
APPLICATION NO.	22/00217/OUTS
APPLICATION TYPE	OUTLINE APPLICATION - SOUTH
REGISTERED	28.01.2022
APPLICANT	Fortitudo Ltd
SITE	Ro-Dor Ltd , Stevens Drove, Houghton, SO20 6LP, HOUGHTON
PROPOSAL	Outline application for demolition of existing industrial unit and the erection of 6 dwellings with associated parking (with all matters to be considered except landscaping which is a reserved matter)
AMENDMENTS	Nitrate information March 2023 Marketing report – Jan 2023
CASE OFFICER	Sarah Barter

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

1.0 INTRODUCTION

- 1.1 The application is called to Southern Area Planning Committee due to local member call in.

2.0 SITE LOCATION AND DESCRIPTION

- 2.1 The site is 0.3 hectares and is located within the settlement boundary in Houghton. The site is currently used for industrial purposes and includes a building with an associated yard and parking area. The site is accessed directly off Stevens Drove.

3.0 PROPOSAL

- 3.1 The applicant has submitted an outline planning application proposing the demolition of the existing building on site which would be replaced by 6 dwellings with associated infrastructure. The application seeks detailed permission for all matters except landscaping.

4.0 HISTORY

- 4.1 21/02761/OUTS - Outline application for demolition of existing industrial unit and the erection of 11 dwellings with associated parking (with all matters to be considered except landscaping which is a reserved matter) – WITHDRAWN 21/12/2021
- 4.2 TVS.00977/5 – Change of use of buildings from Class B8 (warehousing) to Class B1 (offices/light industry) – PERMISSION subject to conditions 04/04/1995

5.0 CONSULTATIONS

5.1 **Ecology** – No objection subject to conditions

5.2 **Environmental Protection** – No objection subject to condition

5.3 **Lead Local Flood Authority** – No comment

5.4 **Highways** – No objection subject to TVBC being satisfied that the level of parking provision falls in line with adopted standards.

5.5 **Housing** – Comment

- Size of the site triggers need for affordable housing.
- 20% financial contribution should be sought from the applicant.

5.6 **Landscape** – Comment

- Layout and design is still considered suburban in character.
- Fewer trees would have the potential to become larger legacy trees would be more appropriate here.
- Dwellings are suburban in their nature, do not appear to be characteristic of an edge of rural village development.
- Formal appearance and layout is not fitting with the local landscape.
- Hammerhead at the end of the cul-de-sac appears over engineered and excessive – is this really required?
- Little space in front of the properties for any soft landscaping – suggested that some defensive planting is implemented between the buildings and the access road to soften the appearance of the development and to prevent vehicles from parking directly outside the front of the dwellings.
- Landscape details at reserved matters should include details of hard/soft landscaping along with proposed management of public areas.

5.7 **Natural England** – No objection subject to nitrate mitigation being secured

5.8 **Policy** – Comment (main points summarised):

- Understood that the building is in active employment use – Policy LE10 is therefore relevant.
- Marketing of the site for a period of 3 months has been submitted. Ideally marketing should be undertaken over 6 months however the evidence is still valid and helpful and would suggest there is limited commercial interest on employment use of the site.
- The case officer should carefully assess the proposal against the Houghton Neighbourhood Plan.

5.9 **Trees** – No objection subject to condition

6.0 **REPRESENTATIONS** Expired 27.03.2023

6.1 **Houghton Parish Council** – Object on the following grounds (summarised):

- Proposals are contrary to policies SD1, COM7, E1, LE10 and T2 of the Local Plan along with policies HTN1, HTN3 and HTN4 of the Neighbourhood Plan
- Proposed houses are too big and there are too many.
- Proposed parking is insufficient
- Application does not take notice of the NDP
- There is no provision of affordable homes
- Proposed development is too suburban in character

6.2 **14 letters** objection to the proposals on the following grounds (summarised):

Type of development, sustainability and affordable homes

- Houghton does not need more 4 bed houses, needs 2/3 bed houses which should be more affordable for families.
- Village cannot take any more development. There is no indication that more houses are needed in Houghton either now or in the foreseeable future.
- There is no provision for affordable housing.
- Contrary to the submission, there are no shops or bakeries in the village. The coffee shop at Houghton Lodge is only open in the summertime.
- Houghton has very few sustainable features – North Test Valley has sufficient building land for the next 5.75 years – this development is not needed.
- The village needs carefully designed small dwellings that are affordable with a range of tenures.
- Application contravenes the wishes of the people of Houghton who do not want more large speculative housing.
- Amended plans showing a study instead of a bedroom – a bedroom by another name is still a bedroom.
- Local facilities have been overstated
- Proposed houses would lead to more people than the 2.4 per dwelling stated.

