
APPLICATION NO.	20/00599/FULLS
APPLICATION TYPE	FULL APPLICATION - SOUTH
REGISTERED	06.03.2020
APPLICANT	Alfred Homes And Vivid Homes
SITE	Abbotswood House , Braishfield Road, Romsey, SO51 0PB, ROMSEY EXTRA
PROPOSAL	Erection of 63 residential dwellings, with associated landscaping, parking and reconfiguration of roundabout to form new vehicular access
AMENDMENTS	Amended plans received 10.07.20, 26.01.21, 11.01.21, 23.04.21, 29.04.21, 01.09.21, 08.10.21, 23.11.21 & 09.12.21
CASE OFFICER	Mr Paul Goodman

Background paper (Local Government Act 1972 Section 100D)

1.0 INTRODUCTION

1.1 The application is presented to Southern Area Planning Committee because it is contrary to the provisions of an approved or draft Development Plan or other statement of approved planning policy, adverse third party representations have been received and the recommendation is for approval.

2.0 SITE LOCATION AND DESCRIPTION

2.1 The application site is a broadly rectangular shaped parcel of land situated to the eastern side of Braishfield Road and outside of the settlement boundary of Romsey. The existing dwelling of Abbotswood House is situated to the north/west of the site and is retained. The site is bordered to the east by the recent development at Ganger Farm, to the north by the recent development at Abbotsford and to the south by the older development on Woodley Close.

3.0 PROPOSAL

3.1 The application proposes the erection of 63 residential dwellings, with associated landscaping, parking and reconfiguration of roundabout to form new vehicular access.

4.0 HISTORY

4.1 TVS.00186/2 - Outline: Erection of 49 dwellings and associated development. Refused 20.07.1990.

4.2 TVS.00186/1 - Outline: Residential development. Refused 15.07.1986 - Appeal dismissed - 05/02/88.

4.3 TVS.00186 - Squash courts. Refused 13.08.1974 - Appeal dismissed - 18/09/75.

5.0 CONSULTATIONS

- 5.1 **Planning & Building (Landscape)** – Comments awaited on revised details
- 5.2 **Planning & Building (Ecology)** – Comments awaited on revised details
- 5.3 **Planning & Building (Trees)** – Comments awaited on revised details.
- 5.4 **Housing & Environmental Health (Housing)** – No objection
- 5.5 **Natural England** – No objection, subject to s106 to secure nitrate mitigation.
- 5.6 **HCC Lead Local Flood Authority** – No objection
- 5.7 **HCC Highways** – No objection, subject to conditions
- 5.8 **HCC Archaeology** – No objection, subject to condition
- 5.9 **HCC Children's Services** – Comment;
- This development sits within the catchment area of Cupernham Infant and Junior Schools and The Romsey School. It is anticipated that the yield of pupils from this development will be able to access a place at these schools. Consequently HCC will not be seeking a contribution from the developer towards the cost of an expansion of the schools.
- 5.10 **Southern Water** – No objection, subject to informative.
- 5.11 **Sport England** – No comment

6.0 REPRESENTATIONS Expired 31.12.2021

- 6.1 **Romsey Extra PC** – Objection;
- Reiterated original comments in response to the amended plans.
 - Development in the countryside contrary to RLP Policy COM2.
 - Loss of a green area that serves to provide a visual break in the increasingly urbanised Braishfield Road.
 - Loss of one of the few remaining wildlife reservoirs in the area.
 - Concentration of affordable housing in one area is contrary to Policy COM7.
 - Lack of credible resolution to nitrate issue. The use of the land would not offset the load from this development.
 - Welcome the acceptance by the developers of the desire of residents of Woodley Close to gain vehicular access to the rear of their properties.
 - TVBC to place a group TPO on the trees should permission be granted.
- 6.2 **Romsey & District Society (Natural Environment Committee)** – Objection;
- The site is outside the settlement boundary defined in the Revised Local Plan under policy COM2.
 - Loss of bird nesting habitat. The site currently has several areas of thorny scrub, ideal for, and used by, nesting birds such as song thrush, robin, dunnock, and several species of warbler.

- The two owl species, tawny and barn, will lose much of their foraging territory; the small mammals which are their prey will not be accommodated in a rather dense housing development.
- There is no data from the bat surveys; presumably this is to follow. However, there are at least 7 species of bat on site, and a further 5 species have been recorded in the immediate vicinity. Mitigation proposed is inadequate.
- Loss of trees.
- No nitrate mitigation proposed.

6.3 **30 representations of Objection received;**

Amended Plans

- Reduction to 63 dwellings is insufficient

Character and Appearance

- Loss of trees
- Overdevelopment of the site and area.
- Proposals are dense and unsuitable for a rural site.

Principle

- Verbal assurances provided by Barratt that the site would not be developed.
- Development is Romsey Extra in general and in the Braishfield Road/Jermyns Lane area in particular with the existing large developments at Abbotswood and Kings Chase, is at a limit.
- Romsey's Quota for development has been met
- No need for new houses due to lack of new employment.
- Previous applications for development of the site were refused.

