

HEWEB – Hedge End, West End and Botley Local Area Committee Monday
17 May 2019.

Application Number: O/18/82750
Case Officer: Liz Harrison
Received Date: 16 March 2018
Site Address: Land at Netley Firs, Kaneshill, SOUTHAMPTON, SO19 6AJ
Applicant: Redlane Ltd.
Proposal: Outline application for the demolition of existing buildings and erection of 23 employment units (up to 5,905 sqm of floor space) with units 12-20 for Use Class B1(b) and (c) and units 1-11 and 21-23 for Use Class B2 and associated car parking and access. Detailed matters considered: Access and layout.

Recommendation:

Subject to

- i) Receipt of satisfactory amended plans and additional information to address outstanding issues relating to Ecology, Environmental Health and Highways;**
- ii) Satisfactory completion of consultations;**
- iii) Any resultant amendments or additions to conditions; and**
- iv) Completion of S106 legal agreement**

then delegate to Head of Housing & Development, in consultation with Chair and Vice-Chair of HEWEB Local Area Committee to

PERMIT

CONDITIONS AND REASONS:

- (1) The development hereby permitted shall begin either:
 - a) No later than the expiration of three years from the date of this permission; OR
 - b) No later than the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990

- (2) No development shall start until details of the:
 - a) scale of the buildings,
 - b) external appearance of the buildings, and
 - c) landscaping of the site

(hereafter called "the reserved matters") have been submitted to and approved in writing by the Local Planning Authority. Application for the approval of the reserved matters shall be made within three years of the date of this permission. The development shall accord with the approved details.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

- (3) The development hereby permitted shall be implemented in accordance with the following plans numbered 16030-400 rev H and 020.0288.001 rev F

(N.B draft list to be updated to reflect submission any amended plans)

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

- (4) The development hereby approved shall be used only for purposes within Classes B1b, B1c in units 12-20 and Class B2 in units 1-11 and 21-23 of the schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to those Classes in any statutory instrument revoking and re-enacting that Order with or without modification) and for no other purposes.

Reason: In the interests of highway safety and local amenity.

- (5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any order revoking or re-enacting that order with or without modification) no development permitted by Part 3 of Schedule 2 of the Order shall be carried out without the prior written approval of the Local Planning Authority.

Reason: To protect the amenities of the locality and to maintain a good quality environment.

- (6) The landscaping details required to be submitted and approved as reserved matters under condition 2 above shall cover all hard & soft landscaping (including trees and boundary treatments) and shall provide details of timings for all landscaping and future maintenance, to be set out in a landscape management plan and maintenance schedule. The landscaping works shall be carried out and maintained in accordance with the approved plans and schedule, to the appropriate British Standard.

Reason: In the interests of the biodiversity, character and visual amenity of the locality and to safeguard the amenities of neighbouring residents.

- (7) No development shall take place until the applicant has secured the implementation of a programme of archaeological assessment in accordance with a Written Scheme of Investigation (WSI) that has been submitted to and approved by the Planning Authority in order to recognise, characterise and record any archaeological features and deposits that may exist within the site. The assessment should take the form of trial trenching across the entirety of the site (with the exception of the footprints of existing buildings or within the boundaries of current Tree Preservation Orders). If the results of the assessment are deemed significant enough by the Local Planning Authority, then a programme of archaeological mitigation of impact, based on the results of the trial trenching, should be carried out in accordance with a further Written Scheme of Investigation that has been submitted to and approved by the Local Planning Authority. Following the completion of all archaeological fieldwork, a report will be produced in accordance with an approved programme including, where appropriate, a post-excavation assessment consisting of specialist analysis and reports together with a programme of publication and public engagement.

Reason: To secure appropriate measures to investigate, record and if necessary protect any archaeological resource within the site that may comprise a heritage asset.

- (8) No construction, site clearance or demolition work shall start until a Construction Environment Method Statement has been submitted to, and approved in writing by, the Local Planning Authority.

Demolition and construction work shall only take place in accordance with the approved method statement which shall include:

- a) a programme and phasing of the demolition and construction work, including roads, footpaths, landscaping and open space;
- b) the location of temporary site buildings, compounds, construction material storage areas and plant storage areas to be used during demolition and construction;
- c) the arrangements for the routing/ turning of lorries and details for construction traffic access to the site;
- d) the arrangements for deliveries associated with all construction works, loading/ unloading of plant & materials and restoration of any damage to the highway (including vehicle crossovers and grass verges);
- e) the parking of vehicles of site operatives and visitors;
- f) the provision for storage, collection, and disposal of rubbish from the development during the construction period;
- g) measures to prevent mud and dust on the highway during demolition and construction, including wastewater drainage arrangements for any wheel washing facilities;
- h) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;

- i) temporary lighting;
- j) protection of pedestrian routes during construction, and
- k) details of safe vehicle and plant manoeuvring practices, including reversing, which do not rely on audible alarms.

Reason: To limit the impact the development has on the amenity of the locality.

- (9) Prior to the commencement of any demolition or construction operations (including piling) on the site a detailed assessment of the noise and vibration impacts arising from these operations and a scheme of measures for the mitigation of these impacts shall have been submitted to and approved in writing by the Local Planning Authority. The assessment shall be undertaken in line with BS4142:2014. The demolition and construction phase of the approved development shall be carried out only in strict accordance with the approved mitigation scheme, and the implementation of the measures set out there in shall be verified by the submission to and approval in writing by the Local Planning Authority of a verification report of such implementation.

