

**HAMPSHIRE COUNTY COUNCIL****Decision Report**

<b>Decision Maker:</b>	Regulatory Committee
<b>Date:</b>	27 May 2014
<b>Title:</b>	A new build single storey Education Centre at The Forest Education Centre, Cabot Drive, Dibden, Southampton, SO45 5UQ. (Application No. 14/10310) (Site ref: NFE044)
<b>Reference:</b>	5851
<b>Report From:</b>	Head of County Planning

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## 1. Executive Summary

- 1.1. Planning permission is sought for the construction of a new build single storey Education Centre at The Forest Education Centre, Cabot Drive, Dibden. Associated with the development would be the creation of a new staff car parking area, an un-lit multi-use games area and landscaping.
- 1.2. The main areas of consideration are the layout of the proposed development, the high quality design of the building and the visual impact of the development, potential noise impact from use of the Centre building and MUGA by the community out of School hours, staff car parking provision and pedestrian and cycle linkages, heritage and biodiversity impact and the potential impact on the green infrastructure.
- 1.3. It is considered that the proposal is in accordance with the development plan and it therefore accords with Policy NPPF1 and should be approved if no overriding material considerations indicate otherwise. The Education Centre would provide an improved, permanent replacement facility with a community element that meets the aims of Policy HYD2 and CS8. The proposed development is of a high quality design which is similar in scale, height and materials that will respect the character of the area and positively contribute to the street scene (CS2), with the design standard of the building being such that it will minimise energy consumption (CS4). The retention of existing trees and hedgerows with replacement and enhanced tree and vegetation planting will retain and add to the green linkages on the site (DM9). The car parking provision on site meets Staff Parking Guidelines and the proposed entrance appropriately secures pedestrian and cycle links to Cabot Drive (CS24). There are satisfactory mitigation measures proposed to ensure there is no

significant adverse impact to archaeological heritage or biodiversity (DM1 and DM2).

## **2. Site and proposal**

2.1. The proposed development site is located within a section of a wider 2.28 hectare site that is owned by Hampshire County Council. The Forest Education Centre is already located on the site as detailed in plan P09844-A-110 revB. In addition to this the wider site includes a mature area of woodland planting.

2.2. The 0.98 hectare area of proposed development would be bound to the south east by the woodland, the remaining land to the north east of the site would be retained (at present) as rough grassland beyond which is housing. To the north west of the site is housing with rear gardens that abut the site. To the south west the site is bound by a mature belt of tree planting and understorey vegetation beyond which by approximately 20m is a footpath. The footpath provides access to Challenger Place, Cygnus Gardens and Claypits Lane.

2.3. A significant area of the proposed development site is currently rough grassland. A line of mature Oak trees and hedgerow runs through the site from north west to south east; to the north of the existing location of the Centre's buildings. The site is located within flood risk zone 1. Approximately 400m to the south west of the site lies The New Forest Site of Special Scientific Interest (SSSI).

## **3. Proposal**

3.1. Planning permission is sought for new teaching and learning accommodation to replace the existing Forest Education Centre. The current buildings comprise of temporary buildings that were erected in the early 2000's. The current buildings are in a poor condition. At present 60 pupils attend the Education Centre.

3.2. The new centre would provide teaching accommodation for up to 70 pupils between the ages of 11 and 16 who have been excluded from school or are considered too emotionally vulnerable to attend main stream education.

3.3. The new permanent build will comprise of:

- Eight general classrooms;
- Four specialist classrooms including science, design technology, food technology and art;

- Dining area;
- Hall;
- Staffroom;
- Offices for the management of the Centre;
- Meeting Room;
- Storage;
- Males, female and accessible WC's;
- Cleaner's Store; and
- Plant Room.

3.4. The site would be accessed off Cabot Drive leading to a staff car parking area and pupil drop off area in the north western area of the site. The Education Centre Buildings would be located to the north of the line of mature trees and intermittent hedgerow. Outdoor teaching areas and play areas would be sited to the south and south west of the building. In the most south western corner of the site an un-lit multi-use games area is proposed. The north western corner of the site would see the existing bund retained, with some re-sculpting being proposed. It is an aspiration of the Centre that this area would potentially be used for the rearing of goats, geese and ducks with a pond to be created. The existing polytunnel, glasshouse and shed would be retained with additional fruit tree planting being proposed.

3.5. The new Centre accommodation is to be single storey in height under a series of mono pitched roofs. The main entrance and hall would be oriented towards the vehicular and pedestrian entrance from Cabot Drive as shown on plan P09844-A-111 revL. The external walls would be clad in buff coloured facing brickwork combined with areas of hardwood timber boarding and glazing. The pitched roofs would be finished in standing seam zinc roof with zinc facias and felt to flat roof areas with zinc facias. The site would be bound by a 1.8 metre high weldmesh fence along the western and southern boundaries. Along the boundary of the car parking area the site would be bound by a hedgerow, new tree planting and a 1.8m close boarded fence. The eastern boundary of the site would be lined with a combination of 1.2 metre high estate style fencing and a 2.25m brickwork boundary wall. Lighting columns (5m in height with timer control) would be provided within the car parking area and wall mounted security lighting is to be provided to allow safe access around the site.