Neighbouring Amenity

- Noise and dust impact from construction works
- Loss of light
- Overlooking
- Light pollution
- Increased crime from new development

Ecology

- Loss of wildlife habitat
- Impact on species including deer, mice squirrels, moles, foxes, bats and various bird and insects.
- The carbon footprint for Romsey and Nitrogen run off is beyond guide lines.
- Roke Manor site is not suitable for nitrate mitigation.
- Updated protected species surveys are required.
- Impact of lighting on bats.

Highways

- Increased traffic movements
- Highways pollution
- Inadequate highways infrastructure
- Increased pressure on town centre parking
- Inadequate speed signage on Braishfield Road.
- Restricted access for emergency vehicles and for the air ambulance to use the site.
- Safety of new access from the roundabout
- Vehicular access should be provided to the rear of properties on Woodley Close which suffer from lack of parking, inconvenient access and lack of access to electric charging.

Local Facilities

- Lack of, and increased pressure on, local facilities including schools, shops, doctors, dentists, nursery

Flood Risk

- Increased flooding. Access to Kings Chase, Hillier's and Braishfield Road all subject to recent flooding.

Other Matters

- Possible archaeological interest in the site.
- We will have no choice but to try and sell and move as the impact on our life would cause severe mental stress and upset.
- Lack of public meeting/engagement
- Loss of private view
- Decrease in property value.

7.0 **POLICY**

7.1 Government Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

7.2 Test Valley Borough Local Plan 2016

COM2 (Settlement Hierarchy), 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 (SPD)

New Forest SPA Interim Framework

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, trees highways, protected species & ecology, amenity, archaeology and drainage.

8.1 **Principle of development**

The application site is, for the purposes of planning policy, within the countryside. The application site is not allocated for development in the currently saved policies of the Local Plan. The principle planning policy of the TVBLP therefore is policy COM2. Planning policy COM2 seeks to restrict development outside of settlement boundaries unless identified within the specified policies as being appropriate or where a countryside location is required.

8.2 It is not considered that the proposal is of a type appropriate in the countryside (criterion a) or that there is an essential need for the proposal to be located in the countryside (criterion b). A number of representations have drawn upon the fact that the site is in the countryside and therefore in accordance with policy COM2, there is a presumption against the grant of planning permission. However, planning law requires other material considerations to be taken into account and weighed against the departure from the policy of the Development Plan. These are addressed in the following paragraphs.

8.3 The National Planning Policy Framework

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. 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 considered to be contrary to Policy COM2. The site was not allocated for development within the Revised Local Plan as an allocation site.

8.4 Housing Land Supply

Section 5 of the NPPF relates to housing. Paragraph 73 of the NPPF requires the Council to demonstrate a minimum of 5 years housing land supply (HLS) with a 5% buffer. An assessment of the HLS position as at 30 November 2020 has been undertaken. 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. The HLS position for Southern Test Valley, as at 1 April 2020 is 5.26 years of supply. This is 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. The demonstration of a five year HLS does not in itself cap development and any application must be assessed on its merits.

8.5 Relationship with the settlement boundary and adjacent planning permissions

The settlement boundary for Romsey is situated adjacent the site to the south, west and north (part), but does not contain the application site. However the site is adjacent, and in close proximity to, a number of other planning permissions for residential developments in the countryside area.

8.6 The land to the west formerly known as Ganger Farm was granted permission in 2016 (original application 14/01090/FULLS) for the erection of 275 dwellings and provision of sports facilities. The sports facilities are located on the northern boundary of the site with the dwellings mainly to the southern and western boundaries. As a result the application site is now bordered to the east by the development comprising Doswell Avenue and Doris Bunting Road.

8.7 The application site is bordered to the north by the site formerly known as Abbotsford which was granted permission at appeal and, as a result, provides a useful reference when considering the principle of development at the application site. The dwellings have now been constructed and are known as Walnut Close.

8.8 Abbotsford Appeal Decision

The appeal decision in relation to the development site at Abbotsford constitutes a material consideration relevant to the determination of the application. The appeal decision relates to land at Abbotsford, Braishfield Road in Romsey (15/03137/OUTS), and is quoted here as an example of how the Planning Inspectorate balanced the various issues that are comparably similar with the current proposal. This appeal was allowed on 24 November 2017.

8.9 The appeal decision (for 15/03137/OUTS) recognised that the scheme did not accord with policy COM2, a policy that forms an intrinsic part of the spatial strategy, and that this was not a technical or minor breach (see paragraphs 20, 21 and 23 of the Decision Notice). Paragraph 22 also considers the status of the settlement boundaries in the context of development that was permitted outside the settlement boundaries prior to them being finalised within the Revised Local Plan – it recognises that future plans may review such boundaries but it is not for the appeal Inspector to anticipate the outcome of such a process.