Reason: To minimise the effect of noise and vibration pollution on human health and amenity and on the natural environment.

- (10) No demolition or construction work shall begin until a dust assessment and a scheme of works to deal with dust from the site (that takes into account the impact of site preparation and construction works on existing and proposed dwellings and the ecological environment of and adjoining the site) have been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail the mitigation measures for protecting existing and proposed dwellings from dust, and the local environment, as deemed necessary by the Local Planning Authority. The assessment shall have due regard to current advice and guidance.

Reason: To protect the amenity of occupiers of existing and proposed dwellings, and to safeguard from damage the local environment.

- (11) The development shall accord with the Pre-Development Arboricultural Survey, reference "KH-080818-01" produced by Kingfisher Ecology dated 08/08/2018. No trees shall be removed, beyond those stated in the survey.

Reason: to retain and protect the existing trees which form an important part of the amenity of the locality.

- (12) No excavation, demolition or development related works shall take place on site until the measures set out in an arboricultural method statement and in a scaled and referenced tree protection plan, as per British Standard 5837:2012 (Trees in Relation to Design, Demolition and Construction – Recommendations), which shall have been

submitted to and approved in writing by the LP, have been implemented in full. The approved tree protection measures may only be modified with the written agreement of the Local Planning Authority.

Reason: To retain and protect the existing trees which form an important part of the amenity of the locality.

- (13) No excavation, demolition or development related works shall commence until evidence has been submitted to and approved by the Local Planning Authority that the tree protection measures have been installed, as per the approved tree protection plan. Once approved, no access by vehicles, no placement of goods, chemicals, fuels, soil equipment or materials nor any construction or other activities shall take place within the fenced area. Tree protection measures shall be retained in their approved form for the duration of the work. This condition may only be fully discharged upon completion of the proposed development.

Reason: To retain and protect the existing trees which form an important part of the amenity of the locality.

- (14) No development shall take place until levels details, including cross sections to show the proposed ground levels and their relationship to existing levels both within the site and on immediately adjoining land.

Reason: To limit the impact the development has on the locality and to retain and protect the existing trees and landscaping which form an important part of the amenity of the locality.

- (15) No development shall take place until construction details of the proposed pedestrian link from Kanes Hill A27 have been submitted to and approved in writing by the Local Planning Authority. The details shall demonstrate how the path can be constructed without damage to the protected trees. Development shall be carried out in accordance with the approved details.

Reason: To retain and protect the existing trees which form an important part of the amenity of the locality.

- (16) The landscaping details required to be submitted and approved as reserved matters under condition 2 above shall cover all hard & soft landscaping (including trees and boundary treatments) and shall provide details of timings for all landscaping and future maintenance, to be set out in a landscape management plan and maintenance schedule. The landscaping works shall be carried out and maintained in accordance with the approved plans and schedule, to the appropriate British Standard.

Reason: In the interests of the biodiversity, character and visual amenity of the locality and to safeguard the amenities of neighbouring residents.

- (17) No development shall start until a detailed strategy and method statement for the removal of invasive plants has been submitted to and approved in writing by the Local Planning Authority. The development shall then accord with the approved method statement.

Reason: To maintain the value of the locality for biodiversity.

- (18) No development shall start until a detailed Habitat Enhancement and Management Plan, (to include but not be limited to proposals for rhododendron removal, integrated bird and bat boxes within the buildings and species rich grassland, and the maintenance thereof) has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented and operated in strict accordance with the approved Plan.

Reason: To maintain the value of the locality for biodiversity.

- (19) No development shall be commenced on the site until a scheme of external lighting for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the position of each lighting unit, any above ground or underground infrastructure to serve it, and the intensity, colour, orientation, cast, hours of illumination and mechanism for operation of its light emissions. All external lighting shall thereafter accord with the approved scheme and no additional external lighting shall be installed or operated on the site unless separately approved in writing by the Local Planning Authority.

Reason: In the interests of amenity and to maintain the value of the locality for biodiversity.

- (20) No work shall commence on site until the following has been submitted to, and approved in writing by the Local Planning Authority:

- a) A report of preliminary investigations comprising a desk study, conceptual site model, and preliminary risk assessment, documenting previous and existing land uses of the site and adjacent land in accordance with national guidance and as set out in Contaminated Land Report Nos. 11, CLR11, and BS 10175:2011+A2:2017 'Investigation of potentially contaminated sites - Code of Practice', and, unless otherwise agreed with the Local Planning Authority,
- b) A report of an intrusive site investigation documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the preliminary investigation and in

accordance with BS10175:2011, and BS 8576:2013, and unless otherwise agreed with the Local Planning Authority.

- c) A detailed site specific scheme for remedial works and measures to be undertaken to avoid the risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring

Such a scheme shall include nomination of a competent person to oversee the implementation of the works.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors.

- (21) The development hereby permitted shall not be occupied / brought into use until there has been submitted to the Local Planning Authority verification by the competent person approved under the provisions of condition 20(c) that any remediation scheme required and approved under the provisions of condition 20(c) has been implemented fully in accordance with the approved details (unless varied with the written permission of the Local Planning Authority in advance of implementation).