3.6. The Centre would require 18 teaching staff (14 FTE) and 14 non-teaching staff (11FTE). The proposed car parking area would provide 23 car parking bays with one accessible bay. Additionally there would be one space for the Centre's minibus, a motorcycle and two drop off spaces. Eight uncovered

cycle spaces are to be located adjacent to the main entrance. With six additional covered cycle spaces. The potential for a pedestrian and cycle route through the site linking the residential development to the footpath/cycleway alongside Applemore playing field has been considered through the development of the project however it is considered unfeasible. The reasons for this are given as the site area for the new building is constrained by the line of trees and the surface water sewer creating a long thin footprint. Therefore once the area requirements for the car park are added, there remains limited area for a cycle/footpath link to pass. Studies did consider a path running along the north west boundary but it was considered that it would have been narrow and bounded by garden fencing on one side and the Centre's close boarded fencing on the other which would create an uninviting environment which would probably lead to low use and possible anti-social behaviour. Further to this the area requirements for the centre and their aspiration for teaching rural skills meant that all the available site would be fully utilised for educational purposes.

- 3.7. The Centre would operate educational hours between 0830 and 1430 Monday to Friday during term times. Additional activities for pupils may take place outside these core hours. Staff would be on site over normal office working hours. It is a desire of the Centre Manager that the proposed Centre facilities are available for community use during weekday evenings until 10pm and from 9am to 10pm at weekends. At present there is no community use element to the Centre. It is envisaged that the community will be able to use the hall and dining area in the building year round and during the summer months, the MUGA and the grounds for community gardening.
- 3.8. The building would be designed to deliver low energy consumption with mechanical and electrical services being designed to provide an economical building to operate and maintain. High levels of insulation are to be used and a good airtightness strategy employed to achieve the environmental targets. Furthermore, the building's ventilation would generally be through natural means utilising window openings with manually controlled electrical actuators. Outdoor lighting would utilise high efficiency luminaires in accordance with CIBSE lighting code LG6 "The outdoor environment". To significantly reduce the environmental footprint of the development the buildings will be constructed using a cross laminated timber wall structure. No sprinklers are proposed following a fire risk assessment.
- 3.9. One category C tree is to be removed as is a small area of hedgerow planting to facilitate the construction of the new Centre car parking. Substantial areas of landscaping are proposed including hedgerow and tree planting along the northern site boundary, additional tree planting to the north of the existing line of mature oak trees and tree planting in areas along the eastern boundary with additional shrub planting. An emphasis would be given to planting that enables food production i.e. small fruit bushes. A mixture of hard surfacing treatment would be provided comprising of concrete paving blocks, sealed gravel and rubber crumb.

- 3.10. A Phase 1 ecological survey was undertaken with a Phase 2 reptile survey being completed. The existing rough grassland has been shown to support a population of slow worms and a single grass snake. The new Centre would result in the loss of suitable reptile habitat and therefore it is proposed that a translocation exercise would be undertaken. A strategy for capturing and removing the animals has been developed, and a suitable receptor site identified. Mitigation measures have been set out.

#### 4. **Development plan**

- 4.1. The appropriate development plan documents that should be considered are the New Forest District Council Local Plan Part 1: Core Strategy for New Forest District (outside the National Park) (October 2009) and Local Plan Part 2: Sites and Development Management (April 2013).
- 4.2. The relevant policies for consideration within the Local Plan Part 1 are: CS2 (Design quality), CS4 (Energy and resources use), CS8 (Community services and infrastructure) and CS24 (Transport Considerations).
- 4.3. The relevant policies for consideration within the Local Plan Part 2 are: NPPF1 (National Planning Policy Framework – Presumption in favour of sustainable development), DM1 (Heritage and Conservation), DM2 (Nature Conservation, biodiversity and geodiversity), DM9 (Green Infrastructure Linkages), HYD2 (Land off Cabot Drive, Dibden).

#### 5. **Consultations**

- 5.1. **Councillor Wade** has been consulted on the planning application, no comments have been received.
- 5.2. **New Forest District Council** recommendation within officer report to NFDC Committee is to raise no objection. The conclusion of the report states: Overall, although the proposal does not comply with every criterion of Policy HYD2, it is felt that the proposal would be sufficiently compliant with this policy as to be acceptable. It is felt the development would have an acceptable impact on the amenities of the wider area, and would not prejudice an acceptable future residential development in the northern part of the site. Accordingly, it is not considered that there is any reason to object to this application.
- 5.3. **New Forest District Council Environmental Health** has recommended that further information is required if use of the MUGA in the summer evenings and the use of the hall year round to determine whether there would be an impact on the local residents. In the planning application there was no noise information submitted to confirm the existing background noise levels or predicted noise levels. The proposed new building to the North will provide mitigation by acoustic attenuation and the belt of mature trees to the East is also likely to adequately attenuate the noise from the MUGA use. The properties in Cygnus Gardens and Courtier Close are likely to be affected.

