 - Financial contribution towards education provision.
 - Financial contribution towards health care provision.
 - Provision and future maintenance arrangements of on-site POS
 - Financial contribution to off-site POS.
 - Secure pedestrian and cycle access through the site to link with the SANG.
 - Delivery, retention and future management of the SANG
 - Enhancement of the SANG to mitigate impact on the Solent and Southampton Water SPA.
 - Secure public access to on-site woodland.
- 1.3 Then, OUTLINE PERMISSION subject to conditions and notes.
- 1.4 Since the consideration of the application at the June PCC, an updated National Planning Policy Framework (NPPF) has been published (July 2018).

This updated version of the NPPF replaces the previous version (March 2012) that was current at the time the application was considered by the PCC. It is therefore necessary for the Committee to consider the application in light of the new material planning consideration before a decision can be issued. This report is an update dealing with an assessment of these changes in relation to the application. In other respects, the reports to the PCC on the 12 June 2018 apply and these are included as follows:

- The report presented in the PCC agenda, including the Officers recommendation to SAPC, for its meeting on 12 June 2018 is attached at **Appendix A**.
- The Update Paper reported to the PCC meeting on the 12 June 2018 is attached at **Appendix B**.

2.0 **POLICY**

2.1 **National Planning Policy Framework 2018.**

2.2 **Test Valley Borough Local Plan 2016** - COM2 (Settlement Hierarchy), COM4 (New Neighbourhood at Hoe Lane, North Baddesley), COM9 (Community Led Development), E1 (High Quality Development in the Borough), E2 (Protect, Conserve and Enhance the Landscape Character of the Borough), E5 (Biodiversity), E7 (Water Management), E8 (Pollution), E9 (Heritage), LHW1 (Public Open Space), LHW4 (Amenity), T1 (Managing Movement), T2 (Parking Standard).

2.3 **Supplementary Planning Documents** - Affordable Housing.

3.0 **PLANNING CONSIDERATIONS**

3.1 The main planning considerations are:

- Whether, in considering the guidance contained in the NPPF as a material planning consideration that has been published since the PCC meeting on the 12 June 2018, the proposed development is considered acceptable.

3.2 **National Planning Policy Framework – background**

Paragraph 2 of the NPPF states that applications for planning permission must be determined in accordance with the Development Plan. Paragraph 12 recognises that the NPPF does not change the statutory status of the development plan as the starting point for decision making. It goes on to advise that where a proposed development conflicts with an up-to-date development plan, permission should not usually be granted and that local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed. Paragraph 213 reinforces that the policies of local plans should not be considered out of date because of their adoption prior to the publication of the updated NPPF and confirms that due weight should be given to them, according to their degree of consistency with the NPPF.

3.3 **The principle of development**

The previous report to PCC (**Appendix A**) addresses the main issues of principle concerning the development in the countryside and concludes that the proposed development is considered acceptable in principle under policy COM4 of the Test Valley Borough Revised Local Plan 2016 (RLP). The updated NPPF does not include any new guidance which changes the situation as put forward in the original report. Therefore, in respect of the principle of development, the discussion which leads to the conclusion in the original report remains valid.

3.4 **Other considerations detailed in the 12 June 2018 agenda report**

With respect to the following considerations in the original Officer's report and associated recommendation to SAPC (**Appendix A**):

- Affordable housing (para.8.7, SAPC);
- Improvements to community and education facilities to meet the needs of the new residents (para. 8.10 SAPC, para.3.8 PCC);
- Public open space (para.8.20 SAPC);
- Landscaping (para.8.25 SAPC);
- Retention and enhancement of the existing woodland (para.8.28 SAPC);
- Access to the development (para.8.31 SAPC);
- Off-site improvements to the transport network (para.8.39 SAPC, para.3.3 PCC);
- SANG (para.8.54 SAPC);
- Ecology and Protected Species (para.8.58 SAPC);
- Historic Environment and Archaeology (para. 8.72 SAPC);
- Residential Amenities (para.8.76 SAPC);
- Pollution & Contamination (para.8.80 SAPC);
- Water services (para.8.101 SAPC);
- Water management (para.8.101 SAPC);
- Social benefits (para. 8.102 SAPC);
- Economic benefits (para.8.105 SAPC); and
- Planning balance (para.8.110 SAPC)

3.5 It is considered that the updated NPPF does not introduce a materially different approach to these matters such that the original officer assessment of the proposal as set out in the original report to SAPC is now unsound. The corresponding Development Plan policies are not inconsistent with the updated NPPF such that a different recommendation on these matters arises.

3.6 **Legal agreement**

The required legal agreement has not yet been completed. Consequently the recommendation reflects the need to secure the same obligations to those set out in the previous PCC recommendation.

4.0 **CONCLUSION**

4.1 It is clear that the publication of the revised NPPF represents a new material consideration compared to the position as it existed when the PCC met on the

12 June 2018. However, it is not considered that the revised NPPF introduces a materially different approach to considering the planning considerations relevant to this application as outlined above. The proposal does not conflict with the revised NPPF and on this basis there is no reason to reach a different outcome to that of the PCC on 12 June 2018.

5.0 RECOMMENDATION

Delegate to the Head of Planning & Building for the completion of a legal agreement to secure the following:

- **Provision of 40% affordable housing on site and financial contribution to partial units, with final tenure and mix to be agreed.**
- **Financial contribution to and provision of off-site highways works.**
- **Financial contribution towards education provision.**
- **Financial contribution towards health care provision.**
- **Provision and future maintenance arrangements of on-site POS**
- **Financial contribution to off-site POS.**
- **Secure pedestrian and cycle access through the site to link with the SANG.**
- **Delivery, retention and future management of the SANG**
- **Enhancement of the SANG to mitigate impact on the Solent and Southampton Water SPA.**
- **Secure public access to on-site woodland.**

Then, OUTLINE PERMISSION subject to conditions and notes as per PCC agenda and additional conditions.

1. **Prior to the commencement of the development hereby approved, a Development Parcel Plan shall be submitted to and approved in writing by the Local Planning Authority.**
Reason: For the avoidance of doubt and in the interests of proper planning.
2. **Applications for the approval of all the reserved matters referred to herein shall be made within a period of three years from the date of this permission. The development to which the permission relates shall be begun not later than whichever is the later of the following dates:**
 - i) **five years from the date of this permission: or**
 - ii) **two years from the final approval of the said reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.****Reason: To comply with the provision of S.92 of the Town & Country Planning Act 1990.**
3. **Approval of the details of the layout, scale and appearance of the building(s) and the landscaping of the site (herein after called "the reserved matters") within each development parcel shall be submitted to and approved in writing by the local planning authority in writing before the development is commenced.**
Reason: To comply with Article 4 of the Town and Country Planning (General Management Procedure) (England) Development Procedure) Order 2015 (or any order revoking and re-enacting that Order).

- 4. The development hereby approved shall be carried out in accordance with the following approved plans:
Site Location Plan: 073_DI_59.4
Junction Drawings: 3243/SK/006B, 007B, 008B & 009A
Reason: Reason: For the avoidance of doubt and in the interests of proper planning.**
- 5. No development shall take place above DPC level within a Development Parcel unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls and roofs (including windows and doors) of the proposed buildings have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the development within that Development Parcel.
Reason: To ensure the development has a satisfactory external appearance in the interest of visual amenities in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1.**
- 6. Notwithstanding the provisions set out within the Aspect Tree Consultancy Arboricultural Impact Assessment reference 03657-HOE.LANE-AIA.TCP.WMP-2016 no development within a Development Parcel shall take place until an updated arboricultural method statement reflecting the removal and replacement of the identified trees has been submitted to and approved in writing by the Local Planning Authority for that Parcel. Development shall be undertaken in accordance with the approved method statement.
Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with Test Valley Borough Revised Local Plan policy E2.**
- 7. Tree protective measures installed (in accordance with the tree protection condition 6) shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities, nor material storage, nor placement of site huts or other equipment what-so-ever shall take place within the barrier.
Reason: To ensure the avoidance of damage to existing trees and natural features during the construction phase in accordance with Test Valley Borough Revised Local Plan policy E2.**
- 8. All service routes, drain runs, soakaways or excavations in connection with the development hereby permitted shall remain wholly outside the tree protective barrier.
Reason: To ensure the avoidance of damage to existing trees and natural features during the construction phase in accordance with Test Valley Borough Revised Local Plan policy E2.**
- 9. Prior to the commencement of development in a Development Parcel, a detailed Biodiversity Management Plan (BMP) shall be submitted to and approved in writing by the Local Planning Authority. The Parcel shall subsequently be managed in accordance with any such approved details.
Reason: To conserve and enhance biodiversity, in accordance with Test Valley Borough Revised Local Plan policy E5.**

10. **Prior to the commencement of development in a Development Parcel a detailed lighting strategy, including within the site and new street lighting shall be submitted to and approved in writing by the Local Planning Authority for that Parcel. Development shall subsequently proceed in accordance with any such approved details.**

Reason: To avoid impacts to bats, in accordance with Test Valley Borough Revised Local Plan policy E5.

11. **No works pursuant to this permission shall commence in a Development Parcel until there has been submitted to and approved in writing by the local planning authority the following for that Parcel:**

- (a) a desk top study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Contaminated Land Research Report Nos. 2 and 3 and BS10175:2001 -Investigation of Potentially Contaminated Sites - Code of Practice; and (unless otherwise agreed in writing by the local planning authority)**
- (b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175;and (unless otherwise agreed in writing by the local planning authority)**
- (c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminated land and/or gases when the site is developed and proposals for future maintenance and monitoring. Such a scheme shall include nomination of a competent person to oversee the implementation of the works.**

The development hereby permitted shall not be occupied or brought into use in the relevant Development Parcel until there has been submitted to the local planning authority verification by a competent person approved under the provisions of condition 12(i) (c) that any remediation scheme required and approved under the provisions of this condition has been implemented fully in accordance with the approved details (unless with the written agreement of the local planning authority in advance of implementation). Unless agreed in writing by the local planning authority such verification shall comprise:

- a) as built drawings of the implemented scheme;**
- b) photographs of the remediation works in progress;**
- c) certificates demonstrating that imported and/or material left in situ is free from contamination;**
- d) thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition (I) c.**

Reason: To ensure a safe living/working environment in accordance with Test Valley Borough Revised Local Plan 2016 policy E8.

- 12. There shall be no construction or demolition works, no machinery shall be operated, no processes carried out and no deliveries received or dispatched outside the following times: 07:30 to 18:00 hours Monday to Friday and 08:00 to 13:00 hours on Saturday. In addition, no such activities shall take place on Sundays, Bank or Public holidays.**

Reason: In the interests of the amenities of neighbouring properties in accordance with Test Valley Borough Revised Local Plan 2016 policies E8 and LWH4.
- 13. No development shall take place in a Development Parcel unless or until a Construction Traffic & Environmental Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The Traffic & Environmental Management Plan shall cover the control of noise and dust during the demolition, site preparation and construction phases of development. It shall also include full details of the layout for the parking and manoeuvring onsite of contractor's and delivery vehicles during the construction period and the routing of construction traffic to and from the site. Work shall be undertaken in accordance with the approved Construction Environmental Management Plan for the relevant Development Parcel.**

Reason: In the interests of local amenities and of neighbouring properties in accordance with Test Valley Borough Revised Local Plan 2016 policies E8 and LWH4, to avoid, mitigate and compensate for impacts to biodiversity, in accordance with Policy E5 and in the interest of highway safety in accordance with policy T1.
- 14. Prior to the commencement of development detailed proposals for the sustainable disposal of foul and surface water and any trade effluent shall be submitted to and approved in writing by the Local Planning Authority. The agreed details shall be fully implemented before the first occupation of the dwellings.**

Reason: To ensure a satisfactory form of development and in the interest of local amenities in accordance with Test Valley Borough Revised Local Plan 2016 policy E7.
- 15. Before the development hereby permitted is commenced details, including plans and cross sections, shall be submitted to and approved by the Local Planning Authority of the existing and proposed ground levels of the development and the boundaries of the site and the height of the ground floor slab and damp proof course in relation thereto. Development shall be undertaken in accordance with the approved details.**

Reason: To ensure satisfactory relationship between the new development and the adjacent buildings, amenity areas and trees in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1.
- 16. The development hereby approved shall be designed and built to meet Regulation 36 2 (b) requirement of 110 litres/person/day water efficiency set out in part G2 of Building Regulations 2015.**

Reason: In the interests of improving water usage efficiency in accordance with policy E7 of the Test Valley Borough Revised Local Plan 2016.

- 17. No development in a Development Parcel shall be commenced until details of roads, footways, footpaths and cycleways to be offered to HCC for adoption, shall have approved in writing by the Local Planning Authority:**

Details shall include:

- a) the width, alignment, gradient and surface materials including all relevant horizontal and longitudinal cross sections showing existing and proposed levels**
- b) the type of street lighting including calculations, contour illumination plans and means to reduce light pollution) the method of surface water drainage including local sustainable disposal.**

Development shall be undertaken in accordance with the approved details.

Reason: To ensure that the roads, footway, footpath, cycleway, street lighting and surface water drainage are constructed and maintained to an appropriate standard to serve the development in accordance with Test Valley Borough Revised Local Plan 2016 policy T1.

- 18. No development above DPC level of the first unit to be constructed shall commence until the Local Planning Authority shall have approved in writing a Quality Audit incorporating a Stage 1 Safety Audit, as recommended in Manual for Streets published by the Chartered Institute for Highways and Transportation.**

Reason: To ensure that the highways works are provided to an appropriate standard to serve the development in accordance with Test Valley Borough Revised Local Plan 2016 Policy T1.

- 19. Prior to the commencement of development details of the means of access to the existing adopted highways, including the layout and sight lines, shall, if they are to differ from details in the approved plans referred to in Condition 5 above, be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented before the start of the abutting development/use commences of the access and retained as such at all times.**

Reason: To ensure that the access into the site is provided to an appropriate standard to serve the development in accordance with Test Valley Borough Revised Local Plan 2016 Policy T1.

- 20. Full details of the vehicle cleaning measures proposed to prevent mud and spoil from vehicles leaving the site shall be submitted in writing to the Local Planning Authority for written approval prior to the commencement of the development. The approved measures shall be implemented before the development commences. Once the development has been commenced, these measures shall be used by all vehicles leaving the site and maintained in good working order for the duration of the development. No vehicle shall leave the site unless its wheels have been cleaned sufficiently to prevent mud and spoil being carried on to the public highway.**

Reason: In the interest of highway safety in accordance with Test Valley Borough Revised Local Plan 2016 Policy T1.

21. **No construction of any dwelling hereby approved shall commence in a Development Parcel until an Employment and Skills Plan has first been submitted to and approved by the Local Planning Authority for that Parcel. The Plan shall be based on the CITB Client Based Approach (or such other standard as may supersede it) and shall include the requirements of the CITB schedule for residential development that applies to the value of the development at the time the Plan is submitted.**
Reason: To ensure that the development contributes to construction skills training having regard to policy ST1 of the Test Valley Borough Revised Local Plan 2016.
22. **No development authorised by this permission shall begin until the local planning authority has approved in writing a full scheme of works for the provision of passing places and widening works to Hoe Lane. The construction of the development shall not begin until those works have been completed in accordance with the local planning authority's approval and have been certified in writing as complete by or on behalf of the local planning authority.**
Reason: To ensure that the highways works are provided to an appropriate standard to serve the development and its construction in accordance with Test Valley Borough Revised Local Plan (2016) Policy T1.
23. **Notwithstanding the highways works shown on Drawing 3243-SK-04-B Rev H no development shall take place until a revised plan with the addition of a further formalised passing place opposite the central access to the development on Hoe Lane and adjacent to the access to the allotments has been submitted to and approved in writing by the local planning authority. Highways improvement works shall be carried out in accordance with the approved details.**
Reason: To ensure that the highways works are provided to an appropriate standard to serve the development and its construction in accordance with Test Valley Borough Revised Local Plan (2016) Policy T1.

Notes to applicant:

- 1. 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.**
- 2. 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.**

- 3. Bats and their roosts receive strict legal protection under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended). All work must stop immediately if bats, or evidence of bat presence (e.g. droppings, bat carcasses or insect remains), are encountered at any point during this development. Should this occur, further advice should be sought from Natural England and/or a professional ecologist.**
 - 4. 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.**
 - 5. The applicant/developer should enter into a formal agreement with Southern Water to provide necessary sewerage infrastructure required to service this development. The applicant/developer should contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk in order to progress the required infrastructure.**
 - 6. A formal application for connection to the water supply is required in order to service this development. The applicant/developer should contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk in order to progress the connection.**
 - 7. Any culverted watercourse requires the consent of Hampshire County Council; it is the responsibility of those proposing the works to obtain this separate consent and to make sure that any proposals do not adversely affect flows or ecological impacts on the watercourse.**
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APPENDIX A

Officer Report to Planning Control Committee on 12 June 2018

APPLICATION NO.	16/02432/OUTS
APPLICATION TYPE	OUTLINE APPLICATION - SOUTH
REGISTERED APPLICANT SITE	05.10.2016 The Ashfield Partnership Hoe Farm, Hoe Lane, North Baddesley, SO52 9NH, NORTH BADDESLEY / NURSLING AND ROWNHAMS
PROPOSAL	Outline application for up to 300 dwellings with associated open space, roads, parking, service infrastructure, allotments and landscaping and potential for ancillary uses including employment, retail and health provision; along with the creation of new vehicular access points to Hoe Lane and Sylvan Drive.
AMENDMENTS CASE OFFICER	Amended plans received Mr Paul Goodman

Background paper (Local Government Act 1972 Section 100D)

1.0 INTRODUCTION

1.1 This application is referred to Planning Control Committee (PCC) because the Southern Area Planning Committee (SAPC) was minded to refuse planning permission for reasons that the Officers advised could not be substantiated and would result in a risk of costs being awarded against the Council at appeal.

1.2 A copy of the Officer's report to the 24 April 2018 SAPC, from which the application was referred to the Planning Control Committee, is attached as **Appendix A** and the update paper at **Appendix C**.

2.0 CONSULTATIONS

2.1 **HCC Highways** – Comments awaited.

2.2 **NHS West Hampshire Clinical Commissioning Group** – No objection, subject to contributions.

3.0 PLANNING CONSIDERATIONS

3.1 Members of SAPC resolved to refuse planning permission contrary to the Officer recommendation considering that the proposed highways improvement works to Hoe Lane and associated off-site highways improvements are inadequate to safely manage the impact of additional traffic movements resulting from the development resulting in an adverse impact on the function, safety and character of Hoe Lane and the off-site roads to the north.

- 3.2 Additional reasons for refusal were imposed in the absence of a completed legal agreement to secure affordable housing, public open space, transport infrastructure projects, New Forest SPA, Solent and Southampton Water SPA, contribution towards off-site community healthcare facilities and contributions to primary education. Those matters can be resolved by the completion of the required agreement.
- 3.3 **COM4 criterion g) off-site improvements to the transport network**
It remains the advice of HCC as the Highways Authority that the works detailed in paragraphs 8.39 – 8.53 of the Officers recommendation to SAPC are sufficient to adequately accommodate the highways impact of the development. However since consideration at SAPC the applicant has submitted further proposals to improve Hoe Lane.
- 3.4 The revised proposals now include the formation of 16 total passing spaces (9 proposed at SAPC) and 3 areas of carriageway widening works (1 proposed at SAPC). In addition the previously proposed passing spaces have been increased in length to accommodate more vehicles than previously proposed. The passing spaces have been positioned to take advantage of the available informal passing places and further to avoid conflict with the significant trees that are a strong feature in the lane which would retain its rural character.
- 3.5 Furthermore it has been agreed in principle that the applicant would undertake the works to an agreed specification and under licence from HCC. This would enable the enhancement works to be undertaken earlier in the process and therefore be available to accommodate construction traffic which is required to access the site from the A3057 rather than through the main village.
- 3.6 The proposed additional works are considered to represent a further enhancement of the scheme and HCC Highways are anticipated to raise no objection to the works being undertaken. Members are advised that it remains the Highway Authorities advice that the improvement works considered at SAPC were acceptable and as a result limited weight should be applied to the additional works now proposed.
- 3.7 However the additional works now form part of the application, are considered to have no adverse impact on highways safety and can be accommodated without the loss of significant trees or hedgerows thereby maintaining the character of the lane. If members were minded to grant permission it would therefore be appropriate to secure the additional enhancements.
- 3.8 **Health Facilities**
As is described in paragraph 8.19 of the Officers Report following the SAPC of 30 January consultations have taken place with the Clinical Commissioning Group (CCG). Based on the discussions it is considered that contributions based on an assessment of the local needs a formulaic approach to calculating the contributions and an agreed programme of works to enhance the local doctor's facility in North Baddeley is applicable and would meet the

relevant tests for planning obligations set out in the NPPF. The applicants have agreed to this approach.