Unless agreed in writing with the Local Planning Authority such verification shall comply with the guidance contained in CLR11 and EA Guidance for the Safe Development of Housing on Land Affected by Contamination - R&D Publication 66: 2008. Typically such a report would comprise:

- a) A description of the site and its background, and summary of relevant site information,
- b) A description of the remediation objectives and remedial works carried out
- c) Verification data, including - data (sample locations/analytical results, as built drawings of the implemented scheme, photographs of the remediation works in progress, etc.
- d) Certificates demonstrating that imported and / or material left in situ is free from contamination, gas / vapour membranes have been installed correctly.

Thereafter the scheme shall be monitored

Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with

those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors.

- (22) All development shall be stopped immediately in the event that contamination not previously identified is found to be present on the development site and details of the contamination shall be reported immediately in writing to the Planning Authority. Development shall not re-start on site until the following details have then been submitted to and approved in writing by the Planning Authority:
- a) A scheme and sampling strategy outlining a site investigation and risk assessment designed to assess the nature and extent of any contamination on the site.
 - b) A written report of the findings of this investigation which shall include a description of the extent, scale and nature of contamination, an assessment of all potential risks to known receptors, an update of the conceptual site model (devised in the desktop study), identification of all contaminant linkages and unless otherwise agreed in writing by the Local Planning Authority and identified as unnecessary in the written report, an appraisal of remediation options and proposal of the preferred option(s) identified as appropriate for the type of contamination found on site, and (unless otherwise first agreed in writing by the Planning Authority),
 - c) A detailed remediation scheme designed to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment. The scheme should include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works, site management procedures and a verification plan outlining details of the data to be collected in order to demonstrate the completion of the remediation works and any arrangements for the continued monitoring of identified contaminant linkages.

Before any part of the development is first occupied or used (unless otherwise first agreed in writing by the Local Planning Authority) a verification report demonstrating the effectiveness of the remediation works carried out and a completion certificate confirming that the approved remediation scheme has been implemented in full shall both have been submitted to and approved in writing by the Planning Authority.

The above site works, details and certification submitted shall be in accordance with the approved scheme and undertaken by a competent person in accordance with best practice as outlined in BS10175:2011+A2 2017 and CLR11. Any gas monitoring deemed

appropriate is to be in accordance with best practice as outlined in such documents as BS8576:2013, BS 8485:2015, Claire RB17 and CIRIA C665.

Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land, together with those to controlled waters, property and ecological systems, are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors.

- (23) Construction of the development shall not commence until details of the proposed means of foul water sewerage disposal for the site have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details, and shall be so maintained for the duration of the occupation of the development. Occupation of the development shall be phased to align with the delivery of any necessary sewerage infrastructure, to prevent an increased risk of flooding.

Reason: To secure an appropriate means of dealing with foul sewage from the development, in the interests of human health and amenity, and to protect the natural environment.

- (24) No above ground development shall begin until a surface water drainage scheme for the site, based on sustainable drainage principles, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before development is completed. The scheme shall be based upon the principles within the following documents:

- 020.5288.001 "Site Layout: Drainage Strategy Sheet 1 of 2"
- 020.5288.002 "Site Layout: Drainage Strategy Sheet 2 of 2"
- 020.5288.003 rev B "Drainage Details"
- 020.5288.004 "Existing Flow Paths"
- 020.5288.005 rev A "Drainage Design Catchment Areas"
- Trail Pit Soakage Test Results rec/d 10.12.18
- Micro Drainage results dated 16.11.18
- Paul Basham Associates Drainage Strategy Technical Note 020.5288/TN/1, August 2018
- Paul Basham Associates Drainage Strategy Technical Note 020.5288/TN/2, December 2018

and shall also include:

- Further infiltration testing at formation level of the proposed permeable paving areas;
- Full results of the proposed drainage system modelling for the 1:100 year events plus climate change, inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep;

- Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe and manhole reference numbers and catchment plans;
- Full details of the proposed Suds features and any flow control measures;
- Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants and third party land;
- Details of the measures taken to prevent pollution of the receiving groundwater in accordance with the water quality criteria set out in the Ciria SuDS Manual, and
- Details for the long-term maintenance arrangements for the surface water drainage system (including all SuDS features).

The submitted details shall identify runoff sub-catchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan shall clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter.

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no flood risk on or off site resulting from the proposed development.

(25) Prior to the occupation of any building within each individual phase of the development (or, in accordance with a timetable to be agreed in writing with the Local Planning Authority), the following shall be submitted to and approved in writing by the Local Planning Authority:

- a report showing how the development meets the relevant essential requirements in the Eastleigh Borough Council's adopted Environmentally Sustainable Development Supplementary Planning Document, including:
- a BREEAM New Construction Post Construction certificate at 'excellent' standard

The development shall not be carried out otherwise than in accordance with the approved details.

Reason: To ensure the development meets the relevant essential requirements of the adopted Environmentally Sustainable Development Supplementary Planning Document.

(26) No burning of materials obtained by site clearance, demolition of structures or any other source shall take place during the demolition, construction, fitting out and landscaping process.

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

- (27) No construction, demolition or landscaping activity on or deliveries to or removals of waste from the site shall take place during the construction period except between the hours of 0800 to 1800 Mondays to Fridays or 0900 to 1300 on Saturdays. No construction, demolition, delivery, removal or landscaping activity shall take place on Sundays or Bank Holidays.