6.3 Highways and parking

- Parking – proposals would exacerbate existing parking problems in Stevens Drove. There is not adequate parking for the occupants and visitors of the houses in this application.
- Traffic flow along Stevens Drove will be significantly increased as a result of the development putting at risk, children, dog walkers, runners and cyclists. Speed limit is currently 30mph which is too fast.
- Junctions in the area would be at an increased risk of accidents as a result of this development. There have been a number of accidents witnessed in the area.
- All journeys will be made by cars – existing vehicular movements from the site have been exaggerated.

- The village has no public transport and Stockbridge is over an hours walk from the village.

6.4 Character and appearance

- Proposal represents overdevelopment of the plot and would not be in keeping with a small rural village, being urban in design.
- Ratio of house size to garden size is not appropriate to a rural setting.
- Development should not result in additional overhead power cables

6.5 Residential amenities

- Nearly all the houses would overlook the neighbouring dwelling at 'Hawthorns'.
- Properties located on either side of Ro-dor would be significantly overlooked.
- Proposed treatment plant should be located so that it would not be detrimental to neighbouring properties.

6.6 Drainage and flooding

- Concern about extra sewage smells and noise
- There is an increased risk of flooding.
- Malfunction of the proposed drainage system would result in contaminated effluent running down Stevens Drove which has no road drainage.

6.7 Loss of employment

- The site is the last piece of industrial land in the village providing possible local employment – proposals would result in the loss of a local asset – policy LE10 should be taken into account.

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

LE10 – Retention of Employment Land and Strategic Employment Sites

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

LHW4 – Amenity

T1 – Managing Movement

T2 – Parking Standards

7.3 Houghton Neighbourhood Development Plan (May 2022)(NDP)

HTN1 – Sustainable Development

HTN3 – Type of New Housing

HTN4 – Village Design

HTN7 – Landscape Character

HTN8 – Important Public Views (viewpoint 11)

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- The principle of development
- Loss of employment – Policy LE10 of the RLP
- Type of new housing
- Impact on the character and appearance of the surrounding area
- Trees
- Impact on neighbour amenities
- Highways
- Affordable housing
- Ecology
- Drainage and flooding

8.2 **The principle of development**

Test Valley Borough Revised Local Plan 2016 (RLP)

The site is situated within the Houghton settlement boundary as defined by the RLP. As a result, the proposals are considered to be acceptable in principle provided they comply with the other relevant policies contained within the RLP.

8.3 Houghton Neighbourhood Development Plan (May 2022)(NDP)

The NDP was made on 19 May 2022 and forms part of the Development Plan for the defined Neighbourhood Area. Applications for development must be considered in relation to the relevant policies contained within the NDP. The relevant policies of the NDP are provided at paragraph 7.3 above. Compliance with these policies is discussed in the main content of this report except for policy HTN1 which is specifically discussed below.

8.4 *HTN1 – Sustainable Development*

Policy HTN1 of the NDP includes 3 criteria. Proposed development should:

1. *Meet the needs of the community for housing, services and facilities*

The application proposes the development of housing within a designated settlement boundary. This housing would (as discussed at para. 8.15 below) meet the needs of the community. An Affordable Housing contribution is secured on the site (see paragraph 8.32). The development shall be CIL liable and a proportion of the money shall be given to the Parish Council which will contribute to services and facilities in the village.

2. *Support small business uses and the re-use of existing buildings for commercial purposes where these are in accordance with Local Plan policy and compatible with the rural character of their surroundings; and*

The proposal under consideration for housing is not relevant to this point.

3. *Take all opportunities to conserve and wherever possible enhance the built, historic and natural environments.*

The application considers the built and natural environments at para. 8.16 and 8.34 below. The application site is not located within the Conservation Area or adjacent any Listed Buildings and so this element of this criteria is not relevant to this proposal.

