
APPLICATION NO.	19/00320/FULLS
APPLICATION TYPE	FULL APPLICATION - SOUTH
REGISTERED	11.02.2019
APPLICANT	Mr P Shoolingin-Jordan
SITE	Land Adjacent Spring Cottage, Crampmoor Lane, Crampmoor, ROMSEY EXTRA
PROPOSAL	Erection of four bedroomed detached dwelling
AMENDMENTS	Received on 5 th March 2021: Amended Landscape Maintenance Schedule Received on 17 th November 2020: Nitrate Neutrality mitigation comprising the offset of agricultural land Received on 25 th November 2020: Construction Management Plan and Schedule
CASE OFFICER	Mr Graham Melton

Background paper (Local Government Act 1972 Section 100D)

1.0 INTRODUCTION

1.1 This application was most recently considered by Southern Area Planning Committee on 25th June 2019 when it was resolved to:

1.2 **Delegate to the Head of Planning and Building subject to:**

- **The completion of an agreement to secure financial contribution towards the New Forest SPA**

then PERMISSION subject to [Conditions and notes as per the report recommendation].

1.3 The application is presented to SAPC due to a number of changes that have taken place in the interim period and which affect the consideration of the application. These factors, see below, represent new material planning considerations and it is necessary to ensure the LPA demonstrates that all material planning considerations are considered despite previous resolutions.

1.4 These new material considerations are identified as follows:

- The requirement for the proposal to demonstrate nitrate neutrality
- The attachment of a condition to secure the submission of a traffic management plan (condition 13)
- The submission of external material samples upfront rather than post decision (condition 3)
- The submission of hard and soft landscaping details upfront rather than post decision (condition 4)
- The submission of a landscape maintenance schedule upfront rather than post decision (condition 5)

1.5 This report is an update dealing with an assessment of the above matters. In all other respects, the Officer report and Update Paper to the SAPC in June 2019 apply. The previous Officer report is attached as **Appendix A** and the Update Paper is attached as **Appendix B**.

2.0 **CONSULTATIONS**

2.1 **Highways** – Comment (summarised).

- The submitted information is considered insufficient, as the plan would be expected to show vehicle tracking etc, demonstrating how the largest vehicle associated with the site will either park or utilise the site for turning etc
- Highways Development Planning is satisfied however that a Construction traffic management plan can be secured via an appropriately worded condition

2.2 **Natural England** – No Objection subject to the completion of a legal agreement.

3.0 **REPRESENTATIONS**

3.1 **1 letter from Spring Cottage** – Objection (summarised).

- Concerned to note that consideration now includes the installation of a septic tank system
- Property lies downhill from application site by up to 2 meters
- Concerned that the ground is not sufficiently porous to absorb the wastewater generated, which would flow onto Spring Cottage due to the topography

Case Officer note: Since the receipt of the above representation, the proposal has been amended to include connection to mains sewerage rather the installation of septic tank system for the foul drainage provision.

3.2 **1 letter from No.2 New Pond Cottage** – Objection (summarised).

- The submitted method statement for site operations does not adequately meet the need for a construction management plan as requested by HCC
- The accompanying drawing only provides for 3 spaces onsite and it is inevitable that there will be more than 3 construction workers vehicles plus others
- Of particular concern is the conflict between the traffic coming from the main A3090 round the blind bend into the lane, meeting face to face with those coming up the lane
- The Traffic Management Plan needs to cover appropriate safety measures including traffic warning signs, no parking cones/barriers and should be drawn up in liaison with HCC Highways

Case Officer note: Following the receipt of the consultation response from the Highways Officer, as set out in paragraph 2.1, a condition has been added to secure the submission of a construction management plan prior to the commencement of development (condition 13). The consideration of any condition details will include consultation with HCC Highways.

4.0 **POLICY**

4.1 Government Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

4.2 Test Valley Borough Revised Local Plan (2016) (TVBRLP)

Policy SD1: Presumption in Favour of Sustainable Development

Policy COM2: Settlement Hierarchy

Policy E1: High Quality Development in the Borough

Policy E2: Protect, Conserve and Enhance the Landscape Character of the Borough

Policy E5: Biodiversity

Policy E7: Water Management

Policy E8: Pollution

Policy LHW4: Amenity

Policy T1: Managing Movement

Policy T2: Parking Standards

4.3 Supplementary Planning Documents (SPD)

Look at Romsey: Area 12 Crampmoor and Highwood (2008)