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

- (28) Prior to their installation details, including siting, dimensions and appearance, of any plant, equipment or apparatus, and housing for it, that is to be installed on the exterior of the buildings or elsewhere within the site that would give rise to, or would be likely to give rise, to emissions to air of ash, dust, fumes, gases, grit, odours or soot shall be submitted to and approved in writing by the Local Planning Authority. No installation of plant, equipment or apparatus shall take place within the site unless in strict accordance with the approved details.

Reason: To minimise the effect of air pollution on human health and amenity, and on the natural environment.

- (29) Prior to the commencement of the development hereby permitted a detailed noise mitigation scheme to address noise impacts on nearby residential dwellings arising from the development and associated activities, shall be submitted to and approved in writing by the Local Planning Authority. The standards to be achieved shall be agreed in writing by the Local Planning Authority prior to the submission of the noise mitigation scheme. The noise mitigation measures, as approved in writing by the Local Planning Authority, shall be fully installed and verified as performing as required prior to the first occupation of each dwelling unit, and shall thereafter retained.

Reason: in the interests of residential amenity.

- (30) No commercial unit hereby permitted on the site shall be first occupied until on-site provision of bin and cycle storage facilities have been constructed and installed in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be retained and kept available for use for the duration of the occupation of the site.

Reason: To ensure the adequate provision of on-site facilities for cyclists and for the storage of waste and recycling materials.

- (31) The site shall not be used for any use authorised by this planning permission except between the hours of 0800 to 1800 Mondays to Fridays and 0800 to 1300 on Saturdays. No activity shall take place on the site on Sundays or on Bank Holidays.

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

Notes to applicant:

In accordance with paragraph 38 of the National Planning Policy Framework (February 2019), Eastleigh Borough Council takes a positive approach to the handling of development proposals so as to achieve, whenever possible, a positive outcome and to ensure all proposals are dealt with in a timely manner.

Under the Town and Country Planning England Regulations 2012, a fee is required for Discharge of Condition Applications. N.B. Conditions not fully discharged, invalidate the planning permission.

A formal application for connection to the water supply is required in order to service this development. Please contact Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.

Southern Water advise that no excavation, mounding or tree planting should be carried out within 7 metres of the 600 mm public water trunk main and no excavation, mounding or tree planting should be carried out within 6 metres of the 300 mm public water trunk main without consent from Southern Water. All existing infrastructure, including protective coatings and cathodic protection, should be protected during the course of construction works. No new soakaways should be located within 5 metres of the public water trunk main. Reference should be made to Southern Water publication "A Guide to Tree Planting near water Mains and Sewers" with regards to any Landscaping proposals.

It is recommended that any lighting scheme implemented on site complies with the advice and guidance of the Institute of Lighting Professional, ILP, publication 'Guidance Notes for the Reduction of Obtrusive Light GN01:2011', so as to minimise the potential for light intrusion to residential dwellings, and is designed to protect and account for the use of the site and the air space above it by wildlife.

Report:

1. This application has been referred to Committee because it has been called in by Members.

Description of application

2. The application seeks outline permission for the demolition of the existing buildings on site and the erection of 23 employment units, providing up to 5,905 sq.m. of floor space, with some use of mezzanine floors, for units in B1b, B1c and B2 Use Class, together with associated access and car parking. Detailed matters of access and layout are to

be considered as part of this application, with a new access slightly further to the south of the existing access being proposed.

3. The application is accompanied by the following reports and technical assessments which have been updated as necessary throughout the course of the application:
 - Planning Statement
 - Topographical Survey
 - Pre-Development Arboricultural Survey
 - Transport Statement
 - Noise Assessment
 - Air Quality Assessment
 - Ecological Assessments and Reports
 - Drainage Strategy
4. The proposed development falls within Schedule 2 of the Environmental Impact Assessment Regulations under Paragraph 10a *Industrial estate development projects* and as the site area is greater than 0.5ha it was necessary to screen the proposed development to assess whether it is likely to have significant effects on the environment by virtue of factors such as its nature, size or location. It was considered that it would not have significant effects on the environment and therefore the proposals are not EIA development and the application does not need to be supported by an Environmental Statement.
5. The application also needed to be screened to establish whether an Appropriate Assessment (AA) under the Habitats Regulations Assessment (HRA) is required. It was concluded that no likely significant effect on any European Designated sites would occur as a result of the development and an Appropriate Assessment was not required.

The site and its surroundings

6. The 2.05ha site is located within the countryside and Strategic Gap to the east of A27 Kanes Hill, to the west of the M27 and to the north of Netley Firs Close in Hedge End, approximately 1km north of the Windhover roundabout. It is currently occupied by a collection of sheds in poor condition and a large area of hardstanding in the northern part of the site, with the southern and eastern parts of the site generally being undeveloped. At present a cement distribution business operates out of the site. A line of mature trees run along the western boundary with A27 Kanes Hill and others are within the northern and eastern parts of the site. Both groups of trees are protected by Tree Preservation Orders. The existing access off A27 Kanes Hill serves this site and the land further east.