8.5 Loss of employment- Policy LE10 of the RLP

The site is currently used for industrial purposes and includes a building, yard, parking and circulation space used by the current tenant who manufacture PVCu roller shutter doors. The proposed development would result in the loss of the employment use of the site and as a result, policy LE10 of the RLP is engaged.

8.6 Policy LE10 of the RLP allows development on an existing employment site for an alternative use provided that:

- a) The land is no longer required to meet economic development needs of the area; or
- b) The current activity is causing, or could cause significant harm to the character of the area or the amenities of the residents; and
- c) It would not have a significant detrimental impact on the operation of the remaining occupiers of the site.

8.7 *LE10 (a)*

In relation to point a), the application is supported by two market reports (Savills, June 2022 and January 2023) which seek to demonstrate that the existing use of the site is no longer required to meet the economic development needs of the area.

8.8 The information submitted claims that:

- The property, whilst relatively close to the A30 and A3057, would be considered too remote by the majority of distribution and manufacturing occupiers.
- The rural location of the site would prove difficult in attracting employees outside the village who would need a private car to access.
- Understand that the current occupier of the site is intending to relocate to Andover as they are struggling to attract employees to the site.

8.9 In addition to the above, the site has been marketed. Between 28 September 2022 and 28 December 2022 the site was made available and advertised on Rightmove, Estates Gazette, Savills' website, Agent's Insight & Estate Agent's Clearing House. Over the course of this period, 21 enquiries were received and 7 viewings undertaken. No offers were received. Feedback from potential occupiers is summarised as follows:

- Site too costly to refurbish, roof too expensive to restore
- Unit is too inaccessible/too rural
- Insufficient tenant demand due to condition of the building

In addition to the above, the report notes that companies would unlikely be interested in a site that is within/close proximity to residential development due to potential conflict between an industrial use and residential amenities.

8.10 The information submitted by the applicant and summarised above, is considered to satisfactorily demonstrate that the land is no longer required to meet the economic development needs of the area. The proposed development is therefore considered to comply with part a) of policy LE10 of the RLP.

8.11 *LE10(b)*

In relation to point (b) of policy LE10, it is understood that historically, there has been no conflict between the industrial use of the site and the surrounding residential development. In relation to whether this could change in the future, when looking at the site's planning history, it seems to have previous permissions for warehousing and, most recently for offices/light industry (see para.4.2). These are uses that are generally considered to be compatible with residential uses.

8.12 As a result, of the above, it is not considered that the continuing use of the site for light industrial purposes would likely cause significant harm to surrounding residential amenities. It is not considered that this is a compelling reason, in isolation, to allow for the loss of the employment site.

8.13 *LE10(c)*

In relation to policy LE10(c), no commercial occupiers would remain after the development is completed. This part of the policy is thus not engaged.

8.14 *Loss of employment summary*

In order to comply with policy LE10, the applicant must either demonstrate that the land is no longer required to meet economic development needs of the area (a) or that the current activity on the site could result in significant harm to surrounding amenities (b). In this instance, the applicant has satisfactorily demonstrated that the land is no longer required to meet the economic needs of the area (a). The proposals are therefore considered acceptable in principle in accordance with both policy LE10 and NDP policy HTN1, provided that they comply with the other relevant policies contained within the Development Plan.

8.15 Type of new housing

Policy HTN3 of the NDP requires housing developments to be of a type and size that meets the latest assessment of local needs. This comprises information from the Test Valley Strategic Housing Market Assessment which provides information on the size of dwellings required in various sub-areas of the Borough over the period 2011-2031. Houghton Neighbourhood Area includes providing dwellings with 2 and 3 bedrooms to meet the need for smaller properties. The development proposed includes the provision of 2 and 3 bedroom dwellings which would accord with the NDP requirement. A condition can be added to any permission preventing the internal re-arrangement of the dwellings to provide in excess of 3 bedrooms.