- 3.9 However the formal consultation response had not been received prior to SAPC and the recommendation was been amended to secure the formal response before issuing a decision. The response has now been received and the recommendation of the Head of Planning & Building has been revised to secure the contribution.

4.0 **CONCLUSION**

- 4.1 It remains the consideration of the Case Officer that the proposal, subject to the completion of the required legal agreement, is acceptable. Subject to the required conditions and the works proposed to enhance the local highways network the development would have no significant adverse impact on highways safety and can adequately accommodate the proposed development.

5.0 **RECOMMENDATION OF SOUTHERN AREA PLANNING COMMITTEE REFUSE for the reasons:**

1. **The proposed highways improvement works to Hoe Lane, its junction with the A3057 and associated off-site highways improvements are inadequate to safely manage the impact of additional traffic movements resulting from the development. As a result the development would have an adverse impact on the function, safety and character of Hoe Lane and the off-site roads to the north including Botley Road, Rownhams Lane, Rownhams Road and Sylvan Drive the junctions of which are currently at or over capacity. The development is therefore contrary to Policy COM4(g) and T1(d) of the Test Valley Borough Revised Local Plan 2016.**
2. **In the absence of a legal agreement to secure the delivery of affordable housing, including the subsequent retention in perpetuity to occupation by households in housing need and ensuring the units are dispersed through the development, the proposed development would exacerbate an existing need for affordable housing in the locality, and is therefore contrary to the aims of the National Planning Policy Framework, Policy COM07 of the Test Valley Borough Revised Local Plan 2016, and the Council's 'Infrastructure and Developer Contributions' (2009) and 'Affordable Housing' (2008) Supplementary Planning Documents.**
3. **In the absence of a legal agreement, the application has failed to make provision for the delivery of the required level of useable public recreational open space on site or financial contributions in lieu of on-site provision to mitigate against the additional pressure that would be placed on existing recreational facilities where there is a deficit in such provision, and where open space is to be provided on site, no provision has been secured for its long term management and maintenance. As such, the proposals are considered to be contrary to Policy LHW1 of the Test Valley Borough Revised Local Plan and the Council's 'Infrastructure and Developer Contributions' Supplementary Planning Document (2009).**

- 4. In the absence of a legal agreement, the application has failed to secure the provision of sustainable transport infrastructure projects which would be made necessary by the proposed development. Such projects are required to mitigate against the impact of the additional vehicle movements that would be generated on the existing highway network, and to assist deliver green infrastructure to the benefit of pedestrians and cyclists. The proposals are therefore considered contrary to the aims of the National Planning Policy Framework, and policy T1 of the Test Valley Borough Revised Local Plan 2016, and the Council's 'Infrastructure and Developer Contributions' SPD (2009).**
- 5. The site lies within close proximity to the New Forest SPA and Solent and Southampton Water SPA which are designated for their conservation importance. In the absence of a legal agreement, the application has failed to secure the required mitigation measures in the form of the SANG, in accordance with the Council's adopted 'New Forest SPA Mitigation - Interim Framework' and Solent Recreation Mitigation Strategy (2017). As such, it is not possible to conclude that the development would not have an in-combination likely significant effect on the interest features of this designated site, as a result of increased recreational pressure. The proposed development is therefore contrary to the Council's adopted 'New Forest SPA Mitigation - Interim Framework', Solent Recreation Mitigation Strategy (2017), Policy E5 of the adopted Test Valley Borough Revised Local Plan 2016, and the Conservation of Habitats and Species Regulations 2010 (as amended).**
- 6. In the absence of a legal agreement, the application has failed to secure the provision of a financial contribution towards off-site primary school education facilities, which has been made necessary by the proposed development. Such a contribution would be required to mitigate against the impact of the additional demand placed on primary school education facilities nearby by the increase in population. The proposal is therefore considered contrary to the aims of the National Planning Policy Framework, and the Council's 'Infrastructure and Developer Contributions' SPD (2009).**
- 7. In the absence of a legal agreement, the application has failed to secure the provision of a financial contribution towards off-site community healthcare facilities, which has been made necessary by the proposed development. Such a contribution would be required to mitigate against the impact of the additional demand placed on community healthcare facilities nearby by the increase in population. The proposal is therefore considered contrary to Policy COM4 (b) of the Test Valley Borough Revised Local Plan 2016, the aims of the National Planning Policy Framework and the Council's 'Infrastructure and Developer Contributions' SPD (2009).**

**6.0 RECOMMENDATION OF HEAD OF PLANNING & BUILDING SERVICE
Delegate to the Head of Planning & Building for the completion of a
legal agreement to secure the following:**

- **Provision of 40% affordable housing on site and financial contribution to partial units, with final tenure and mix to be agreed.**
- **Financial contribution to and provision of off-site highways works.**
- **Financial contribution towards education provision.**
- **Financial contribution towards health care provision.**
- **Provision and future maintenance arrangements of on-site POS**
- **Financial contribution to off-site POS.**
- **Secure pedestrian and cycle access through the site to link with the SANG.**
- **Delivery, retention and future management of the SANG**
- **Enhancement of the SANG to mitigate impact on the Solent and Southampton Water SPA.**
- **Secure public access to on-site woodland.**

Then, OUTLINE PERMISSION subject to:

- 1. Prior to the commencement of the development hereby approved, a Development Parcel Plan shall be submitted to and approved in writing by the Local Planning Authority.
Reason: For the avoidance of doubt and in the interests of proper planning.**
- 2. Applications for the approval of all the reserved matters referred to herein shall be made within a period of three years from the date of this permission. The development to which the permission relates shall be begun not later than whichever is the later of the following dates:
i) five years from the date of this permission: or
ii) two years from the final approval of the said reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.
Reason: To comply with the provision of S.92 of the Town & Country Planning Act 1990.**
- 3. Approval of the details of the layout, scale and appearance of the building(s) and the landscaping of the site (herein after called "the reserved matters") within each development parcel shall be submitted to and approved in writing by the local planning authority in writing before the development is commenced.
Reason: To comply with Article 4 of the Town and Country Planning (General Management Procedure) (England) Development Procedure) Order 2015 (or any order revoking and re-enacting that Order).**
- 4. The development hereby approved shall be carried out in accordance with the following approved plans:
• Site Location Plan: 073_DI_59.4
• Junction Drawings: 3243/SK/006B, 007B, 008B & 009A
Reason: For the avoidance of doubt and in the interests of proper planning.**

- 5. No development shall take place above DPC level within a Development Parcel unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls and roofs (including windows and doors) of the proposed buildings have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the development within that Development Parcel.**

Reason: To ensure the development has a satisfactory external appearance in the interest of visual amenities in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1.
- 6. Notwithstanding the provisions set out within the Aspect Tree Consultancy Arboricultural Impact Assessment reference 03657-HOE.LANE-AIA.TCP.WMP-2016 no development within a Development Parcel shall take place until an updated arboricultural method statement reflecting the removal and replacement of the identified trees has been submitted to and approved in writing by the Local Planning Authority for that Parcel. Development shall be undertaken in accordance with the approved method statement.**

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with Test Valley Borough Revised Local Plan policy E2.
- 7. Tree protective measures installed (in accordance with the tree protection condition 6) shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities, nor material storage, nor placement of site huts or other equipment what-so-ever shall take place within the barrier.**

Reason: To ensure the avoidance of damage to existing trees and natural features during the construction phase in accordance with Test Valley Borough Revised Local Plan policy E2.
- 8. All service routes, drain runs, soakaways or excavations in connection with the development hereby permitted shall remain wholly outside the tree protective barrier.**

Reason: To ensure the avoidance of damage to existing trees and natural features during the construction phase in accordance with Test Valley Borough Revised Local Plan policy E2.
- 9. Prior to the commencement of development in a Development Parcel, a detailed Biodiversity Management Plan (BMP) shall be submitted to and approved in writing by the Local Planning Authority. The Parcel shall subsequently be managed in accordance with any such approved details.**

Reason: To conserve and enhance biodiversity, in accordance with Test Valley Borough Revised Local Plan policy E5.
- 10. Prior to the commencement of development in a Development Parcel a detailed lighting strategy, including within the site and new street lighting shall be submitted to and approved in writing by the Local Planning Authority for that Parcel. Development shall subsequently proceed in accordance with any such approved details.**

Reason: To avoid impacts to bats, in accordance with Test Valley Borough Revised Local Plan policy E5.

- 11. No works pursuant to this permission shall commence in a Development Parcel until there has been submitted to and approved in writing by the local planning authority the following for that Parcel:**
- (a) a desk top study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Contaminated Land Research Report Nos. 2 and 3 and BS10175:2001 - Investigation of Potentially Contaminated Sites - Code of Practice; and (unless otherwise agreed in writing by the local planning authority)**
 - (b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175;and (unless otherwise agreed in writing by the local planning authority)**
 - (c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminated land and/or gases when the site is developed and proposals for future maintenance and monitoring. Such a scheme shall include nomination of a competent person to oversee the implementation of the works.**

The development hereby permitted shall not be occupied or brought into use in the relevant Development Parcel until there has been submitted to the local planning authority verification by a competent person approved under the provisions of condition 12(i) (c) that any remediation scheme required and approved under the provisions of this condition has been implemented fully in accordance with the approved details (unless with the written agreement of the local planning authority in advance of implementation). Unless agreed in writing by the local planning authority such verification shall comprise:

- a) as built drawings of the implemented scheme;**
- b) photographs of the remediation works in progress;**
- c) certificates demonstrating that imported and/or material left in situ is free from contamination;**
- d) thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition (l) c.**

Reason: To ensure a safe living/working environment in accordance with Test Valley Borough Revised Local Plan 2016 policy E8.

- 12. There shall be no construction or demolition works, no machinery shall be operated, no processes carried out and no deliveries received or dispatched outside the following times: 07:30 to 18:00 hours Monday to Friday and 08:00 to 13:00 hours on Saturday. In addition, no such activities shall take place on Sundays, Bank or Public holidays.**

- Reason: In the interests of the amenities of neighbouring properties in accordance with Test Valley Borough Revised Local Plan 2016 policies E8 and LWH4.**
- 13. No development shall take place in a Development Parcel unless or until a Construction Traffic & Environmental Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The Traffic & Environmental Management Plan shall cover the control of noise and dust during the demolition, site preparation and construction phases of development. It shall also include full details of the layout for the parking and manoeuvring onsite of contractor's and delivery vehicles during the construction period and the routing of construction traffic to and from the site. Work shall be undertaken in accordance with the approved Construction Environmental Management Plan for the relevant Development Parcel.**
Reason: In the interests of local amenities and of neighbouring properties in accordance with Test Valley Borough Revised Local Plan 2016 policies E8 and LWH4, to avoid, mitigate and compensate for impacts to biodiversity, in accordance with Policy E5 and in the interest of highway safety in accordance with policy T1.
- 14. Prior to the commencement of development detailed proposals for the sustainable disposal of foul and surface water and any trade effluent shall be submitted to and approved in writing by the Local Planning Authority. The agreed details shall be fully implemented before the first occupation of the dwellings.**
Reason: To ensure a satisfactory form of development and in the interest of local amenities in accordance with Test Valley Borough Revised Local Plan 2016 policy E7.
- 15. Before the development hereby permitted is commenced details, including plans and cross sections, shall be submitted to and approved by the Local Planning Authority of the existing and proposed ground levels of the development and the boundaries of the site and the height of the ground floor slab and damp proof course in relation thereto. Development shall be undertaken in accordance with the approved details.**
Reason: To ensure satisfactory relationship between the new development and the adjacent buildings, amenity areas and trees in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1.
- 16. The development hereby approved shall be designed and built to meet Regulation 36 2 (b) requirement of 110 litres/person/day water efficiency set out in part G2 of Building Regulations 2015.**
Reason: In the interests of improving water usage efficiency in accordance with policy E7 of the Test Valley Borough Revised Local Plan 2016.
- 17. No development in a Development Parcel shall be commenced until details of roads, footways, footpaths and cycleways to be offered to HCC for adoption, shall have approved in writing by the Local Planning Authority:**

Details shall include:

- a) the width, alignment, gradient and surface materials including all relevant horizontal and longitudinal cross sections showing existing and proposed levels
- b) the type of street lighting including calculations, contour illumination plans and means to reduce light pollution) the method of surface water drainage including local sustainable disposal.

Development shall be undertaken in accordance with the approved details.

Reason: To ensure that the roads, footway, footpath, cycleway, street lighting and surface water drainage are constructed and maintained to an appropriate standard to serve the development in accordance with Test Valley Borough Revised Local Plan 2016 policy T1.

18. No development above DPC level of the first unit to be constructed shall commence until the Local Planning Authority shall have approved in writing a Quality Audit incorporating a Stage 1 Safety Audit, as recommended in Manual for Streets published by the Chartered Institute for Highways and Transportation.

Reason: To ensure that the highways works are provided to an appropriate standard to serve the development in accordance with Test Valley Borough Revised Local Plan 2016 Policy T1.

19. Prior to the commencement of development details of the means of access to the existing adopted highways, including the layout and sight lines, shall, if they are to differ from details in the approved plans referred to in Condition 5 above, be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented before the start of the abutting development/use commences of the access and retained as such at all times.

Reason: To ensure that the access into the site is provided to an appropriate standard to serve the development in accordance with Test Valley Borough Revised Local Plan 2016 Policy T1.

20. Full details of the vehicle cleaning measures proposed to prevent mud and spoil from vehicles leaving the site shall be submitted in writing to the Local Planning Authority for written approval prior to the commencement of the development. The approved measures shall be implemented before the development commences. Once the development has been commenced, these measures shall be used by all vehicles leaving the site and maintained in good working order for the duration of the development. No vehicle shall leave the site unless its wheels have been cleaned sufficiently to prevent mud and spoil being carried on to the public highway.

Reason: In the interest of highway safety in accordance with Test Valley Borough Revised Local Plan 2016 Policy T1.

- 21. No construction of any dwelling hereby approved shall commence in a Development Parcel until an Employment and Skills Plan has first been submitted to and approved by the Local Planning Authority for that Parcel. The Plan shall be based on the CITB Client Based Approach (or such other standard as may supersede it) and shall include the requirements of the CITB schedule for residential development that applies to the value of the development at the time the Plan is submitted.**
Reason: To ensure that the development contributes to construction skills training having regard to policy ST1 of the Test Valley Borough Revised Local Plan 2016.

Notes to applicant:

- 1. 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.**
- 2. 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.**
- 3. Bats and their roosts receive strict legal protection under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended). All work must stop immediately if bats, or evidence of bat presence (e.g. droppings, bat carcasses or insect remains), are encountered at any point during this development. Should this occur, further advice should be sought from Natural England and/or a professional ecologist.**
- 4. 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.**

- 5. The applicant/developer should enter into a formal agreement with Southern Water to provide necessary sewerage infrastructure required to service this development. The applicant/developer should contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk in order to progress the required infrastructure.**
 - 6. A formal application for connection to the water supply is required in order to service this development. The applicant/developer should contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk in order to progress the connection.**
 - 7. Any culverted watercourse requires the consent of Hampshire County Council; it is the responsibility of those proposing the works to obtain this separate consent and to make sure that any proposals do not adversely affect flows or ecological impacts on the watercourse.**
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Officer Report to Southern Area Planning Committee on 24 April 2018

APPLICATION NO.	16/02432/OUTS
APPLICATION TYPE	OUTLINE APPLICATION - SOUTH
REGISTERED APPLICANT SITE	05.10.2016 The Ashfield Partnership Hoe Farm, Hoe Lane, North Baddesley, SO52 9NH, NORTH BADDESLEY / NURSLING AND ROWNHAMS
PROPOSAL	Outline application for up to 300 dwellings with associated open space, roads, parking, service infrastructure, allotments and landscaping and potential for ancillary uses including employment, retail and health provision; along with the creation of new vehicular access points to Hoe Lane and Sylvan Drive.
AMENDMENTS	Additional information received 04/01/17, 21/06/17, 28/06/17, 24/11/17 & 05/04/18.
CASE OFFICER	Mr Paul Goodman

Background paper (Local Government Act 1972 Section 100D)

1.0 **INTRODUCTION**

1.1 The application was deferred from the SAPC of 30 January to enable the Head of Planning and Building to negotiate additional improvements to highways infrastructure and to enable further investigation of the potential to secure contributions to health services in the locality.

2.0 **SITE LOCATION AND DESCRIPTION**

2.1 The application site is a broadly triangular shaped parcel of land situated to the southern side of Sylvan Drive and to the north of Hoe Lane. The site is situated on the southern edge of the settlement of North Baddesley and extends to approximately 16.4 hectares.

3.0 **PROPOSAL**

3.1 The application is made in outline for the erection of up to 300 dwellings with associated open space, roads, parking, service infrastructure, allotments and landscaping and potential for ancillary uses including employment, retail and health provision; along with the creation of new vehicular access points to Hoe Lane and Sylvan Drive.

4.0 **HISTORY**

4.1 16/02431/FULLS - Change of use from Woodland to Suitable Alternative Natural Greenspace (SANG) and associated development including pedestrian access, footpaths and landscaping. Permission 10.11.2017.

4.2 14/01446/SCRS - Screening opinion under the Environment Impact Assessment Regulations 2011 - Residential development of approx. 300 dwellings. EIA not required.

5.0 **CONSULTATIONS**

5.1 **Planning Policy & Transport (Policy)** – No objection.

5.2 **Planning Policy & Transport (Highways)** – No objection to original submission, comments awaited on revised proposals.

5.3 **Planning & Building (Landscape)** – Objection;

- Overall it is felt that the development is over dense and does not integrate with the landscape character and would be detrimental to the visual character of the lane with so many formalised suburban access points. The accesses need to more detailed, and ideally reduced to reduce impact on the character of the lane.
A greater green influence with linked trees and green spaces is required to work with the existing framework of the local landscape.

5.4 **Planning & Building (Trees)** – No objection.

5.5 **Housing & Environmental Health (Housing)** – No objection.

5.6 **Housing & Environmental Health (Environmental Protection)** – No objection, subject to conditions.

5.7 **Ecology** - No objection, subject to condition and notes.

5.8 **Archaeology** - No objection.

5.9 **Southern Water** – No objection.

5.10 **HCC Education** – No objection, subject to s106 contribution.

5.11 **Natural England** – No objection, subject to SANG provision.

5.12 **HCC Highways** – No objection subject to conditions and legal agreement to secure off-site works.

5.13 **Highways England** – No objection.

5.14 **HCC Lead Flood Authority** – No objection, subject to condition.

6.0 **REPRESENTATIONS** Expired 18.01.2018

6.1 **North Baddesley Parish Council** - Objection;

- Services throughout the village are already overstretched; the current extension to the school will only accommodate the current capacity and the Doctors' surgeries are already full.
- The application doesn't state the hours of working, i.e. access while the site is being developed. This needs to be established at an early stage in consideration of neighbouring residents.
- There is no 106 agreement or CIL arrangement in place.