8.10 The appeal decision considers the weight that should be attributed to the departure from the Development Plan, having regard to the specific context of the site (including the relationship with existing development, Ganger Farm (then under construction), and the countryside, as well as the suburban context) and the aim of the policy (COM2), this is then weighed up with other material considerations including social, economic and environmental factors (paragraphs 23 – 25, and 37 – 44). For Abbotsford, the Inspector considered that the material considerations indicated a decision other than in accordance with the development plan was acceptable.

8.11 Paragraph 23 of the Inspectors report states;

“However, it is clear that the aim of that policy is to direct development to the most sustainable locations and in so doing to reconcile the need for development with the need to protect the countryside. The appeal scheme would be located very close to the existing settlement and would benefit from easy access to existing facilities and services therein. Further, it is divided from the countryside by the large Ganger Farm development and is in a generally suburban context. Those matters, together, significantly limit the appeal site’s contribution to the countryside. Whilst I acknowledge RLP Policy COM2 forms an intrinsic part of the spatial strategy for the RLP, in the circumstances of this appeal, the proposed development would not materially undermine its spatial strategy or the intrinsic character and beauty of the countryside. This limits the weight that I attach to the development plan conflict that I have identified.”

8.12 The application site shares a number of significant comparisons with the Abbotsford site being situated in a newly suburban context and separation from the wider countryside by the development of the Ganger Farm site. In this case the comparisons are compelling and considered to be materially significant in the determination of the application.

8.13 Conclusion on the Principle of Development

The planning history in the vicinity of the site, particularly that work on the Ganger Farm and Abbotsford sites are substantially complete, are considered to represent a material consideration to which significant weight in the determination of this application can be given and should be taken into account. The planning permissions in the vicinity along with the existing residential development adjacent to the site form the context for the site and the proposal. As a result of the adjacent development the application site is now enclosed by residential development.

8.14 Whilst technically within the countryside the existing relationships are considered to be a strong material consideration in favour of the development. These matters have been considered by multiple Planning Inspectors who have reached similar conclusions on the principle of development in the area – notably which quoted in the Abbotsford appeal referred to above. As a result it is considered that the grant of planning permission in this case as a departure from the Local Plan is justified.

8.15 **Affordable Housing**

Romsey Extra is classed as an undesignated area and therefore, under Policy COM7 applies. Policy COM7 states that The Council will negotiate on housing sites of 15 or more dwellings (or sites of 0.5ha or more) for up to 40% of dwellings to be affordable. Therefore based upon the 63 new homes the affordable housing dwellings required to satisfy COM7 will be 25.2. The application proposals provide 25 affordable units with the 0.2 equivalent secured by financial contribution. A family have been identified in need of the 4 bedroom adapted house and therefore the dwelling will need to be built in accordance with building regulations M4(3)(2)(b) to be wheelchair accessible and this is to be secured in the legal agreement.

- 8.16 The Affordable Housing SPD requires the affordable housing units to be dispersed throughout the development, and in any event not in groups of more than 10 dwellings on any one part of the site unless otherwise agreed by the Council in writing. With regards to the location of the block of flats, it is noted that the total units (17) exceed the clustering of 10 as listed in the SPD. However, the Housing Officer has expressed support for the proposed layout, as following discussions with Affordable Housing Providers they prefer that the units are located together and of the same tenure as this makes management of the flats much more practical. The Housing Officer has further commented that it is not unusual to exceed the clustering of 10 when applying flats to a development. The remaining affordable houses are spread throughout the development.
- 8.17 The application is supported by an amended plan showing the location and tenure split following the alterations to the flats detailed below. Following the receipt of amended plans the Housing Officer has raised no objection the layout of affordable dwellings which comply with policy COM7.
- 8.18 **Character and Appearance**
Currently the site has a treed boundary with limited views through the site towards the recent residential development to the east. Braishfield Road has been subject to developments to the east and as such the cumulative impact of all these developments on the Landscape Character and visual amenity effects needs to be taken into account. The site is somewhat unusual on the western side of Braishfield Road in that its western boundary is comprised of a belt of mature trees which form a prominent landscape feature. This belt remains predominantly in tact with the new access from the roundabout chosen in part as it results in the minimal loss of trees.
- 8.19 The adjacent developments are now substantially complete and have changed the views from Braishfield Road. Due to the retention of the trees on the western boundary views through the site will be limited to those at the access and of the adjacent residential development beyond. The density of the development is consistent with the planning permissions already granted nearby. Furthermore existing belt of more mature roadside tree planting will be retained offering a more substantial landscape buffer than was available to the Abbotsford development to the north which was set back behind existing dwellings facing the highway.
- 8.20 The detailed designs propose a number of different house types, incorporating a mix of materials, creating interest within the resulting street scenes. The house designs proposed are not dissimilar to those approved on the adjacent sites, although they are of a slightly more traditional appearance, which will ensure a sympathetic appearance to the schemes in views through the site to nearby developments. The scale and proportion of the proposed units is considered appropriate in relation to existing properties in the vicinity and new developments.