8.16 Impact on the character and appearance of the surrounding area

The existing site contains an industrial unit which sits centrally within the plot, to the front is hard standing for parking and there is open countryside to the rear resulting in this site being located on the rural edge of Houghton village. The site boundaries consist mainly of hedgerow with trees. The plot is between housing to the north, east and west together with a sewage plant. The plot has a Oak tree to the frontage (subject to a Tree Preservation Order (TPO)). The boundary for the Houghton and Bossington Conservation Area is 60m to the east. Houghton:2 and Houghton:3 Public Rights of Way run 60m to the west of the site and Houghton:12 runs from the site entrance west. From the various rights of way and Stevens Drove itself a housing development would be visible, however any views would be seen in context with the neighbouring residential properties and therefore it is considered that the visual impact would be negligible.

8.17 Alexandra Close to the west has green frontages with space for mature trees and longer views to the countryside beyond. Likewise with the Stevens Drove development there are open views between the properties and space within for soft verges and trees. The layout at both these neighbouring developments allows for spacious plots which have regard for the rural edge location they are located in. The previous application (see para 4.1 above) which was withdrawn proposed 11 dwellings with the small plots and a vast amount of hard standing with no space for any quality landscaping to integrate the development within the immediate or wider landscape. The current submission has reduced the dwelling numbers from 11 to 6 due to both the LPA and parish council concerns regarding the effect of such a density on the character and appearance of the area. Off street parking spaces and private rear gardens together with generous landscape margins have been incorporated to retain a sense of spaciousness.

8.18 The submitted block plan shows a significant area of open space immediately to the west of the proposed site access. This provides for a significant buffer for the adjacent dwellings at 1 and 3 Alexander Close. Plot 1 is well set back from Stevens Drove Road, to ensure that the root protection zone of the mature tree on the site frontage is maintained and an additional buffer provided. The proposed dwellings are all two-storey which reflects the prevailing scale of building in the locality. The scale of the dwellings proposed will be more in keeping with the character of the locality compared to the

existing large industrial building. The design of the dwellings are of a style which compliments the prevailing mixed architectural styles found in the locality. The use of red brick elevations and slate roofs is in-keeping with the materials found in the locality. It is considered reasonable to apply a condition to control the use of appropriate materials in external finishes of the buildings. All units, with the exception of plot 6, will have hipped roof design which will serve to reduce the bulk and mass of the dwellings, open up the space between units and view through the development to the countryside beyond. Plot 6 adopts a traditional gable roof design incorporating chimney stacks and attached garage which would serve to add some interest and variation to the collective impact of this group of dwellings.

8.19 Due to the amount of dwellings proposed and the resultant space created with clear views through to the countryside beyond the development is considered to integrate, respect and complement the existing characteristics of this part of Houghton village. The proposed development would ensure that the immediate and wider landscape would be maintained and would be sympathetic to the existing surrounding development at Alexandra Close and Stevens Drove. Further detailed landscape drawings would be submitted with a future reserved matters application but it is considered that there is ample space on site to provide a meaningful landscape scheme. The application is in accordance with Policies COM2, E1, and E2 of the Test Valley Borough Revised Local Plan (2016) and HTN7 of the Houghton Neighbourhood plan.

8.20 **Trees**

An Oak to the front of the site is protected by a Tree Preservation Order (TPO). The tree is prominent in the area and adds significantly to its character. The site is also bordered by trees on its eastern boundary.

8.21 The application is supported by arboricultural information (Hearne Arboriculture, March 2022) which provides information on the trees likely to be affected by the development and proposes mitigation to prevent any harm. Such mitigation includes protective fencing during the construction phase of the development along with the provision of a cellular confinement system to replace the existing tarmac driveway to benefit the growing environment of the protected Oak.

8.22 The proposed mitigation is considered acceptable and would ensure the protection and retention of the trees. The Council's tree officer has confirmed no objections subject to a condition ensuring the development is undertaken in accordance with the submitted detail. Provided such a condition is included on any permission the proposals are considered to comply with policy E2 of the RLP and policy HTN7 of the NDP.

8.23 **Impact on neighbour amenities**

Third party representations have raised concerns relating to the impacts the proposals would have on the existing amenities of surrounding residential dwellings. This is discussed in the following paragraphs.

8.24 *Impact on Hawthorns*

Hawthorns is a detached dwelling located immediately to the east of the site. The separation from the rear elevation of Plots 1 and 2 to the side elevation of the dwelling/rear garden area at Hawthorns would be approximately 20 metres. As a result of this separation, it is not considered that the new dwellings would cause any overlooking, overbearing, overshadowing or loss of light that would adversely affect the amenities of the occupiers of Hawthorns.

