
APPLICATION NO.	23/01700/FULLS
APPLICATION TYPE	FULL APPLICATION - SOUTH
REGISTERED	07.07.2023
APPLICANT	Churchill Retirement Living
SITE	Edwina Mountbatten House, Broadwater Road, Romsey, SO51 8GH, ROMSEY TOWN
PROPOSAL	Redevelopment for retirement living accommodation comprising 47 retirement apartments including communal facilities, access, car parking and landscaping
AMENDMENTS	Amended plans received 17.07.23, 09.08.23 & 23.11.23
CASE OFFICER	Paul Goodman

Background paper (Local Government Act 1972 Section 100D)
[Click here to view application](#)

1.0 INTRODUCTION

1.1 The application is referred to SAPC at the request of a local member as it raises issues of more than local public interest.

2.0 SITE LOCATION AND DESCRIPTION

2.1 The application site is situated to the south/west of Broadwater Road and to the north of the bypass. The former care home is a broadly pentagonal shaped building with access from Broadwater Road.

3.0 PROPOSAL

3.1 The application proposes the redevelopment of the site for retirement living accommodation comprising 47 retirement apartments including communal facilities, access, car parking and landscaping.

4.0 HISTORY

4.1 24/00202/DEMS - Application to determine if prior approval is required for proposed demolition of single storey former care home. Pending consideration.

4.2 23/01496/ADVS - Display of Advertisement text on site hoarding. Pending consideration.

4.3 23/01497/FULLS - Erection of site hoarding (Retrospective). Permission 20.12.2023.

4.4 21/02714/FULLS - Temporary siting of prefabricated jack-leg office building for the storage of papers, materials and equipment associated with the operation of the care home for a period of 3 years. Permission 26.10.2021.

- 4.5 19/02805/FULLS - Replace Conservatory with sunroom, reposition gates with brickwork piers. Permission 09.01.2020.
- 4.6 17/02802/FULLS - Temporary siting of prefabricated jack-leg office building for the storage of papers, materials and equipment associated with the operation of the care home for a period of 3 years. Permission 23.01.2018.
- 4.7 TVS.07353 - Erection of conservatory to side of property. 29.04.1994.

5.0 CONSULTATIONS

5.1 **Planning Policy & Transport (Policy) – Comment.**

- There is no objection to the principle of the loss of the care home (use class C2) and redevelopment of the site to provide a specialised residential use (use class C3), under policies within the adopted local plan.
- The submitted Affordable Housing and Viability Assessment should be robustly scrutinised and tested, to ensure appropriate on-site affordable housing and/or off-site contributions are secured, subject to viability considerations, together with infrastructure mitigation, with regard to TVBLP policies COM7, COM15 and the TVBC Infrastructure and Developer Contributions SPD (adopted 7 June 2023).
- Amenity space and public open space should be provided in line with LHW4 and LHW1, including private gardens or balconies or useable and well-designed shared gardens suitable for residents of the development.
- HCC and the Integrated Care Board (IOW and Hants) should be consulted with regard to any infrastructure mitigation and requirements.
- Ecological mitigation is required off-site, in respect of indirect and cumulative recreational impacts on the Solent and Southampton Water SPA and New Forest SAC/SPA.
- Nutrient Neutrality should be demonstrated within the proposals.
- We would encourage delivery of Biodiversity Net Gain, of at least 10%, in line with forthcoming legislation, guidance and the Environment Act 2022 (secondary legislation awaited).
- The proposal should provide for transport, access, and parking requirements for residents, in line with Policies T1 and T2.
- Waste and recycling provision is required on site, see 'Guidance Document for the Storage and Collection of Domestic Waste and Recycling for New and Existing Developments - Guidance for Architects and Developers (Updated August 2017 Version 3)'

5.2 **Planning & Building (Conservation) – No objection**

- The amendments to the design of the proposed scheme have sufficiently overcome the concerns previously raised that it is now considered the proposed replacement retirement accommodation should not have an adverse impact on the settings of the nearby listed buildings or the setting of the conservation area.
- A few further amendments to the scheme to make the design more convincing are recommended:

- Some additional chimneys are suggested, particularly for the section of the building on the corner with the roundabout, and on the courtyard elevation (much of this elevation will be contained within the site – but the roof is likely to be visible in views from the adjacent carpark.
- At present the proposed chimneys are all shown exactly the same width and height, this does not reflect the character of the locality, and variation should be introduced.
- It would be unusual for a traditional front door to be white, therefore it would be better if the Broadwater Road doors were a darker colour.
- The doors and sidelights facing Broadwater Road are not wholly convincing as traditional front doors. It would be better if they had details such as kick panels at lower level.
- It is noted that the intended materials are proposed to be white-painted brickwork and red bricks, which would be a good match to the locality. In the rendered drawings, the red is showing more buff, and the white is showing quite grey. It might be helpful to have a more true-to-intention representation.
- The success of the scheme will depend on the detailed treatment of the buildings, and conditions are recommended.