8.21 The proposed development includes two larger buildings, comprised of flats over three storeys. These buildings are located in the southwest corner of the site closest to the new access from the roundabout which also serves the Abbotswood Development. Whilst the buildings are substantial in size and larger than the remainder of the dwellings their scale is not without comparison in the Abbotswood development to the west. In terms of overall scale the proposed development would be smaller than the larger buildings on Abbotswood which are numerous large single built forms comprising blocks of flats or terraced dwellings with full three storey elements. Notably most of the larger blocks within Abbotswood are situated on the edges of the site and within and adjacent to the Local Centre which is located opposite the application site. The landscape setting of the flats has been improved, as detailed below, and overall, it is considered that the scale of the proposals would not be out of character with the wider area.

8.22 The proposed development is considered to reflect the form and density of the neighbouring developments whilst retaining its own character. Views of the new dwellings will be possible from Braishfield Road but they will be predominantly obscured by the retained woodland, particularly when approaching from the north, and seen in the context of the Ganger Farm development. Whilst the proposals will have some impact it is not considered to be detrimental to a degree that would justify refusal of the application and as a result the proposals are considered to comply with policies E1 and E2 of the local plan.

8.23 Landscape Character

The Landscape Officer raised some concern in relation to the original submission in relation to the character of the flats (Blocks A & B) and the limited space available for suitable landscaping around them. A more general concern with regard to the proposed species of new planting within the wider development was also raised. Following further discussions with the applicants and landscape officers the scheme has been amended. Block B has been 'handed' resulting in the wider L shaped end of the building being located at the northern end and the narrower end to the south. In addition the whole block has been moved further north to create a courtyard style entrance with the adjacent dwellings. The change has allowed for a larger area to be available for landscaping to the south. This area is particularly prominent being located on the outside of the first corner off the new roundabout arm. The additional space will allow for a larger legacy tree to be planted in the area and also facilitates views between the blocks back towards the existing boundary tree planting. In order to accommodate the changes the originally proposed garage/flat unit within the car parking area has been removed resulting in the overall number of dwellings being reduced to 63. The changes have been undertaken in accordance with the Landscape Officers advice and members will be advised of any additional conditions required following receipt of their further advice.

8.24 Arboriculture

The site is bordered by large mature trees, large mature Beech trees line the southern boundary with large mature Oaks to the east and north. The western boundary is more variable, with the northern part comprising an overgrown Beech hedge and further south a road frontage screen comprising a range of mixed broad-leafed trees. While most of the site comprises open pasture, there is an extensive area of natural Aspen suckering across part of the western side. There is a large mature Lime, just off site standing in the south eastern corner of the adjacent Abbotswood House land.

8.25 The Arboricultural Officer has identified that the road frontage trees on the western boundary are, individually, of no great condition; collectively however these form an important visual component of the street scene lending character to Braishfield road; they, and other trees within land at Abbotswood House are subject to an old TPO. The other mature trees around this site are of high public amenity value as skyline features and forming strategic features between adjacent blocks of new housing.

8.26 In order to gain access it is proposed to revise the adjacent roundabout, creating a new spur through the road site tree belt and into the site. This required the removal of several mature trees and will impact upon the street scene. An alternative right hand turn lane option to gain access was reviewed prior to the application. However that option proved more disruptive from an arboricultural perspective. The Arboricultural Officer has identified the significance of landscaping around and on the roundabout as well as adjacent the access road. As is described above the amended plans have allowed for larger tree specimens in the replacement planting. Details of the landscaping are secured by condition but it is important to note that any planting on the revised roundabout itself would be controlled by HCC as the Highways Authority and could not be conditioned as part of the current application.

8.27 The original submission was accompanied by an arboricultural report (Technical Arboriculture, January 2020). The Arboricultural Officer confirmed that the report presented a fair reflection of the trees present, that it sets out reasonably the trees that would need to be lost to facilitate the proposal, provides sound advice and provides appropriate guidance for the protection from harm of trees that are to be retained. However the Arboricultural Officer raised a number of detailed points regarding the relationship of proposed planting to drainage routes and in relation to the location and species of new planting. Those issues have been addressed in the revised tree planting strategy and tree protection plans.

8.28 The submitted layout provides adequate protection space for those trees to be retained and space for replacement planting to mature. The proposed gardens are of a suitable size and layout to avoid future pressure on trees. Details of new service routes are to be secured to ensure that they are located outside the Root Protection Areas (RPA) of the retained trees. In addition detailed planting plans are required by condition to ensure adequate space for a new tree planting to reach their potential without causing proximity issues or blocking light.