Mitigation measures such as a 3m high bund have been recommended if a 2200 cut off time is to be agreed. With regard to the use of the School hall until 2200 it could cause a significant noise impact and complaint, due to the lack of sound attenuation within the roof area, causing a 'noise break-out' and also due to the high level of reverberation within the hall which increases the resultant noise levels significantly and reduce the customer experience of satisfaction due to the lack of speech intelligibility caused by the high reverberation. If the hall would be used for sporting events, then details of the sound insulation of the roof area should be provided as well as the level of reverberation within the hall. A condition might also be required to ensure that doors and windows on the West and North facing facades closest to properties in Cygnus Gardens and Courtier Close are kept closed when the hall is being used (subject to the level of noise expected).

5.4. **Environment Agency** raises no objection to the proposed development.

5.5. **Highway Authority** the increase in pupils is unlikely to have a significant impact on the highway network. The new staff parking to be provided is in line with the Hampshire's On-site School Parking Guidelines (April 2013). There will also be 2 drop off bays outside the main entrance for use by taxis dropping off pupils. Information has been provided regarding construction however a more comprehensive Construction Traffic Management Plan will need to be provided and a condition is recommended. The size of the development (more than 500 m<sup>2</sup>) would usually require the submission of a Transport Statement/Assessment and a Travel Plan. The Highway Authority is satisfied that the increase in pupil numbers of 10 or less will not have a significant impact on the highway network and as this development is close to the size threshold a Transport Statement/Assessment in this instance will not be required. A Travel plan should, however, be provided as a condition of the permission to ensure that any issues arising from the increase in pupil numbers can be mitigated as far as positive by the school in consultation with parents, governors and local residents.

5.6. **Natural England** raises no objection in relation to statutory nature conservation sites. If the proposed development is carried out in strict accordance with the details of the application, as submitted, it will not damage or destroy the interesting features for which the site has been notified.

5.7. **Hythe and Dibden Parish Council** recommends that planning permission is granted following consultation with the Parish on the application.

## 6. **Representations**

6.1. One letter of support has been received.

6.2. Five letters of concern have been received in relation to the planning application. Whilst the letters note that they have no objection in principle to the proposed permanent school. The residents' concerns relate to the potential for the remaining land to be subject to a housing planning

application. Concerns relate also to the sewer easement that runs along the rear boundary of the properties along Canterbury Drive. It is requested that alternative school layouts are considered to move the proposed MUGA to the rear of the Canterbury Drive so any potential housing is situated to the south of the school buildings. The last concern is related to the potential hours of use by the community and the residents object to the use of the Centre post 1800 hours.

## **7. Commentary**

- 7.1. The principle of the development is in accordance with the main purpose of Policy HYD2 as it provides the educational development that is recognised as being required within the policy. In addition Policy CS8 supports proposals for new and improved education facilities that result in improvements in meeting the needs of the Plan Area's population.
- 7.2. It is noted that five letters of objection have been received in relation to this planning application. The majority however state that they have no objection in principle to the proposed development of the Education Centre. The objections relate in the main to the location of the Education Centre and its associated MUGA. The residents would rather the MUGA be located within the northern part of the site so that potential housing is not. In the determination of this planning application solely the proposed development should be considered and any potential future housing is not an element of consideration; this is a matter for the District Council to consider should an application for housing be submitted. It is worth noting that Policy HYD2 has site-specific criteria; one element of this states that residential development should be located in the northern part of the site. The proposed development accords with this site specific criteria as it does not compromise the potential for residential development to be located within the northern part of the site, another is that there is the potential for open space provision and whilst the remaining area is small there is still the potential.
- 7.3. When considering Policy CS2 new developments are required to be well designed to respect the character, identity and context of the area. The proposed development will contribute positively to the local distinctiveness and sense of place of the area as it will provide a high quality designed permanent building that will replace the current Education Centre buildings which are all of a temporary modular build design. The scale, height and materials proposed will have a positive relationship to the adjoining buildings. Furthermore the layout of the development with the main entrance being visible from Cabot Drive will create an attractive street scene.
- 7.4. The nature of the development is the same as the existing Education Centre and whilst the location of the buildings is being altered the change will not result in an adverse increase in noise pollution and the development will not have an adverse impact on the local character of amenities during the normal Centre operational hours. It is noted that there is a desire for the Centre to be used by the wider community in the weekday evenings and between 0900

and 2200 at weekends. Advice from Environmental Health at New Forest District Council is that the use of the both the MUGA and buildings could give rise to a noise impact within the residential area at the times proposed. It is therefore recommended that the hours approved are reduced from desired 2200 to 2000 and that use only takes place between Monday and Friday. Furthermore, to ensure there is not an unacceptable level of noise from the buildings which are sited close to residential properties that during the evenings (1700-2000) that doors are required to be kept shut to ensure noise is appropriately attenuated to acceptable levels. Therefore, subject to conditions the Local Planning Authority are satisfied that there would not be an unacceptable noise impact from the proposed community use.