5.3 **Planning & Building (Trees) – Comment.**

- Situated adjacent to the site's southern boundary is part of a linear group of large, mature trees that line the riverbank. This is a prominent landscape feature that positively contributes to the character of the area and provides a good level of public amenity. As such these trees are considered as a constraint to the sites development.
- Given the site's orientation this group of trees will have a notable shading effect on both the proposed amenity area and potentially the primary living space of the proposed dwellings adjacent to the southern boundary. It is therefore considered reasonably foreseeable that any future occupiers of these dwellings would seek to ameliorate these shading effects by undertaking unsympathetic pruning or prematurely removing trees within this group. This would adversely affect the amenity provided by trees to the area. It is noted that in the submitted tree report section 1.6 no adverse impacts on retained trees is considered likely. A shade analysis does not appear to have been undertaken.
- Situated adjacent to the site's northern boundary within the neighbouring car park is a large, mature Hornbeam. This tree provides a good level of public amenity and is also considered as a constraint to the sites development. The proposal seeks to replace an existing garage situated beneath the tree's crown and within the theoretical root protection area with a substation. It is therefore considered likely that the installation of the substation would adversely affect the tree's health and the amenity that it provides. Statutory providers have very specific construction requirements for sub-stations. Further information is required on the design of the substation to allow the tree related implications to be properly addressed.
- The loss of T18 and T20 can be suitably mitigated with the proposed replacement planting.

- 5.4 **Planning & Building (Landscape) - Comment**
- The site itself has no landscape designations, however it is noted that the Romsey Conservation Area wraps around the northern and eastern boundary of the site; within this are a large number of listed properties. To the south of the site Broadlands is designated as a Grade II* Park and Garden. Immediately to the west is Crosfield Hall and car park, this is a public space with open, uninterrupted views of the site. Immediately to the south, the river and tree belt run from east to west, this forms part of a wider key landscape feature along the Bypass Road around the Town Centre.
 - Where the building and associated parking/access fills the plot; minimal amenity space has been provided. The increase in height of the proposed building along with the existing mature trees to the south of the site this is likely to cause considerable shading. As previously requested, a shade diagram should be submitted within the application to ensure that there is sufficient daylight for the limited amenity space.
- 5.5 **Planning & Building (Ecology) – No objection, subject to conditions**
- 5.6 **Housing & Environmental Health (Housing) – Comments awaited following viability assessment.**
- 5.7 **Environmental Services (Refuse) – Objection,**
- Concern regarding turning space for refuse vehicle and the size of the proposed refuse store.
- 5.8 **Environment Agency – No objection, subject to condition.**
- 5.9 **HCC LLFA - No objection, subject to condition.**
- 5.10 **HCC Archaeology – No objection**
- 5.11 **HCC Highways – No in-principal objections but concern raised regarding refuse collection.**
- 5.12 **Design Review Panel**
- Any design must respond to the site and context as given.
 - The design needs to break away from the rigidity of the present layout. The blocks would be better to appear separate.
 - Consider the surrounding historic urban grain.
 - The Palmerston Street frontage should be low in scale to relate to the row cottages opposite and the difference in level between the opposite sides of the street.
 - While the block along the south boundary can be three storeys and extended at the west end.
 - Romsey is largely a settlement built on brick and a limit on the number of materials used could help bring some sense of design cohesiveness.
 - To conclude, the Panel re-emphasises that this is an important site on one of the gateways into the town, which demands a quality piece of

architecture, which must respond to the constraints of the setting and display correct proportions and detailing whatever the design approach.

- The Panel considers that the present scheme for this site falls short and would be detrimental to the setting of the conservation area.
- The Panel feels that all the analysis done on the site and the area has only served to support the original plan for the development, without the brief being tested against the setting. The scheme now needs to be re-considered.

5.13 **Natural England** – Further details required regarding the proposed mitigation site.

5.14 **NHS Hampshire and Isle of Wight Local Planning Engagement Team**

- The proposed development is for 47 dwellings, and this will create an estimated of population of 94 new residents within the development based an average household size of 2.00.
- It is envisaged that the vast majority of the residents of the proposed development will register as patients with local practice, though occasionally GP surgeries will allow registrations from outside of their catchment if the registration of the new population from a development is too significant for one practice to manage.
- The current combined medical centres providing primary care are up to their capacity and will not be able to absorb the increased patients arising from the proposed development. We have consulted with these practices as part of drafting this response, and they are supportive of our response to you.
- The only way to mitigate the impact is to increase the physical capacity of the existing surgeries. The ICB has carefully calculated the space needed to mitigate the impact, drawing upon the document “Health Contributions Approach: GP Provision document” which was agreed by NHS England.
- In this case, we are requesting £25,890 based on a contribution of £551 per dwelling calculation.
- The calculation is directly linked to the proposed development and is fairly and reasonably related in scale and kind to the development.
- The contribution requested is necessary. Without the contribution to increase the physical capacity, the proposed development will put too much strain on the said health infrastructure, which may result in practices no longer being able to support registering new patients on safety and sustainability grounds.
- The development directly affects the ability to provide the health service required to those who live in the development and the community at large. Without securing such contributions, the ICB would be unable to support the proposals and would object to the application because the direct and adverse impact that the development will have on the delivery of primary health care.

6.0 **REPRESENTATIONS** Expired 15.12.2023.

6.1 **Romsey Town Council** – Objection.