Relevant Planning History

7. The relevant history in relation to this site is as follows:

- WIR2020500000 - Retention of building used as joinery workshop and store – granted 6.9.72
- Z/32736/000/00 - Relief of conditions on application permissions WIR. 20205 and WIR 20205/1 restricting use of building to joinery workshop and store only – granted 8.12.92
- O/17/81171 - Outline application for erection of 15 employment units for B1, B2 and B8 use (up to 2,600sqm of floor space) and associated car parking and access. Detailed matters considered: Access and layout – currently under consideration
- F/17/81610 - Retrospective: Change of use of former industrial yard to the storage of aggregate and as a depot to operate mobile batching plant (vehicles), including retention of storage bays, water tower and loading ramp – currently under consideration.

Representations Received

8. 7 letters of objection have been received from adjoining residents and those living locally with concerns, summarised as:

Principle

- This is a residential area: the proposed development should be on an industrial estate
- Unacceptable loss of green area between Hedge End and Southampton, site is located within the Strategic Gap
- Site should be protected from all development
- Series of planning applications for iterative schemes masks the overall aims of the developer.
- Serious overdevelopment of the site
- Site should be developed for housing instead

Transport and parking

- Proposal will increase lorry and commercial vehicle traffic using an unsafe access, increase likelihood of accidents and will cause too much strain on the A27, which already has build-up of traffic when there are incidents on the M27.
- Re-sited access point will result in loss of direct access to neighbouring land
- Cycle/pedestrian access would be opposite an already dangerous road exit onto A27.
- Footway only on one side: children use this route
- Increased incidence of speeding along A27
- Allocated parking spaces for the business won't be sufficient: dangerous/ inconvenient on street parking by workers and visitors to the site will occur

Noise, vibration, dust, air quality

- Noise levels recorded are only for two locations, well away from Pinewood Park
- Noise from cement business and a total of 38 business units (15 with loading bays) would be unacceptable
- Increase in vibration from heavy vehicles
- Vibration experienced at nearby residential from loading of gravel – not expressed in noise impact study
- No mention is made of the dust generated from the gravel business
- Increased vehicles will increase noise and worsen air pollution

Privacy

- Proposal shows B1 offices directly adjoining and overlooking existing dwelling: unacceptable loss of privacy

Visual impact

- The development would be visually intrusive in the outlook of existing residential units.
- Existing/remaining natural tree and shrub cover is not sufficient to screen the large buildings proposed

Trees and biodiversity

- Loss of this green area will destroy the local ecology
- Clearance of the site, including the loss of many (10+) mature oak and beech trees, appears to have been undertaken to enable the relocation of the access point without tree or planning considerations
- Tree felling took place within the bird nesting season

Consultation Responses (summarised)

These will be updated verbally following the receipt and consideration of amended plans prior to committee:

9. **Design & Landscape** – Site is located within the designated Strategic Gap in the adopted local plan, but allocated for employment use in the emerging local plan. This alongside the facts of the site already containing sheds, employment and storage uses, indicates grounds for the proposals to be acceptable in principle within the context of the Gap designations.
10. The site, in either case, remains surrounded by land within a Gap designation, therefore the treatment of the boundaries will be key in terms of retaining and enhancing the character of the rural/semi-rural setting in order to mitigate any urbanising effects of development in this location, and therefore supporting the purpose of the Countryside Gaps policy in the emerging local plan, and also responding appropriately to the Strategic Gap designation in the current local plan.

11. Plans need to show existing landscaping as retention and enhancement of entirety of existing vegetated edge should provide a good degree of existing mitigation of potential impacts and support the gaps policy. It should be noted that vegetation along this route is predominantly deciduous therefore potential visibility of development will be greater in winter. Mitigation should avoid urbanising effect on wider Gap landscape that surrounds the site. Levels information should also be provided.
12. Any access within root protection area for trees will need to be an appropriate no dig construction and permeable surfacing or relocated.
13. The built edge proposed appears to be too close to the site boundaries to prevent deterioration of the extensive existing green corridor along the A27, which is of strategic landscape scale. Instead, for biodiversity and amenity reasons this boundary should be enhanced, and development should be located accordingly, with careful selection of building heights and materials to minimise visual impact on the Gaps between settlements.
14. **Ecology** – concerned about the amount of tree and vegetation loss, which was proposed but has already taken place, particularly on the southern boundary where the woodland and scrub habitat was over 20m in places and will be reduced to a 3m width. This would significantly reduce the width of a corridor that is a commuting and foraging route for the barbastelle bat. An appropriate corridor must be retained and enhanced and 3m is insufficient. The proposed development will have to be pulled back from the boundary to provide a wider corridor, to be enhanced and managed for wildlife. Further clarification is required on some detailed points in the supporting ecological and arboricultural documents.
15. Predominantly permeable surfacing has been proposed with underground soakaways which appear to mimic the existing natural regime and is considered to be acceptable.
16. The proposal would not have a significant effect on any European Protected Sites
17. **Trees** – No objection subject to conditions
18. **Environmental Health – Noise** - the layout of the site is very open and whilst B1 uses are shown nearest to Netley Firs Road the layout is such that any noise from the site will permeate it easily and migrate to the residential uses. Recommend rotating the buildings to put their backs to the noise sensitive dwellings; using the buildings to form a solid wall on the boundary to act as barrier to noise; zoning of B1 uses on the site boundary; use of noise barriers; restricting hours of use; and setting boundary noise levels for total plant noise emitted from the site.