- 7.5. The design of the building is such that it would be built to a standard which minimises the consumption of energy through utilising economically efficient mechanical and electrical services to heat, water and light the building. The orientation and elements designed into the appearance of the building and landscaping will optimise natural sunlight. It is noted that there is no provision for the incorporation of renewable technology which would have been desirable. However it is considered that overall the proposed development would meet the majority of the aims of Policy CS4.
- 7.6. As required by Policy HYD2, CS2 and CS24 well integrated car parking and pedestrian/cycle routes are provided from Cabot Drive which appropriately link to existing highway, pedestrian and cycle routes. The pedestrian and cycle links will enable the encouragement of walking and cycling to the Centre and the layout of the development will ensure that all the staff parking requirements are provided for within the site boundary. The Highway Authority is satisfied that the staff parking guidelines have been met. The proposed additional number of pupils is not considered to have an impact on Cabot Drive or the local highway network. A School Travel Plan is required to meet the requirements of Policy CS24 to encourage the use of non-car modes of travel to the site in the interests of sustainable travel. It is recommended that this is conditioned. It is noted that within Policy HYD2 there is a desire for the overall development of this site to provide a pedestrian and cycle link through the site linking the development to the footpath/cycleway alongside Applemore playing fields. The proposed development does not achieve this link and reasons for this have been provided. The development does not therefore accord with this element of the policy and whilst this is regrettable the reasons are considered acceptable. Therefore on balance it is considered that the scheme's significant education benefits would outweigh the disadvantages of not securing the link on the basis that there remains the potential to provide a link between Cabot Drive and Canterbury Drive.
- 7.7. The location of the proposed new Education Centre buildings are to be on ground that has not been previously developed, this area has the potential to support archaeological heritage assets. Consequently Policy DM1 is necessary to consider. To understand the archaeological potential prior to construction it is necessary for an archaeological evaluation to be undertaken

to inform a mitigation strategy. To ensure the aims of the policy are met it is recommended that a condition is included to require the completion of the archaeological evaluation and production of a mitigation strategy if deemed necessary following evaluation.

- 7.8. Policy HYD2 requires the retention of existing trees and hedgerow across the site. The proposal does to a certain extent meet this requirement as the main established line of tree planting that crosses the site from the north west to south east is to be retained. The removal of one category C tree (Trees/Vegetation of low quality and value) is required to facilitate the construction of the car park along with a small area of hedgerow. The proposal incorporates significant replacement tree planting to ensure the existing line of vegetation is retained where feasible and further tree and hedgerow planting is proposed around the remainder of the site which will create additional links to adjoining green infrastructure. Overall it is considered that the integrity of the network of green infrastructure is retained and enhanced. The aims of Policy DM9 are therefore met.
- 7.9. Consideration has been given to the potential for the proposed development to impact the SSSI. Natural England is satisfied that the development, as proposed, will not adversely affect the site. The main issue for the site when considering potential biodiversity impacts is the presence of reptile populations. The detailed reptile survey identifies that there is a need to translocate the reptiles off site due to the number of animals present. The identified donor site is a distance from the site, in a different District. Therefore there is a loss of biodiversity from the site. Whilst this is not of an overriding concern there is the need to secure a detailed mitigation strategy to enable the future management, monitoring and land use of the receptor site to be secured. To date an outline scheme has been provided that seeks to avoid impacts to the individual animals during the works so further information secured through the proposed conditions can appropriately develop this information. The mitigation measures secured through condition ensures that there will not be an adverse affect to the reptile species. The requirements of Policy DM2 have therefore been met.
- 7.10. In summary, it is considered that the proposal is in accordance with the development plan and it therefore accords with Policy NPPF1 and should be approved if no overriding material considerations indicate otherwise. The Education Centre would provide an improved, permanent replacement facility with a community element that meets the aims of Policy HYD2 and CS8. The proposed development is of a high quality design which is similar in scale, height and materials that will respect the character of the area and positively contribute to the street scene (CS2), with the design standard of the building being such that it will minimise energy consumption (CS4). The retention of existing trees and hedgerows with replacement and enhanced tree and vegetation planting will retain and add to the green linkages on the site (DM9). The car parking provision on site meets Staff Parking Guidelines and the proposed entrance appropriately secures pedestrian and cycle links to Cabot Drive (CS24). There are satisfactory mitigation measures proposed to

ensure there is no significant adverse impact to archaeological heritage or biodiversity (DM1 and DM2).

**8. Recommendation**

- 8.1. That planning permission in respect of the construction of a new build single storey Education Centre at The Forest Education Centre, Cabot Drive, Dibden, Southampton, SO45 5UQ. (Application No. 14/10310) (Site ref: NFE044) be approved, subject to the conditions listed in integral Appendix B.