8.25 In addition to the above, the site is separated from Hawthorns by trees/vegetation that are proposed to be retained as part of the development. This vegetation provides screening between the site and Hawthorns which, along with the separation distance, would retain the privacy of the occupiers of Hawthorns.

8.26 *Impact on number 5 Alexander Close*

Plot 6 would be located directly to the south east of number 5 Alexander Close. This neighbour benefits from a large garden of between approx. 10m and 16.m in depth. Some mutual overlooking would occur from first floor windows between these two neighbours but it is considered that given both neighbours are on an angle and taking into account the garden depths it is not considered that a reason for refusal could be substantiated on these grounds.

8.27 It's not considered that any significant overshadowing or loss of light would occur as a result of the proposed development at this neighbouring property.

8.28 *Impact on number 7 Alexander Close*

This neighbour's rear garden bounds a small area of the application site between plot 5 and 6. This land would form part of the turning area and access to plot 5. Whilst views of the rear of plot 6 and the side elevation of plot 5 may be experienced from this neighbouring rear garden and windows, given the separation distances and boundary treatment, it is not considered that any significant impacts would be created at number 7 Alexander Close in respect of amenity.

8.29 **Highways**

Impact on the highway network

The application is supported by a Transport Statement (Paul Basham Associates, February 2022). This statement confirms the following:

PIA data confirms that there have been no recorded accident trends that the proposals would likely exacerbate.

The provision of sufficient vehicular visibility splays of 2.4m x 3m at the site access.

Vehicle tracking information demonstrates that a refuse vehicle could access, egress and turn within the confines of the site in a safe and sufficient manner.

Following TRICS database analysis, the proposals would not result in any material traffic impact or reach any threshold whereby further assessment would be required.

8.30 The highway authority have confirmed that the information provided within the Transport Statement is sufficient to demonstrate that the proposed development would not result in any adverse impacts on the existing highway network. Subject to conditions requiring the submission of a construction method statement and the provision of the required visibility splays, the proposals are considered to comply with policy T1 of the RLP.

8.31 *Parking provision*

The plans submitted with the application show that each dwelling would be provided with at least 2 off street parking spaces. In addition, 2 visitor parking spaces would be provided. This parking provision is in accordance with the parking standards set out at Annex G to the RLP. The proposals are therefore considered to comply with policy T2 of the RLP and policy HTN4(3) of the NDP.

8.32 **Affordable housing**

Houghton is classed as a designated rural area and therefore, under RLP Policy COM7: Affordable Housing, applies.

The Council will negotiate on housing sites:

6 - 9 dwellings (or sites of 0.22 – 0.29ha) a financial contribution equivalent to up to 20% of dwellings to be affordable.

Based upon the proposal of 6 dwellings, a 20% financial contribution was sought from the applicant. However, in response, financial viability information was submitted by the applicant which set out that the scheme could not support any contribution for affordable housing. In order to assess the validity of the submitted information the Council has engaged an external viability consultant (BNP Paribas). In summary the consultant has concluded that the site can support a contribution of approx. 5.6% contribution without affecting development viability and the applicant has agreed to this figure. That figure equates to £71,561 and that amount will be secured within the terms of a legal agreement. The legal agreement is not complete at the time of writing and the recommendation reflects the need to do so before issuing any planning permission.

8.33 Policy COM7 states that in assessing the suitability of sites for the provision of affordable housing the Council will take into account the size, suitability and the economics of provision. In this case it is considered that evidence has been presented and independently verified by consultants acting on behalf of the LPA to conclude that it is not economically viable to provide the full affordable housing contribution on this site, but a lesser amount is nevertheless possible, and compliant with RLP policy, without affecting development viability. This weighs in favour of the proposal.

8.34 Ecology

On-site ecology

The application is supported by a Preliminary Ecological Appraisal (PEA) (Ecosupport, January 2022) and a Phase 2 Bat Survey and Mitigation report (Ecosupport, January 2022). The Council's ecologist considers that these reports meet best practice guidelines and that they represent the current condition of the application site.