- Inappropriate for the gateway to Romsey

- Out of keeping with the neighbouring conservation area.
- Sheer mass of the development and too high and overbearing compared with the existing properties.
- Pressure to prune or fell trees on the southside because of shadowing.
- No contribution to affordable housing or s106.

6.2 **Romsey & District Society (Planning Committee) – Objection**

- Compromises future development of the town centre.
- Overdevelopment of the site and adverse impact on the conservation area and listed buildings.
- Generic pastiche design with no relationship to local character. Repetitive fenestration.
- Support Conservation Officers objections to original submission.
- Overpower small scale properties in Palmerston Street resulting in overbearing composition.
- Adverse impact on entrance to the town.
- Entire concept is flawed.
- Any decision should be withheld until the Borough has endorsed the South of the Town Centre Development Plan.

6.3 **13 representations of Objection received.**

- Loss of the existing building, which is locally important, attractive and should be retained.
- Loss of the clock tower.
- Adverse impact on the conservation area and historic buildings.
- Proposed is generic and does not represent high quality design.
- Scale of development facing Palmerston Street and Broadwater Road.
- Overbearing, overshadowing and loss of light to neighbouring properties.
- Lack of landscaping and amenity space.
- Further retirement properties are not required.
- Shading from trees on the southern side.
- Inadequate parking provision.
- Impact on drainage infrastructure.
- Proposals do not reflect the Mountbatten Charity Trust. The proposed will not be accessible to previous residents or those in need.
- Impact on the amenity of neighbouring properties from construction work.
- Adverse commercial impact on the town.
- Increased pressure on local services.
- Loss of property values.

6.4 **1 representation of Support received.**

- Existing building is derelict and not an attractive entrance to Romsey.
- Will add to the regeneration of the town centre.
- Churchill retirement development in other areas blend into the architectural setting.

- Romsey has an aging population and more retirement properties will be required.
- Location encourages reduction in driving.
- Increased footfall to town centre.
- Increase local employment.
- Environmentally friendly building.

7.0 **POLICY**

7.1 Government Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

7.2 Test Valley Borough Revised Local Plan (2016) (RLP)

COM2 (Settlement Hierarchy), COM14 (Community Services and Facilities), 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)

Infrastructure and Developer Contributions

Affordable Housing SPD

Look at Romsey

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are the principle for development, housing land supply, affordable housing, public open space provision, character of the area and setting of heritage assets, highways, protected species & ecology, drainage, and amenity.

8.2 **Principle of Development**

The site lies within the settlement area of Romsey and therefore the principle of development and re-development for housing is accepted in accordance with policy COM2, subject to adherence with the other policies of the TVBRLP.

8.3 **Retirement Provision**

The adopted Local Plan does not make specific provision for retirement living accommodation and proposals for this form of housing are considered on their merits. The submission sets out evidence of the growing requirement for various forms of housing for older people. The Council recognises this growing need and paragraph 5.33 in the local plan confirms that the Borough has an increasingly ageing population, and that demand will increase over the lifetime of the plan, for sheltered, extra care and other forms of housing designed to meet the needs of older people. The latest Strategic Housing Marketing Assessment (2022) states that over the period for the next local plan (2020 – 2040) it is anticipated there will be:

- a 43% increase in the population aged 65+.
- a 72% increase in the number of people aged 65+ with dementia; and
- a 59% increase in those aged 65+ with mobility problems.

8.4 **Housing Land Supply**

Paragraph 74 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 of 1st April 2023 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 of 1st April 2023 is 7.01 years of supply. Under the updated NPPF (Dec 23) and Planning Practice Guidance (PPG) (Feb 24), some Authorities can set out a minimum deliverable supply of 4 years (against the 5-year requirement), rather than a five-year minimum supply, where specific provisions as set out in paras 77 and 226 of the NPPF apply. This includes where a regulation 18 or 19 local plan is in place with site allocations. For Test Valley, the minimum target is therefore 4 years of housing land supply, with the Regulation 18 Stage 2 Plan having now been published for consultation. The existence of a four-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 **Affordable Housing**

The applicant is proposing 47 retirement living units. In accordance with Policy COM7, the Council will seek 40% (or 18.8) of those 47 units as affordable housing. The provision of affordable housing on site is the Council's starting point and would normally be preferred. Provision off-site or a financial contribution in lieu will need to be justified.

8.6 The Housing Officer has checked with an Affordable Housing Provider (AHP) and due to the restricted age, potential higher service and management charges that would be incurred, and a mixed tenure block, the AHP stated it would make this cost prohibitive and an unattractive & unviable proposition for them. There are some circumstances in which Test Valley BC is willing to accept an off-site contribution. This could require the provision of a site comprising serviced remediated land to be made available at no cost to the Council and should be of a sufficient size and suitability to provide 40% of total dwellings as affordable housing in a location related to the development site. If this is not an option, then appropriate financial contributions may also be sought for off-site provision where necessary to ensure that the dwellings provided can be made available to meet local needs.

8.7 Alongside the original submission the applicant submitted a report on Affordable Housing & Viability, which concluded that no financial headroom exists for S106 payments and by extension that no on-site Affordable Housing provision was viable.

