
APPLICATION NO.	20/00398/FULLS
APPLICATION TYPE	FULL APPLICATION - SOUTH
REGISTERED	20.02.2020
APPLICANT	Trustees of Barker Mill Family Trust
SITE	Elm Villa, Redbridge Lane, Nursling, SO16 0XN, NURSLING AND ROWNHAMS
PROPOSAL	Conversion and extension to form 3 dwellings and erection of sheds
AMENDMENTS	Received on 24.04.2020: <ul style="list-style-type: none">• Nutrient Neutrality offset mitigation plan• Nutrient Neutrality offset management plan Received on 09.04.2020: <ul style="list-style-type: none">• Amended Proposed Elevations• Amended Existing Elevations
CASE OFFICER	Mr Graham Melton

Background paper (Local Government Act 1972 Section 100D)

1.0 INTRODUCTION

1.1 The application is presented to Southern Area Planning Committee in accordance with the Member and Officer Interests Protocol.

2.0 SITE LOCATION AND DESCRIPTION

2.1 The application site is a detached, two storey property located on the north-west side of Redbridge Lane in the settlement area of Nursling.

3.0 PROPOSAL

3.1 The proposal is for the erection of a two storey side extension, measuring approximately 8.1m by 5m by 6.9m to adjoin the side (north-east) elevation of the existing dwelling.

3.2 The proposed extension will facilitate the conversion of the dwelling to three 2 bed dwellings. Each individual dwelling served by separate garden areas including the provision of single storey shed outbuildings.

4.0 HISTORY

4.1 **19/01004/FULLS** - Single storey front and rear extensions, conversion of dwelling to form 2 apartments and additional parking. *Application withdrawn on 31.01.2020.*

5.0 CONSULTATIONS

5.1 **Natural England** – Comment (after clarification regarding the net increase in dwellings).

Nutrient Neutrality

- Thank you for confirming that the proposed development will result in two dwellings and not three, this has now satisfied our request for further information on this point in our formal response
- The methodology used by the applicant has used the methodology in the earlier guidance note produced by Natural England on nutrient neutrality
- In March Natural England produced updated guidance note which includes a revised methodology for calculating nutrient neutrality in developments and we recommend that this updated methodology is used within the appropriate assessment
- Natural England welcomes the submission of a management strategy for the proposed mitigation land
- The applicant has proposed woodland planting, woodland planting can be evidenced easily by aerial photography and site visits
- The level of woodland planting required to achieve nutrient neutrality is 20% canopy cover at maturity. In very broad terms, this equates to 100 trees per hectare, although this is dependent on the type of trees planted and there are also options that this can be achieved by natural regeneration, especially if adjacent to existing native woodland
- It is our preference that native broadleaf species are selected where possible, to secure wider biodiversity gains.
- Natural England recommends that your authority must be assured and satisfied that any mitigation proposed can be secured and delivered in perpetuity

Case Officer note: the updated NE methodology has been utilised in the LPA's appropriate assessment, concluding that the proposed mitigation land is sufficient to offset the additional nitrate output generated by the proposed development. To ensure the long term management of the offset land, a management plan has been submitted and will be form part of the legal agreement to enable ongoing monitoring.

6.0 **REPRESENTATIONS** Expired 15.05.2020

6.1 **Nursling and Rownhams Parish Council** – No objection.

6.2 **Southampton City Council** – No comment.

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) (TVBRLP)

Policy SD1: Presumption in Favour of Sustainable Development

Policy COM2: Settlement Hierarchy

Policy E1: High Quality Development in the Borough

Policy E5: Biodiversity

Policy E7: Water Management

Policy LHW4: Amenity
Policy T1: Managing Movement
Policy T2: Parking Standards

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- Principle of development
- Ecology
- Impact on the character and appearance of the area
- Impact on residential amenity
- Water Management
- Highways
- Other Matters

8.2 **Principle of development**

The application site lies within the settlement boundary of Nursling as defined on the Inset Maps of the TVBRLP. In accordance with Policy COM2 of the TVBRLP development is permitted provided the proposal is appropriate to other policies of the Revised Local Plan. The proposal is assessed against relevant policies below.

8.3 **Ecology**

Solent and Southampton Water SPA: Nutrient Neutrality

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

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

8.5 However, no mitigation strategy has yet been developed and no interim approach has yet been set up by Test Valley Borough Council. In the meantime, Natural England advises that one way to address the uncertainty is to achieve nutrient neutrality whereby an individual scheme would not add to nutrient burdens.

8.6 In this instance, a nutrient budget calculation was undertaken identifying that the proposed scheme, in the absence of any mitigation generated, a total additional nitrate output of 5.8kg/N/yr.