- Hoe Lane itself needs to be upgraded to a more substantial road. There are 4 accesses onto Hoe Lane but only one onto Sylvan Drive and several sharp bends in the current lane. Therefore “passing places” would be inadequate and dangerous – a new road is required with a roundabout or traffic lights at the end at the junction with A3057 Romsey Road.
- Hoe Lane needs to be developed into a proper two-way road in order to cater for those drivers who will want to use Hoe Lane as the quickest/shortest route to get to the M27.
- With regard to drainage, an online report states that there are concerns that one of the access roads is on a watercourse so the road will flood during heavy rainfall.
- On the Planning Application itself there is insufficient information concerning the following:
 - Waste storage – why is there nowhere to store waste on site?
 - Foul sewerage – how is foul sewerage to be disposed of? How will it connect into the main sewerage?
 - What do the residential units consist of?
 - Non-residential floor space – what is it and how many are there? What is it for?
 - No employment details have been submitted – what are the employment opportunities?
 - Industrial and Commercial Processes – no information at all.
 - Toxic and Flammable substances – no information at all. Surely there will be petrol and diesel on site?
 - Can the site be seen from the road – the answer on the application is “no”. The Parish Council disputes this answer.
 - On-site roads - on-site defined parking areas for construction workers – these need to be established at the very beginning of development otherwise there will be mud everywhere and defined parking areas otherwise it will prove to be a frustration for existing residents in the area.
 - Off-site pavements need to be established early on so that pedestrians do not have to walk on the road and a path needs to be established along Hoe Lane.
 - Provision of Maintenance Agreement – nothing is documented. Whose responsibility is the trees? A Maintenance Agreement needs to be established very early in the proceedings.
 - Fibre optic phone lines also need to be installed early on.
 - Disability access homes and dropped kerbs – nothing has been documented.
 - The Parish Council has concerns over the proposal for 3-storey buildings. 2-storey buildings are preferred to maintain the character of the area.
 - Finally the lack of car parking is a major issue.

6.2 Nursling & Rownhams Parish Council – Comment;

- Nursling & Rownhams Parish Council understand that the development of approximately 300 houses has already been identified in the Local Plan and so cannot formally object to the development.
- However, although the Hoe Lane development is in North Baddesley it could have serious implications in Nursling & Rownhams.
- The plans state that it needs to accommodate up to 600 plus cars and further auxiliary vehicles. This will mean an increase in the volume of traffic along an already busy Rownhams Lane.
- It is also probable that vehicles will make use of Hoe Lane in order to get to the M271/M27. Hoe Lane is a single track road with passing places. Serious concerns must be made regarding safety of vehicles, cyclists and pedestrians along this thin stretch of road. Nursling & Rownhams would like to see the whole length of Hoe Lane upgraded in order to safely accommodate the increase in traffic and reduce the strain on Rownhams Lane and ancillary roads. With the upgrade of Hoe lane, a roundabout at the junction of Hoe Lane and Romsey Road should be included.
- Roads linked to the development and within it should be established at the beginning to ensure that access to and from it are sufficient to cope with not just cars but larger vehicles e.g. buses, dust carts and delivery lorries.
- The introduction of 300 houses means a projected increase of over 1000 people into the North Baddesley population. Can the already full schools and health centres cope with this increase?
- Nursling & Rownhams and North Baddesley both regard themselves as rural communities and, therefore, a concern must be made about the number of trees being felled to accommodate the development. Concerns on impact on wildlife and environment.
- Where is the information regarding S106 monies or CIL agreement?
- Not enough information about drainage and sewage.
- No breakdown of the type of housing (3/4 bedroom, terraced/semi or detached) and numbers for each.
- What is “Non-residential floor space” and where will it be?
- No information about Industrial and Commercial processes.
- No employment information.

6.3 Nursling & Rownhams Parish Council (Additional representation 19/02/18) – Objection;

- The Allotments proposed for this development has been planned for the south of Hoe Lane. The placement will put the allotments inside the Parish boundary of Nursling & Rownhams. Nursling & Rownhams Parish Council object to the placement as it contravenes Local Plan Policy COM2 development in the countryside. The Allotment should, therefore, be placed within the curtilage of the proposed development to the north of Hoe Lane.

- The Parish Council would also like to be more precise in the proposed development of Hoe Lane. Hoe lane is currently a single track road with passing places and Nursling & Rownhams originally suggested it should be upgraded. By upgrading my Parish Council believe that Hoe Lane should be made into a two lane highway in order to cope with the demands of traffic requiring access to and from the A3057.

6.4 Romsey & District Society – Comment;

- As this is now an adopted site it has to be dealt with positively, but concerned about the infrastructure for the development.

6.5 Romsey & District Society (Natural Environment) – Comment;

- Our committee accepts that this site has been identified in the local plan for development in order to meet the Council’s housing targets and does not wish to object in principle to such development.
- The biodiversity report and SANG proposals are thorough and contain appropriate mitigation measures. It is helpful that the same consultants have also been doing the surveys for the proposed Whitenap development so that the combined effects on the natural environment can be taken into account and connectivity with nearby SINCS can be protected.
- We are concerned that free access for dogs into the nearby SINCS will cause too much disturbance and some restrictions may be necessary.
- It is not clear what is to happen to the existing farm buildings where bats are known to be roosting. Presumably there will be further information forthcoming detailing the mitigation measures and we would like to see these when they are available.
- Finally we welcome the provision of a warden and proposed improvements to the natural environment but would like to see this handled effectively in the planning permission with deadlines for carrying out mitigation works as this has not worked well elsewhere, for example at Abbotswood.

6.6 North Baddesley Scout Group – Comment;

- We do not believe that we should or could take a view on whether the outline planning proposals should be supported or not, but as a neighbour to the development, we would like to make the following observations:
- Mountbatten Park is a valuable recreational open space surrounded by attractive woodland which we believe is an essential backdrop to the success of our Scout Group. We would like to maintain our longstanding use of the park for fire lighting, tent pitching, and group games on the field.
- We note the inclusion of ponds in the outline plans. As part of the Scouting programme, we travel to other venues for activities such as raft building and pond dipping. We would be interested to see if the planned ponds would allow us to undertake these activities within North Baddesley.
- As very regular users of Mountbatten Park, we can attest to the poor land drainage in this area and seek reassurance that the plans would not increase the risk of flooding to our property and its immediate vicinity, which already suffers from seasonal flooding.

- The car park outside of the Scout Headquarters is used by walkers in Mountbatten Park as well as users of the Scout Hut. We are concerned that it may become overflow parking for the nearest homes in the development and reduce parking available for users. The road surface of the access road to the Scout Hut, as well as the car park itself, is not suitable for any extra volume of traffic.
- We cannot see in the current plans any details of the estimated demographics for the site. We would be interested in this to aid us in our planning for future growth of the group.
- We remain happy to work with developers and would like to suggest that our Scout Hut is a convenient location for public displays and consultative events and is available for hire for this purpose.

6.7 **38 representations of Objection received;**

Principle of Development

- Infrastructure cannot support the development (schools and doctors surgery).
- Site unsuitable for building.
- North Baddesley has had more than its fair share of development.
- Better alternative sites are available in North Baddesley.
- Contrary to recommendations of the 2005 local plan inspector.
- Development of a greenfield site.
- The revised local plan allocating this site should not have been adopted.
- Lack of employment in the village to justify housing.
- Loss of physical separation of the village.
- Development is unsustainable.
- No need to build on farm land.
- Site is unsustainable and not compliant with the NPPF.

6.8 Highways

- Increased traffic to neighbouring minor road which are not designed to accommodate it.
- Safety of pedestrians as a result of increased traffic.
- Improvements to surrounding junctions are required.
- Bus service information in the application is incorrect.
- Walking times in the application are incorrect.
- Contractor parking arrangements.
- Speed bumps in Sylvan Drive should be retained.
- Lack of improvements to Hoe Lane.
- Pedestrian safety on Hoe Lane due to speeding.
- Increased traffic at peak times.
- Hoe Lane is not suitable for construction traffic.
- Hoe Lane cannot cope with the traffic generated.
- Numerous deficiencies and inaccuracies in the transport statement.
- HCC Highways advice not adopted.
- Pedestrian and cycle access needs to be linked to the local network.
- Access on to Hoe Lane is irresponsible and unreasonable.
- Impact on street parking in neighbouring streets.

- Limited scope for junction improvements.
- No evidence for the stated split of traffic between Sylvan Drive and Hoe Lane.
- Wheel cleaning is required during construction.
- Frequency of passing spaces is not provided in accordance with the requirements on Hoe Lane.

6.9 Amenity

- Noise and pollution from increased traffic movements.
- Constraints required on construction working times.
- Lack of facilities for young people.
- Lack of retail outlets.
- Mosquitos associated with balancing ponds.
- Light pollution.

6.10 Character

- Proposed painted houses out of character with the village.
- Loss of community feel in the village.
- Loss of rural area.
- Design is flawed not well related to the village creating a village within a village.
- Visual impact has been underestimated.
- Overdevelopment.

6.11 Ecology

- Adverse impact on wildlife.
- Impact of the Sylvan Drive access on woodland wildlife.
- Impacts on wildlife by loss of woodland have been underestimated.

6.12 Flooding

- Recent flooding events in the area.
- Urbanisation of land leading to surface water problems.
- Previous flooding on Hoe Lane and neighbouring estates.

6.13 **1 representation of Support received;**

- There is a great need for housing for young families in this area and this would help to satisfy the need.

6.14 **1 representations of Comment received;**

- Consideration should be given to the following comments:
- Planning documents should be revised due to age.
- Statement in relation to bus frequency and rail station service is inaccurate.
- Design not in character with North Baddesley.
- Bin storage.
- Management of allotments.
- Management of the woodland.
- Management of the drainage ponds.

- Availability of dog bins.
- TVBC website state the population of North Baddesley will fall.
- Why do low carbon houses all have chimneys?
- Wood framed windows no mention of double glazing.
- No mention of central heating.
- Wooden front doors require extra security measures.
- With houses surrounded by trees gutters need to be netted.
- Barn doors on garages constitute a safety issue opening onto roads.

6.15 **2 additional representations of Objection received prior to SAPC of 30th January;**

- Inadequate local amenities and infrastructure to accommodate the development.
- Smaller brownfield sites are available to accommodate growth.
- Loss of woodland, pasture and farm land and demarcation of the village from the A3057.
- Consideration of health provision is absent from the report.
- Delegation of off-site public open space provision is inappropriate.
- Highways improvements to Hoe Lane would conflict with COM4 requirement for 20m landscape buffers.
- Highways capacity and improvement calculations are made without consideration of development north of Ashfield roundabout.
- Reduced speed limit on Hoe Lane would reduce its attractiveness for all traffic.
- Proposed contribution to cycle infrastructure does not address the deficiencies of Rownhams Road and Rownhams Lane for cyclists.
- Development does not provide for improvements to bus stops as required by Policy T1 and the responses from HCC Highways and Policy Team.
- Access to facilities and services is restricted by the peripheral location of the development and further than any other Baddesley residents.

7.0 **POLICY**

7.1 **National Planning Policy Framework 2012.**

7.2 **Test Valley Borough Local Plan 2016** - COM2 (Settlement Hierarchy), COM4 (New Neighbourhood at Hoe Lane, North Baddesley), COM9 (Community Led Development), E1 (High Quality Development in the Borough), E2 (Protect, Conserve and Enhance the Landscape Character of the Borough), E5 (Biodiversity), E7 (Water Management), E8 (Pollution), E9 (Heritage), LHW1 (Public Open Space), LHW4 (Amenity), T1 (Managing Movement), T2 (Parking Standard).

7.3 **Supplementary Planning Documents** - Affordable Housing.

8.0 **PLANNING CONSIDERATIONS**

The main planning considerations are the principle for development, housing land supply, affordable housing requirements, character of the area,

highways, trees, protected species & ecology, archaeology, flood risk, amenity, and S106 financial contributions. The application is made in outline with all matters reserved other than access.

8.1 **Principle of Development**

Policy COM1 Housing Provision 2011 - 2029

In accordance with Policy COM1, the minimum housing requirement for the Borough over the plan period is 10,584 homes. The Council has adopted a split housing requirement across the Borough which divides the Borough into Northern and Southern Test Valley. The requirement for housing in Southern Test Valley is 194 homes per year. This annual requirement will be met through completions, commitments, unplanned developments and the allocation of strategic sites and is set out in the Housing Trajectory in the Local Plan.

8.2 COM4 Hoe Lane

The proposal lies within the strategic allocation of Hoe Lane (Policy COM4 and map B) which is identified for approximately 300 dwellings. The proposal is for up to 300 dwellings and therefore the Principle of development on this site is acceptable. However, the development would need to demonstrate that it is able to meet the requirements of Policy COM4 in terms of criteria a) to h).

8.3 The National Planning Policy Framework and Sustainable Development

The National Planning Policy Framework (NPPF) is a material consideration in the assessment of planning applications. The NPPF identifies the three dimensions of sustainable development which should be taken into account, i.e. social, economic and environmental roles (paragraph 7). Paragraph 6 states that the purpose of the planning system is to contribute to the achievement of sustainable development. For the assessment of planning applications, this means approving development proposals that accord with the development plan without delay. As noted above, the principle of additional housing in this countryside location is established by Policy COM4 and the sites allocation for development within the Revised Local Plan.

8.4 Housing Land Supply

Paragraph 47 of the NPPF requires the Council to demonstrate a minimum of 5 years housing land supply (HLS) with a 5% buffer. This uses the housing requirement established in policy COM1 and has regard to the conclusions of the Inspector's Report on the Examination of the Local Plan. It has also reviewed data sources on housing completions and planning permissions since the last update.

8.5 The HLS position for Southern Test Valley, as at 1 April 2017 is 7.52 years of supply, reported against a target of 5.00 years. The existence of a five year HLS enables the Council to give weight to the policies of the adopted plan (in the context of paragraph 49 of the NPPF) which is considered to be up-to-date. However, the demonstration of a five year HLS does not in itself represent a cap to development and any application must be assessed on its merits.

- 8.6 Principle of development on this site is therefore acceptable subject to the requirements of Policy COM4 criteria a) to h) and other relevant material considerations.
- 8.7 **COM4 Criterion a) affordable housing provision in accordance with policy COM7**
Planning policy COM7 has a requirement for a contribution of 40% affordable homes. Therefore the affordable housing required for a development of 300 dwellings equates to 120 affordable dwellings. The applicant has confirmed that the required dwellings will be provided to meet the requirement of the overall number of dwellings required. The provision of affordable housing will be secured by the s106 legal agreement.
- 8.8 The illustrative layout plan does not indicate the location of the affordable units. Any subsequent reserved matters application would need to comply with the requirement of Policy COM7 that affordable housing be fully integrated within the development, be indistinguishable from the market units, and in clusters no greater than 10. This requirement is further supported by paragraph 50 of the NPPF which requires the formation of inclusive, mixed and balanced communities including the provision of affordable dwellings. Confirmation is required of the affordable layout at the reserved matters stage when the matters of distribution and location of the affordable units would be considered.
- 8.9 The proposed level of affordable housing provision would meet the requirements of policy COM7. Subject to the completion of the s106 agreement to secure the provision the proposals comply with policy COM7.
- 8.10 **COM4 criterion b) improvements to community and education facilities to meet the needs of the new residents**
The supporting text of Policy COM4 states that “The scale of the proposal is unlikely to require new local facilities on site. Evidence from the statutory providers is that the existing facilities within the area can accommodate the extra population subject to further investment. It will be important to ensure that appropriate improvement and investment is secured to enhance existing services and facilities including education and health.”
- 8.11 Education
The proposed development of 300 dwellings is expected to generate a total of 90 additional primary age children and 63 secondary age children. This is based on a figure of 0.3 primary age pupils per new dwelling and 0.21 secondary age pupils which was derived by conducting demographic surveys of developments that have been completed within Hampshire and calculating the average number of primary and secondary age children on those developments.
- 8.12 The development site is served by North Baddesley Infant and Junior Schools in North Baddesley. These schools are currently full and have no places available to cater for the additional children that will be yielded from this development. Consequently the schools will need to be expanded to cater for the additional 90 pupils (requiring three additional classrooms) and a contribution is sought from the developer to pay for this expansion.

- 8.13 The development site is served by The Mountbatten School in Romsey. The Secondary School although full recruits a significant number of pupils from outside of its catchment area. It is anticipated that the secondary age pupils from this development will be able to secure a place at the school without the need to expand.
- 8.14 A scheme has been designed which shows the cost of expanding the schools to allow them to take an additional 30 places per year group. The contribution will be used to fund that part of the expansion required to directly mitigate the impact of the development. In summary, the contribution towards the expansion of North Baddesley Infant and Junior Schools is necessary because the schools are currently at capacity and without expansion will not be able to accommodate the children from the development. The contribution will be spent on improvements to the schools which serve the site and therefore are directly related to the development. The level of contribution being sought is based on the number of children expected to be living on the development and the expected cost of accommodating these children at the schools and therefore is fairly and reasonably related in scale and kind to the development. This information is supported by the County Council's 'Planning for School Places Guidance Document' which sets out the methodology for assessing the impact of development on education infrastructure.
- 8.15 Community
At the time of reporting no agreement had been reached between the applicants and the North Baddesley Parish Council regarding the enhancement of existing community facilities. As described above the application would address the deficits in public open space provision including a significant financial contribution to the formal sports facilities which are located at the recreation ground to the north of the village.
- 8.16 However the site is situated some distance from the recreation ground but bordered to the north by the Mountbatten Park which is an informal recreation area situated within the adjacent woodland. The area appears to be predominantly used for dog walking and has been somewhat neglected. As a result the potential for its enhancement by securing further contributions is being explored and members will be updated further at SAPC.
- 8.17 In addition the existing woodland which forms the eastern edge of the application site is to be enhanced and opened to the public in accordance with criterion e of policy COM4. There is also potential for community uses to be delivered within the existing farm courtyard alongside small scale economic enterprises.
- 8.18 The supporting text to policy COM4 also refers to the enhancement of existing services including education and health. In addition to the education contributions. Other than the provision of the public open space SANG and community potential in the farmyard already secured discussions has taken place regarding the potential to secure improvements to Mountbatten Park. It is understood that a productive meeting has taken place between the

applicants and the North Baddesley Parish Council regarding potential improvements but that no further discussions are anticipated until such time as the outline application has been determined. In the absence of an agreed scheme between the relevant land owners it is not possible to secure works to land outside the application site through the planning application. However it is anticipated that further discussions will take place between the parties following the determination of the application.

8.19 Health Facilities

Many of the representations have made reference to the pressures on the existing doctor's surgery in the village. Following the SAPC of 30th January consultations have taken place with the Clinical Commissioning Group (CCG), who looks after the strategy, planning and commissioning of services for the area, with a view to securing contributions towards health care provision. Whilst the formal consultation response has not yet been received, based on the discussions, it is considered that a contributions based on an assessment of the local needs, a formulaic approach to calculating the contributions and an agreed programme of works to enhance the local doctors facility in North Baddeley is applicable and would meet the relevant tests for planning obligations set out in the NPPF. The applicants have agreed to this approach and an additional item added to the recommendation to secure the contribution.

8.20 **COM4 criterion c) public open space in accordance with policy LHW1** Policy LHW1 (and Infrastructure and Developer Contributions SPD) – seeks the contribution towards public open space in conjunction with new dwellings. The proposal provides a net gain of 300 dwellings and based on the proposed mix would yield approximately the following number of people (300 x 2.4 persons per dwelling).

8.21 The Public Open Space Audit (2012) identifies that there are deficits in all 5 forms of Public Open Space within the ward of North Baddesley. A net gain of 300 dwellings would require the following amounts of open space.