8.8 The Council has secured specialist viability advice to assist in determining the application. Following initial advice on behalf of the Council and subsequent viability statement was submitted by the applicants. In summary this concluded that a contribution of £113k could be provided. Review of the revised information by the Councils advisors concluded that an amount of £314k could

be provided as an affordable housing contribution. The applicant has now agreed to the provision of the £314k contribution (in addition to the public open space contribution discussed below).

8.9 Policy COM7 provides for a reduced affordable housing requirement to be sought, but only where the developer can justify that to provide the full requirement would make the scheme unviable. In this instance the submissions have been assessed by independent advisors on behalf of the Council and their recommendations on the amount of contribution that is viable have been followed. As a result, and subject to the financial contribution being secured for the purposes of providing affordable housing off-site, by legal agreement, the development is considered to comply with Policy COM7. The recommendation reflects this position.

8.10 **Public Open Space**

The adopted CIL charging schedule sets out a nil rate of CIL for retirement living development. However, s106 contributions should still be sought towards mitigating local infrastructure impacts associated with the proposed development, including impacts on community provisions such as public open spaces (POS). The Borough Council adopted a Developer Contributions Supplementary Planning Document on 7 June 2023 which sets out the need for public open spaces and the requisite contributions.

8.11 POS financial contributions are based on the number/size of apartments, in the absence of CIL, for the sheltered housing units proposed (age restricted). In this case the 'children's play' typology has not been included as the occupants would be aged 55+ and unlikely to increase pressures on this provision. In addition, 'parks and gardens' and 'allotments' have not been included, to reflect the 2018 Public Open Space Audit, which indicated no shortfall in provision for these typologies in the Romsey Abbey ward.

8.12 Contributions are however required in relation to outdoor sports facilities and informal recreation. In this instance those contributions amount to £132k and are to be secured by legal agreement. The recommendation reflects this position.

8.13 **Character and Appearance**

The existing building is not listed but is situated adjacent to the Romsey Conservation Area and in close proximity to other listed buildings. The application site was formerly located within the conservation area but was removed following the 2020 boundary review. The review considered that.

This building dates to the later 20th century and is of no heritage value. Its larger footprint means it does not reflect the historic character of the area.

8.14 The Conservation Officer has commented that there is no objection in principle to the demolition of the existing care home, which is of no special architectural, historic, or aesthetic merit. There is some associative value – Edwina Mountbatten being the wife of Louis Mountbatten, 1st Earl Mountbatten of Burma, the last vicereine of India, and the Mountbattens' ownership of nearby

Broadlands. The care home was built to honour her memory. This loss of this value could, however, to a greater extent be restored by retaining the name for the replacement facility and incorporating some form of memorial to her in the new site.

- 8.15 Edwina Mountbatten House is at the edge of the conservation area, and the entrance to the historic core of the town from the bypass – accessed from the same roundabout which serves the main entrance to the Broadlands estate. There are numerous listed and historic buildings in the vicinity. As such it is a very sensitive site, and any new development here would need to be of a high standard of architecture and have appropriate regard to the settings of the heritage assets.
- 8.16 The Conservation Officer raised objection to the development as initially proposed. Specifically, by virtue of its scale, detailing, use of materials, and design that it would harm the settings of the listed building and the conservation area. The Conservation Officers assessment of the original submission was that the level of harm would be less-than-substantial but would be at the higher end of this bracket, especially in terms of the settings of the listed buildings on the west side of Palmerston Street.
- 8.17 The Conservation Officer raised no objection in principle to the proposed footprint of the replacement building, which was broadly similar to the existing and the general design concept to emulate a terraced row of houses going around the corner of the road. However, the initial designs were not considered sympathetic to the character of Romsey.
- 8.18 The design has been substantially revised in the amended plans and has sought to address the specific concerns of the Conservation Officer. Many of these issues were also reflected in the representations that were first received, including addressing the lack of variety in the fenestration and including additional details in the doorways and brickwork to better reflect the terraced concept. Materials have been improved throughout and faux stone porches removed. Variation has also been introduced to the proposed chimneys. In addition, tile hanging has been introduced to the blank gable end facing the Crosfield Hall. Development at the corners of the building have been reduced in scale and prominence to better reflect the surrounding sites.
- 8.19 Following the amendments to the design of the proposed scheme the Conservation Officer has advised that the changes have sufficiently overcome the concerns previously raised that it is now considered the proposed replacement retirement accommodation should not have an adverse impact on the settings of the nearby listed buildings or the setting of the conservation area. This conclusion is also reinforced by the position that the existing (physical) building is considered to be of poor architectural design and historic interest, and that it will be demolished as part of the comprehensive redevelopment of the site.