8.35 The ecological reports conclude that the existing building on the site supports 3 Common Pipistrelle day roosts. In addition, the surveys found that the site supports foraging and commuting bats. The applicant's ecologist considers that the roosts are of low conservation significance and therefore of local significance when considered the IEEM valuation criteria for bat roosts.

8.36 As a result of the above, if avoidance measures are not taken, the proposed development has the potential to kill/injure bats and would result in the loss of the roosts within the existing building. In accordance with the Habitats Regulations, a European Protected Species (EPS) licence for the development would be required. Such a licence can only be granted if the development proposals are able to meet the following tests:

The consented operation must be for 'preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment' (Regulation 53(2)(e)) ;

There must be 'no satisfactory alternative' (Regulation 53(9)(a)); and
The action authorised 'will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range; (Regulation 53(9)(b)).

8.37 In relation to point 1), the proposal would result in the provision of housing in a sustainable location, within a settlement boundary as defined by the RLP. The proposals would help to meet housing requirements in the Borough as set out by policy COM1 of the RLP. This would amount to an overriding social and economic interest. It is therefore considered that this test can be met.

8.38 In relation to point 2), there are clearly alternatives to the proposed development along with a 'do nothing' approach. These are summarised as follows:

Provision of housing on alternative sites – it is not certain that other sites within the settlement boundary would come forward and would be suitable for the proposed development. Alternative sites could be available outside of the settlement boundary (defined as countryside) however, such sites are not considered to be sustainably located. Policy COM2 of the RLP would not allow the development of such sites for general housing purposes.

Retain the existing building and therefore the bat roosts – Whilst the retention of the existing building on site is an alternative to the proposed development, information submitted with the application details that repairs are required to

the building in order for its continued use, such repairs include works to the roof. Works to the building could result in similar effects on bats than the proposed development and thus its retention and re-use is not considered to be a satisfactory alternative.

Do nothing – Information submitted with the application suggests that the site is no longer required for its current use. Without an alternative, viable use the site and building would likely fall into disrepair resulting in impacts on surrounding amenity. A ‘do-nothing’ approach would also not realise the social/economic benefits of the development identified above. The site would not contribute towards the provision of housing as set out in the RLP.

- 8.39 As a result of the above, it is considered that there is no satisfactory alternative to the proposed development. The 2nd test can therefore be met.
- 8.40 In order to assess the development against the 3rd test, sufficient details must be available to show how killing/injury of bats will be avoided and how impacts to bats through habitat loss will be addressed. These should be proportionate and appropriate to the impacts as determined through the survey work.
- 8.41 The submitted ecology reports include a detailed method statement/strategy which includes methods to be followed during the development to ensure that bats are not disturbed, killed or injured. New roosting opportunities are also proposed to be provided through integrated bat boxes located within the proposed new dwellings.
- 8.42 The Council’s ecologist supports the proposed mitigation/compensation measures and, on the basis of the information provided, is satisfied that the 3rd test can be met subject to a condition securing the proposed mitigation/compensation.
- 8.43 As a result of the above, as the three tests set out in the Habitats Regulations can be met, it is considered that it is likely that an EPS licence would be granted. It is considered that the proposals would be in accordance with the relevant regulations in relation to European protected species and would be in accordance with policy E5 of the Test Valley Borough Revised Local Plan 2016.
- 8.44 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.
- 8.45 Natural England further advises that there is uncertainty as to whether new housing growth will further deteriorate designated sites. In order to address this uncertainty is to achieve nutrient neutrality whereby an individual scheme would not add to nutrient burdens.