8.22 The additional plans received on 9 December 2016 showing the quantity and layout of public open space responds to comments made previously by the Policy Officer requesting a written schedule of the POS offered on site and provide this on scaled plans showing the area (in metres) of the equipped areas for children and teenagers. The plan demonstrates that with the exception of sport ground provision, the areas set aside for public open space meet and in some cases exceed the minimum requirement. Provision for children and teenagers appears to be equally dispersed across the development area. However, the largest of these areas is enclosed within the woodland in the south east corner of the site in an isolated position without the benefits of natural surveillance.

8.23 The delivery of each aspect of open space is to be secured in line with the phasing of residential development so that provision is available as occupations progress across the site.

- 8.24 Allotment provision is made to the south side of Hoe Lane rather than within the residential development. Consideration will need to be given to enabling safe and convenient crossing from the main residential areas as part of the reserved matters application.
- 8.25 **COM4 criterion d) landscaping to be provided**
Policy COM4 makes clear landscaping requirements in relation to the buffers adjacent the boundaries of the site as follows;
- A landscape belt of approximately 20m along the northern boundary adjoining the existing woodland;
 - A landscape belt of approximately 15m along the eastern boundary adjoining Sylvan Drive
 - A landscape belt of approximately 20m along the southern boundary adjoining Hoe Lane;
 - A landscape belt of approximately 20m along the western boundary.
- 8.26 The application is submitted in outline with all matters reserved other than access. As a result the details of the layout and landscaping would be for consideration at the reserved matters stage. However none of the submitted arboricultural or public open space details submitted in support of the outline application would conflict with the provision of the required buffers.
- 8.27 The Landscape Officer has raised a number of concerns regarding the submitted design code and masterplan framework which illustrate options for detailed hard and soft landscaping. Whilst these comments should inform an acceptable reserved matters consideration of the outline application is limited to the principle of development and any impact associated with access points.
- 8.28 **COM4 criterion e) retention and enhancement of the existing woodland to the north of the site and the existing woodland within the site adjoining Sylvan Drive**
The application is supported by an Arboricultural Impact Assessment Report (Aspect Tree Consultancy) which is considered to be an accurate reflection of the current trees on site. There are no TPOs covering trees on the site, However there is a mature oak tree just outside the site covered by a TPO. The interior of the site comprises mostly open grazing land with an existing line of significant trees situated centrally. There are wooded areas of varying quality around the north and east boundaries which are the subject of criterion e. the existing trees are to be reviewed in relation to a TPO in relation to the development.
- 8.29 An area of plantation to the west of Mountbatten Park is to be removed in part having been identified as an area which would be difficult to integrate into a new residential development due to its lack of previous management. The trees are generally even-aged and have been drawn up tall and lightly branched due to competition for light; this has caused an inherent instability in the plantation. Furthermore the nature of the plantation is that at some point in the future it would be harvested by the owner. The loss of this section of tree cover is to be mitigated by the replacement planting of new trees to

the west of the site. The boundary between the site and Mountbatten Park to the East will be planted with a native woodland edge to re-structure and improve the age and species diversity.

- 8.30 The report recommends that future management and maintenance, including a minimum five year management/maintenance plan is constructed and submitted with the landscape proposals which will form part of the reserved matters application. Such a submission would need to include measures in relation to both the boundary with Mountbatten Park and the woodland in the eastern part of the site. Detailed plans would need to be submitted in support of the reserved matters application and protection measures are secured by condition attached to the current recommendation.
- 8.31 **Criterion f) access to the development**
Criterion f of Policy COM4 requires access to the development to be formed as follows;
- The primary vehicular access to Hoe Lane;
 - A secondary vehicular access to Sylvan Drive;
 - Pedestrian/cycle links to Hoe Lane and Sylvan Drive
- 8.32 In accordance with the above requirements a single access is proposed to Sylvan Drive and three new accesses to Hoe Lane in addition to the private driveways servicing the two existing properties front Hoe Lane.
- 8.33 With regard to the details of the proposed accesses the Highways Officer raised some concern regarding the most westerly access. Specifically that the forward visibility splay for drivers turning right into the site is obscured by vegetation including a mature tree which needs to be retained. These comments were provided in relation to the existing national speed limit. However in accordance with the measures secured for off-site highways works a reduced speed limit of 30mph is to be secured which would allow safe visibility to be provided at the westernmost access.
- 8.34 Concerns have been raised regarding the lack of substantial alterations to Hoe Lane. Specific suggestions have included the widening of the carriageway to a full two lanes and the addition of a roundabout at the Hoe Lane A3057 junction to facilitate access from the wider village to the M27. The application currently proposes the formalisation of the existing informal passing spaces.
- 8.35 However the works to provide to full width two lane highway on Hoes Lane could not be accommodated without the removal of the significant tree planting which is a character of both sides of the highway. The resultant works would have a significant detrimental impact on the rural character of the lane.
- 8.36 Furthermore such an upgrade would encourage the use of Hoe Lane and the development site as a through route for traffic travelling towards the M27 to the detriment of highways safety. The proposals allow for the primary access to the majority of the development to be taken from Hoe Lane, as is required

by the policy, without detriment to highways safety of encouraging the use of the development for through traffic. The detailed road design considered at reserved matters can be designed to further reduce through traffic and encourage primary access to the residential areas from Hoe Lane.

- 8.37 In accordance with the policy all accesses will provide for pedestrian and cyclists and link with the off-site extensions to the pedestrian and cycle networks secured under criterion g of policy COM5.
- 8.38 Construction Traffic Access
HCC Highways required clarification of the access strategy for construction vehicles. Further information has been submitted by the applicant and it has been demonstrated that access can be provided via A3057/Hoe Lane and the highway authority are content that this arrangement can be confirmed at a later date within a Construction Traffic Management Plan to be secured via a condition. Condition 13 has been amended to reflect this requirement.
- 8.39 **COM4 criterion g) off-site improvements to the transport network**
improvements to the transport network to manage the impact of additional movements including:
i) junctions of the A27 and Rownhams Road;
ii) junction of the A27 and Rownhams Lane;
iii) junction of the A3057 and Hoe Lane; and
iv) Hoe Lane.
- 8.40 Off-site highways improvements have been the subject of extensive discussion with HCC as the Highways Authority resulting in an agreement on the various works to be undertaken prior to consideration by SAPC on 30th January. Members determined to defer the application with specific regard to seeking additional improvements to highways infrastructure.
- 8.41 The originally agreed improvements are listed below;
- 8.42 A27 Botley Road/Rownhams Road/Nutburn Road Junction
The highway authority previously requested the applicant to investigate whether additional “KEEP CLEAR” markings were required on the approaches to this junction as a result of the forecast increased queue lengths as opportunities to increase the capacity at this junction are limited. Following the investigation, it is agreed that no additional “KEEP CLEAR” markings are required as the forecast queue lengths do not extend through any additional minor arm junctions.
- 8.43 Proposed Hoe Lane Access Junctions
The highway authority previously raised concern with the proposed access junctions as the applicant could not demonstrate visibility splays consistent with the existing national speed limit. Since this time, the applicant has committed to fund and implement a 30mph speed limit on Hoe Lane which would allow the proposed accesses to be delivered in accordance with the highway authority’s standards. The highway authority is satisfied that a 30mph speed limit along Hoe Lane is achievable and therefore supports the proposals.

8.44 Pedestrian and Cycle Infrastructure

The highway authority previously requested further information as to how the development proposals will provide for pedestrians and cycles and how these travel modes would be accommodated along Hoe Lane. The applicant has outlined that in order to retain the character of Hoe Lane, no new pedestrian or cycle facilities will be provided on Hoe Lane itself. However, a “back lane” will be provided within the site running parallel to Hoe Lane which will provide pedestrian and cycle connections between the 3 proposed accesses on Hoe Lane, the internal site infrastructure and the proposed access on Sylvan Drive. At the proposed Sylvan Drive access, a 2m footway will be provided to connect this new access to the existing pedestrian infrastructure in North Baddesley. The highway authority is satisfied that the above arrangement would provide acceptable provision for pedestrians and cycles in association with the proposed development.

8.45 The applicant also agreed to provide the following contribution/works package in order to mitigate the impacts of the development:

- A financial contribution of £50,000 towards safety improvements at A3057/Hoe Lane junction
- A financial contribution of £100,000 towards delivery of a cycle connection between Firgrove Road and Castle Lane to the north which will enhance local cycle links between the site and North Baddesley and local employment opportunities
- To implement and fully fund a Traffic Regulation Order (TRO) to reduce the speed limit to 30mph on Hoe Lane (including costs of any highway features required such as a gateway)
- To implement tactile paving at crossing points between the site and North Baddesley via the Section 278 Process in order to enhance local pedestrian infrastructure and encourage sustainable modes trips.

8.46 Following the resolution of SAPC further negotiations have taken place with the applicants agents regarding additional highways improvements. The applicants have made a subsequent submission outlining further works.

8.47 A3057 / Hoe Lane Junction

Members of SAPC were specifically concerned regarding the safety of the 3057/ Hoe Lane junction and the adequacy of the improvements proposed by the applicants and agreed with HCC Highways. Road safety measures currently consist of reflective bollards, some worn red anti-skid surfacing and a fixed warning sign on the northbound approach alluding to ‘Side Road Ahead’. The application as considered by SAPC proposed clearance of vegetation to the of the junction to assist with visibility for vehicles turning right out of Hoe Lane, and to implement Variable Messaging Signs (VMS) either side of the junction to raise additional awareness of the side road being approached. The VMS will be a copy of the standard ‘Side Road Ahead’ warning sign with the wording ‘Slow Down’ displayed. This will be activated at pre-set vehicular speed thresholds based on speed surveys commissioned by the developer and undertaken following the 30 January SAPC.

- 8.48 The applicant's submission proposes additional mitigation including a refresh and extension of existing red anti-skid surfacing and four additional reflective bollards. The submitted drawing also shows the location of existing fixed signage on the northbound approach and the proposed northbound VMS sign will be located further north to provide added awareness to drivers approaching the junction.
- 8.49 It has also been proposed by the applicant that a reduction in speed limit from national to 50mph, along the A3057 from south of the Hoe Lane junction up to the roundabout with the A27 to the north, would assist in improved safety in the vicinity of this junction. The applicant has expressed willing to fund the implementation of this Traffic Regulation Order (TRO), HCC/TVBC have sought further information on current vehicular speeds in the vicinity of the A3057/ Hoe Lane junction to understand if the proposed speed reduction is suitable.
- 8.50 Hoe Lane Speed Limit and Passing Places
The applicant proposes to fund the implementation of a TRO to reduce the speed limit along Hoe Lane to 30mph. Following the negotiations it is proposed that this be implemented to the highway west of the proposed 'Hoe Lane Western Site Access' junction leading east, as opposed to along the full length of Hoe Lane. This is intended to introduce lower vehicular speeds on approach to the development and leading into North Baddesley, which would create a gateway feature and integrate the new development with the rest of the village.
- 8.51 The original submission proposed 7 passing places along Hoe Lane which were proposed to be formalised through improved surface treatment. Following the SAPC the passing places have been reviewed and it is now proposed to introduce two more passing places and some wider hard surfacing on one corner. The increased frequency of passing places is intended to improve the ease of two-way traffic flow along Hoe Lane whilst retaining the rural character of Hoe Lane.
- 8.52 Lay-by Parking
Members raised concern with regard to the on street parking at the eastern end of Hoe Lane. The revised submission includes a proposal for the provision of three off street spaces between the existing trees.
- 8.53 The revised submissions have been referred to HCC Highways who have raised no objection. A full copy of the HCC Highways advice to TVBC is attached at Appendix A.
- 8.54 **COM4 criterion h) SANG**
Policy COM4 (criteria h) sets the principle of Luzborough Plantation for use as mitigation for the New Forest SPA as well as the area required to mitigate proposed residential development. Provision is required of 8.0Ha per 1,000 of population of land at Luzborough Plantation to mitigate the impact of the development on sites of European importance – in this case the New Forest Special Protection Area (SPA).

- 8.55 The proposal sets out the provision of 5.76Ha of SANG land which corresponds with the 8.0Ha per 1,000 based on the assumption of an average occupation figure of 2.4 persons per dwelling and reflects criteria (h) of Policy COM4.
- 8.56 Application 16/02431/FULLS (Change of use from Woodland to Suitable Alternative Natural Greenspace (SANG) and associated development including pedestrian access, footpaths and landscaping) proposed the formation of the SANG area and was granted permission 10.11.2017. At that time the outline application currently under consideration was not determined and the SANG application was determined on its own merits.
- 8.57 Determined on its own merits the proposed SANG was viewed as a windfall privately operated open space. However the acceptability of the housing proposals are dependent upon the provision of the SANG under the requirements of COM4 detailed above. As a result its provision, public access and maintenance must now be linked to any permission. This requirement is to form part of the legal agreement to secure the maintenance of the SANG in perpetuity. Subject to completion of the required agreement the proposals are considered to comply with criterion h of policy COM5.
- 8.58 **Ecology & Protected Species**
The application is supported by a thorough and comprehensive range of ecological information, and has been the subject of on-going discussions with the Ecology Officer as the scheme has been developed. In summary Natural England and Ecology Officer are satisfied with the level of information and have raised no objection to the proposed development.
- 8.59 Internationally and nationally designated sites
The application site is in close proximity to European designated sites (also commonly referred to as Natura 2000 sites), and therefore has the potential to affect their interest features. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2010, as amended (the 'Habitats Regulations'). The application site is in close proximity to The New Forest Special Protection Area (SPA) and Special Area of Conservation (SAC) which are European sites. The sites are also listed as New Forest Ramsar site and also notified at a national level as The New Forest Site of Special Scientific Interest (SSSI). Additionally the application site is in close proximity to The Lower Test Valley SSSI, Solent & Southampton Water SPA and Ramsar sites.
- 8.60 In considering the European site interest, the authority under the provisions of the Habitats Regulations, should have regard to any potential impacts that a plan or project may have.
- 8.61 Solent and Southampton Water SPA/Lower Test Valley SSSI
Natural England has raised no objection subject to the mitigation provided by the SANG being secured. This application is within 5.6km of Solent and Southampton Water SPA and will lead to a net increase in residential

accommodation. Natural England is aware that Test Valley Borough Council has recently adopted a Supplementary Planning Document (SPD) or planning policy to mitigate against adverse effects from recreational disturbance on the Solent SPA sites, as agreed by the Solent Recreation Mitigation Partnership (SRMP) Provided that the applicant is complying with the SPD or policy, Natural England are satisfied that the applicant has mitigated against the potential adverse effects of the development on the integrity of the European site, and has no objection to this aspect of the application.

- 8.62 In accordance with the Solent Disturbance and Mitigation Project – Interim Framework Supplementary Planning Document (SPD) and the advice of Natural England financial contributions are applicable for new residential development to mitigate the impact on the Solent and Southampton Water SPA. Discussion have taken place with Natural England regarding the use of the SANG are to offset the impact on the Solent SPA but have not been concluded at the time of reporting. As a result an additional item has been added to the s106 requirements to secure the contributions.
- 8.63 New Forest SPA/Ramsar/SAC/SSSI
Natural England notes that TVBC, as competent authority under the provisions of the Habitats Regulations, has screened the proposal to check for the likelihood of significant effects. The screening opinion concluded that the proposal can be screened out from further stages of assessment because significant effects are unlikely to occur, either alone or in combination. This conclusion has been drawn having regard for the measures built into the proposal that seek to avoid all potential impacts, namely a delivery of SANGS. Natural England concurs with this view.
- 8.64 Locally-designated sites
A small part of the Parkers Moor / Luzborough Plantation Site of Importance for Nature Conservation (SINC) will be within the proposed SANG. It is the advice of the Ecology Officer that the design of the SANG and its on-going management is such that the SINC would not be adversely affected, and indeed may be subject to overall more positive management for biodiversity.
- 8.65 Habitats
There are a range of habitats present at the site. The majority of the habitat directly affected by the development is agriculturally-improved grassland, with limited ecological value. However the development will also result in the loss of an area of approximately 1.5ha of plantation broadleaved woodland. As this is relatively recently planted, and the ecological assessment notes that it has limited intrinsic ecological interest. The Ecology Officer has agreed with this assessment; however it does have some value in supporting other species, discussed further, below.
- 8.66 Bats – roosting
There were numerous bat roosts identified around the site as well as a moderately-sized roost in a house near the site. No breeding roosts were present at the site. The development will result in the loss of identified bat roosts in the stable block and tree roosts in Mountbatten Park and potentially

(depending on the final design) a veteran oak tree along Hoe Lane. However, the report includes measures to address this loss, specifying that a range of bat boxes and roost units will be installed on retained trees and in the new buildings. Full details will need to be provided with the reserved matters application. However the status of bat roosts to be lost is low (supporting individual bats of widespread species) and therefore the outline compensation measures currently set out are sufficient at this stage for the LPA to be confident that the development is not unlikely to be granted the necessary licence from Natural England.

8.67 Bats – foraging and commuting

Parts of the site – the tree-lined Hoe Lane itself, and the power line wayleave, were found to be important commuting routes for bats, while some areas were also important foraging areas – notably the area around the existing farm buildings / yard and Hoe Lane, and parts of the wooded areas. Most of these areas will be unaffected by the development, although there is some risk that foraging areas along Hoe Lane itself will be subject to increased levels of lighting due to the need to install new streetlights.

8.68 The detail of this is not available at outline stage, but the ecology report sensibly recommends submission of a detailed lighting strategy under a planning condition. This is sensible, although I would urge that the relevant organisation is contacted as a matter of urgency about this as it is unfortunate not uncommon for lighting schemes for developments to be designed with no consideration of any recommendations made in the ecology work. The Ecology Officer has advised that suitable lighting details should usefully include the temperature of the light (i.e. warmer end of the spectrum), use of LED luminaires, and features that must not be illuminated at all (e.g. bat roosts along Hoe Lane).

8.69 Other species

A population of reptiles is present at the site, and parts of the site are used by breeding birds. The report includes measures that would properly address impacts to these. Dormice and great crested newt were not identified during the survey work and are considered likely absent from the site.

8.70 Enhancements

This development provides opportunities to enhance biodiversity. This would be in accordance with the National Planning Policy Framework (NPPF) as well as Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 which states that every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity. Policy E5 of the Test Valley local plan also states that the Council will seek to enhance biodiversity, in particular the biodiversity interests of legally protected species.

8.71 Subject to the imposition of the required conditions to secure the mitigation and enhancement measures set out in the appraisal the development, a lighting scheme and enhancement measures the proposals are considered to comply with policy E5 of the TVBRLP 2016 and the Conservation of Habitats and Species Regulations 2017.

8.72 Historic Environment and Archaeology

Whilst there are no listed buildings on, or near to, the application site the range of buildings which forms part of a C19 farmstead complex is considered to be attractive and of historic interest, which also forms part of the setting of the farmhouse and is part of the historic farmstead group as a whole. The Conservation Officer has advised that the group should be considered non-designated heritage assets.

8.73 Paragraph 135 of the NPPF states that “The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”

8.74 The submitted information indicates that the redevelopment of the farm courtyard buildings is envisaged to retain the sites historical character and incorporating of potential future employment or community uses. The proposed access to be considered at this stage would not conflict with the historic interest of the site. Any proposed alterations, and the relationship with proposed dwellings will be considered at the reserved matters stage.

8.75 Archaeology

The application is supported by an Archaeological Evaluation Report and Heritage Statement. The Heritage Statement concluded that there was some potential for as yet unrecorded archaeological features dating between the prehistoric and medieval periods to exist within the site. An archaeological field evaluation was then conducted in May 2015 and the results of this are presented in the Archaeological Evaluation Report. The evaluation found that the site contained the sub-surface remains of some post-medieval field boundaries that appear on maps of the area prepared in the mid-19th century. No other archaeological features were recorded. On the basis of the evaluation results the Archaeology Officer has advised that no further archaeological work needs to be carried out within the site and has not raised any further archaeological issues in relation to the application.