- 8.20 However, the original proposals also received a negative response from the Design Review Panel. The comments are summarised at paragraph 5.10 but broadly call for a more fundamental reconsideration of the design approach. These sentiments are echoed in some representations which have characterised the plans as generic and made similar comments regarding the relationship with Palmerston Street. Whilst an alternative design could be successful no specific approach is advocated.
- 8.21 Notwithstanding any theoretical alternative the application must be determined on the basis of the plans submitted. It is accepted that there are likely numerous suitable designs that could be accommodated on the site. However, it is considered that the approach proposed, informed by the comments of the Conservation Officer, and reflected in the revised proposals, is appropriate and would broadly enhance the character of this site situated adjacent the Conservation Area and make a positive contribution to sustaining the significance of the surrounding heritage assets. The revised designs have taken account of the character, appearance and setting of heritage assets and those assets have informed the design of the proposals. As a result, the development is considered to comply with Policies E1 and E9 of the TVBRLP.
- 8.22 **South of Romsey Town Centre Masterplan**
The South of Romsey Town Centre Masterplan was adopted by the Council on 2 September 2020. The masterplan proposes short term public realm improvements, medium term mixed-use development with new housing, community and leisure uses alongside a new and improved transport hub. In the long term the plan is for the relocation of the Aldi supermarket (The Hundred) with the site it currently occupies being redeveloped for employment and leisure use.
- 8.23 It must be acknowledged though that the defined masterplan area does not include the application site - although its boundary does incorporate the Crosfield Hall site adjacent to the site's western boundary. Whilst no detailed plans or planning applications have been put forward for the wider masterplan area at the time of reporting this current application, the masterplan broadly proposes relocation of the Crosfield Hall and provision of a three-storey building.
- comprised of ground floor plus two levels of decked car parking (approximately 180 spaces), constructed of lightweight steel and would be covered in green walls and planting to reduce its visual impact.*
- 8.24 Whilst there is no detailed permission for the adjacent site the proposed development has been designed to respond to and accommodate the current use of the Crosfield Hall site. The proposed accommodation faces outwards adjacent the highways to the north, south and east. Those rooms facing into the courtyard are offset from the Crosfield Hall site separated by the entrance and parking areas. In addition, stair wells and facilities such as refuse storage and buggy parking have been located on the western side of the building to minimise impacts on future residents. Furthermore, fenestration has been minimised in the gable ends closest to the western boundary. All of these

design solutions have sought to strike a balance between maximising the potential for the application site to come forward in the way in which the applicants have desired, but at the same time to ensure the layout and juxtaposition of more sensitive activities relative to the shared boundary does not irrevocably compromise the ability to accommodate the re-development of the Crosfield Hall site.

8.25 **Arboriculture**

The Arboricultural Officer has identified that adjacent to the site's southern boundary is part of a linear group of large, mature trees that line the riverbank. This is a prominent landscape feature from the bypass and provides a backdrop to the development site when viewed from the direction of the town centre, that positively contributes to the character of the area and provides a good level of public amenity. As such these trees are considered as a constraint to the site's development.

- 8.26 The proposed development is outside the root protection areas for the trees, but the Arboricultural Officer has raised concerns with regard to shading impact resulting in pressure to undertake works to the trees. This comment is also reflected in the representations. Whilst there will be shading from the trees which are situated south of the application site it must be noted that the same arrangement has persisted in relation to the existing development without adverse impact on the trees. Indeed, the existing development is situated closer (3.1m) to the canopy than the proposed development (7.3m). It is also considered unlikely that future residents would want to further expose the site to the adjacent bypass road. In addition, the trees are situated outside of the application site with HCC Highways land. As a result, there should be no expectation by the applicant, or future occupiers, for works to be undertaken to the trees. In this instance it is not considered that a reason for refusal based on pressure to the trees could be substantiated and the development is considered to comply with Policy E2.

Ecology & Biodiversity

8.27 Protected Species

Policy E5 of the RLP relates to biodiversity and states that development that will conserve and, where possible restore and/or enhance biodiversity, will be permitted, and sets several criteria against which development proposals will be assessed. The Ecology Officer has commented that the submitted survey work is appropriate and that the proposed mitigation measures are suitable. It is also noted that, whilst not yet a national requirement, the scheme would deliver a 10% biodiversity net gain. Subject to a condition to secure the recommended mitigation the proposals are considered to be in accordance with Policy E5 of the RLP and the Conservation of Habitats and Species Regulations 2010 (as amended) in respect of protected species.

8.28 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.

- 8.29 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 wastewater from the new housing.
- 8.30 In support of the proposed development the applicant has submitted a proposed offsite mitigation strategy. The proposed strategy comprises the removal of off-site land from future agricultural production. Natural England have agreed the amount of nitrate impact that needs to be mitigated but have queried the use of the proposed mitigation land (a pig farm), which is understood to be a site allocated in the New Forest District Local Plan for employment use. The applicant has advised that they have no intention of bringing the site forward for the allocated use and that the site remains available for nitrate mitigation. The Council has sought further advice on this matter and will need to conclude consultation with Natural England before issuing any permission. The recommendation has been proposed to allow completion of the process and to secure use of the mitigation land and management by s106 legal agreement. Subject to the completion of the required consultation and agreement the development will therefore not result in adverse effects on the Solent designated site through water quality impacts arising from nitrate generation. The agreement had not been completed at the time of reporting and it is recommended that the application be referred to the Head of Planning and Building for completion post- SAPC resolution.
- 8.31 International sites
The development will result in a net increase in residential dwellings within 13.6km of the New Forest SPA and within 5.6km of the Solent and Southampton Water SPA. These distances define the zones identified by recent research where new residents would be considered likely to visit these sites. These SPAs support a range of bird species that are vulnerable to impacts arising from increases in recreational use of the sites 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 dwellings) would have a likely significant effect on the SPAs when considered in combination with other plans and projects.
- 8.32 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. With respect to the Solent sites, funding is to be

provided to the Solent Recreation Mitigation Partnership (SRMP). Funding is to be secured through a per-dwelling contribution from developments where those developments result in a net increase in dwellings.