- 8.46 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 14.47kg TN/year.
- 8.47 In order to mitigate the additional nitrate output generated by the proposed development, the applicant has entered into an agreement with the land owner at Roke Manor, Awbrige who has agreed to take land previously used as a pig farm out of agricultural use. The landowner, funded by a financial contribution paid by the applicant, will ensure that the land is restored and maintained so that a substantial reduction in nitrate loading within the Solent catchment can be achieved. A management plan which would be implemented by the land owner has been agreed by both the Council and with Natural England.
- 8.48 Whilst the agreement to purchase offset land is between the applicant and the landowner at Roke Manor, to ensure that the required amount of offset land is secured and managed in perpetuity in accordance with the management plan, the applicant has agreed to enter into a legal agreement with the Council. Subject to such an agreement being completed, it is considered that the proposal would achieve 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 site with respect to nutrient neutrality. The proposals are therefore considered to comply with policy E5 of the RLP.
- 8.49 New Forest SPA: Recreational Pressure
The development will result in a net increase in residential dwellings within 13.79km of the New Forest SPA. This distance defines the zone identified by 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. It has been demonstrated through research, and agreed by Natural England that any net increase in dwellings would have a likely significant effect on the SPA when considered in combination with other plans and projects.
- 8.50 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.
- 8.51 Subject to a financial contribution being secured in accordance with the interim mitigation strategy (in this case, through the completion of an appropriate legal agreement), it can be concluded that the development would not result in any adverse impacts on the integrity of the designated site. The proposals are considered to comply with policy E5 of the RLP in this regard.

8.52 **Drainage and flooding**

Drainage

The application is supported by information detailing the proposed drainage strategy. The submitted Sustainable Urban Drainage system plan demonstrates that in relation to surface water, the site can be drained. In relation to foul drainage, no mains drainage is available to connect to within the vicinity of the site and as a result, the use of a package treatment plant (Klargester Biodisc BF) is proposed to serve the development. The information provided therefore demonstrates that in relation to foul drainage, the site can be drained.

8.53 The applicant has submitted sufficient information to demonstrate that the site can be drained. Further details of the specific drainage measures would be required to be approved under Building Regulations (Part H). In addition, a consent to discharge may be required. This is a separate procedure undertaken by the Environment Agency.

8.54 *Flooding*

The site is wholly within Flood Zone 1, an area at least risk of flooding from fluvial sources. The site, according to the Environment Agency is also in an area that is at a 'very low risk' of surface water flooding. As a result, it is not considered that the proposals would be at risk of or cause additional impacts on flooding. The proposals are considered to accord with policy E7 of the Test Valley Borough Revised Local Plan 2016 in this regard.

9.0 **CONCLUSION**

9.1 It is recommended that subject to the completion of a legal agreement securing nitrate mitigation and New Forest SPA, that planning permission be granted. The application is considered acceptable and in accordance with the development plan.

10.0 **RECOMMENDATION**

Delegate to Head of Planning and Building to complete legal agreement to secure:

- **Financial contribution towards off-site affordable housing provision**
- **Financial contribution towards New Forest Special Protection Areas**
- **Secure mitigation for Nitrate Neutrality**

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**
Block / site 9509/300 E

Unit 1 9509/301 C
Unit 2 9509/302 C
Unit 3 9509/303 C
Unit 4 9509/303 C
Unit 5 9509/305 C
Unit 6 9509/306 B
suds 9509/309 A

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. Development shall proceed in accordance with the measures set out in Section 6.0 'Recommendations' of the Ro Dor Ltd, Houghton, Preliminary Ecological Appraisal (Ecosupport, January 2022), and Section 5.0 'Mitigation & Compensation' and Section 6.0 'Additional Recommendations' of the Ro Dor Ltd, Houghton, Phase 2 Bat Surveys & Mitigation (Ecosupport, January 2022), unless varied by a European Protected Species (EPS) license issued by Natural England. Thereafter, the replacement bat roost features and enhancements shall be permanently maintained and retained in accordance with the approved details.

Reason: to ensure the favourable conservation status of protected species in accordance with Policy E5 of the Test Valley Revised Local Plan DPD.

5. External lighting will 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). Prior to commencement, a detailed lighting strategy for the construction and operation phase of the development shall be submitted to and approved in writing by the Local Planning Authority. Development shall subsequently proceed in accordance with any such approved details, with the approved lighting strategy maintained in perpetuity.

Reason: to prevent disturbance to protected species in accordance with the National Planning Policy Framework and the Revised Test Valley Local Plan DPD.