- 8.29 Subject to the required conditions the proposed development is considered to have no adverse impact on landscape character or protected trees and complies with Policy E2 of the TVBRLP 2016.
- 8.30 **Highways**
Representations have raised concerns with regard to the impact of the development on the surrounding highways network due to increased congestion.
- 8.31 The application site sits adjacent to the existing three-arm roundabout forming the junction of Braishfield Road and Freemantle Road. Access to the application site is proposed via the construction of a 4th arm from the junction. In order to inform the assessment, an appraisal has been undertaken for the most recent 5-year period available (2014-2018). The Highways Officer is satisfied that there are no existing accident trends within the vicinity of the application site that the proposed development would likely exacerbate.
- 8.32 Proposed Access
The proposed access strategy is to construct a 4th arm from the existing roundabout junction to serve the application site. A junction design has been discussed with HCC highways at pre-application stage, where the principle of such an arrangement was supported. The roundabout scheme has evolved during the application in response to previous Highways advice and HCC have confirmed that the scheme can be supported in principle and for the purposes of the planning application. However further detailed assessment will be required as part of the subsequent s278 agreement for works on the public highway.
- 8.33 Internal Highway/Site Layout
It is understood that the roads and footways relating to the internal site layout are not to be offered for adoption by the developer. As such, HCC would have raised no objection to the proposals. The internal carriageway widths are to be 4.8m in width. This is of sufficient width to allow two cars to pass and to allow cars to pass larger vehicles in line with the guidance as prescribed within "Manual for Streets". The submitted Transport Statement provides internal visibility drawings for junctions contained within the site layout. These demonstrate that appropriate vehicular visibility splays can be achieved. Forward visibility has also been demonstrated and the internal site layout is considered to be acceptable in this regard.
- 8.34 Servicing
The submitted Transport Statement also provides a full suite of vehicle tracking swept path analysis for a range of vehicles including an 11.2m refuse vehicle. The submitted tracking has been reviewed and the internal site layout is considered to be acceptable and fit for purpose in this regard.

8.35 Trip Generation

In order to determine an accurate assessment of traffic generation, and interrogation of the TRICS database has been undertaken. The TRICS data utilised has been reviewed and is considered to be suitably representative and robust. The results of the TRICS interrogation would demonstrate network peak hour trips of circa 30 two-way vehicle movements. The level of vehicular trips is considered to represent a negligible impact on the highway network given the background movements already recorded passed the site access junction.

8.36 Other Highways Matters

Representations have expressed that rear access through the application site to the rear of properties on Woodley Close would alleviate existing on-street parking on that highway and improve access to properties and to the close by emergency vehicles. A representation has also highlighted the use of the site by the air ambulance in 2020. Whilst these provisions may be desirable such provisions cannot be imposed on the current scheme which must be determined on its own merits. Such proposals would also require further consideration of the impact on protected trees on the boundary. As a result it is not considered that a reason for refusal on this basis could be substantiated.

8.37 The proposed parking arrangement would meet the required standard and, subject to further conditions requiring the retention of parking and restricting the location of any gates, the proposed scheme is considered to have no significant detrimental impact on highways or pedestrian safety and accords with the relevant T policies of the TVBRLP 2016.

8.38 **Biodiversity & Protected Species**

This application was supported by an Ecological Assessment (Peach Ecology, March 2020) and has subsequently been subjected to updates in September and December 2021 following the advice of the Ecology Officer.

8.39 Solent and Southampton Water SPA – Solent Neutrality

There is existing evidence of high levels of nitrogen and phosphorus in the water environment across the Solent, with evidence of eutrophication at some designated sites. An Integrated Water Management Study for South Hampshire was commissioned by the Partnership for Urban South Hampshire (PUSH) Authorities to examine the delivery of development growth in relation to legislative and government policy requirements for designated sites and wider biodiversity. This work has identified that there is uncertainty regarding whether any new housing development does not contribute to net increases in nutrients entering these designated sites.

8.40 As such, the advice from Natural England is that the applicants for development proposals resulting in a net increase in dwellings are required to submit the nitrogen budget for the development to demonstrate no likely significant effect on the European designated sites due to the increase in waste water from the new housing.

8.41 In support of the proposed development the applicant has submitted a proposed offsite mitigation strategy. The proposed strategy comprises the removal of land within and off site agricultural holding from future agricultural production. The applicant has advised that the site (Freehold land known as 'Roke Manor Farm', Old Salisbury Lane, Romsey, SO31 0GD comprising 40.4.hectares. Title Number HP 425557.) is provided by Ovington Estates who have an agreement in place to allow the issue of credits. The use of the mitigation land and management are to be secured by legal agreement. Subject to the completion of the required agreements the development will therefore not result in adverse effects on the Solent designated site through water quality impacts arising from nitrate generation.

8.42 New Forest SPA

The development will result in a net increase in residential dwellings within 13.6km of the New Forest SPA. This distance defines the zone identified by recent research where new residents would be considered likely to visit the New Forest. The New Forest SPA supports a range of bird species that are vulnerable to impacts arising from increases in recreational use of the Forest that result from new housing development. While clearly one new house on its own would not result in any significant effects, it has been demonstrated through research, and agreed by Natural England that any net increase (even single or small numbers of dwellings) would have a likely significant effect on the SPA when considered in combination with other plans and projects.

8.43 To address this issue, Test Valley Borough Council has adopted a strategy whereby a scale of developer contributions has been agreed that would fund the delivery of measures to address these issues. With respect to the New Forest, a new strategic area of alternative recreational open space is being delivered that would offer the same sort of recreational opportunities as those offered by the New Forest. Subject to the completion of the required agreements to secure the contribution the development will not result in adverse effects on the New Forest designated site through increased recreational pressure.