8.33 Subject to the completion of a legal agreement (with the recommendation reflecting this) to secure the required contributions development would comply with 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).

8.34 **Highways**

Representations have raised concern with regard to the impact of increased parking and vehicle movements on highways safety. Whilst the Highways Officer has raised no objection to most aspects of the proposals, they have raised concern with regard to access for a refuse vehicle. This concern was also reflected in the Council's Refuse Team.

8.35 The applicants have subsequently advised that it is intended to service the sites refuse collection with a private operator which would facilitate use of smaller vehicles. Whilst this would address the concern it is considered necessary to secure full details of the refuse operations and details of any vehicles by condition.

8.36 The Highways Officer has commented that the scope of the survey and methodology in the technical note is acceptable. The results of the survey assessment demonstrate a level of additional traffic that would not be considered – significant to the point at which the safety and efficiency of the public highway network in this location would be adversely affected. Following review, HCC Highways have confirmed that there are no existing accident trends within the vicinity of the site that this proposal would likely exacerbate. It is therefore considered that the proposal would not lead to any material detrimental impact upon the safety and efficiency of the local highway network in this location.

8.37 Parking

The proposed layout shows 16 parking spaces, which is below adopted parking standards (as set out in Annex G of the Local Plan). Annex G requires the provision of 1 space per unit of supported accommodation which would result in a full requirement of 47 spaces.

8.38 The submitted Transport Report notes that the site is in an accessible location for staff and residents via nearby bus routes and by walking and/or cycling. It is also noted that the application does not propose a care home, but rather retirement accommodation. On-site support is limited to some communal areas and other shared storage and external spaces.

- 8.39 The applicant has sought to provide further justification for reduced parking standards. In terms of the demographics of the occupants the applicant has confirmed that the development is designed to accommodate the needs of elderly residents. The submitted transport statement included survey information of car ownership in similar developments, which is considered to be a robust and fair indication of likely car ownership. These details indicate a pattern of reduced car ownership for residents. Following review of the available evidence it is considered that the applicant has provided sufficient evidence to substantiate the level of car parking proposed meaning the site would generate a lower demand for parking and that the reduced number of spaces is justified. The proposal is considered to comply with Policy T2 of the TVBRLP.
- 8.40 **Water management**
The 2016 Local Plan includes a requirement in policy E7 to achieve a water consumption standard of no more than 110 litres per person per day. 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.
- 8.41 **Drainage and Flood Risk**
The application has been supported by a Detailed Surface Water Drainage Arrangement. Following review of the additional information provided following initial comments by the EA, both the EA and LLFA have raised no objection subject to condition that development be constructed in accordance with the approved plans. Subject to the required condition the proposed development is not considered to result in adverse flood risk and complies with TVBRLP Policy E7.
- 8.42 **Amenities of neighbouring properties**
Policy LHW4 of the RLP sets a number of criteria against which development proposals will be assessed 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.
- 8.43 Representations have raised concern that the proposed development would have an adverse impact on the residents of adjacent properties, specifically those facing Palmerston Street to the east. These concerns refer to the increase in the height of the proposed eastern elevation (10.4m) compared to that of the existing building (5.8m) which is single storey. The application site is also situated on higher ground than the neighbouring highway and properties to the eastern side of the road. In terms of separation the existing building is approximately 14.9m from the front elevation of the nearest neighbouring property and the proposed approximately 14.1m.
- 8.44 The resultant relationships are not considered to be unusual in a town centre setting and a similar relationship exists between those properties further north and the development to the western side of the highway. There are no significant impacts on neighbouring residential properties to the south, west or

north due to the intervening land uses and public highways. As a result, it is not considered that a reason for refusal based on overlooking or overbearing impact could be substantiated. As a result, the proposed scheme is considered to comply with policy LHW4.

8.45 **Noise**

The application is supported by a Noise Assessment. The submitted information has demonstrated that the site can be accommodated without adverse impact on future residents. A condition is recommended to secure full details of any plant equipment audible beyond the site boundary. In relation to neighbouring properties construction impacts are considered in more detail below. However normal domestic use of the proposed development is not considered likely to generate significant noise.

8.46 **Impact during construction works**

Representations have raised concern regarding the impact on amenity 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.

8.47 **Health Infrastructure**

The adopted Developer Contributions Supplementary Planning Document (June 2023) identified that new housing development in an area can result in additional pressure on a range of healthcare facilities, such as GP practices, community services and hospital services, all of which make up the network of healthcare provision. This pressure can be mitigated through improvements to existing facilities, such as extensions to GP practices to provide additional consultation rooms.

8.48 The SPC states that contributions towards healthcare provision will be sought on residential development which results in a net increase in population to mitigate the impact of the development. In this case the NHS Hampshire and Isle of Wight Local Planning Engagement Team has identified the impact on local GP practices and has sought a contribution towards the extension of those facilities. The contributions would be secured by the legal agreement and the recommendation has been updated to reflect the requirement. Subject to the contributions the development would comply with the SPD and local plan policy COM15.