19. Air Quality – the development will result in an increase in traffic using the Windhover roundabout at the top of the Hamble Lane Air Quality Management Area (AQMA), therefore a financial contribution towards the Council’s air quality mitigation and monitoring work in support of the Hamble Lane AQMA is required if permission is to be granted. Any air pollution arising from construction or future occupiers could be controlled by condition.
20. Light – Given the location close to residential units the lighting scheme will need to be controlled by condition.
21. Contaminated Land – due to the existing and previous commercial operations on site and 2 former landfills within 250m of the boundary, a contaminated land site investigation and a strategy for remedial works and dealing with unsuspected contamination would need to be secured by condition should permission be granted.
22. **Direct Services** - it is not clear where bins will be sited, more information is needed. Ensure roadways are wide enough for a standard waste collection vehicle.
23. **HCC Highways** - There are a number of areas where further information is required before the Highway Authority can provide a recommendation:
 - Mitigation of the impact of forecast development traffic at the Kanes Hill roundabout and St Johns Road / Kanes Hill(A27) junction
 - A Framework Workplace Travel Plan is provided, approved and secured as part of a S106 legal agreement
 - Clarification regarding the highway boundary at the access location.Some detailed comments on the internal layout also provided.
24. **HCC Waste and Minerals** - No comment to make.
25. **HCC Flood and Water Management** – No objection subject to condition
26. **HCC Archaeology** - No objection subject to condition.
27. **Southern Water** - Before the development layout is finalised the exact position of the public water trunk main crossing the site must be determined and the required easements must be observed. A desk study of the existing public sewer network indicates that there is an increased risk of flooding unless network reinforcement is undertaken. Such reinforcement will be provided for through the New Infrastructure charge but occupation of the development will need to align with the delivery of the infrastructure, unless it can be demonstrated that the development will result in no increase in foul flows over that already

connected. A pre-commencement drainage details condition is required. Southern Water can provide a water supply can be connected to the site on application to Southern Water.

28. **Oil and Pipelines Agency** - CLH Pipeline System Ltd do not have apparatus situated within the vicinity of the proposed works, and as such do not have any further comments to make.
29. **SGN** – Plan received indicating location of low/medium/intermediate pressure gas mains within/on the west side of Kanes Hill. No mechanical excavations should take place above or within 0.5m of a low/medium pressure system or above or within 3m of an intermediate pressure system.
30. **Esso** – No response
31. **The Gardens Trust** – No response
32. **Hedge End Town Council** - Members resolved that this be referred to the HEWEB Local Area Committee for determination.
33. **Southampton City Council Highways** -Concern expressed over queue lengths on Thornhill Park Road, likely to cause additional rat-running through Somerset Avenue and the Harefield Estate. Any additional traffic from this development towards Southampton or the M27 will impact on Kanes Hill, compounding this. The assessment needs to consider the impact on M27 J7 and Hinkler Road/Thornhill Park Road; the J7 roundabout and Charles Watts Way, Hinkler Road/Thornhill Park Road lights.
34. Agree with HCC that suitable mitigation is required. The scheme should include sustainable transport/active travel access to reduce trips with links to the Southampton Cycle Network as outline in the new LTP and Cycle Strategy.

Policy Context: Designation Applicable to Site

- Designated Countryside and Strategic Gap
- Solent Mitigation Disturbance Zone
- Airport Safeguarding Zone
- Minerals Safeguarding site
- Historic Park & Gardens

The Development Plan

35. At the current time the Development Plan for the borough comprises the Eastleigh Borough Local Plan Review (2001-2011) and the Hampshire Minerals and Waste Plan (October 2013).

Saved Policies of the Adopted Eastleigh Borough Local Plan Review (EBLP 2001-2011)

36. The relevant policies of the adopted local plan include:
- 1.CO – Development in the countryside
 - 2.CO – Development in the Strategic Gap
 - 17.CO – Redevelopment of existing commercial uses in the countryside
 - 18.CO – Impact on landscape character
 - 25.NC – Promotion of biodiversity
 - 26.NC – Enhancement of habitats of nature conservation importance
 - 28.ES – Waste collection and storage
 - 29.ES – Impact on noise-sensitive developments
 - 32.ES – Pollution control
 - 33.ES – Air quality assessment
 - 34.ES – Requirement to reduce greenhouse gases
 - 35.ES – Contaminated land
 - 36.ES – Lighting
 - 37.ES – Energy efficiency
 - 45.ES – Sustainable drainage requirements
 - 59.BE – High quality design
 - 60.BE - Road and rail corridors
 - 100.T – Sustainable transport
 - 101.T – Traffic growth
 - 102.T – Safe accesses
 - 104.T – Off-highway parking
 - 118.E – Redevelopment or change of use of existing employment site
 - 167.LB – Protection of non-scheduled sites of archaeological significance
 - 168.LB – Archaeological evaluation
 - 190.IN – Infrastructure provision
 - 191.IN – Developers' contributions

Hampshire Minerals and Waste Plan 2013

37. The application site lies within a Minerals Safeguarding Area for Sharp Sand and Gravel and is covered by Policy 15 “Safeguarding – mineral resource”.

Submitted Eastleigh Borough Local Plan 2011-2029

38. The Eastleigh Borough Local Plan 2011-2029 was submitted for examination in July 2014 but the Inspector concluded that insufficient housing was being provided for in the Plan and that it was unsound. While this has not been withdrawn and remains a material

consideration, it can therefore be considered to have extremely limited weight in the determination of this application.