8.76 Residential Amenities

There are two elements to the consideration of amenity. Firstly is the amenity of the future residents of the development site and secondly the impact of the proposal upon the amenity of existing neighbouring properties.

8.77 Impact on existing dwellings

The application site benefits from a relatively isolated location in relation to neighbouring residential properties. The southern section of the site contains two existing dwellings (Hoe Farm and Hoe Cottage) both of which are to be retained with their private garden areas. The northern section of the site is situated adjacent Sylvan Drive which is situated on higher ground with the development further separated by the required landscape belts and existing woodland.

- 8.78 As a result the built development would be situated approximately 70m from nearest neighbouring properties on Sylvan Drive and the neighbouring streets. The layout and design of the properties would be subject to reserved matters submission which would require detailed consideration of the orientation and scale of the properties and the position of any openings. Whilst particular attention will need to be given to the relationship with the existing dwellings in any further reserved matters application it is not apparent that a suitably designed layout of the proposed development could not be provided that would avoid adverse impact on the amenities of neighbouring properties by virtue of overlooking, overshadowing or overbearing.
- 8.79 Impact on proposed dwellings
The application is supported by an indicative layout and the final layout is to be a reserved matter. The indicative layout for the provision of up to 300 dwellings provides only the broad areas to be developed rather than detailed plots positions and as such the relationships between new properties will need to be assessed at the reserved matters stage.
- 8.80 **Pollution & Contamination**
In accordance with the May 2015 guidelines provided by the Institute of Air Quality Management entitled 'Land-use Planning & Development Control: Planning for Air Quality', the scale of the development is such that an air quality impact assessment is warranted. Table 6.2 of that guidance suggests indicative criteria for requiring an air quality assessment – one of the criteria is >500 added car movements per day (expressed as Annual Average Daily Traffic movements). The air quality assessment is required to consider the scale of the impact on air quality arising from added traffic movements on the local road network.
- 8.81 The submitted assessment has been reviewed by the Environmental Protection Officer who has raised no further objection. The assessment indicates that the proposed development would be expected to produce negligible changes in pollutant concentrations for the pollutants of potential concern, nitrogen dioxide and fine particulate matter. As a result the Environmental Protection Officer has raised no objection, subject to conditions.
- 8.82 The air quality assessment does however indicate a high risk of dust soiling during the construction phase as a result of the earthworks, construction activities and recommends that dust management controls would be appropriate. Such measures would form part of an acceptable Construction Environmental Management Plan to be secured by condition.
- 8.83 Notwithstanding the above considerations North Baddesley Parish Council has undertaken an air quality monitoring exercise at three locations in the village over a period of six months. The result have been submitted as a representation to the application for consideration. The principle concern raised by the Parish Council is that the results indicate nitrogen dioxide levels higher than the recommended safety limit.

- 8.84 The Environmental Protection Officer has reviewed the submission and provided the following advice;
- 8.85 The representation includes the results of nitrogen dioxide monitoring carried out between 30 September 2016 and 6 April 2017 at 36 sites in North Baddesley. This has been conducted by means of the use of nitrogen dioxide diffusion tubes which, after exposure for a month and analysis, provide an indicative average result of the pollutant concentration for nitrogen dioxide. Nitrogen dioxide is generally the pollutant of most concern in built-up areas, generated by road traffic and other combustion sources, including domestic and industrial heating systems. Levels are typically highest near busy roads and there are models available to predict from traffic flow data the likelihood of exceeding the current air quality objective level, 40 micrograms per cubic metre (ug/m³).
- 8.86 North Baddesley Parish Council has provided the raw results of this monitoring but the results are not accompanied by any form of expert interpretation of the results. Some of the results do indeed look like high levels of nitrogen dioxide, with many well above 40 ug/m³ and a number even above 50 ug/m³. These results are indeed notable, however, the Environmental Protection Officer is unable to draw conclusions as to the significance of these findings because:
- 8.87 (i) The raw data has not been corrected in the way recommended by DEFRA. Diffusion tubes are less accurate than some other, more sophisticated, methods of air quality using continuous gas analysers which give real time results. Each year, for each make and type of diffusion tube, DEFRA produces a correction factor (known as a bias factor) for the preceding year, which is determined by co-locating a number of diffusion tubes adjacent to more accurate means of monitoring. In this way, the raw data results are corrected upwards or downwards so as to produce consistent results with the more accurate means of monitoring. The correction factor will not yet be available for the Jan – April 2017 data. For the 2016 calendar year, we understand that the right correction factor for these diffusion tubes would be 0.77. This means that the raw results for September to December 2016 need to be multiplied by 0.77 to produce a corrected result. In other words, it may be assumed that these tubes overstated the true level of nitrogen dioxide in 2016 and a raw result of 51.9 ug/m³ for an exposure period wholly within 2016 would in fact equate to a level of 40 ug/m³. Nevertheless, it is notable that some of the results are still above this level.
- (ii) It should also be considered that the air quality objective standard level of 40 ug/m³ is an annual mean result, not the result from individual days or months. Nitrogen dioxide levels tend to be higher in winter than summer, so a survey spanning the winter period only may well produced skewed results.
- (iii) The air quality objective is only relevant at locations where there is relevant prolonged exposure, usually where people live. Therefore, many kerbside locations (e.g. on lamp posts) will produce high levels

that do not well reflect positions where people live. The tail-off in levels tends to be quite sharp with distance from a road. Without seeing where the monitoring positions were precisely, I am unable to draw any firm conclusions as to the likely significance of these results. No plan showing the monitoring locations has been provided.

- 8.88 Given that TVBC does not have the resources to monitor everywhere within the borough, the authority has relied on the use of a screening tool to identify air pollution hotspots and discount other areas from being at risk of exceeding relevant air quality objective levels. These screening tools use traffic flows because of the obvious correlation between traffic flows and air quality. This work has not shown the expectation of nitrogen dioxide levels exceeding the air quality objective level anywhere in North Baddesley.
- 8.89 The impact of new development is typically assessed upon the basis of: (a) how much pollution concentrations would change as a result of the development; and (b) how close the final air pollution level would be to exceeding the relevant limit. At the request of the Environmental Protection Office the applicant has provided an air quality assessment detailed above and this did not identify any likely exceedance of the air quality objective level for nitrogen dioxide or indeed any likely significant increase in level. It is notable also that the relationship between traffic flow and air pollution is not a directly linear one - it takes a very large change in traffic flow to change air pollution levels substantially.
- 8.90 The application includes up to 1500 square metres of commercial space though it is unclear what such uses may consist of and the relationship of such uses with housing. Whilst in principle there is no objection to some mixed uses, commercial uses do have the potential to give rise to noise and other amenity impacts, such as early morning HGV deliveries and waste collections, customer noise late at night, noise and smells from cooking extraction systems etc. It is therefore recommended that adequate conditions be applied to the outline consent to allow sufficient control over their placement and relationship with new and existing housing. Further conditions may also be appropriate in considering the details at reserved matters stage.
- 8.91 As a result it is not considered that the development would result in a level of air and/or noise pollution resulting from additional traffic movements that would justify refusal of the application.
- 8.92 Contamination
The scale and sensitivity of the development necessitates a precautionary approach with respect to the risk of encountering any ground contamination. For that purpose the Environmental Protection Officer recommends that the standard contaminated land conditions be attached. This requires a phase 1 assessment (i.e. desk study) of the risks of encountering land contamination and, depending on the findings of that, further investigation and/or remediation may or may not be appropriate.

- 8.93 Construction phase controls
The Environmental Protection Officer has recommend conditions restricting all work relating to the construction of the development hereby approved, including HGV movements associated with the building work, to be confined to 0730 – 1800 hrs Weekdays, 0800 – 1300 hrs Saturdays, with no work on Sundays and Public Holidays, unless otherwise agreed with the LPA. It is also recommend that building works shall not be permitted to commence until an environmental management plan, which covers the control of noise and dust, has been submitted to and approved by the LPA. Such a scheme would also include whether pile driving activities will be required and if so the methods employed to control and monitor noise and vibration. In addition the Environmental Protection Officer has recommended a condition prohibiting all burning of vegetation and other materials on the site.
- 8.94 **Flood Risk and Drainage**
The HCC Local Lead Flood Authority advised that the general principles for the surface water drainage proposals are acceptable but recommended that further information on the proposals be submitted in relation to some specific areas, which have been the subject of further submissions as follows;
- 8.95 Detention basin on line of existing watercourse
The design is to be amended so that the existing watercourse can flow through the site unimpeded by the proposed attenuation basin. The watercourse itself, along with all other public open space within the development will be handed to a management company. Where this watercourse passes beneath the highway the use of a highway culvert is proposed. Details of such works would need to be the subject of a separate agreement the Highway Authority and through Ordinary Watercourse Consent.
- 8.96 Overland flow route crossing eastern access road
As detailed above, it is now proposed to culvert the existing watercourse beneath the highway, this will be suitably sized at detailed design stage to ensure that there is no risk of surcharged or flooded water from the watercourse impacting on the highway.
- 8.97 Future long-term maintenance
The watercourse (along with all other areas of public open are identified as being handed over to a management company.
- 8.98 HCC as the Lead Flood Authority have confirmed that they have no further comments on this application the information submitted is acceptable. However, as stated previously any culverted watercourse requires the consent of Hampshire County Council and it is the responsibility of those proposing the works to obtain this separate consent and to make sure that any proposals do not adversely affect flows or ecological impacts on the watercourse.
- 8.99 Subject to a condition to require the details of the foul and surface water drainage in accordance with the details submitted to date the proposed development is considered to have no adverse impact by way of flood risk.

8.100 **Water Services**

Southern Water has advised that the results of a desktop study indicate that Southern Water currently cannot accommodate the needs of the development without providing additional infrastructure. The applicant will need to enter into a formal agreement with Southern Water to provide necessary sewerage infrastructure required to service this development in addition to a formal application for connection to the existing water supply. Informatives have been added to the recommendation to advise the applicant of the requirements.

8.101 **Water management**

The 2016 Local Plan includes a requirement in policy E7 to achieve a water consumption standard of no more than 100 litres per person today. This reflects the requirements of part G2 of the 2015 Building Regulations. In the event that planning permission was to be recommended a condition would be applied in order to address this. Subject to such a condition the proposal would comply with policy E7.

8.102 **Social Benefits**

In terms of social benefits, the proposed development would provide additional housing, 40% of which would be affordable and the Council could ensure that the size and tenure of the proposed dwellings would meet a local need. It would be sited close to the facilities and services. Furthermore the proposal would provide a new pedestrian and cycle routes which would improve accessibility for developments to the north of the site in addition to access and footpath links to the newly provided SANG and on site woodland. In addition the development would provide for on-site recreation, community facilities and public open spaces.

8.103 **Economic Benefits**

In line with residential development of this scale there would be economic benefits from the proposed development through employment and additional spending power resulting from the construction phase and from future occupiers of the proposed development.

8.104 In addition it is proposed to secure contributions to construction skills training. This is to be set out in a S.106 Agreement to provide an Employment and Skills Plan, based on the CITB Client Based Approach.

8.105 **Planning balance**

The application site is specifically allocated in the local plan under policy COM4 for the development of approximately 300 houses. As a result the principle of development is firmly established and complies with the local plan.

8.106 The submitted outline application, with reserved matters of access, complies with the relevant policies. Those issues of layout, scale, appearance and landscaping are to be properly considered at the reserved matters stage.

8.107 Whilst there would be an additional landscape impact resulting from the introduction of the additional accesses on Hoe Lane the requirement for primary access is prescribed in Policy COM4 and the proposed off-site highway works have enabled the rural character of the lane to be retained without significant alterations to the carriageway. In this instance the allocation of what is a large area of land must be weighed against any limited impact to the character and appearance if the area resulting from the access arrangements required by the policy.

8.108 In addition the proposed development will facilitate the delivery of significant social and economic benefits.

8.109 The proposal complies with the development plan. Therefore, in accordance with paragraph 14 of the NPPF should be approved without delay.

8.110 **Amendments to Conditions**

The recommended conditions have been amended to allow for the submission of details in relation to each individual parcel separately to allow the partnership of developers to bring the phases through more efficiently. In addition conditions relating to environmental management during construction works have been amalgamated.

9.0 **CONCLUSION**

9.1 The location of the site in a sustainable location which benefits from an allocation in the local plan establishing the principle of development. Consideration application is in outline with all matters other than access reserved.

9.2 Negotiations with HCC to secure off-site highways improvements have been agreed.

9.3 Potential concerns with regard to the details of the development will need to be further considered at the reserved matters stage. Subject to the completion of a legal agreement the proposed development is considered acceptable.

10.0 **RECOMMENDATION**

Delegate to the Head of Planning & Building for the completion of a legal agreement to secure the following:

- **Provision of 40% affordable housing on site and financial contribution to partial units, with final tenure and mix to be agreed.**
- **Financial contribution to and provision of off-site highways works.**
- **Financial contribution towards education provision.**
- **Financial contribution towards health care provision.**
- **Provision and future maintenance arrangements of on-site POS**
- **Financial contribution to off-site POS.**
- **Financial contribution to Solent SPA Mitigation.**
- **Secure pedestrian and cycle access through the site to link with the SANG.**

- **Delivery, retention and future management of the SANG**
- **Secure public access to on-site woodland.**

Then, OUTLINE PERMISSION subject to:

- 1. Prior to the commencement of the development hereby approved, a Development Parcel Plan shall be submitted to and approved in writing by the Local Planning Authority.
Reason: For the avoidance of doubt and in the interests of proper planning.**
- 2. Applications for the approval of all the reserved matters referred to herein shall be made within a period of three years from the date of this permission. The development to which the permission relates shall be begun not later than whichever is the later of the following dates:
i) five years from the date of this permission: or
ii) two years from the final approval of the said reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.
Reason: To comply with the provision of S.92 of the Town & Country Planning Act 1990.**
- 3. Approval of the details of the layout, scale and appearance of the building(s) and the landscaping of the site (herein after called "the reserved matters") within each development parcel shall be submitted to and approved in writing by the local planning authority in writing before the development is commenced.
Reason: To comply with Article 4 of the Town and Country Planning (General Management Procedure) (England) Development Procedure) Order 2015 (or any order revoking and re-enacting that Order).**
- 4. The development hereby approved shall be carried out in accordance with the following approved plans:
Site Location Plan: 073_DI_59.4
Junction Drawings: 3243/SK/006B, 007B, 008B & 009A
Reason: Reason: For the avoidance of doubt and in the interests of proper planning.**
- 5. No development shall take place above DPC level within a Development Parcel unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls and roofs (including windows and doors) of the proposed buildings have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the development within that Development Parcel.
Reason: To ensure the development has a satisfactory external appearance in the interest of visual amenities in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1.**
- 6. Notwithstanding the provisions set out within the Aspect Tree Consultancy Arboricultural Impact Assessment reference 03657-HOE.LANE-AIA.TCP.WMP-2016 no development within a Development Parcel shall take place until an updated arboricultural method statement reflecting the removal and replacement of the**

identified trees has been submitted to and approved in writing by the Local Planning Authority for that Parcel. Development shall be undertaken in accordance with the approved method statement.
Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with Test Valley Borough Revised Local Plan policy E2.

7. Tree protective measures installed (in accordance with the tree protection condition 6) shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities, nor material storage, nor placement of site huts or other equipment what-so-ever shall take place within the barrier.
Reason: To ensure the avoidance of damage to existing trees and natural features during the construction phase in accordance with Test Valley Borough Revised Local Plan policy E2.
8. All service routes, drain runs, soakaways or excavations in connection with the development hereby permitted shall remain wholly outside the tree protective barrier.
Reason: To ensure the avoidance of damage to existing trees and natural features during the construction phase in accordance with Test Valley Borough Revised Local Plan policy E2.
9. Prior to the commencement of development in a Development Parcel, a detailed Biodiversity Management Plan (BMP) shall be submitted to and approved in writing by the Local Planning Authority. The Parcel shall subsequently be managed in accordance with any such approved details.
Reason: To conserve and enhance biodiversity, in accordance with Test Valley Borough Revised Local Plan policy E5.
10. Prior to the commencement of development in a Development Parcel a detailed lighting strategy, including within the site and new street lighting shall be submitted to and approved in writing by the Local Planning Authority for that Parcel. Development shall subsequently proceed in accordance with any such approved details.
Reason: To avoid impacts to bats, in accordance with Test Valley Borough Revised Local Plan policy E5.
11. No works pursuant to this permission shall commence in a Development Parcel until there has been submitted to and approved in writing by the local planning authority the following for that Parcel:
 - (a) a desk top study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Contaminated Land Research Report Nos. 2 and 3 and BS10175:2001 -Investigation of Potentially Contaminated Sites - Code of Practice; and (unless otherwise agreed in writing by the local planning authority)
 - (b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas

analysis identified as appropriate by the desk top study in accordance with BS10175;and (unless otherwise agreed in writing by the local planning authority)

- (c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminated land and/or gases when the site is developed and proposals for future maintenance and monitoring. Such a scheme shall include nomination of a competent person to oversee the implementation of the works.**

The development hereby permitted shall not be occupied or brought into use in the relevant Development Parcel until there has been submitted to the local planning authority verification by a competent person approved under the provisions of condition 12(i) (c) that any remediation scheme required and approved under the provisions of this condition has been implemented fully in accordance with the approved details (unless with the written agreement of the local planning authority in advance of implementation). Unless agreed in writing by the local planning authority such verification shall comprise:

- a) as built drawings of the implemented scheme;**
- b) photographs of the remediation works in progress;**
- c) certificates demonstrating that imported and/or material left in situ is free from contamination;**
- d) thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition (l) c.**

Reason: To ensure a safe living/working environment in accordance with Test Valley Borough Revised Local Plan 2016 policy E8.

- 12. There shall be no construction or demolition works, no machinery shall be operated, no processes carried out and no deliveries received or dispatched outside the following times: 07:30 to 18:00 hours Monday to Friday and 08:00 to 13:00 hours on Saturday. In addition, no such activities shall take place on Sundays, Bank or Public holidays.**

Reason: In the interests of the amenities of neighbouring properties in accordance with Test Valley Borough Revised Local Plan 2016 policies E8 and LWH4.

- 13. No development shall take place in a Development Parcel unless or until a Construction Traffic & Environmental Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The Traffic & Environmental Management Plan shall cover the control of noise and dust during the demolition, site preparation and construction phases of development. It shall also include full details of the layout for the parking and manoeuvring onsite of contractor's and delivery vehicles during the construction period and the routing of construction traffic to and from the site. Work shall be undertaken in accordance with the approved Construction Environmental Management Plan for the relevant Development Parcel.**

Reason: In the interests of local amenities and of neighbouring properties in accordance with Test Valley Borough Revised Local Plan 2016 policies E8 and LWH4, to avoid, mitigate and compensate for impacts to biodiversity, in accordance with Policy E5 and in the interest of highway safety in accordance with policy T1.

- 14. Prior to the commencement of development detailed proposals for the sustainable disposal of foul and surface water and any trade effluent shall be submitted to and approved in writing by the Local Planning Authority. The agreed details shall be fully implemented before the first occupation of the dwellings.**

Reason: To ensure a satisfactory form of development and in the interest of local amenities in accordance with Test Valley Borough Revised Local Plan 2016 policy E7.

- 15. Before the development hereby permitted is commenced details, including plans and cross sections, shall be submitted to and approved by the Local Planning Authority of the existing and proposed ground levels of the development and the boundaries of the site and the height of the ground floor slab and damp proof course in relation thereto. Development shall be undertaken in accordance with the approved details.**

Reason: To ensure satisfactory relationship between the new development and the adjacent buildings, amenity areas and trees in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1.

- 16. The development hereby approved shall be designed and built to meet Regulation 36 2 (b) requirement of 110 litres/person/day water efficiency set out in part G2 of Building Regulations 2015.**

Reason: In the interests of improving water usage efficiency in accordance with policy E7 of the Test Valley Borough Revised Local Plan 2016.