8.44 Protected Species

The Ecology Officer has advised that further information was required in relation to bats, Great Crested Newts and reptile relocation. The most recent amended ecology report (December 21) has sought to address these issues and members will be updated at SAPC. The Ecology Officers comments are awaited at the time of reporting and it is recommended that the decision is delegated back to the Head of Planning and Building for receipt of those comments and any necessary amended/additional conditions.

8.45 Lighting

The Ecology Officer has advocated for the inclusion of dark corridors throughout the site in the interests of minimising impacts on foraging and commuting bats on site. Other than the works to the roundabout which will be on the public highway the remainder of the site is not proposed to be offered for adoption. As a result more discretion on the proposed street lighting is available to accommodate the proposed corridors. A condition is proposed

requiring the submission of details of all external lighting in accordance with best practice guidelines outlined by the Bat Conservation Trust and the Institute of Lighting Professionals (Guidance note 08/18 Bats and artificial lighting in the UK).

8.46 Amenities of neighbouring properties

Policy LHW4 of the RLP sets a number of criteria against which development proposals will be assessed in order to safeguard the amenity of existing and future residents, particularly in terms of overlooking, loss of privacy and any adverse impact in terms of loss of daylight/sunlight.

8.47 Representations received from residents of the Ganger Farm development (Doris Bunting Road and Doswell Avenue) have raised concern with regard to overlooking and loss of light. However the closest separation distance between the new dwellings and those to the east is approximately 33m with all other separation distances in excess of 40m. Given the separation to the nearest residential properties, the boundary planting combined with the recreational uses of some of the adjacent land, the proposed development is considered to have no adverse impact on neighbouring residential amenity as a result of overlooking, overbearing or overshadowing impact.

8.48 Impact during construction works

Representations have raised concern with regard to the impact of noise, mud and dust during construction works. Whilst some degree of disturbance is inevitable during construction work conditions can be applied to limit the hours of construction and to require an environmental management plan to limit amenity impacts. Subject to the required conditions the proposed development is considered to have no significant adverse impact on amenity and complies with TVBRLP Policies LHW4 and E8.

8.49 Archaeology

The Archaeology Officer has commented that the site is located within an area of good archaeological potential. Finds of struck flint dating from the early to later prehistoric periods have been recorded between 240, 320 and 240 metres to the north, north west and west of the site in an area known for prehistoric activity while evidence of Roman activity has been recorded around 600 metres to the north west. A Post-medieval field system has been recorded around 240 metres to the north east of the site, while a Grade II Listed Park and Garden (Sir Harold Miller Gardens and Arboretum) is also located around 260 metres to the north. In light of this archaeological background, there is potential for further as yet unrecorded archaeological features to exist within the site.

8.50 As a result it is considered that the assessment, recording and reporting of any archaeological deposits affected by the proposed housing, parking and associated landscaping be secured through the attachment of suitable conditions to any planning consent. Subject to such conditions the proposal is in accordance with policy E9 (b) of the TVBRLP.

8.51 Drainage

Representations have raised concern in relation to flood risk and drainage with specific reference to flooding about the access to the Ganger Farm development to the northeast.

8.52 The application has been supported by a Detailed Surface Water Drainage Arrangement and HCC as the Lead Local Flood Authority (LLFA) have raised no objection subject to conditions requiring development to be constructed in accordance with the approved plans. Subject to the required conditions the proposed development is not considered to result in adverse flood risk and complies with TVBRLP Policy E7.

8.53 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.

8.54 Other matters

Representation have made reference to the loss of a private view and impact on property values resulting from the development. In addition some representations have indicate that they were provided assurances by the developers of the Ganger Farm site that the land the subject of this application would not be developed. However these matters are not material planning considerations and cannot be taken into account in determining the application.

8.55 Social Benefits

In terms of social benefits the proposal would provide additional housing, including the full provision of affordable, to meet a local need. It would be sited close to the facilities and services provided by its proximity to the Abbotswood and Ganger Farm developments.

8.56 The Council can demonstrate a five year housing land supply, a matter that was considered at the Abbotsford Inquiry. Even so the Inspector, mindful of the national imperative set out in the NPPF, to boost significantly the supply of housing, attached substantial weight in favour of the appeal.

8.57 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. The benefits here are more generic than site specific but nonetheless provide weight to the grant of planning permission.

8.58 **Planning balance**

The application site remains in the countryside area as defined by the local plan and as a result is contrary to policy COM2. However the direct comparisons with the Inspectors considerations at the Abbotsford inquiry and the neighbouring permissions are material considerations of great weight in favour of granting permission. In addition the proposed development will facilitate the delivery of Economic and social benefits.

8.59 The proposal is in conflict with the development plan. Therefore, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, an assessment is required as to whether there are other material considerations that would outweigh that development plan conflict. In this case the development plan conflict is considered to be outweighed by the other material considerations, including the benefits of the appeal. As a result it is concluded that permission should be granted as a departure from local plan policy COM2.