RefRpt/5851/KK

**CORPORATE OR LEGAL INFORMATION:****Links to the Corporate Strategy**

<b>Hampshire safer and more secure for all:</b>	No
Corporate Improvement plan link number (if appropriate):	
<b>Maximising well-being:</b>	No
Corporate Improvement plan link number (if appropriate):	
<b>Enhancing our quality of place:</b>	No
Corporate Improvement plan link number (if appropriate):	
<b>OR</b>	
<b>This proposal does not link to the Corporate Strategy but, nevertheless, requires a decision because:</b>	
The proposal does not link to the Corporate Strategy but, nevertheless, requires a decision because the proposal is an application for planning permission and requires determination by the County Council in its statutory role as the minerals and waste planning authority.	

**Section 100 D - Local Government Act 1972 - background documents**

**The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)**

<u>Document</u>	<u>Location</u>
A new build single storey Education Centre at The Forest Education Centre, Cabot Drive, Dibden, Southampton, SO45 5UQ. (Application No. 14/10310) (Site ref: NFE044)	County Planning Elizabeth II Court West The Castle Winchester SO23 8UD

## CONDITIONS

### Time Limits

1. The development hereby permitted shall be begun before the expiration of three years from the date on which this planning permission was granted.

Reason: To comply with Section 91(as amended) of the Town and Country Planning Act 1990.

### Plans and Particulars

2. The development hereby permitted shall be carried out and completed strictly in accordance with the approved plans, specifications and written particulars identified within the decision notice.

Reason: To ensure that the development is carried out in accordance with the approved details.

### Hours of Working

3. There shall be no access to the development site by any traffic associated with the construction/demolition (i.e. no delivery vehicles, no contractors' cars, nor plant and machinery) in the morning between 0830 and 0915; and in the afternoon between 1400 and 14.30.

Reason: In the interests of public safety, to avoid traffic conflict at the times of the day when pupils are arriving at and departing from school.

4. No work relating to the construction of the development approved, including works of preparation prior to operations, the delivery of construction materials, skips or machinery, nor the removal of waste materials, shall take place before 0800 or after 1800 Monday to Friday inclusive, before 0800 or after 1400 on Saturday and not at all on Sunday or recognised public holidays.

Reason: To protect the amenities of occupiers of nearby properties.

### Hours of Use

5. The Forest Education Centre buildings and grounds shall only be used by the community until 2000 Monday to Friday. Between the hours of 1700 and 2000 all doors to the Education Centre shall remain closed.

**Reason:** To protect the amenities of occupiers of nearby properties and ensure that noise is appropriately attenuated so there is no significant noise impact.

### Materials

6. Samples and/or details of the materials and finishes to be used for the external walls and roofs of the proposed buildings shall be submitted to and approved by the Local Planning Authority in writing before the development commences.

**Reason:** In the interests of visual amenity and to secure a high quality development in accordance with Policy CS2 of the New Forest District Council Local Plan Part 1: Core Strategy for New Forest District (outside the National Park) (October 2009).

### Highways

7. No development hereby permitted shall commence until a Construction Traffic Management Plan, to include details of provision to be made on site for contractor's parking, construction traffic access, the turning of delivery vehicles and lorry routeing as well as provisions for removing mud from vehicles and a programme of works has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development hereby permitted is commenced and retained throughout the duration of construction.

**Reason:** In the interests of highway safety in accordance with Policy CS24 of the New Forest District Council Local Plan Part 1: Core Strategy for New Forest District (outside the National Park) (October 2009).

8. The development hereby permitted shall not be occupied until such time as a Travel Plan has been submitted and approved by the Local Planning Authority.

**Reason:** To promote sustainable travel and reduce reliance on the private car in accordance with Policy CS24 of the New Forest District Council Local Plan Part 1: Core Strategy for New Forest District (outside the National Park) (October 2009).

## Tree Protection

9. The development shall be carried out in accordance with the Arboricultural Method Statement (dated 30<sup>th</sup> April 2014).
- Reason: To ensure the protection of the existing tree belt thereby retaining the natural features in accordance with Policy DM9 of New Forest District Council Local Plan Part 2: Sites and Development Management (April 2013).
10. The development shall be carried out in accordance with the Tree Protection and Plan (11/11/2013) Drawing Number 703.
- Reason: To ensure the protection of the existing tree belt thereby retaining the natural features in accordance with Policy DM9 of New Forest District Council Local Plan Part 2: Sites and Development Management (April 2013).
11. An arboricultural consultant must be employed to be present at the pre-start meeting and at monthly intervals thereafter to check on tree protection. All works within the Root Protection Area must be supervised by the arboricultural consultant.
- Reason: To ensure the protection of the existing tree belt thereby retaining the natural features in accordance with Policy DM9 of New Forest District Council Local Plan Part 2: Sites and Development Management (April 2013).