5.0 **PLANNING CONSIDERATIONS**

5.1 The main planning considerations, in addition to those detailed in the previous Committee report, are:

- The impact of development on the nature conservation interests of the Solent having regard to the effect of nitrates on those special interests i.e. “nitrate neutrality”.
- The requirement for a construction management plan
- The submission of additional landscape details
- Receipt of the New Forest SPA payment
- Legal agreement

5.2 Solent and Southampton Water SPA: Nutrient Neutrality

Natural England advises that there are high levels of nitrogen and phosphorus input to the water environment of the Solent region caused by wastewater from existing housing and from agricultural sources and that these nutrients are causing eutrophication at the designated nature conservation sites which includes the Solent Water SPA. This results in dense mats of green algae that are impacting on the Solent’s protected habitats and bird species.

5.3 Natural England further advises that there is uncertainty as to whether new housing growth will further deteriorate designated sites. Work on this issue is ongoing with the local planning authorities, the Environment Agency and the water companies. That may lead to identified mitigation measures in the future.

- 5.4 However, no mitigation strategy has yet been developed and no interim approach has yet been set up by Test Valley Borough Council. In the meantime, Natural England advises that one way to address the uncertainty is to achieve nutrient neutrality whereby an individual scheme would not add to nutrient burdens.
- 5.5 In this instance, a nutrient budget calculation was undertaken identifying that the proposed scheme, in the absence of any mitigation generated, a total additional nitrate output of 3.4kg/N/yr.
- 5.6 To mitigate this additional output and in support of the proposed development the applicant has submitted a proposed offsite mitigation strategy comprising the removal of agricultural land from future agricultural production. This offset land is located at Warren Farm in Sherfield English Parish (a location plan is attached to this report, listed as the final drawing for the application) and measures 0.018ha. Aerial photographs have been submitted demonstrating the use of this offsite land for general cropping during the preceding 10 years up until the present day, whereby it was most recently used for hay cropping. It is therefore accepted on a precautionary basis that cereal production represents an accurate classification.
- 5.7 To assess the benefit of removing the offset land from agricultural production, a revised nutrient budget calculation including the proposed mitigation was undertaken, concluding that the total nitrate output of the proposal will be -0.8kg/N/yr. After reviewing these calculations undertaken by the Local Planning Authority as part of the wider appropriate assessment, Natural England raised no objection to the proposed mitigation measures or the assessment undertaken.
- 5.8 In order to secure the future use of the land in perpetuity, a legal agreement will be implemented preventing the use of the land for agricultural production and securing the planting of additional trees onsite. A management plan demonstrating how the future maintenance of the land will be achieved has been submitted and will be incorporated into the associated legal agreement.
- 5.9 Consequently, it is considered that the proposal achieves nutrient neutrality as required by the guidance contained within Natural England's 'Advice on achieving nutrient neutrality for new development in the Solent region'. Therefore, it can be concluded that there will be no adverse effect on the integrity of the designated sites identified above with respect to nutrient neutrality.
- 5.10 Requirement for a construction management plan
In response to concerns raised directly with HCC Highways officers, updated comments have been provided advising that the submission of a construction management plan prior to the commencement of development is necessary to ensure the highway safety of the local road network.

5.11 In response to the previously submitted construction plan, the HCC Highways officer raised concern that the proposal was insufficient to resolve this requirement, due to the absence of vehicle tracking movements. Consequently, this plan will not be taken forward and a condition has been added (no.13 on the Officer recommendation) to secure the submission of a revised construction management plan prior to the commencement of development. Any submitted condition details received post determination by the Local Planning Authority will be reviewed in consultation with HCC Highways. As a result, it is considered that the matter of highway safety during the associated construction phase has been resolved.

5.12 Submission of landscape details

A five year landscape implementation and management schedule has been submitted detailing, the specification, implementation and ongoing maintenance schedule for the proposed landscape measures. It is considered that this detail is acceptable and will ensure the successful establishment of the proposed soft landscaping features onsite. Therefore conditions 4 and 5 have been updated to reflect the receipt of this additional information since the previous SAPC resolution.

5.13 New Forest SPA payment

A payment of £1,300 was received by the Local Planning Authority on the 28th June 2019 via the direct payment method and therefore, this matter has now been resolved.

5.14 Legal agreement

The required legal agreement has not yet been completed. Consequently the recommendation reflects the need to secure the obligations required to achieve nitrate neutrality.

6.0 **CONCLUSION**

6.1 The proposal is considered acceptable and in accordance with the policies of the TVBRLP, therefore the recommendation is for permission.