- 17. No development in a Development Parcel shall be commenced until details of roads, footways, footpaths and cycleways to be offered to HCC for adoption, shall have approved in writing by the Local Planning Authority:**

Details shall include:

- a) the width, alignment, gradient and surface materials including all relevant horizontal and longitudinal cross sections showing existing and proposed levels**
- b) the type of street lighting including calculations, contour illumination plans and means to reduce light pollution) the method of surface water drainage including local sustainable disposal.**

Development shall be undertaken in accordance with the approved details.

Reason: To ensure that the roads, footway, footpath, cycleway, street lighting and surface water drainage are constructed and maintained to an appropriate standard to serve the development in accordance with Test Valley Borough Revised Local Plan 2016 policy T1.

- 18. No development above DPC level of the first unit to be constructed shall commence until the Local Planning Authority shall have approved in writing a Quality Audit incorporating a Stage 1 Safety Audit, as recommended in Manual for Streets published by the Chartered Institute for Highways and Transportation.**
Reason: To ensure that the highways works are provided to an appropriate standard to serve the development in accordance with Test Valley Borough Revised Local Plan 2016 Policy T1.
- 19. Prior to the commencement of development details of the means of access to the existing adopted highways, including the layout and sight lines, shall, if they are to differ from details in the approved plans referred to in Condition 5 above, be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented before the start of the abutting development/use commences of the access and retained as such at all times.**
Reason: To ensure that the access into the site is provided to an appropriate standard to serve the development in accordance with Test Valley Borough Revised Local Plan 2016 Policy T1.
- 20. The gradient of any drive shall not exceed 5% within 6 metres of the edge of the carriageway of the adjoining highway unless otherwise agreed in writing by the Local Planning Authority.**
Reason: In the interest of highway safety in accordance with Test Valley Borough Revised Local Plan 2016 Policy T1.
- 21. Any gates shall be set back at least 6 metres from the edge of the carriageway of the adjoining highway and the access shall be splayed at an angle of 45 degrees from this point to the edge of the highway unless otherwise agreed in writing by the Local Planning Authority.**
Reason: In the interest of highway safety in accordance with Test Valley Borough Revised Local Plan 2016 Policy T1.
- 22. Any garage /carport which faces direct on to the highway shall be built at least 6 metres from the highway boundary unless otherwise agreed in writing by the Local Planning Authority.**
Reason: To provide space in front of the garage to enable vehicles to wait off the highway whilst garage doors are open/closed and in the interest of highway safety in accordance with Test Valley Borough Revised Local Plan 2016 Policy T1.
- 23. Any single garage shall measure 3m by 6m internally and be constructed as such and made available for the parking of motor vehicles at all times.**
Reason: In the interest of highway safety in accordance with Test Valley Borough Revised Local Plan (2016) Policy T1.
- 24. At least the first 6 metres of any access track measured from the nearside edge of carriageway of the adjacent highway shall be surfaced in a non-migratory material prior to the use of the access commencing and retained as such at all times.**
Reason: In the interest of highway safety in accordance with Test Valley Borough Revised Local Plan 2016 Policy T1.

- 25. Full details of the vehicle cleaning measures proposed to prevent mud and spoil from vehicles leaving the site shall be submitted in writing to the Local Planning Authority for written approval prior to the commencement of the development. The approved measures shall be implemented before the development commences. Once the development has been commenced, these measures shall be used by all vehicles leaving the site and maintained in good working order for the duration of the development. No vehicle shall leave the site unless its wheels have been cleaned sufficiently to prevent mud and spoil being carried on to the public highway.
Reason: In the interest of highway safety in accordance with Test Valley Borough Revised Local Plan 2016 Policy T1.**
- 26. No construction of any dwelling hereby approved shall commence in a Development Parcel until an Employment and Skills Plan has first been submitted to and approved by the Local Planning Authority for that Parcel. The Plan shall be based on the CITB Client Based Approach (or such other standard as may supersede it) and shall include the requirements of the CITB schedule for residential development that applies to the value of the development at the time the Plan is submitted.
Reason: To ensure that the development contributes to construction skills training having regard to policy ST1 of the Test Valley Borough Revised Local Plan 2016.**

Notes to applicant:

- 1. 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.**
- 2. 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.**
- 3. Bats and their roosts receive strict legal protection under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended). All work must stop immediately if bats, or evidence of bat presence (e.g. droppings, bat carcasses or insect remains), are encountered at any point during this development. Should this occur, further advice should be sought from Natural England and/or a professional ecologist.**

- 4. 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.**
 - 5. The applicant/developer should enter into a formal agreement with Southern Water to provide necessary sewerage infrastructure required to service this development. The applicant/developer should contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk in order to progress the required infrastructure.**
 - 6. A formal application for connection to the water supply is required in order to service this development. The applicant/developer should contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk in order to progress the connection.**
 - 7. Any culverted watercourse requires the consent of Hampshire County Council; it is the responsibility of those proposing the works to obtain this separate consent and to make sure that any proposals do not adversely affect flows or ecological impacts on the watercourse.**
-

Appendix B - Southern Area
Planning Committee 24 April
2018



Hampshire
County Council

Head of Planning Services
Planning and Building Service
Test Valley Borough Council
Beech Hurst
Weyhill Road
Andover
Hampshire
SP10 3AJ

*Economy, Transport and Environment Department
Elizabeth II Court West, The Castle
Winchester, Hampshire SO23 8UD*

Tele: 0845 603 5638 (General Enquiries)
0845 603 5633 (Roads and Transport)
0845 603 5634 (Recycling Waste & Planning)
Textphone 0845 603 5625
Fax 01962 847055

www.hants.gov.uk

Enquiries to	David Earl	My reference	6/3/4/274 (APP1655)
Direct Line	01962 847386	Your reference	16/02432/OUTS
Date	10 th April 2018	Email	David.earl@hants.gov.uk

Dear Sir/Madam,

For the Attention of Mr Paul Goodman

16/02432/OUTS - Outline application for up to 300 dwellings with associated open space, roads, parking, service infrastructure, allotments and landscaping and potential for ancillary uses including employment, retail and health provision; along with the creation of new vehicular access points to Hoe Lane and Sylvan Drive at Hoe Farm, Hoe Lane, North Baddesley, Hampshire, SO52 9NH.

Thank you for the opportunity to comment on the above application. The highway authority has previously provided 3 responses (dated 4th November 2016, 28th April 2017 and 4th December 2017) to the submitted Transport Assessment (October 2016) and subsequent Highway Technical Notes (dated March 2017 and November 2017). To summarise these earlier responses, the highway authority initially raised concerns regarding site accessibility, junction modelling, treatment of Hoe Lane and the A3057/Hoe Lane junction and the Travel Plan. However, through the provision of further information submitted by the applicant in the form of the Technical Notes, these concerns were overcome leading to a highways recommendation of no objection subject to obligations and conditions.

Following the Test Valley Southern Area Planning Committee Meeting held in Romsey on 30th January 2018 which resulted in a deferral of the application pending the provision of additional information, the applicant has submitted a further Note ("*Responses to Post-Committee Items*", dated 4th April 2018). This note outlines further mitigation proposed by the applicant in response to

*Director of Economy, Transport and Environment
Stuart Jarvis BSc DipTP FCIHT MRTPI*

Call charges and information apply see www.hants.gov.uk

items raised by Members.

A3057/Hoe Lane Junction

The previous HCC Highways response outlined that a contribution of £50,000 had been agreed with the application which would be used to deliver a safety improvement scheme at this location which will include Vehicle Activated Signage (“VAS”), vegetation clearance to improve visibility from Hoe Lane and re-surfacing of existing anti-skid surfacing. It was agreed this contribution was sufficient to deliver improvements at this location sufficient to accommodate the increased use of the junction as a result of the development.

The latest Note presents Drawing 3243-SK-005 Rev C to illustrate the interventions that would be delivered by HCC through the provision of the contribution. This Drawing has been reviewed by the Safety Engineering and Traffic Management Teams at HCC who have confirmed that the principle of the works set out is agreed, although amendments would be required to the location of VAS signs and the bollards. The County Council remains satisfied that the works would deliver a range of interventions designed to highlight the presence of the junction to drivers.

As part of the proposals, the applicant has also considered whether a reduction in national speed limit to 50mph on A3057 in the vicinity of the junction would be appropriate. As part of these considerations, the applicant commissioned speed surveys on the A3057 both north and south of the Hoe Lane junction, the results of which are presented within the latest note. The results showed that current 85th percentile speeds were between 49.6mph and 53.7mph. Given that current vehicle speeds are already in the region of 50mph, it would not be anticipated that reducing in the speed limit would offer any benefit in terms of road safety and would therefore not be in accordance with the County Council's Traffic Management Policy.

Hoe Lane Speed Limit and Passing Places

As previously outlined, it is agreed that the speed limit on Hoe Lane will be reduced from national to 30mph which is to be funded by the developer. The latest note clarifies that the speed limit will extend from the western most proposed access on Hoe Lane leading east rather than along its whole length which is agreed.

With respect to the passing places, these have been increased in number from 7 to 9 combined with some localised widening at one bend as shown on Drawings 3243-SK-004 A Rev D and 3243-SK-004 B Rev D. The highway authority are satisfied that the arrangement as shown in principle on the above drawings represents a suitable improvement scheme capable of accommodating the additional traffic movements forecast on this link as generated by the proposed development. Furthermore, the scheme is

2

proportionate to the scale of development proposed and in accordance with the local plan policy for the site. These works will be delivered by the applicant via a Section 278 legal agreement together with the grubbing out of vegetation at the A3057/Hoe Lane junction.

Eastern Hoe Lane Parking Bays

The applicant has agreed to provide a contribution towards measures to reduce levels of on-road parking on Hoe Lane to the east of the Sylvan/Hoe Lane mini-roundabout. During the Committee Meeting, the desire to reduce on-street parking was outlined in order to improve link capacity in this location. The applicant presents Drawing 3243-SK-017 within the latest note which presents 2 parking bays capable of accommodating 3 cars total.

The highway authority notes that the proposed scheme would only have a limited impact on the operation of Hoe Lane at this location due to the presence of on-street parking along this section which exceeds the level of lay-by parking proposed. Furthermore, the presence of parked vehicles on Hoe Lane does not overly restrict the free flow of traffic and provides some benefit in reducing vehicle speeds. It is therefore considered by the highway authority that the proposed lay-by parking is not necessary and therefore an obligation on the highway authority to deliver these lay-bys is not accepted.

It is suggested that a contribution to be used towards traffic management improvements if deemed necessary following completion of the development is secured.

Recommendation

Having reviewed the additional information, the highway authority maintains its previous recommendation that it raises no objection to this application subject to securing the following obligations through a Section 106 Legal Agreement and conditions:

Obligations

- A financial contribution of £50,000 towards safety improvements at A3057/Hoe Lane junction;
- A financial contribution of £100,000 towards delivery of a cycle connection between Firgrove Road and Castle Lane to the north which will enhance local cycle links between the site and North Baddesley and local employment opportunities;
- A financial contribution towards traffic management improvements between the site and Botley Road including Hoe Lane;
- To implement and fully fund a Traffic Regulation Order (TRO) to reduce the speed limit to 30mph on Hoe Lane (including costs of any highway features required such as a gateway);

- To implement tactile paving at crossing points between the site and North Baddesley via the Section 278 Process in order to enhance local pedestrian infrastructure and encourage sustainable modes trips;
- Vehicular access points onto Hoe Lane and Sylvan Drive;
- The footway connection between Sylvan Drive vehicular access and existing footway at Sylvan Drive/Tornay Grove junction; and,
- Vehicular passing places on Hoe Lane as shown in principle on Drawings 3243-SK-004 A Rev D and 3243-SK-004 B Rev D together with the implementation of the Hoe Lane TRO to introduce a 30 mph speed limit.

Conditions

- No development hereby permitted shall commence until a Construction Traffic Management Plan, to include details of provision to be made on site for contractor's parking, construction traffic access, the turning of delivery vehicles within the confines of the site, lorry routeing and a programme of works has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development hereby permitted is commenced and retained throughout the duration of construction

Reason: In the interests of highway safety.

- Full details of the vehicle cleaning measures proposed to prevent mud and spoil from vehicles leaving the site shall be submitted in writing to the Local Planning Authority for written approval prior to the commencement of the development. The approved measures shall be implemented before the development commences. Once the development has been commenced, these measures shall be used by all vehicles leaving the site and maintained in good working order for the duration of the development. No vehicle shall leave the site unless its wheels have been cleaned sufficiently to prevent mud and spoil being carried on to the public highway.

Reason: In the interests of highway safety.

I trust that the above is clear but I would ask you not to hesitate to contact David Earl should you wish to discuss anything further.

Yours faithfully,

Ben Clifton
Team Leader – Highway Development Planning

Cc- Ray Alborough, Test Valley Borough Council

Officer Update Report to Southern Area Planning Committee on 24 April 2018

APPLICATION NO.	16/02432/OUTS
SITE	Hoe Farm, Hoe Lane, North Baddesley, SO52 9NH, NORTH BADDESLEY / NURSING AND ROWNHAMS
COMMITTEE DATE	24 April 2018
ITEM NO.	7
PAGE NO.	11- 54

1.0 **VIEWING PANEL**

1.1 A Viewing Panel was held on the 20 April 2018 and attended by Cllrs Richards, A Dowden, C Dowden, Bundy, Cooper, Bailey, Johnston, Jeffrey, Thom, Collier, Anderdon, Finlay and Tupper. Apologies were received from Cllrs Boulton, Baverstock and Cosier.

2.0 **CONSULTATIONS**

2.1 **Estates & Economic Development (Economic Development)** – No objection, subject to agreement to secure skills training programme.

2.2 **Natural England** - No objection to the use of the SANG at Luzborough being used to mitigate impacts on the New Forest sites as well as the Solent suite of sites.

3.0 **PLANNING CONSIDERATIONS**

3.1 Health Facilities

As is described in paragraph 8.19 of the Officers Report following the SAPC of 30 January consultations have taken place with the Clinical Commissioning Group (CCG). Based on the discussions it is considered that contributions based on an assessment of the local needs a formulaic approach to calculating the contributions and an agreed programme of works to enhance the local doctor's facility in North Baddeley is applicable and would meet the relevant tests for planning obligations set out in the NPPF. The applicants have agreed to this approach.

3.2 However the formal consultation response has not been received prior to SAPC and the recommendation has been amended to secure the formal response before issuing a decision.

3.3 Solent and Southampton Water SPA/Lower Test Valley SSSI

Natural England has raised no objection to the mitigation provided by the SANG being secured as part of the application to include mitigation in relation to the Solent and Southampton Water SPA/Lower Test Valley SSSI. As is described in paragraph 8.62 of the Officers Report discussions had taken place with Natural England regarding the use of the SANG are to offset the impact on the Solent SPA but had not been concluded at the time of reporting. Natural England have now confirmed that they have no objection to the use of the SANG at Luzborough Plantation being used to mitigate impacts

on the New Forest sites as well as the Solent suite of sites, subject to enhancements in accordance with Appendix B (Criteria for SANG) of the Solent Recreation Mitigation Strategy (2017). As a result the recommendation has been amended to secure further enhancement of the SANG in relation to the Solent SPA mitigation.

3.4 Skills Training

In accordance with Policy ST1 where a development has a significant impact on the labour market contributions towards the enhancement of skills training and the provision of apprenticeships within the local community will be required. The authority has sought on other large developments to secure an employment and skills plan based on the Construction Industry Training Board (CITB) Local Client Guidance. The Economic Development Officer has raised no objection, subject to the skills training plan being secured. A condition has been applied to reflect the requirement.

3.5 Highways Conditions

Having reviewed the recommended conditions and with regard to recent outline appeal decision and the Inspectors advice it has been concluded that conditions 20-24, which relate to the detailed design and location of garages and driveways within the site, go beyond what is reasonable to secure in relation to an outline application and, in any case, the Local Planning Authority retain control of these matters at the reserved matters stage. Those highways conditions relating to the access onto the existing public highways have been retained.

4.0 **AMENDED RECOMMENDATION**

Delegate to the Head of Planning & Building for the satisfactory conclusion of consultations with:

- **Clinical Commissioning Group**

The completion of a legal agreement to secure the following:

- **Provision of 40% affordable housing on site and financial contribution to partial units, with final tenure and mix to be agreed.**
- **Financial contribution to and provision of off-site highways works.**
- **Financial contribution towards education provision.**
- **Financial contribution towards health care provision.**
- **Provision and future maintenance arrangements of on-site POS**
- **Financial contribution to off-site POS.**
- **Secure pedestrian and cycle access through the site to link with the SANG.**
- **Delivery, retention and future management of the SANG**
- **Enhancement of the SANG to mitigate impact on the Solent and Southampton Water SPA.**
- **Secure public access to on-site woodland.**

Then, OUTLINE PERMISSION subject to:

1. **Prior to the commencement of the development hereby approved, a Development Parcel Plan shall be submitted to and approved in writing by the Local Planning Authority.**

Reason: For the avoidance of doubt and in the interests of proper planning.

- 2. Applications for the approval of all the reserved matters referred to herein shall be made within a period of three years from the date of this permission. The development to which the permission relates shall be begun not later than whichever is the later of the following dates:**

i) five years from the date of this permission: or

ii) two years from the final approval of the said reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To comply with the provision of S.92 of the Town & Country Planning Act 1990.

- 3. Approval of the details of the layout, scale and appearance of the building(s) and the landscaping of the site (herein after called "the reserved matters") within each development parcel shall be submitted to and approved in writing by the local planning authority in writing before the development is commenced.**

Reason: To comply with Article 4 of the Town and Country Planning (General Management Procedure) (England) Development Procedure) Order 2015 (or any order revoking and re-enacting that Order).

- 4. The development hereby approved shall be carried out in accordance with the following approved plans:**

Site Location Plan: 073_DI_59.4

Junction Drawings: 3243/SK/006B, 007B, 008B & 009A

Reason: Reason: For the avoidance of doubt and in the interests of proper planning.

- 5. No development shall take place above DPC level within a Development Parcel unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls and roofs (including windows and doors) of the proposed buildings have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the development within that Development Parcel.**

Reason: To ensure the development has a satisfactory external appearance in the interest of visual amenities in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1.

- 6. Notwithstanding the provisions set out within the Aspect Tree Consultancy Arboricultural Impact Assessment reference 03657-HOE.LANE-AIA.TCP.WMP-2016 no development within a Development Parcel shall take place until an updated arboricultural method statement reflecting the removal and replacement of the identified trees has been submitted to and approved in writing by the Local Planning Authority for that Parcel. Development shall be undertaken in accordance with the approved method statement.**

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with Test Valley Borough Revised Local Plan policy E2.