## Nature Conservation

11. Works shall be carried out in full accordance with the measures set out within section 5 of the Phase 1 Ecology Survey and Phase 2 Reptile Survey (Hampshire County Council Team, February 2014).
- Reason: In order to secure adequate ecological mitigation and enhancement in accordance with the aims of Policy DM2 of the New Forest District Council Local Plan Part 2: Sites and Development Management (April 2013).
12. Prior to the commencement of development or any works on site, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the LPA, and thereafter implemented as approved. The CEMP shall be in accordance with the measures set out within section 5 of the Phase 1 Ecology Survey and Phase 2 Reptile Survey (Hampshire County Council Team, February 2014) and include (not necessarily exclusively) details of:
- a) Measure to protect exiting habitats including the watercourse, pond/wetland and hedgerow such as through use of temporary construction fencing;
  - b) Details of pollution prevention measures to be implemented; and
  - c) Details of construction lighting.

Reason: In order to secure adequate ecological protection measures in accordance with the aims of Policy DM2 of the New Forest District Council Local Plan Part 2: Sites and Development Management (April 2013).

13. Prior to the commencement of development or works on the site including clearance, a Reptile Mitigation Strategy shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented as approved. The Strategy shall include:
- a) Detailed timings and schedule for the mitigation works;
  - b) Details of ecological supervision of all stages of the translocation works;
  - c) Details of carrying capacity enhancing works to the receptor site to be carried out prior to translocation occurring;
  - d) Future management of the receptor site with details of who will be responsible for carrying out this management, and
  - e) A detailed plan for future (habitat and species) monitoring of the receptor site, and the reporting of this monitoring and resulting revision of the management strategy.

Reason: In order to secure sufficient reptile mitigation in accordance with the aims of Policy DM2 of the New Forest District Council Local Plan Part 2: Sites and Development Management (April 2013).

14. Prior to the commencement of development, a lighting scheme shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented as approved. The lighting scheme shall be in accordance with the measures set out within section 5.2.22 of the Phase 1 Ecology Survey and Phase 2 Reptile Survey (Hampshire County Council Team, February 2014).

Reason: In order to avoid ecological impacts of lighting in accordance with the aims of Policy DM2 of the New Forest District Council Local Plan Part 2: Sites and Development Management (April 2013).

15. Prior to the commencement of development, a detailed landscaping and ecological enhancement plan shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented as approved. This shall include, not necessarily exclusively:
- a) Details of proposed planting in line with section 5.3.1 of the Phase 1 Ecology Survey and Phase 2 Reptile Survey (Hampshire County Council Team, February 2014);
  - b) A detailed strategy for reinstatement and management of meadow habitat within the site once construction is completed;
  - c) Buffer planting of the retained hedgerow in line with section 5.2.1 of the Phase 1 Ecology Survey and Phase 2 Reptile Survey (Hampshire County Council Team, February 2014) and provision of ecological enhancements in line with section 5.3.2 of the Phase 1 Ecology Survey and Phase 2 Reptile Survey (Hampshire County Council Team, February 2014);
  - d) Details of hard landscaping areas including car parking.

Reason: In order to secure a high quality design and sufficient ecological mitigation and enhancements in line with the requirements of the NPPF and Policy DM2 and DM9 of the New Forest District Council Local Plan Part 2: Sites and Development Management (April 2013).

### **Archaeological Heritage**

16. Prior to development commencing a preliminary archaeological survey shall be completed to include mitigation measures if required when considering the results of the survey. The survey shall be submitted to the Local Planning Authority for approval and the mitigation measures shall be implemented as approved.

Reason: In the interests of protecting the archaeological heritage assets in accordance with Policy DM1 of the New Forest District Council Local Plan Part 2: Sites and Development Management (April 2013).

### **Advice Note**

In determining this planning application, the Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application by liaising with the applicant/agent and discussing changes to the proposal where considered appropriate or necessary. This approach has been taken positively and proactively in accordance with the requirement in the NPPF, as set out in the Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2012.

*Annexe to Reasons for Conditions  
(as required by Article 31 of the Town and Country Planning  
(Development Management Procedure) (England) Order  
2010)*

**Local Plan Part 1 – New Forest District (outside the National Park) Core Strategy (October 2009)**

### **Policy CS2 Design quality**

New development will be required to be well designed to respect the character,

identity, and context of the area's towns, villages and countryside.

All new development will be required to contribute positively to local distinctiveness and sense of place, being appropriate and sympathetic to its setting in terms of scale, height, density, layout, appearance, materials, and its relationship to adjoining buildings and landscape features, and shall not cause unacceptable effects by reason of visual intrusion, overlooking, shading, noise, light pollution or other adverse impact on local character and amenities.

New development will be required to:

- (a) provide public and private spaces that are well-designed, safe, attractive, and complement the built form;
- (b) be accessible to those with disabilities, and designed to minimise opportunities for anti-social and criminal behaviour;
- (c) incorporate well integrated car parking, and pedestrian routes and, where appropriate, cycle routes and facilities; and
- (d) provide appropriate green spaces and landscaping (see Policy CS7 below).

New buildings should be flexible to respond to future social, technological and economic needs.

All new buildings should be designed to meet sustainable building standards and utilise Sustainable Urban Drainage systems (SUDS) wherever practical.