- 8.7 To mitigate this additional output and in support of the proposed development the applicant has submitted a proposed offsite mitigation strategy comprising the removal of agricultural land from future agricultural production. This offset land is located at the junction of Upton Lane and Romsey Road (a location plan is attached as Appendix A to this report) and measures 0.2ha. Aerial photographs have been submitted demonstrating the use of this offsite land for cereal production during the preceding 10 years up until the present day. It is therefore accepted on a precautionary basis that cereal production represents an accurate classification.
- 8.8 To assess the benefit of removing the offset land from agricultural production, a revised nutrient budget calculation including the proposed mitigation was undertaken, concluding that the total nitrate output of the proposal will be -0.5kg/N/yr. After reviewing these calculations undertaken by the Local Planning Authority as part of the wider appropriate assessment, Natural England raised no objection to the proposed mitigation measures or the assessment undertaken.
- 8.9 In order to secure the future use of the land in perpetuity, a legal agreement will be implemented preventing the use of the land for agricultural production and securing the planting of additional trees onsite. A management plan demonstrating how the future maintenance of the land will be achieved has been submitted and will be incorporated into the associated legal agreement.
- 8.10 Consequently, it is considered that the proposal achieves nutrient neutrality as required by the guidance contained within Natural England's 'Advice on achieving nutrient neutrality for new development in the Solent region'. Therefore, it can be concluded that there will be no adverse effect on the integrity of the designated sites identified above with respect to nutrient neutrality.
- 8.11 Solent and Southampton Water SPA: Recreational Pressure
The development will result in a net increase in residential dwellings 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 the SPA which 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.
- 8.12 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 Solent sites, funding is to be provided to the Solent Recreation Mitigation Partnership (SRMP). As a result, it is considered necessary and reasonable to secure the appropriate contribution of £1,342 (£671 per additional 3 bed dwelling).

8.13 New Forest SPA: Recreational Pressure

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.

- 8.14** To address this issue, Test Valley Borough Council has adopted an interim mitigation strategy has been agreed that would fund the delivery of a new strategic area of alternative recreational open space that would offer the same sort of recreational opportunities as those offered by the New Forest. Therefore, it is considered necessary and reasonable to secure the appropriate contribution of £2,600 (£1,300 per additional dwelling).

8.15 Onsite biodiversity

It is not considered that the proposal will give rise to any adverse impact on protected species or onsite habitats. Therefore, the application is in accordance with Policy E5 of the TVBRLP.

8.16 Impact on the character and appearance of the area

Redbridge Lane is located adjacent to the front (south-east) boundary of the application site and will provide the main public view of the proposed development. Currently, the existing street scene comprises a verdant character arising from the mature hedgerows serving as the front boundary treatment, with properties set back from the public highway. As a result of the screening provided by the mature vegetation any clear views of the property are limited to those available at the vehicular access point.

- 8.17** With regard to the impact of the proposed extension, although two storey in scale it is considered that the utilisation of a subsidiary ridge height, hipped roof form and matching external materials will ensure the proposal appears as a complementary addition to the existing building. The layout of the proposed extension will result in a reduction of the existing visual separation with the neighbouring property to the east, 5 Walnut Way. However, the retention of approximately 4m separation distance between the two properties will ensure that a degree of visual separation will remain and to greater extent than that currently present between the application site and the neighbouring property on the opposite side, 3 Walnut Way. As a result, it is considered that the layout of the proposed development will respect the settlement pattern of the area.

- 8.18** To ensure that the visual appearance of the additional car parking is minimised, a proposed landscaping plan has been submitted demonstrating the retention of the existing hedgerows at the front of plot. In the event that the existing hedgerows are lost during construction, replacement planting has been secured through the attachment of a condition (no.4). With regard to the proposed shed

outbuildings, any glimpse views available will be seen in the context of the residential garden area and associated boundary fencing. As a result, it is not considered that there will be any adverse visual impact arising from these elements of the proposed scheme.

- 8.19 Consequently, it is considered that the proposal development will avoid any adverse impact on the settlement character of the area and as a result, the application is in accordance with Policies E1 and E2 of the TVBRLP.

8.20 **Impact on residential amenity**

Impact on the amenity of neighbouring property

The proposed extension will be located in an offset position to the front (west) elevation of the neighbouring property 5 Walnut Way, but in close proximity. Therefore, to assess the potential impact of the proposed development on the sunlight provision, a shadow diagram using a sun on the ground indicator for the 21st March was undertaken. The results of this diagram demonstrate that there will be no materially significant additional shadow generated by the proposal than that already resulting from the approximately 1.8m high boundary fencing. Consequently, it is not considered that the proposal will materially impact upon the daylight or sunlight provision of this neighbouring property.