- 7. Tree protective measures installed (in accordance with the tree protection condition 6) shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities, nor material storage, nor placement of site huts or other equipment what-so-ever shall take place within the barrier.**
Reason: To ensure the avoidance of damage to existing trees and natural features during the construction phase in accordance with Test Valley Borough Revised Local Plan policy E2.
- 8. All service routes, drain runs, soakaways or excavations in connection with the development hereby permitted shall remain wholly outside the tree protective barrier.**
Reason: To ensure the avoidance of damage to existing trees and natural features during the construction phase in accordance with Test Valley Borough Revised Local Plan policy E2.
- 9. Prior to the commencement of development in a Development Parcel, a detailed Biodiversity Management Plan (BMP) shall be submitted to and approved in writing by the Local Planning Authority. The Parcel shall subsequently be managed in accordance with any such approved details.**
Reason: To conserve and enhance biodiversity, in accordance with Test Valley Borough Revised Local Plan policy E5.
- 10. Prior to the commencement of development in a Development Parcel a detailed lighting strategy, including within the site and new street lighting shall be submitted to and approved in writing by the Local Planning Authority for that Parcel. Development shall subsequently proceed in accordance with any such approved details.**
Reason: To avoid impacts to bats, in accordance with Test Valley Borough Revised Local Plan policy E5.
- 11. No works pursuant to this permission shall commence in a Development Parcel until there has been submitted to and approved in writing by the local planning authority the following for that Parcel:**

 - (a) a desk top study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Contaminated Land Research Report Nos. 2 and 3 and BS10175:2001 -Investigation of Potentially Contaminated Sites - Code of Practice; and (unless otherwise agreed in writing by the local planning authority)**
 - (b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175;and (unless otherwise agreed in writing by the local planning authority)**
 - (c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminated land and/or gases when the site is developed and proposals for future maintenance and monitoring. Such a scheme shall include nomination of a competent person to oversee the implementation of the works.**

The development hereby permitted shall not be occupied or brought into use in the relevant Development Parcel until there has been submitted to the local planning authority verification by a competent person approved under the provisions of condition 12(i) (c) that any remediation scheme required and approved under the provisions of this condition has been implemented fully in accordance with the approved details (unless with the written agreement of the local planning authority in advance of implementation). Unless agreed in writing by the local planning authority such verification shall comprise:

- a) as built drawings of the implemented scheme;**
- b) photographs of the remediation works in progress;**
- c) certificates demonstrating that imported and/or material left in situ is free from contamination;**
- d) thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition (l) c.**

Reason: To ensure a safe living/working environment in accordance with Test Valley Borough Revised Local Plan 2016 policy E8.

- 12. There shall be no construction or demolition works, no machinery shall be operated, no processes carried out and no deliveries received or dispatched outside the following times: 07:30 to 18:00 hours Monday to Friday and 08:00 to 13:00 hours on Saturday. In addition, no such activities shall take place on Sundays, Bank or Public holidays.**

Reason: In the interests of the amenities of neighbouring properties in accordance with Test Valley Borough Revised Local Plan 2016 policies E8 and LWH4.

- 13. No development shall take place in a Development Parcel unless or until a Construction Traffic & Environmental Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The Traffic & Environmental Management Plan shall cover the control of noise and dust during the demolition, site preparation and construction phases of development. It shall also include full details of the layout for the parking and manoeuvring onsite of contractor's and delivery vehicles during the construction period and the routing of construction traffic to and from the site. Work shall be undertaken in accordance with the approved Construction Environmental Management Plan for the relevant Development Parcel.**

Reason: In the interests of local amenities and of neighbouring properties in accordance with Test Valley Borough Revised Local Plan 2016 policies E8 and LWH4, to avoid, mitigate and compensate for impacts to biodiversity, in accordance with Policy E5 and in the interest of highway safety in accordance with policy T1.

- 14. Prior to the commencement of development detailed proposals for the sustainable disposal of foul and surface water and any trade effluent shall be submitted to and approved in writing by the Local Planning Authority. The agreed details shall be fully implemented before the first occupation of the dwellings.**

Reason: To ensure a satisfactory form of development and in the interest of local amenities in accordance with Test Valley Borough Revised Local Plan 2016 policy E7.

- 15. Before the development hereby permitted is commenced details, including plans and cross sections, shall be submitted to and approved by the Local Planning Authority of the existing and proposed ground levels of the development and the boundaries of the site and the height of the ground floor slab and damp proof course in relation thereto. Development shall be undertaken in accordance with the approved details.**

Reason: To ensure satisfactory relationship between the new development and the adjacent buildings, amenity areas and trees in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1.

- 16. The development hereby approved shall be designed and built to meet Regulation 36 2 (b) requirement of 110 litres/person/day water efficiency set out in part G2 of Building Regulations 2015.**

Reason: In the interests of improving water usage efficiency in accordance with policy E7 of the Test Valley Borough Revised Local Plan 2016.

- 17. No development in a Development Parcel shall be commenced until details of roads, footways, footpaths and cycleways to be offered to HCC for adoption, shall have approved in writing by the Local Planning Authority:**

Details shall include:

- a) the width, alignment, gradient and surface materials including all relevant horizontal and longitudinal cross sections showing existing and proposed levels**
- b) the type of street lighting including calculations, contour illumination plans and means to reduce light pollution) the method of surface water drainage including local sustainable disposal.**

Development shall be undertaken in accordance with the approved details.

Reason: To ensure that the roads, footway, footpath, cycleway, street lighting and surface water drainage are constructed and maintained to an appropriate standard to serve the development in accordance with Test Valley Borough Revised Local Plan 2016 policy T1.

- 18. No development above DPC level of the first unit to be constructed shall commence until the Local Planning Authority shall have approved in writing a Quality Audit incorporating a Stage 1 Safety Audit, as recommended in Manual for Streets published by the Chartered Institute for Highways and Transportation.**

Reason: To ensure that the highways works are provided to an appropriate standard to serve the development in accordance with Test Valley Borough Revised Local Plan 2016 Policy T1.

- 19. Prior to the commencement of development details of the means of access to the existing adopted highways, including the layout and sight lines, shall, if they are to differ from details in the approved plans referred to in Condition 5 above, be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented before the start of the abutting development/use commences of the access and retained as such at all times.**

Reason: To ensure that the access into the site is provided to an appropriate standard to serve the development in accordance with Test Valley Borough Revised Local Plan 2016 Policy T1.

- 20. Full details of the vehicle cleaning measures proposed to prevent mud and spoil from vehicles leaving the site shall be submitted in writing to the Local Planning Authority for written approval prior to the commencement of the development. The approved measures shall be implemented before the development commences. Once the development has been commenced, these measures shall be used by all vehicles leaving the site and maintained in good working order for the duration of the development. No vehicle shall leave the site unless its wheels have been cleaned sufficiently to prevent mud and spoil being carried on to the public highway.**

Reason: In the interest of highway safety in accordance with Test Valley Borough Revised Local Plan 2016 Policy T1.

- 21. No construction of any dwelling hereby approved shall commence in a Development Parcel until an Employment and Skills Plan has first been submitted to and approved by the Local Planning Authority for that Parcel. The Plan shall be based on the CITB Client Based Approach (or such other standard as may supersede it) and shall include the requirements of the CITB schedule for residential development that applies to the value of the development at the time the Plan is submitted.**

Reason: To ensure that the development contributes to construction skills training having regard to policy ST1 of the Test Valley Borough Revised Local Plan 2016.

Notes to applicant:

- 1. 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.**
- 2. 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.**

- 3. Bats and their roosts receive strict legal protection under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended). All work must stop immediately if bats, or evidence of bat presence (e.g. droppings, bat carcasses or insect remains), are encountered at any point during this development. Should this occur, further advice should be sought from Natural England and/or a professional ecologist.**
 - 4. 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.**
 - 5. The applicant/developer should enter into a formal agreement with Southern Water to provide necessary sewerage infrastructure required to service this development. The applicant/developer should contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk in order to progress the required infrastructure.**
 - 6. A formal application for connection to the water supply is required in order to service this development. The applicant/developer should contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk in order to progress the connection.**
 - 7. Any culverted watercourse requires the consent of Hampshire County Council; it is the responsibility of those proposing the works to obtain this separate consent and to make sure that any proposals do not adversely affect flows or ecological impacts on the watercourse.**
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APPENDIX B

Officer Update Report to Planning Committee on 12 June 2018

APPLICATION NO.	16/02432/OUTS
SITE	Hoe Farm, Hoe Lane, North Baddesley, SO52 9NH, NORTH BADDESLEY / NURSLING AND ROWNHAMS
COMMITTEE DATE	12 June 2018
ITEM NO.	7
PAGE NO.	9 – 69

1.0 VIEWING PANEL

- 1.1 A Viewing Panel has been arranged for the afternoon of 12 June prior to PCC. Apologies have been received in advance from Cllrs Lovell, Finlay, Preston, Cooper, Neal, Boulton and Borg-Neal.

2.0 CONSULTATIONS

- 2.1 **HCC Highways** – No objection to additional highways improvements. (Copy attached).

- 2.2 **Planning Policy & Transport (Highways)** – No objection.

3.0 REPRESENTATIONS

- 3.1 **14 representations of Objection received in response to the revised highways proposals;**
- Previous objections to the scheme remain valid.
 - Revised application does not comply with Policy COM4.
 - Improvements to Hoe Lane remain inadequate.
 - Hoe Lane should be made into a two lane highway.
 - A new highway and link to the Ashfield roundabout should be provided.
 - Traffic will use the existing routes through the village rather than Hoe Lane leading to increased congestion.
 - Conflict with on street parking in surrounding residential roads.
 - Hoe Lane is in a poor state of repair and has not been maintained.
 - Conflict of large vehicles and existing trees leading to highways safety issues.
 - Works to the Hoe Lane/A3057 junction are inadequate to improve safety.
 - Increased pressure on village junctions which are at capacity and cannot be further improved.
 - Passing places inadequate to accommodate passing lorries.
 - Lack of public transport provision in the village.
 - Insufficient provision for healthcare.
 - Insufficient provision for schools.
 - Adverse impact on wildlife from increased use of Hoe Lane.
 - Additional traffic from employment uses.
 - Speed date is out of date and does not correlate with the increases stated.

- Proposed circular route within the SANG inadequate without extension from Whitenap development.
- Measures to protect protected species are unclear.
- Unnecessary removal of trees.
- No decision should be made until the Whitenap development is finalised.

4.0 **PLANNING CONSIDERATIONS**

4.1 **Highways**

As indicated in the Officers PCC report the consultation from HCC Highways on the amended enhancements to Hoe Lane were awaited at the time of reporting. The response has now been received and no objection raised. In summary, having reviewed the additional information, the highway authority maintains its previous recommendation that it raises no objection to this application subject to securing the obligations and condition as outlined in the recommendation of the Head of Planning & Building. A full copy of the HCC Highways advice as been appended to the Update Paper for member's information. A draft copy of the legal agreement has also been provided by the applicant.

4.2 In addition to the plans contained in the PCC agenda revised plans have been received to illustrate the position of the significant trees in the context of the proposed passing places and widening works. Copies of the plans are attached to the Update Paper. These plans demonstrate that the proposed improvement works can be achieved within the constraints of the significant trees which form an integral part of the rural character of Hoe Lane.

4.3 **Recommendation of Southern Area Planning Committee**

The wording of reason No.5 of the recommendation of SAPC has been corrected to make reference to the Conservation of Habitats and Species Regulations 2017 rather than the 2010 regulations which have been superseded.

5.0 **AMENDED RECOMMENDATION OF SOUTHERN AREA PLANNING COMMITTEE**

REFUSE for the reasons:

1. **The proposed highways improvement works to Hoe Lane, its junction with the A3057 and associated off-site highways improvements are inadequate to safely manage the impact of additional traffic movements resulting from the development. As a result the development would have an adverse impact on the function, safety and character of Hoe Lane and the off-site roads to the north including Botley Road, Rownhams Lane, Rownhams Road and Sylvan Drive the junctions of which are currently at or over capacity. The development is therefore contrary to Policy COM4(g) and T1(d) of the Test Valley Borough Revised Local Plan 2016.**
2. **In the absence of a legal agreement to secure the delivery of affordable housing, including the subsequent retention in perpetuity to occupation by households in housing need and ensuring the units are dispersed through the development, the proposed development would exacerbate an existing need for affordable housing in the locality, and is therefore contrary to the aims of the National Planning Policy Framework, Policy COM07 of the Test**

Valley Borough Revised Local Plan 2016, and the Council's 'Infrastructure and Developer Contributions' (2009) and 'Affordable Housing' (2008) Supplementary Planning Documents.

- 3. In the absence of a legal agreement, the application has failed to make provision for the delivery of the required level of useable public recreational open space on site or financial contributions in lieu of on-site provision to mitigate against the additional pressure that would be placed on existing recreational facilities where there is a deficit in such provision, and where open space is to be provided on site, no provision has been secured for its long term management and maintenance. As such, the proposals are considered to be contrary to Policy LHW1 of the Test Valley Borough Revised Local Plan and the Council's 'Infrastructure and Developer Contributions' Supplementary Planning Document (2009).**
- 4. In the absence of a legal agreement, the application has failed to secure the provision of sustainable transport infrastructure projects which would be made necessary by the proposed development. Such projects are required to mitigate against the impact of the additional vehicle movements that would be generated on the existing highway network, and to assist deliver green infrastructure to the benefit of pedestrians and cyclists. The proposals are therefore considered contrary to the aims of the National Planning Policy Framework, and policy T1 of the Test Valley Borough Revised Local Plan 2016, and the Council's 'Infrastructure and Developer Contributions' SPD (2009).**
- 5. The site lies within close proximity to the New Forest SPA and Solent and Southampton Water SPA which are designated for their conservation importance. In the absence of a legal agreement, the application has failed to secure the required mitigation measures in the form of the SANG, in accordance with the Council's adopted 'New Forest SPA Mitigation - Interim Framework' and Solent Recreation Mitigation Strategy (2017). As such, it is not possible to conclude that the development would not have an in-combination likely significant effect on the interest features of this designated site, as a result of increased recreational pressure. The proposed development is therefore contrary to the Council's adopted 'New Forest SPA Mitigation - Interim Framework', Solent Recreation Mitigation Strategy (2017), Policy E5 of the adopted Test Valley Borough Revised Local Plan 2016, and the Conservation of Habitats and Species Regulations 2017 (as amended).**
- 6. In the absence of a legal agreement, the application has failed to secure the provision of a financial contribution towards off-site primary school education facilities, which has been made necessary by the proposed development. Such a contribution would be required to mitigate against the impact of the additional demand placed on primary school education facilities nearby by the increase in population. The proposal is therefore considered contrary to the aims of the National Planning Policy Framework, and the Council's 'Infrastructure and Developer Contributions' SPD (2009).**

- 7. In the absence of a legal agreement, the application has failed to secure the provision of a financial contribution towards off-site community healthcare facilities, which has been made necessary by the proposed development. Such a contribution would be required to mitigate against the impact of the additional demand placed on community healthcare facilities nearby by the increase in population. The proposal is therefore considered contrary to Policy COM4 (b) of the Test Valley Borough Revised Local Plan 2016, the aims of the National Planning Policy Framework and the Council's 'Infrastructure and Developer Contributions' SPD (2009).**
-

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KEY:
 ● EXISTING TREES GREATER THAN APPROXIMATELY 0.3M TRUNK DIAMETER, HAVE BEEN PLACED IN ESTIMATED LOCATIONS BASED ON SITE OBSERVATIONS AND SHOULD BE CONFIRMED BY A TOPOGRAPHICAL SURVEY.

REV	DATE	BY	DESCRIPTION	CHK	APP
H	08/06/2018	CSB	AMENDED TREE LOCATIONS	(2)	(6)
G	07/06/2018	AM	APPROXIMATE TREE LOCATIONS ADDED	(2)	(6)
F	16/05/2018	SM	ANGLATIONS AMENDED	(2)	(6)
L	15/05/2018	PM	PHH ISSUE	(2)	(6)
D	03/04/2018	PM	FOURTH ISSUE	(2)	(6)
C	14/03/2018	PM	THIRD ISSUE	(2)	(6)
B	13/02/2017	PM	SECOND ISSUE	(2)	(6)
A	15/12/2015	PM	FIRST ISSUE	(2)	(6)

DRAWING STATUS: **S2 - FOR INFORMATION**

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CLIENT: **ASHFIELD PARTNERSHIP**