New homes should be built to a standard capable of adaptation to enable people to remain in their homes in old age. All new homes constructed after 1st January 2013 (2011 for affordable housing) should be built to Lifetime Homes Standard.

#### **Policy CS4 Energy and resource use**

High standards of energy efficiency and efficient water use in existing developments will be promoted wherever possible through retro-fitting.

All new development should be built to a standard which minimises the consumption of resources during construction and thereafter in its occupation and use.

New development will be required to:

- (a) demonstrate high standards of energy efficiency;
- (b) incorporate energy-efficient passive solar design principles wherever possible;
- (c) maximise opportunities for the micro-generation of renewable energy. Renewable, low carbon and de-centralised energy will be encouraged in all development, and developments of more than 10 dwellings or 1000m<sup>2</sup> of non-residential floorspace will be required to provide at least 10% of their energy from these sources unless (having regard to the type of development involved and its design,) this is not feasible or viable;
- (d) use recycled materials in construction where possible;
- (e) achieve a decrease of between 8% and 20% in water use (compared to the national average in 2005) for all new developments and help promote more

efficient water use in existing developments and as set out in the South East Plan; and

(f) include sustainable urban drainage systems where feasible;

recognising that these measures may involve the use of innovative building design, styles and techniques.

New homes will be required to meet requirements in the Code for Sustainable Homes, achieving a minimum of Level 3 from 2010 to 2012, Level 4 from 2012 to 2016, and Level 6 from 2016, with particular emphasis on water efficiency. New commercial buildings over 1000 sq. m. built before January 2012 will be required to meet the BREEAM 'very good' standards up to 2012, and thereafter the BREEAM 'excellent' standards.

Local opportunities to contribute towards energy supply from renewable and low-carbon technologies will be facilitated where there is no over-riding adverse local impact.

### **Policy CS8 Community services and infrastructure**

New Forest District Council will work with service and infrastructure providers with the aim of ensuring the delivery of adequate infrastructure and services, (Chapter 10 and the Delivery Plan) to serve existing and proposed development in the Plan Area and support the local economy, ensuring that any adverse impacts arising are minimised, and that decisions on the provision of such infrastructure are taken on the basis of environmental sustainability as well as cost. Attention will be given to addressing the needs of areas of particular social deprivation.

Proposals for new and improved health care, education and social facilities that result in improvements in meeting the needs of the Plan Area's population will be supported. These facilities should be well related to public transport infrastructure, and should provide high standards of accessibility to all sectors of the community. In rural communities and other areas with poor public transport, support will be given to innovative schemes to secure the local delivery of public services. Delivery of some services through the use of mobile services and technology will be encouraged where this results in better local provision.

There will be a presumption against any development that involves the loss of education, health, social and other publicly provided community services, except where it is part of a service provider's plans to provide improved local services in equally accessible locations.

Suitable alternative uses, and environmental improvements, will be sought for major built infrastructure that has reached the end of its useful life (including Fawley Power Station if it should be decommissioned).

### **Policy CS24 Transport considerations**

The spatial strategy seeks to promote improvements in the quality and sustainability of transport infrastructure in the following ways:

To minimise the impact of new development on the existing transport infrastructure, where appropriate, development proposals will be required to:

- (a) include a range of appropriate mitigating transport measures, particularly aimed at improving accessibility by non-car modes and reducing the adverse impact of traffic;
- (b) ensure that adequate lorry access routes are available and suitable;
- (c) ensure necessary transport improvements are addressed prior to development;
- (d) produce and implement Transport Assessments and Site Travel Plans, as appropriate.

New land allocations should be in locations where good pedestrian routes can be provided to the town or local centre. Where appropriate the development shall make provision for improvements to pedestrian and cycle routes running alongside or through the site.

Walking and cycling will be promoted by:

- Safeguarding land for improvements to pedestrian and cycle networks.
- Ensuring all development has safe and convenient links to:
  - existing pedestrian and cycle routes
  - proposed pedestrian and cycle routes including those on adjacent developments.

Contributions will be sought to improve pedestrian and cycle routes and assist public transport to improve accessibility by non-car modes.

Development proposals will be assessed in relation to the Council's published parking standards. These set out the maximum provision to be made for different types of development proposals.

Management measures will ensure town centre car parks are used efficiently and effectively, and in the interests of maintaining the vitality of the town centre.

Measures to improve pedestrian and road safety will be supported, including by ensuring new development accords with Government and Highway Authority design guidance related to road safety.

## **Local Plan Part 2: Sites and Development Management**

### **Policy NPPF1: National Planning Policy Framework - Presumption in favour of sustainable development**

When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or
- Specific policies in that Framework indicate that development should be restricted.

#### **Policy DM1: Heritage and Conservation**

a.) Development proposals and other initiatives should conserve and seek to enhance the historic environment and heritage assets, with particular regard to local character, setting, management and the historic significance and context of heritage assets.