8.49 **Economic Benefits**

The site is currently unoccupied. Whilst the residential proposals are not a commercial enterprise there are economic benefits associated with the development works and the future occupiers of the dwellings. These are matters that should be afforded weight in the planning balance.

8.50 **Social Benefits**

Whilst the loss of the former care facility is regrettable it is considered that investment in the site, which is situated in a prominent location, for retirement living represents a public benefit.

8.51 **Planning Balance**

Although Officer advice is that the proposal complies with the provisions of the Development plan when taken as a whole, there are a number of public benefits that have been advanced by the applicant to support the proposals. Overall, the proposal would provide homes within a settlement for older people and add to the diversity of housing stock in Romsey. The housing would therefore be a public benefit. In addition, the proposals result in a substantial financial contribution to affordable housing – albeit that would be provided off-site via financial contribution.

8.52 In economic terms the proposal would provide construction jobs during its build out. These jobs would be transitory and only moderate weight can be afforded to this point. Furthermore, the new properties would result in people living in the town centre and the associated spending by these people in the local economy is also a benefit of the scheme. The site is also vacant following cessation of the former use.

8.53 As identified earlier, the works are considered to have an acceptable relationship with the character of the surrounding site and any increased prominence over the previous development is considered to be outweighed by the benefits of the proposals. The proposal would, therefore, accord with both Local and national planning policies.

9.0 **CONCLUSION**

9.1 The location of the site means that is in a highly sustainable location and the proposal is acceptable in both principle, and detail. Subject to securing the required conditions and s106 obligations detailed above, and in the in the recommendation, the proposed development is considered acceptable.

10.0 **AMENDED RECOMMENDATION**

Delegate to Head of Planning and Building to secure a satisfactory consultation reply from Natural England, and for the completion of a legal agreement to secure:

- **Removal of nitrate mitigation land from agricultural production**
- **Future management of the nitrate mitigation land.**
- **Nitrate mitigation monitoring fee**
- **Affordable housing financial contributions**
- **Public Open Space financial contributions**
- **New Forest SPA financial contributions**
- **Solent SPA financial contributions**
- **Health infrastructure financial contributions**
- **s106 monitoring fee**

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, numbers:**

**10123RS-PA00
10123RS-PA01 REV B
10123RS-PA02 REV B
10123RS-PA03 REV B
10123RS-PA04 REV B
10123RS-PA05 REV B
10123RS-PA06 REV B
10123RS-PA07 REV B
10123RS-PA08 REV B
10123RS-PA09 REV B
10123RS-PA10 REV B
10123RS - PA11
10123RS - PA12
10123RS-PA13 REV B
10123RS-PA14 REV B
JBA 23-010-SK02 C**

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

- 4. The development hereby permitted shall not be occupied 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 (e.g. furniture, play equipment, refuse or other storage units, signs etc.); proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc. indicating lines, manholes, supports.); retained historic landscape features and proposals for restoration, where relevant. 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 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.

- 5. The development hereby permitted until a schedule of landscape management and maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas and an implementation programme, shall be submitted to and approved in writing by the Local Planning Authority. The approved management plan shall be carried out in accordance with the implementation programme.
Reason: To ensure the provision of amenity afforded by proper maintenance of existing and new landscape features as an improvement of the appearance of the site and to 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.**
- 6. 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**
- 7. Prior to the commencement of development full details of the layout for the parking and manoeuvring onsite of contractor's and delivery vehicles during the construction period shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the commencement of development and retained for the duration of the construction period.
Reason: In the interest of highway safety in accordance with Test Valley Borough Local Plan 2016 policy T1.**
- 8. 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.

- 9. Prior to the first use of the new bin store a management plan shall be submitted detailing the private refuse collection measures, including the size of any refuse vehicle, the plan shall also detail the measures which the applicant will put in place and retain to minimise noise and odour impacts as a result of the use of this area. No waste collections shall be made outside of the hours of 07:30 to 18.00 Monday to Friday unless otherwise agreed in writing by the local planning authority. Refuse collection shall be undertaken in accordance with the approved plan.**

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

- 10. Each unit of accommodation hereby permitted shall be occupied only by:**

- persons of 60 years or older or**
- persons living as part of a single household with such a person or persons; or**
- persons who were living as part of a single household with such a person or persons who have since died.**

Reason: The units of the residential accommodation, parking provision, outdoor amenity space, education provision and affordable housing provision have been designed for occupation by persons who satisfy the above criteria and are unsuitable for family housing and to ensure accordance with Test Valley Borough Revised Local Plan (2016) policies COM7, COM14, COM15, LHW1, LHW4, T1 & T2.

- 11. No development shall take place in relation to the substation until a revised arboricultural assessment has been submitted to detailing the protection of the adjacent Hornbeam during installation works. Development shall be undertaken in accordance with the approved details. The development of the main building hereby approved shall be undertaken in full accordance with the provisions set out within the Arboricultural impact appraisal and method statement (ref 22191-AIA3-DC, 9th May 2023) and its associated tree protection plan ref 22191-4.**

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.