ARCHITECT: **N/A**

PROJECT: **HOE LANE, ROMSEY**

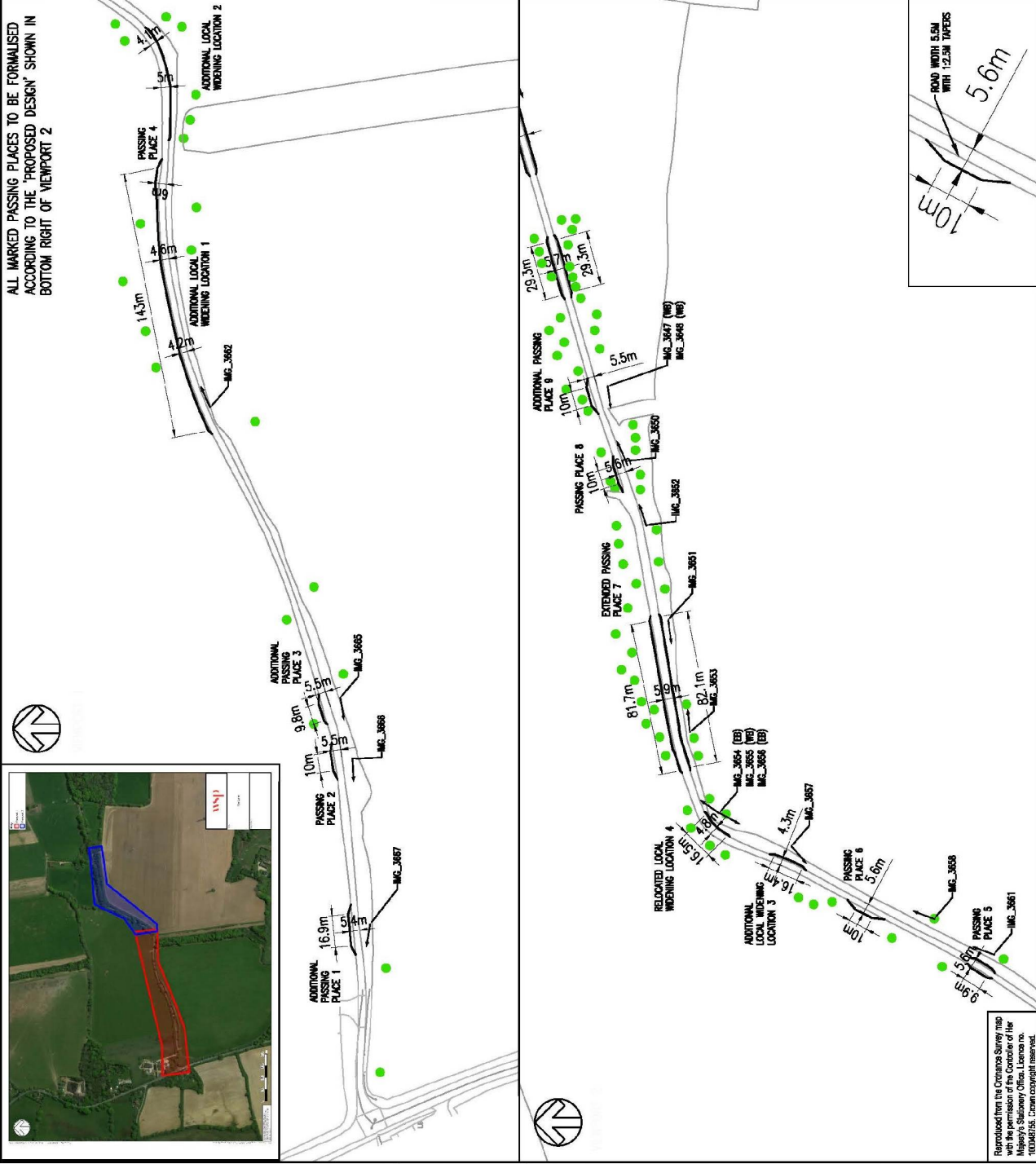
TITLE: **HOE LANE PROPOSALS FOR IMPROVED PASSING PLACES, WESTERN SECTION**

SCALE @ A3: 1:2000
 CHECKED: CSB
 APPROVER: AST

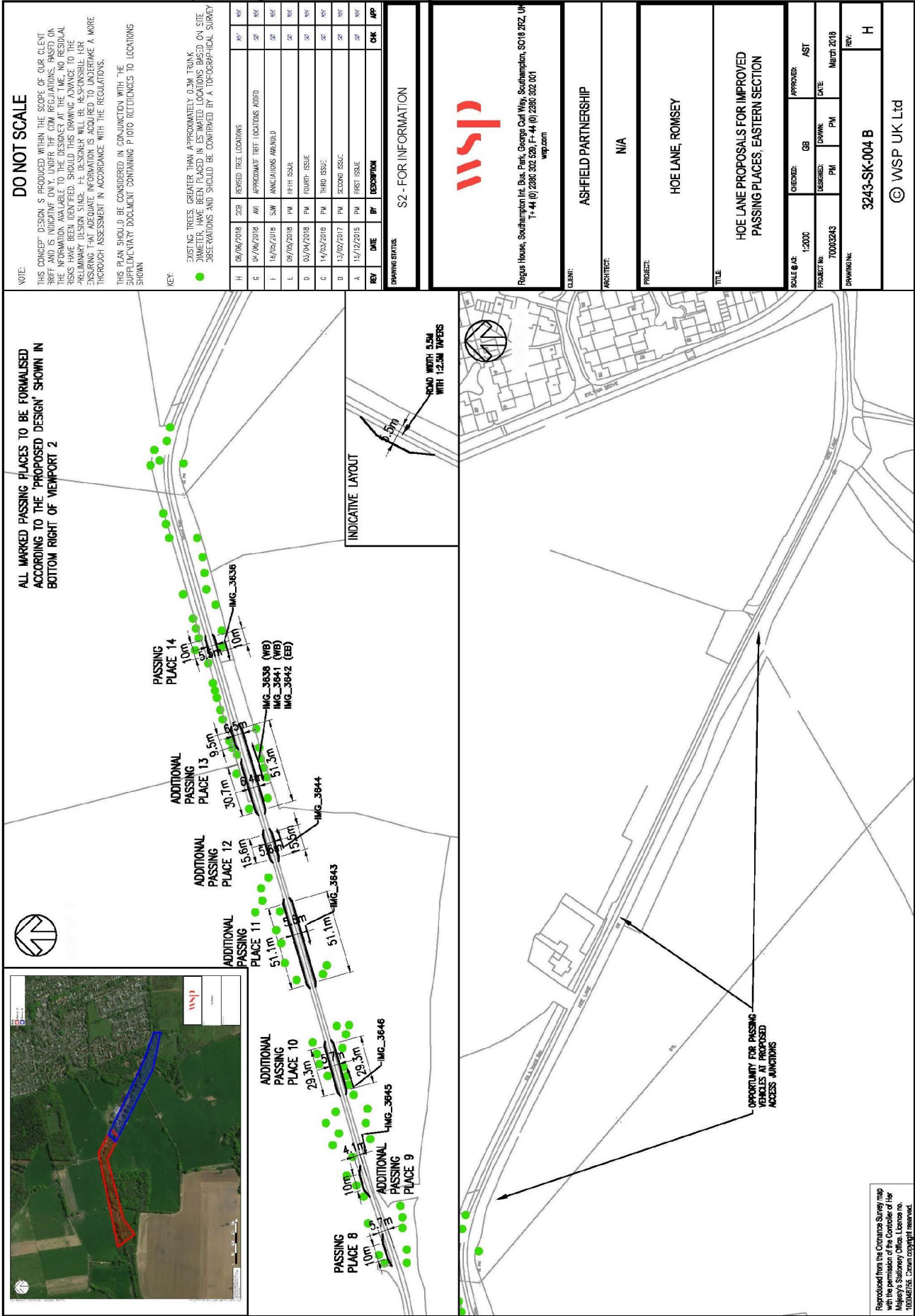
PROJECT NO: 70002843
 DESIGNED: PMH
 DRAWN: PMH
 DATE: March 2018

DRAWING NO: 3243-SK-004 A
 REV: H

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KEY:

EXISTING TREES GREATER THAN APPROXIMATELY 0.3M TRUNK DIAMETER HAVE BEEN PLACED IN ESTIMATED LOCATIONS BASED ON SITE OBSERVATIONS AND SHOULD BE CONFIRMED BY A TOPOGRAPHICAL SURVEY

REV	DATE	BY	DESCRIPTION	CHK	APP
H	06/06/2018	SM	REVISED TREE LOCATIONS	SM	SM
G	14/06/2018	AM	APPROXIMATE TREE LOCATIONS ADDED	SM	SM
F	16/07/2018	SM	ANNULATIONS AMENDED	SM	SM
E	09/09/2018	PM	FIFTH ISSUE	SM	SM
D	03/04/2018	PM	FOURTH ISSUE	SM	SM
C	14/02/2018	PM	THIRD ISSUE	SM	SM
B	13/02/2017	PM	SECOND ISSUE	SM	SM
A	16/12/2015	PM	FIRST ISSUE	SM	SM

DRAWING STATUS: S2 - FOR INFORMATION



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CLIENT: ASHFIELD PARTNERSHIP

ARCHITECT: N/A

PROJECT: HOE LANE, ROMSEY

TITLE: HOE LANE PROPOSALS FOR IMPROVED PASSING PLACES, EASTERN SECTION

SCALE @ A2: 1:2000	CHECKED: GB	APPROVED: AST
PROJECT NO: 70003243	DESIGNED: PM	DATE: March 2016
DRAWING NO: 3243-SK-004 B	REV: H	

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<i>Enquiries to</i>	David Earl	<i>My reference</i>	6/3/4/274 (APP1686)
<i>Direct Line</i>	01962 847386	<i>Your reference</i>	16/02432/OUTS
<i>Date</i>	4 th June 2018	<i>Email</i>	David.earl@hants.gov.uk

Dear Sir/Madam,

For the Attention of Mr Paul Goodman

16/02432/OUTS - Outline application for up to 300 dwellings with associated open space, roads, parking, service infrastructure, allotments and landscaping and potential for ancillary uses including employment, retail and health provision; along with the creation of new vehicular access points to Hoe Lane and Sylvan Drive at Hoe Farm, Hoe Lane, North Baddesley, Hampshire, SO52 9NH.

Thank you for the opportunity to comment on the above application. The highway authority has previously provided comments on the application following submission of the original Transport Assessment (TA) and further transport information. The highway authority has now received details of a revised passing place/widening scheme from the Applicant and comments on this revised scheme are provided below.

The applicant is now proposing to create a total of 16 passing places together with 3 area of local widening on Hoe Lane as shown on drawings 3243-SK-004 A Rev. F & 3243-SK-004 B Rev. F. The highway authority are satisfied that the arrangement as shown in principle on the above drawings represents a suitable improvement scheme capable of accommodating the additional traffic movements forecast on this link as generated by the proposed development.

At the detailed design stage, it will be necessary for the Applicant to submit an Arboriculture Assessment Report for the length of Hoe Lane subject to widening/access works as part of the Section 278 Design Check Submission. Opportunities should also be explored at the detailed design stage to combine passing places 2 and 3 in order to provide a longer length of widening. The Applicant will need to apply for Ordinary Watercourse Land Drainage Consent

*Director of Economy, Transport and Environment
Stuart Jarvis BSc DipTP FCIHT MRTPI*

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should any of the proposed works impact on the existing ditch adjacent to Hoe Lane.

The widening works will be delivered by the applicant via a Section 278 legal agreement together with the grubbing out of vegetation at the A3057/Hoe Lane junction and site accesses. A Vehicle Activated Signage (VAS) safety scheme would be delivered by the highway authority at the A3057/Hoe Lane junction through the provision of a financial contribution by the Applicant.

Recommendation

Having reviewed the additional information, the highway authority maintains its previous recommendation that it raises no objection to this application subject to securing the following obligations through a Section 106 Legal Agreement and conditions:

Obligations

- A financial contribution of £50,000 towards safety improvements at A3057/Hoe Lane junction;
- A financial contribution of £100,000 towards delivery of a cycle connection between Firgrove Road and Castle Lane to the north which will enhance local cycle links between the site and North Baddesley and local employment opportunities;
- A financial contribution towards traffic management improvements between the site and Botley Road including Hoe Lane;
- To implement and fully fund a Traffic Regulation Order (TRO) to reduce the speed limit to 30mph on Hoe Lane (including costs of any highway features required such as a gateway);
- To implement tactile paving at crossing points between the site and North Baddesley via the Section 278 Process in order to enhance local pedestrian infrastructure and encourage sustainable modes trips;
- Vehicular access points onto Hoe Lane and Sylvan Drive;
- The footway connection between Sylvan Drive vehicular access and existing footway at Sylvan Drive/Tornay Grove junction; and,
- Vehicular passing places on Hoe Lane as shown in principle on Drawings 3243-SK-004 A Rev. F & 3243-SK-004 B Rev. F together with the implementation of the Hoe Lane TRO to introduce a 30 mph speed limit.

Conditions

- No development hereby permitted shall commence until a Construction Traffic Management Plan, to include details of provision to be made on site for contractor's parking, construction traffic access, the turning of delivery vehicles within the confines of the site, lorry routeing and a programme of works has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development hereby

2

permitted is commenced and retained throughout the duration of construction

Reason: In the interests of highway safety.

- Full details of the vehicle cleaning measures proposed to prevent mud and spoil from vehicles leaving the site shall be submitted in writing to the Local Planning Authority for written approval prior to the commencement of the development. The approved measures shall be implemented before the development commences. Once the development has been commenced, these measures shall be used by all vehicles leaving the site and maintained in good working order for the duration of the development. No vehicle shall leave the site unless its wheels have been cleaned sufficiently to prevent mud and spoil being carried on to the public highway.

Reason: In the interests of highway safety.

I trust that the above is clear but I would ask you not to hesitate to contact David Earl should you wish to discuss anything further.

Yours faithfully,

Ben Clifton
Team Leader – Highway Development Planning

Cc- Mayur Patel & Ejikeme Ibe, Test Valley Borough Council



Siteplan












Test Valley
Borough Council

MAP 1 Site Location & Nature Conservation Designations

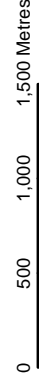
Test Valley Borough Council - Planning Control Committee - 16 October 2018



KEY

-  Site boundary
-  2km linear distance from site boundary
-  5km linear distance from site boundary
-  SANG boundary
-  RAMSAR site
-  Special Area for Conservation (SAC)
-  Special Protection Area (SPA)
-  Local Nature Reserve (LNR)
-  Site of Special Scientific Interest (SSSI)
-  Site of Importance for Nature Conservation (SINC)
-  Ancient Woodland

SCALE: 1:40,000 at A3



Ecological Planning & Research

CLIENT: Ashfield Partnership

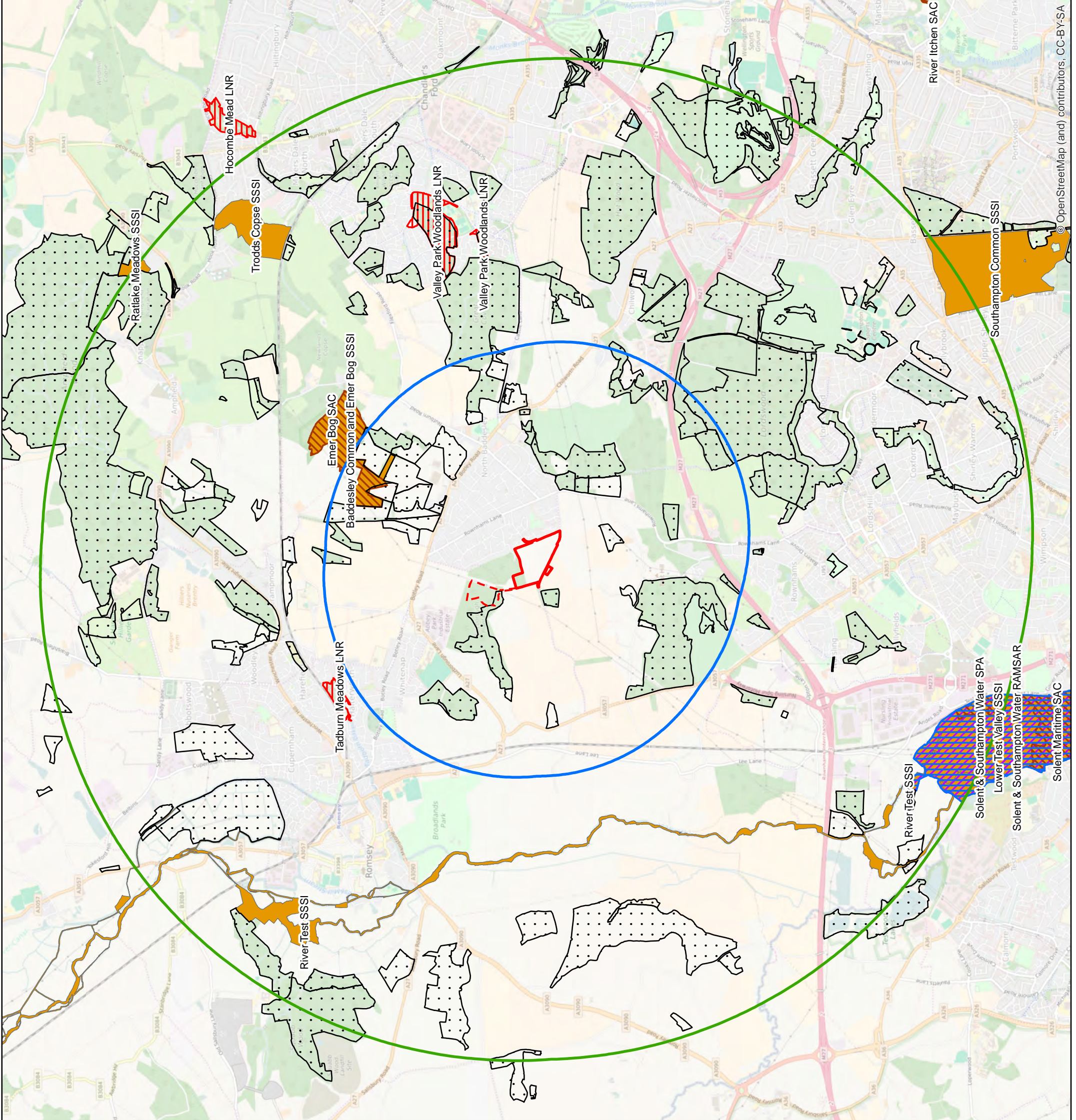
PROJECT: Hoe Lane, North Baddesley

DATE: September 2016

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P11/44

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MAP 2 Habitats and Features: Site


KEY

- Site Boundary
- Amenity grassland
- Arable
- Broad-leaved plantation woodland
- Broad-leaved semi-natural woodland
- Coniferous plantation woodland
- Continuous bracken
- Improved grassland
- Mixed plantation woodland
- Poor semi-improved grassland
- Scrub
- Tall herb ruderal
- Unseen area - likely silage clamp
- Building
- Hardstanding
- Dry ditch
- Water course
- Culvetted water course
- Defunct species-poor with standards
- Defunct species-rich with standards
- Defunct species-poor without standards
- Species-poor intact hedge without standards
- Fence
- Target Note
- Mature tree
- Japanese knotweed

SCALE: 1:4,001 at A3

0 75 150 225 Metres

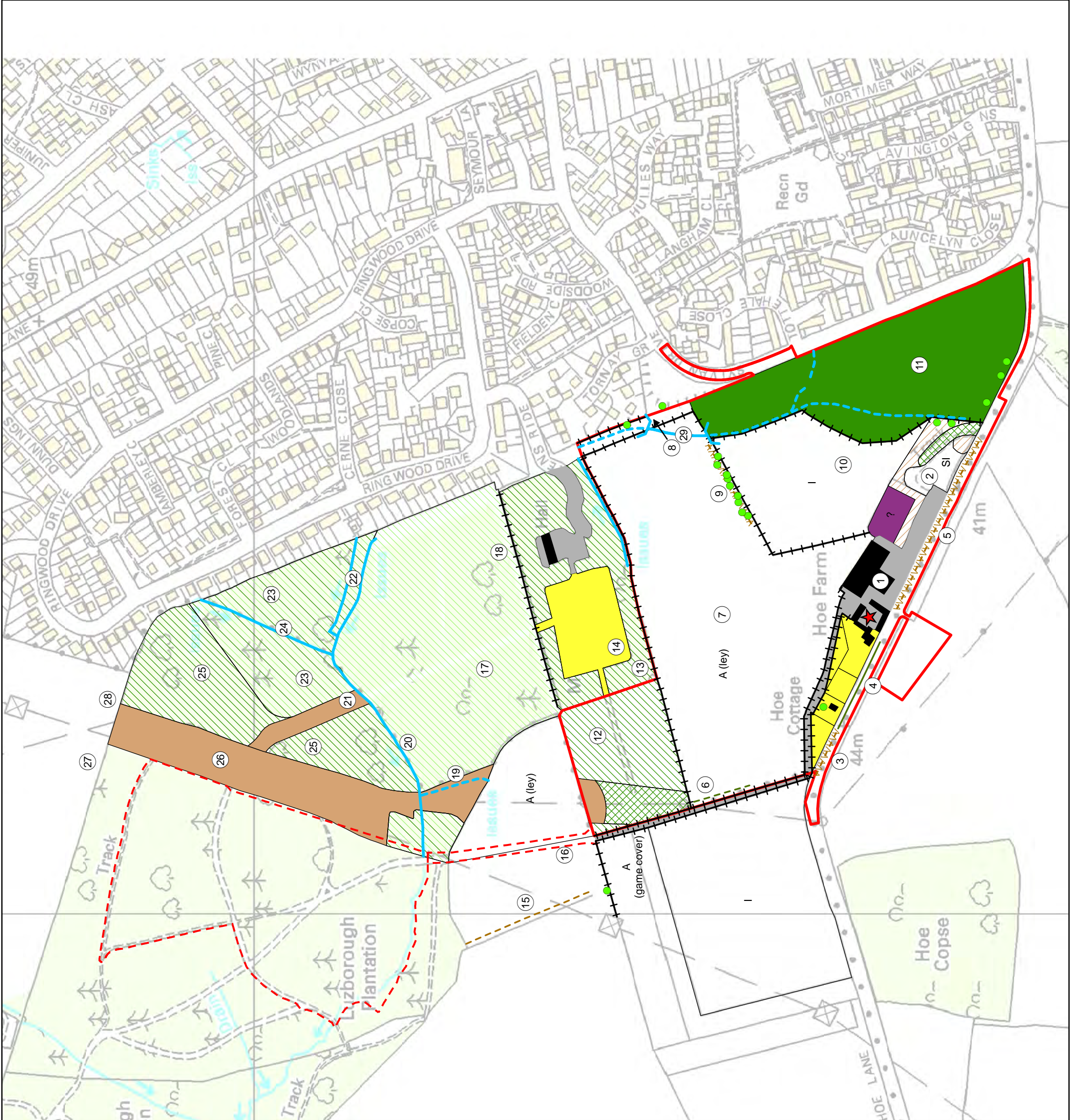
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Ecological Planning & Research

CLIENT: Ashfield Partnership
 PROJECT: Hoe Lane, North Baddesley
 DATE: September 2016

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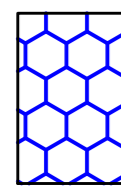
Hoe Lane, North Baddesley
Client: Ashfield Partnership

Masterplan Framework
Consolidation Plan

Drwg. no: 073_DI_14.9
2016-07-05
1:1000 @ A0

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KEY

- KEY IMPACT 1 
- KEY IMPACT 2 
- KEY IMPACT 3 

Documents/plans supplied by client for use in this drawing:
Fixed Layout:
073_DI_14.9 Masterplan Framework
Consolidation Plan 1_2000_A2 - 1

Accompanying documents which must be read in conjunction with this drawing:
xx.xx.xx

Client:	Ashfield Partnership		
Project:	Hoe Lane, North Baddesley		
Title:	Layout Impact Plan		
Date:	16.09.16	Drawn:	KH
Scale:	NTS @ A1	Checked:	JK
Dwg Ref:	03657_LIP	Rev:	-

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