- 8.21 With regard to privacy, the side (north-east) elevation facing 5 Walnut Way only includes an external door facing the car parking area and therefore, the proposal will not materially impact upon the privacy of this adjoining property. In relation to the fenestration proposed in the rear (north-west) elevation, this will be located in a similar position to the windows already present and consequently, will not materially impact upon the adjoining residential properties currently under construction to the rear of application site. As a result, the proposed scheme will not adversely impact the residential amenity of neighbouring property.

8.22 Impact on the amenity of the host property

The proposed site plan demonstrates that each individual 2 bed dwelling will be served by an outside amenity space of a minimum 63sqm. Although it is acknowledged that the outdoor spaces will be subject to a mutual degree of overlooking, this is not uncommon for semi-detached or terraced properties and will not serve to significantly undermine the amenity value of the space provided. As a result, it is considered that the proposal will sufficiently provide for the potential future occupants of the proposed development.

- 8.23 Following the assessment undertaken above, it is considered that the proposed development will sufficiently provide for the residential amenity of neighbouring dwelling in addition to the host property and therefore, the application is in accordance with Policy LHW4 of the TVBRLP.

8.24 **Water Management**

Policy E7 of the TVBRLP is concerned with Water Management and states:

Development will be permitted provided that:

- a) *it does not result in the deterioration of and, where possible, assists in improving water quality and be planned to support the attainment of the requirements of the Water Framework Directive;*
- b) *It complies with national policy and guidance in relation to flood risk;*
- c) *it does not result in a risk to the quality of groundwater within a principal aquifer, including Groundwater Source Protection Zones and there is no risk to public water supplies;*
- d) *all new homes (including replacement dwellings) achieve a water consumption standard of no more than 110 litres per person per day; and*
- e) *all new non-residential development of 500sqm or more achieve the BREEAM 'excellent' credit required for water consumption (reference Wat 1).*

Criterion d) – e) need to be satisfied unless it can be demonstrated that it is not financially viable.

8.25 The proposed dwelling will not result in the deterioration of water quality and the application site is not located within a high risk flood zone or a groundwater protection zone. With regard to criterion (d), a condition will be attached to cover this requirement and therefore the application is in accordance with Policy E7 of the TVBRLP.

8.26 **Highways**

Access

The proposed scheme will not result in any alterations to the existing vehicular access or give rise to a materially significant increase in vehicular movements. Consequently, it is not considered that there will be any adverse highway safety impact on the local road network and therefore, the application is in accordance with Policy T1 of the TVBRLP.

8.27 **Parking**

The proposed scheme will trigger the requirement for a total of 6 onsite car parking spaces to be provided, with the submitted site plan demonstrating that this provision can be accommodated at the front of the plot. To ensure that the additional spaces will be delivered before the occupation of the proposed dwellings, a condition has been added. Consequently, it is considered that the application is in accordance with the minimum parking standards set out in Annex G and Policy T2 of the TVBRLP.

8.28 **Other Matters**

The proposal was screened under the Environmental Impact Assessment Regulations (2017) on the 18th May 2020, with the assessment concluding that the proposal would be unlikely to result in any significant environmental impact and as such an Environmental Statement is not required.

9.0 CONCLUSION

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

9.2 This recommendation is subject to the completion of a legal agreement to secure the management of the proposed nutrient neutrality offset land in perpetuity and furthermore, receipt of the necessary contribution towards the recreational pressure mitigation measures. Securing these mitigation measures will ensure that the proposed development does not adversely impact the Solent and Southampton Water SPA in addition to the New Forest SPA.

10.0 RECOMMENDATION

Delegate to the Head of Planning and Building for the following:

- The completion of a legal agreement to secure the management of the offsetting land, to ensure the development achieves nutrient neutrality
- the completion of an agreement to secure financial contributions towards the New Forest SPA and Solent & Southampton Water SPA recreational pressure mitigation measures;

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.

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

3. The materials to be used in the development hereby permitted, shall be in accordance with the materials specified on the approved plans and application form.

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

4. The existing hedgerows shown on the approved Proposed Landscaping Plan shall be retained and maintained at a minimum height of 1.5 metres and any plants which die within a five year period shall be replaced in the next planting season after their failure, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure maintenance of screening to the site and to enable the development to respect, complement and positively integrate into the character of the area in accordance with Policies E1 and E2 of the Test Valley Borough Revised Local Plan (2016).

5. 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).

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

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

Note to applicant:

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