9.0 **CONCLUSION**

9.1 The location of the site in a sustainable location and comparable to a recent permission granted at appeal which is a strong material consideration in favour of the principle of development.

9.2 Potential concerns with regard to the impact on trees, protected species and landscape have been resolved. Subject to securing the required conditions and legal obligations the proposed development is considered acceptable.

10.0 **RECOMMENDATION**

10.1 **Delegate to Head of Planning & Building for completion of satisfactory consultation with Ecology Officer and the addition/amendment of relevant conditions, and legal agreement to secure;**

- **Removal of nitrate mitigation land from agricultural production**
- **Future management of the nitrate mitigation land, and**
- **New Forest SPA contribution.**
- **Reptile mitigation land**
- **Affordable housing provision**
- **Affordable housing contribution.**

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. 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 Test Valley Borough Revised Local Plan (2016) Policy E1.

- 3. The development hereby approved shall be undertaken in full accordance with the provisions set out within the Arboricultural Impact Appraisal and Method Statement AIA/AMS-KC/AH/ABBOTSWOOD/004 Revision A (Technical Arboriculture, Sept 21) and Tree Protection Plans ref 004A REV B and 004B REV B. 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.**
- 4. Tree protective measures installed (in accordance with the tree protection condition) 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.**
- 5. 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.**
- 6. No development shall take place above DPC level until full details of hard and soft landscape works have been submitted and approved. Details shall include-where appropriate: proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures. Soft landscape works shall include: planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities. The soft landscape proposals shall include details of soft boundary treatments to the outside edges of the site. The landscape works shall be carried out in accordance with the implementation programme and in accordance with the management plan. Reason: To improve the appearance of the site and enhance the character of the development in the interest of visual amenity and contribute to the character of the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1 and E2.**
- 7. The development shall not be occupied until space has been laid out and provided for the parking and manoeuvring of vehicles to enable them to enter and leave the site in a forward gear in accordance with the approved plan and this space shall thereafter be reserved for such purposes at all times. Reason: In the interests of highway safety in accordance with Test Valley Borough Revised Local Plan (2016) Policy T1.**

- 8. Any gates shall be set back at least 4.5 metres from the edge of the carriageway of the adjoining highway.**
Reason: In the interest of highway safety in accordance with Test Valley Borough Revised Local Plan (2016) Policy T1.
- 9. 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 Local Plan policies E8 and LWH4.
- 10. 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 Local Plan policies E8 and LWH4.
- 11. 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.
- 12. The drainage system shall be constructed in accordance with the Flood Risk Assessment V1.1 (The Civil Engineering Practice, December 2019). Any changes to the approved documentation must be submitted to and approved in writing by Local Planning Authority and Lead Local Flood Authority. Any revised details submitted for approval must include a technical summary highlighting any changes, updated detailed drainage drawings and detailed drainage calculations.**
Details for the long-term maintenance arrangements for the surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings. The submitted details shall include;
 - a. Maintenance schedules for each drainage feature type and ownership.**
 - b. Details of protection measures.****Maintenance and protection measures shall be carried out in accordance with the approved details.**
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.

- 13. No development shall take place until the applicant has secured the implementation of a programme of archaeological assessment in accordance with a Written Scheme of Investigation (WSI) that has been submitted to and approved by the Planning Authority in order to recognise, characterise and record any archaeological features and deposits that may exist here. The assessment should take the form of trial trenching, with trenches targeted upon the footprints of the proposed houses, garages and access road. If the results of the evaluation are deemed significant enough by Test Valley Borough Council, then a programme of archaeological mitigation of impact, based on the results of the trial trenching, should be carried out in accordance with a further Written Scheme of Investigation that has been submitted to and approved by the Planning Authority. Following the completion of all archaeological fieldwork, a report will be produced in accordance with an approved programme including, where appropriate, a post-excavation assessment consisting of specialist analysis and reports together with a programme of publication and public engagement.
Reason: In the interest of the heritage of the site in accordance with Test Valley Borough Revised Local Plan policy E9.**
- 14. Development shall proceed in accordance with the ecological mitigation, compensation and enhancement measures detailed within the Update Ecological Assessment Report Number: 0207, Issue Number: 04 (Peach Ecology, 8th December 2021) unless otherwise agreed in writing by the Local Planning Authority. Ecological mitigation, compensation and enhancement features shall be created/installed as per ecologists instructions and retained in perpetuity in a condition suited for their intended purpose.
Reason: to protect biodiversity in accordance with the Conservation Regulations 2017, Wildlife & Countryside Act 1981, the NERC Act (2006), NPPF and with Policy E5 of the Test Valley Borough Council Adopted Local Plan 2011-2029.**
- 15. No development shall take place unless or until an Environmental Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The Environmental Management Plan shall cover the control of noise, dust and spoil during the demolition, site preparation and construction phases of development. The Environmental Management Plan shall include the provision of wheel washing, and any other suitable facility, to avoid the deposit of spoil onto the highway network. Work shall be undertaken in accordance with the approved Environmental Management Plan.
Reason: In the interests of the amenities of neighbouring properties in accordance with Test Valley Borough Local Plan policies E8 and LWH4.**
- 16. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans
Site Layout - SL.01 F
Location Plan - LP.01 A
Boundary and Dwelling Material Layout - BDML.01 D**