Emerging Eastleigh Borough Local Plan 2016-2036

39. The Local Plan was submitted to the Secretary of State on 31st October 2018 with examination hearings scheduled to take place in the autumn between September and November. Given the status of the emerging plan it is considered that limited weight can be attributed to it, but it is a material planning consideration.
40. The most relevant draft policies of the Submitted Eastleigh Borough Local Plan 2016-2036 are:
- S1 – Sustainable development
 - S2 – Approach to new development
 - S4 – Employment provision
 - S5 – Green Infrastructure
 - S7 – New development in the countryside
 - S8 – Protection of countryside gaps
 - S10 – Green infrastructure
 - S11 – Nature conservation
 - S12 – Transport infrastructure
 - DM1 - General criteria for new development
 - DM2 – Environmentally sustainable development
 - DM3 – Adaption to climate change
 - DM5 – Managing flood risk
 - DM6 – Sustainable surface water management and watercourse management
 - DM8 – Pollution
 - DM9 – Public utilities and communications
 - DM10 – Water and waste water
 - DM11 – Nature conservation
 - DM12 – Heritage assets
 - DM13 – General development criteria – transport
 - DM14 - Parking
 - DM18- Extension and replacement of non-residential buildings in the countryside
 - DM40 – Funding infrastructure
 - HE5 – Land at Netley Firs, Kanes Hill, Hedge End
41. Of significance for the determination of this application is that under draft policy HE5 the emerging local plan allocates the application site for employment use subject to it being for use classes B1b, B1c and B2 compatible with surrounding uses; provision of a shared access off A27 for the travelling showpeople's site to the east allocated in the emerging local plan; and retention and protection of existing trees as part of a landscape scheme.

42. During the consultation period on the emerging local plan 6 responses were received in relation to draft policy HE5. There were 3 objections raising general comments about the extent of residential development in the borough and immediate area and the lack of capacity in the local infrastructure to serve new development. The remaining 3 comments included requests from Hampshire County Council for measures to deliver a net gain in biodiversity on the site and contribute to enhancing local footpaths. The final comment was a detailed comment by consultants with concerns about the restrictions on the type of employment suitable for the site and specifically on the limits on B1(a) office uses.

Supplementary Planning Documents

43. Relevant documents are:
- Supplementary Planning Document: Quality Places (November 2011)
 - Supplementary Planning Document: Biodiversity (December 2009)
 - Supplementary Planning Document: Environmentally Sustainable Development (March 2009)
 - Supplementary Planning Document: Planning Obligations (July 2008)

National Planning Policy Framework 2019

44. The National Planning Policy Framework (NPPF) is a material consideration of significant weight in the determination of planning applications.

Planning Policy Framework

45. Where material, this guidance should be afforded weight in the consideration of planning applications.

Assessment of Proposal: Development Plan and / or Legislative Background

46. Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 require a local planning authority determining an application to do so in accordance with the Development Plan unless material considerations indicate otherwise.
47. The Development Plan in this case comprises the saved policies of the Eastleigh Borough Local Plan Review 2001-2011 and the Hampshire Minerals and Waste Plan (adopted 2013).

48. In terms of other material planning considerations, the National Planning Policy Framework and Planning Practice Guidance constitute material considerations of significant weight.

The Principle of Development

49. The application site is located in the countryside and the Strategic Gap between Hedge End and Southampton, as set out in the adopted Local Plan. Under policy 1.CO there is a presumption against development in the countryside that does not comprise an appropriate extension to an existing building or use, unless it is for specified agricultural, recreational or public utility purposes. New employment units are not a form of development that is supported by policy 1.CO.
50. Policy 17.CO of the adopted local plan supports the redevelopment of existing commercial uses in the countryside provided it is in keeping with its surroundings, constructed of appropriate materials and would not result in a significant increase in traffic generation.
51. The existing buildings on site, totalling 825 sq.m. of floorspace, have permission for industrial processes within Use Class B1c. The site boundary for the historic applications was much larger than this application site, extending to the M27 to the east. However a condition was attached to prevent any outdoor storage without prior approval. The current use of the site by a cement distribution company is unauthorised and a retrospective planning application has been submitted and is currently under consideration. The development to be considered as part of this application, however, would involve the demolition of the existing building and redevelopment of the site.
52. The proposed development would be an intensification of development of the site in terms of the amount of floorspace (from 825 sq.m. to 5,905 sq.m.) and the extent of the site on which buildings would be sited. At present the buildings and majority of the activity is in the northern part of the site and the proposed development would extend the built form further south towards Netley Firs Close. As a result of the increase in floorspace the resultant traffic generation would be increased, requiring off-site mitigation (as discussed in more detail below).
53. While policy 17.CO does allow for some redevelopment of existing commercial uses in the countryside, it is considered that the extent of the redevelopment proposed is greater than could be supported by this policy.
54. Prior to any consideration of the visual impact of the development on the Strategic Gap, it is in any event considered that the proposed development would also increase the extent of the built development on the site, thereby physically diminishing the Strategic Gap, contrary to policy 2.CO.