6.2 The previously outstanding New Forest SPA payment has now been received and therefore, this requirement is resolved.

6.3 The legal agreement securing the proposed nitrate neutrality mitigation has not yet been completed. Consequently the recommendation reflects the need to secure the obligations prior to the issuing of planning permission.

7.0 **RECOMMENDATION**

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

- **Secure offsite nitrate neutrality mitigation strategy in the form of a woodland scheme.**

Then, PERMISSION subject to:

- 1. The development hereby permitted shall be begun within three years from the date of this permission.**
Reason: To comply with the provision of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans:**
Site Location Plan
Proposed Site Plan (C.M.G. 09/15 A S.P.)
Proposed Composite Plan (C.M.G 09/15 W.D)
Reason: For the avoidance of doubt and in the interests of proper planning.
- 3. No development shall take place above DPC level of the development hereby permitted until samples and details of the materials to be used in the construction of all external surfaces hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**
Reason: To ensure the development has a satisfactory external appearance in the interest of visual amenities in accordance with Policy E1 of the Test Valley Borough Revised Local Plan (2016).
- 4. The development hereby approved shall be undertaken in accordance with the following detail:**
Five Year Landscape Implementation and Management Plan received on 5th March 2021.
Reason: To improve the appearance of the site and enhance the character of the development in the interest of visual amenity and contribute to the character of the local area in accordance with Policies E1 and E2 of the Test Valley Borough Revised Local Plan (2016).
- 5. The development hereby approved shall be undertaken in accordance with the following detail:**
Landscaping Management Plan received on 5th March 2021.
Reason: To ensure the provision, establishment and maintenance to a suitable standard of the approved landscape designs to create and maintain the appearance of the site and enhance the character of the development in the interest of visual amenity and to contribute to the character of the local area in accordance with Policies E1 and E2 of the Test Valley Borough Revised Local Plan (2016).
- 6. 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).
- 7. The dwelling hereby permitted shall have a (ground floor) Finished Floor Level of 29m AOD in accordance with drawing No. C18/003.03 Rev.A hereby approved.**

Reason: To ensure satisfactory relationship between the new development and the adjacent buildings and private amenity areas in accordance with Policies E1 and LHW4 of the Test Valley Borough Revised Local Plan (2016).

- 8. Prior to the commencement of development the access shall be constructed with the visibility splays of 2.4m x 37m x 1m to the west and 2.4m x 43m x 1m to the east, and maintained as such at all times. Within these visibility splays notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2017 (or any Order revoking and re-enacting that Order) no obstacles, including walls, fences and vegetation, shall exceed the height of 1m metres above the level of the existing carriageway at any time.**

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

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

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

- 10. The development shall not be occupied until 3 spaces have been laid out for the parking and manoeuvring of vehicles to enable them to enter and leave the site in forward gear in accordance with the approved plan and this space shall be reserved for such purpose at all times.**

Reason: In the interests of highway safety in accordance with Policy T2 of the Test Valley Borough Revised Local Plan (2016).

- 11. The screening walls serving the patio area, in the side (east and west) elevations of the development hereby permitted, shall be fitted with obscured glazing and thereafter retained as such, unless otherwise agreed in writing by the Local Planning Authority.**

Reason: To protect the amenity and privacy of the adjoining occupiers in accordance with Policy LHW4 of the Test Valley Borough Revised Local Plan (2016).

- 12. Notwithstanding the provisions of Schedule 2, Part 1, Class A, criterion (h) of the Town and Country Planning (General Permitted Development) Order 2017, (or any order revoking and re-enacting that Order with or without modification), no two storey extensions adjoining the rear (south) elevation of the proposal hereby permitted shall be constructed.**

Reason: In order that the Local Planning Authority can exercise control in the locality in the interest of the amenities of neighbouring property in accordance with Policy LHW4 of the Test Valley Borough Revised Local Plan (2016).

- 13. No development shall take place until a Construction Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The Traffic Management Plan shall 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 details
Reason: In the interests of highway safety in accordance with Policy T1 of the Test Valley Borough Revised Local Plan (2016).**

Note to applicant:

- 1. In reaching this decision Test Valley Borough Council (TVBC) has had regard to paragraphs 186 and 187 of the National Planning Policy Framework and takes a positive and proactive approach to development proposals focused on solutions. TVBC work with applicants and their agents in a positive and proactive manner offering a pre-application advice service and updating applicants/agents of issues that may arise in dealing with the application and where possible suggesting solutions.**
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