In particular:

- All heritage assets will be protected in proportion to their significance. The more significant the heritage asset, the greater the presumption in favour of its conservation.
- Development proposals should conserve or enhance the significance, character and appearance of heritage assets.
- Any development that may affect archaeological remains should demonstrate the likely impact upon the remains and where appropriate include mitigation measures to reduce the impact. Any information gained as a result of the investigation should be publically available.
- Development proposals should respect historic road, street and footpath patterns that contribute to the character and quality of an area.

b) In assessing the impacts of a proposal on any heritage asset, account will be taken of:

- The impact of the proposal on the heritage asset and its significance, with regard to the nature of the significance of the heritage asset and the value that it holds for this and future generations
- The impact of the proposal on the setting of the heritage asset
- The impact of the proposal on public access to, and enjoyment and appreciation of, the heritage asset.

If there would be harm to the heritage asset, account will be taken of:

- How any conflict between climate change objectives and the conservation of the heritage asset is addressed and mitigated
- Whether the public benefits of a proposal outweigh any harm caused to the heritage asset. Exceptions to the principle of safeguarding heritage assets from inappropriate development will only be considered where substantial harm is avoided and where the public benefits of a proposed development can be clearly demonstrated to outweigh the level of harm to the significance of the heritage asset.

c) Where appropriate and necessary to secure the long term future of a heritage asset, in particular where it is in a poor condition or at risk, an exception may be made to other local plan policies, providing:

- the nature of the heritage asset means it is not suitable for all reasonable uses of the site which accord with local plan policies
- the proposal will not materially harm the significance of the heritage asset and its setting, and is sympathetic to its conservation
- any variance in, or departure from, other policies is minimised to that necessary to secure the heritage asset, and the benefits of securing the long term conservation of the heritage asset outweigh the disbenefits.

d) The local planning authority will work with others, and in particular with local communities, to identify, record and give appropriate recognition to heritage assets not subject to a national designation, but which are of local significance.

### **DM2: Nature conservation, biodiversity and geodiversity**

Development proposals which would be likely to adversely affect the integrity of a designated or candidate Special Area of Conservation (SAC), classified or potential Special Protection Area (SPA), or listed Ramsar site will not be permitted unless there is no alternative solution and there are imperative reasons of overriding public interest which would justify the development.

Development proposals within or outside a Site of Special Scientific Interest (SSSI) which would be likely to adversely affect the site will not be permitted unless the benefits of the development outweigh both the adverse impacts on the site and any adverse impacts on the wider network of SSSIs.

Development which would result in damage to or loss of a site of biodiversity or geological value of regional or local importance (including Sites of Importance for Nature Conservation (SINC), Local Nature Reserves (LNR), Regionally Important Geological/Geomorphological Sites (RIGGS), and habitats of species of principal importance for biodiversity) will not be permitted unless the benefits of the development clearly outweigh the harm it would cause to the site, and the loss can be mitigated to achieve a net gain in biodiversity/geodiversity.

Development proposals will be expected to incorporate features to encourage biodiversity and retain and, where possible, enhance existing features of nature conservation value within the site. Existing ecological networks should be

identified and maintained to avoid habitat fragmentation, and ecological corridors should form an essential component of green infrastructure provision in association with new development to ensure habitat connectivity.

Where development is permitted, the local planning authority will use conditions and/or planning obligations to minimise the damage, provide mitigation and site management measures and, where appropriate, compensatory and enhancement measures.

Development will not be permitted which would adversely affect species of fauna or flora that are protected under national or international law, or their habitats, unless their protection can be adequately secured through conditions and/or planning obligations.

#### **DM9: Green Infrastructure linkages**

Development proposals should maintain, and where possible enhance, the integrity of the network of green infrastructure within settlements.

In designing new development, even where the loss of some trees and hedgerows or other existing green infrastructure is unavoidable, developers should seek to:

- Retain identified 'Landscape features';
- Minimise the loss of existing 'green' features on a site;
- Maximise the potential to create links with adjoining green infrastructure;
- Provide natural green space within a development; and
- Maintain or create wildlife corridors through a site.

The following green infrastructure linkage features, which have an important role in providing connectivity between other green infrastructure and open spaces, will be identified in the Green Infrastructure Strategy Supplementary Planning Document:

- (i) 'green links' between green spaces within the settlements and between the built-up area and the countryside;
- (ii) 'green buffers' between development and major transport routes;
- (iii) Tree-lined streets and streets with spacious verges;
- (iv) Watercourses and their banks.

The presence of these features should be taken into account and influence the design of development proposals.

#### **HYD2: Land off Cabot Drive, Dibden**

Land off Cabot Drive is allocated for residential development, including affordable homes in accordance with Policy CS15(d), and education development. The site will be developed in accordance with the following site specific criteria:

- Residential development to be located in the northern part of the site;
- Retention of existing trees and hedgerow across the site;
- Provision of a pedestrian and cycle route through the site linking the residential development to the footpath/cycleway alongside Applemore playing fields;

- Provision of public open space in accordance with Core Strategy Policy CS7, to include natural play space for young children on the site.