6. No development shall take place (other than any approved demolition and site clearance works) until an assessment of the nature and extent of any contamination and a scheme for remediating the contamination has been submitted to and approved in writing by the Local Planning Authority. The assessment must be undertaken by a competent person, and shall assess the presence of any contamination on the site, whether or

not it originates on the site. The assessment shall comprise at least a desk study and qualitative risk assessment and, where appropriate, the assessment shall be extended following further site investigation work. In the event that contamination is found, or is considered likely, the scheme shall contain remediation proposals designed to bring the site to a condition suitable for the intended use. Such remediation proposals shall include clear remediation objectives and criteria, an appraisal of the remediation options, and the arrangements for the supervision of remediation works by a competent person. The site shall not be brought in to use until a verification report, for the purpose of certifying adherence to the approved remediation scheme, has been submitted to and approved in writing by the Local Planning Authority

Reason: In the interest of pollution in accordance with Test Valley Borough Revised Local Plan (2016) Policy E8.

7. No development shall take place, (including any works of demolition), until a Construction Method Statement has been submitted to, and approved in writing by, the LPA. The approved statement shall include scaled drawings illustrating the provision for -

- 1) The parking of site operatives and visitors' vehicles.
- 2) Loading and unloading of plant and materials.
- 3) Management of construction traffic and access routes.
- 4) Storage of plant and materials used in constructing the development.
- 5) Vehicle tracking in associated with the largest vehicles associated with construction.

Reason: In the interests of highway safety in accordance with policy T1 of the Revised Borough Local Plan 2016.

8. Prior to commencement on site a scheme shall be submitted to and approved in writing by the Local Planning Authority detailing the method of cleaning wheels and chassis of all HGV's, plant and delivery vehicles leaving the site and the means of keeping the site access road and adjacent public highway clear of mud and debris during site demolition, excavation, preparation and construction. The scheme shall be implemented in accordance with the approved details and shall be installed and operational before any development commences and retained in working order throughout the duration of the development. No vehicles shall leave the site in a condition whereby mud, clay or other deleterious materials shall be deposited on the public highway.

Reason: In the interests of highway safety in accordance with policy T1 of the Revised Borough Local plan 2016.

9. The development shall not be brought into use until vehicular visibility splays as indicated on the approved plan(s) in which there should be no obstruction to visibility exceeding 1.0m in height above the adjacent carriageway channel line have been completed. The Visibility Splays shall thereafter be retained for the lifetime of the development.

Reason: To provide and maintain adequate visibility in the interests of highway safety in accordance with policy T1 of the Revised borough Local Plan 2016.

- 10. 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

- 11. At least the first 4.5 metres of both access tracks measured from the nearside edge of carriageway of the adjacent highway shall be surfaced in a non-migratory material prior to the use of the access commencing and retained as such at all times.**

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

- 12. The development hereby approved shall be undertaken in full accordance with the provisions set out within the Hearne Arboriculture Arboricultural Impact Appraisal and Method Statement reference JH/AIA/22/034 dated 9 March 2022.**

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.

- 13. 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.

- 14. 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.

- 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. Before the development hereby permitted is commenced details, including plans and cross sections, shall be submitted to and approved by the Local Planning Authority of the existing and proposed ground levels of the development and the boundaries of the site and the height of the ground floor slab and damp proof course in relation thereto. Development shall be undertaken in accordance with the approved details.
Reason: To ensure satisfactory relationship between the new development and the adjacent buildings, amenity areas and trees in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1.**
- 17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows/dormer windows in the elevations or roofs of the proposals hereby permitted [other than those expressly authorised by this permission] shall be constructed.
Reason: In order that the Local Planning Authority can exercise control in the locality in the interest of the local amenities in accordance with Test Valley Borough Revised Local Plan (2016) Policy LHW4.**
- 18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order), the garage(s) hereby approved shall at all times be available for the parking of vehicles.
Reason: In order to maintain the approved on site parking provision and to reduce highway congestion in accordance with Test Valley Borough Revised Local Plan (2016) Policy T2.**
- 19. No development shall take place above DPC level of the development hereby permitted until full details of hard and soft landscape works have been submitted and approved. Details shall include-where appropriate: proposed finished levels; means of enclosure; car parking layouts; hard surfacing materials. 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.**

20. No development shall take place above DPC level of 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.

21. The dwellings hereby permitted shall have no more than three bedrooms at any time.

Reason: In order to meet the local housing need and to ensure appropriate on-site parking provision is provided in accordance with policies HTN3 of the Houghton Neighbourhood Development Plan.

Note 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.