Parking Allocation Layout - PAL.01 D
Affordable Housing Layout - AHL.01 D
Refuse Storage and Collection Layout - RL.01 D
Coloured Street Elevations - CSE.01 C
House Type 2B4P - Elevations - HT.2B4P.e Rev C
House Type 2B4P - Floor Plans - HT.2B4P.p Rev C
House Type 3B5P - Elevations - HT.3B5P.e Rev C
House Type 3B5P - Floor Plans - HT.3B5P.p Rev C
House Type B - Elevations - HT.B.e Rev B
House Type B - Floor Plans - HT.B.p Rev B
House Type C - Elevations - HT.C.e Rev B
House Type C - Floor Plans - HT.C.p Rev B
House Type D1 - Elevations - Option 1 (Sheet 1 of 2) - HT.D1-1.e1 Rev C
House Type D1 - Elevations - Option 1 (Sheet 2 of 2) - HT.D1-1.e2 Rev C
House Type D1 - Elevations - Option 2 (Sheet 1 of 2) - HT.D1-2.e1 Rev B
House Type D1 - Elevations - Option 2 (Sheet 2 of 2) - HT.D1-2.e2 Rev B
House Type D1 - Floor Plans - HT.D1.p Rev C
House Type E - Elevations - Option 1 - HT.E-1.e Rev B
House Type E - Elevations - Option 2 - HT.E-2.e Rev B
House Type E - Floor Plans - HT.E.p Rev B
House Type F1 - Elevations (Sheet 1 of 2) - HT.F1.e1 Rev B
House Type F1 - Elevations (Sheet 2 of 2) - HT.F1.e2 Rev B
House Type F1 - Floor Plans - HT.F1.p Rev B
House Type F2 - Option 1 - Elevations (Sheet 1 of 2) - HT.F2-1.e1 Rev B
House Type F2 - Option 1 - Elevations (Sheet 2 of 2) - HT.F2-1.e2 Rev B
House Type F2 - Option 2 - Elevations (Sheet 1 of 2) - HT.F2-2.e1 Rev B
House Type F2 - Option 2 - Elevations (Sheet 2 of 2) - HT.F2-2.e2 Rev B
House Type F2 - Floor Plans - HT.F2.p Rev B
House Type G - Elevations - HT.G.e Rev B
House Type G - Floor Plans - HT.G.p Rev B
House Type H - Elevations (Sheet 1 of 2) - HT.H.e1 Rev B
House Type H - Elevations (Sheet 2 of 2) - HT.H.e2 Rev B
House Type H - Floor Plans - HT.H.p Rev B
House Type J - Elevations - HT.J.e Rev B
House Type J - Floor Plans - HT.J.p Rev B
House Type 4B7P - Floor Plans - HT.4B7P.p Rev B
House Type 4B7P - Elevations - HT.4B7P.e Rev B
Flat Block A- Elevations - FB A.e A Rev A
Flat Block A- Floor Plans - FB A.p A Rev A
Flat Block B- Elevations - FB A.e A Rev A
Flat Block B- Floor Plans - FB A.p A Rev A
Tree Protection Plan - Ref TCP-KC/ABBOTSWOOD/004a Rev B

Nov 21

**Tree Protection Plan - Ref TCP-KC/ABBOTSWOOD/004b Rev
B Nov 21**

A275 GA01 REV G

A275 GA02 REV G

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

- 17. Details of any external lighting shall be submitted to and approved in writing by the local planning authority prior to first installing any such lighting before the building(s) is/are occupied. Lighting shall follow best practice guidelines outlined by the Bat Conservation Trust and the Institute of Lighting Professionals (Guidance note 08/18 Bats and artificial lighting in the UK). Development shall be carried out in accordance with the approved details.**

Reason: To safeguard the amenities of the area and to prevent disturbance to protected species in accordance with Test Valley Borough Revised Local Plan (2016) Policies E8 and E5.

- 18. Prior to commencement, a detailed scheme of biodiversity enhancements to be incorporated into the development, and long term ecological management plan for retained, enhanced and created habitats on site, including the buffer areas, shall be submitted to and approved in writing by the Local Planning Authority. This should include details of fencing, planting plans, landscape plan and a long-term management plan (minimum 10 years). Development shall subsequently proceed in accordance with the approved details.**

Reason: To enhance biodiversity and ensure protection of the adjacent woodland in accordance with NPPF and the Natural Environment and Rural Communities Act 2006 and with Policies E2 and E5 of the Test Valley Revised Local Plan DPD 2011-2029.

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 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 is advised that a formal application for connection to the public sewerage system is required in order to service this development, New Connections Services Charging Arrangements are published and available on the Southern Water website via the following link southernwater.co.uk/infrastructure-charges**