- 12. Development shall proceed in accordance with the measures set out in the Ecological Appraisal ref 784-B043706 (Tetra Tech, May 23) and Biodiversity Net Gain Assessment (Tetra Tech, May 23) Thereafter, enhancement features shall be permanently maintained and retained in accordance with the approved details, with photographic evidence provided to the Local Planning Authority within 6 months of occupation.**

Reason: to enhance biodiversity in accordance with Policy E5 of the Test Valley Revised Local Plan DPD.

- 13. 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.

- 14. No fixed plant or machinery serving the completed development which may be audible beyond the site boundary shall be installed on site without prior written consent from the local planning authority. In seeking sign off of this condition the applicant is advised to provide details of the proposed plant, its location, any mitigation proposed and if mitigation includes use of a barrier a relevant cross section.**

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

- 15. 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.

- 16. The development shall be carried out in accordance with the submitted flood risk assessment (Titled: Proposed Residential Development at Edwina Mountbatten House, Romsey and produced by the Civil Engineering Practice, Proj.No. 23763 and dated June 2023) and the following mitigation measures it details:**

Finished floor levels shall be set no lower than 16.70 metres above Ordnance Datum (AOD), as specified in section 5.4.8 of the FRA. These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with policy E7 of the Test Valley Borough Revised Local Plan 2016.

- 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 is occupied. Development shall be carried out in accordance with the approved details.**

Reason: To safeguard the amenities of the area and/or in the interests of road safety in accordance with Test Valley Borough Revised Local Plan (2016) Policy E8.

18. Prior to the installation of any decorative features (timberwork and brickwork) details shall be submitted to and approved in writing by the local planning authority. In addition, details of the name sign for the building, and for the re-siting of any plaques etc from the existing building shall be submitted. Development shall be undertaken in accordance with the approved details.
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 and setting of the Romsey Conservation Area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1, E2 and E9.
19. Full details of all new windows, rooflights and doors (to include scale drawings 1:20/1:50 including sections and face-on drawings) shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. The windows and doors shall be installed in accordance with the approved details.
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 and setting of the Romsey Conservation Area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1, E2 and E9.
20. Details of the siting and design of any proposed Guttering and rainwater goods, and external meter boxes/ducting/flues/vents/aerials/ meter boxes, and any other externally visible services shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. The installation of the meter boxes/metal ducting/flues shall be in accordance with the approved details.
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 and setting of the Romsey Conservation Area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1, E2 and E9.

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.

11.0 ALTERNATE RECOMMENDATION

In the event that the required legal agreement is not completed by 30th August 2024 then REFUSE for the reasons:

1. The proposed development by means of its nature, location and scale could have likely significant affects upon the nearby Solent and Southampton Water European Designated Site which is designated for its conservation importance. In the absence of a completed legal agreement securing the proposed off-site mitigation, the applicant has failed to satisfy the Council that the proposal would not adversely affect the special interest of the Solent and Southampton Water European Designated Site, therefore the application is contrary to Policies COM2 and E5 of the adopted Test Valley Borough Revised Local Plan (2016) and the Conservation of Habitats and Species Regulations 2017 (as amended).
2. The site lies within close proximity to the Solent and Southampton Wate SPA which is designated for its conservation importance. In the absence of a legal agreement, the application has failed to secure the required mitigation measures in accordance with the Council's adopted Solent Recreation Mitigation Strategy. 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 the designated site, as a result of increased recreational pressure. The proposed development is therefore contrary to the Council's adopted Solent Recreation Mitigation Strategy, Policy E5 of the adopted Test Valley Borough Revised Local Plan 2016, and the Conservation of Habitats and Species Regulations 2010 (as amended).
3. The site lies within close proximity to the New Forest SPA which is designated for its conservation importance. In the absence of a legal agreement, the application has failed to secure the required mitigation measures in accordance with the Council's adopted 'New Forest SPA Mitigation - Interim Framework'. 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 the 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', Policy E5 of the adopted Test Valley Borough Revised Local Plan 2016, and the Conservation of Habitats and Species Regulations 2010 (as amended).
4. In the absence of a legal agreement to secure the contributions towards the provision of new affordable housing the development fails to comply with and is therefore contrary to policy COM07 of the Test Valley Borough Revised Local Plan 2016 thereby exacerbating an existing need for such housing in the locality.

- 5. In the absence of a legal agreement to secure financial contributions towards the provision of new public open space the proposal fails to provide sufficient public open space required to serve the needs of the future population. The proposal will therefore result in unnecessary additional burden being placed on existing public open space provision adversely affecting the function and quality of these facilities, to the overall detriment of the area and users of the open space. The proposal is contrary to Policy LHW1 (a-c) of the Test Valley Borough Revised Local Plan (2016).**
 - 6. In the absence of a legal agreement to secure financial contributions towards the provision of health infrastructure the proposal fails to provide sufficient mitigation of the pressure on health care facilities resulting from the residential development. The proposal will therefore result in unnecessary additional burden being placed on existing health infrastructure adversely affecting the function and quality of these facilities. The proposal is contrary to Policy COM15 of the Test Valley Borough Revised Local Plan (2016).**
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