55. It is not considered therefore that the principle of the proposed development is in accordance with the adopted local plan. For the application to be granted planning permission there need to be material considerations that justify allowing the development, contrary to the adopted local plan.
56. It is acknowledged that the adopted local plan did not make specific provision for the Borough's employment needs beyond 2011 and there is a current and recognised quantitative and qualitative need for Class B1b, B1c and B2 employment land within the Borough. The emerging local plan seeks to address this by setting out a requirement for 144,050 sq.m. of employment development up to 2036. Thus the emerging local plan allocates a number of sites for employment development including the application site under draft policy HE5.
57. Draft policy HE5 refers specifically to Land at Netley Firs and identifies that 1.8ha should be allocated for employment uses within classes B1b, B1c or B2 uses, subject to this being compatible with the existing employment uses, with nearby dwellings and with trees on the site being protected. Appendix 6 to the related Cabinet Report indicates an expected provision of 6,400sqm new floorspace. At 2.05ha the overall size of the application site is slightly larger than the 1.8ha (approximately) referred to in draft policy HE5, and the application seeks to provide 5,905 sq.m. of floorspace, slightly under the 6,400 sq.m. anticipated.
58. It is noted that during the public consultation into the emerging local plan comments were received in response to draft policy HE5. However, as set out earlier in this report, none of these comments questioned the need for this site to be brought forward as employment land.
59. Given the current shortfall in employment land for B1b, B1c and B2; the evidence that has been produced in support of the emerging local plan to identify the required employment sites; and the allocation of this site under draft policy HE5 it is considered that there are material considerations that would, in principle and subject to compliance with all other detailed policy requirements, justify allowing the development, contrary to the adopted local plan.

Sustainable Development

60. The NPPF sets out a presumption in favour of sustainable development, indicating that it has an economic, a social and an environmental role. These roles should not be undertaken in isolation as they are mutually dependent and therefore the application is assessed against all three headings. It also states that when determining applications those that accord with the development plan should be approved without delay. Where the development plan is absent, silent or the relevant policies are out-of-date, permission should

be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole; or where specific policies in the NPPF indicate development should be restricted.

Economic Sustainability

61. One of the key objectives of the NPPF (paragraph 8) is to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.
62. As indicated above there is currently a shortfall of employment land within the borough and the emerging local plan seeks to address this by including the application site as a draft allocation for B1b, B1c and B2 use classes. The proposed development of 5,905 sq.m. of employment floorspace is therefore considered to be economically sustainable. Whilst there are some existing buildings and some currently unauthorised commercial activity on site at present, which would not be retained as part of the proposals, it is considered that the proposal would increase the level of employment opportunities available and the benefit of providing increased employment land in fit for purpose for good quality buildings outweighs the loss of the existing facilities.
63. It is considered that the proposed development would be economically sustainable.

Social Sustainability

64. The second key objective of the NPPF is to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being.
65. While the proposed development only provides for new employment land and no other community facilities, it is considered that the generation of new employment opportunities also provides social benefits. The proposed development is considered therefore to be socially sustainable.

Environmental Sustainability

66. The third key objective of the NPPF is to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural

resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

67. Impact on countryside and gap – as set out above the site is designated as countryside and Strategic Gap in the adopted local plan. Whilst the site is allocated for employment uses in the emerging local plan it would continue to be surrounded by land designated as countryside gaps, except to the east where a site is allocated for a travelling showpeople's yard. The impact of the proposed development on the surrounding area is therefore an important consideration.
68. Due to its setting beyond mature landscaping, including TPO trees, on the western boundary with A27, public views of the site are limited, although it is noted that some of this vegetation is deciduous therefore views would be greater in winter. Extensive clearing of vegetation within the site has unfortunately already been undertaken, although this did not involve the removal of any protected trees. This has opened up the southern boundary with the nearest residential property on Netley Firs Close (Chaddlewood). However, while Netley Firs Close is located to the south of the site, the existing vegetation along road filters public views towards the application site.
69. Although not for detailed consideration, the supporting information indicates that any future buildings on site are likely to have ridge heights of 7-8m, which is similar to the height of a two storey dwelling. Furthermore to ensure appropriate screening is maintained and green infrastructure links provided the existing landscaping is to be enhanced, particularly on the southern and western boundaries. It is considered therefore that, although being located in the Strategic Gap as designated in the adopted Local Plan the impact on the surrounding countryside will not be significantly detrimental and it would not visually diminish the Strategic Gap.
70. Ecology – as indicated above a significant amount of vegetation has already been removed from site, such that the vegetation is generally limited to the boundaries of the site. This approach is extremely unfortunate from an ecological perspective but it was not something that required the consent of the Council and cannot influence the determination of this application. The area of most concern is the loss of vegetation on the southern boundary as an important commuting and foraging bat corridor runs in this direction.
71. The initial layout proposed a 3m wide landscaping strip on the southern boundary with employment units and parking spaces facing onto it. As an important bat corridor any development would need to allow for the establishment of a wider landscape belt that is less disturbed in order to avoid an adverse impact on the bat corridor. Draft revisions to the layout have been prepared that amend this part of the layout to provide units backing onto the length of the southern boundary, and positioned further into the site such that a 6m landscape buffer could be provided.

Subject to the final amended plans and an associated addendum to the ecological assessments being submitted it is anticipated that these revisions would ensure that a sufficient landscaping belt could be achieved on the southern boundary, which would be protected from noise, disturbance and light spill due to the buildings backing onto it. Subject to satisfactory amended plans being received it is envisaged that the ecological concerns would have been suitably addressed, such that permission could be granted subject to various conditions relating to landscaping, habitat enhancement, ecological mitigation, lighting and construction management, etc. The recommendation has been worded to reflect the need for this matter to be satisfactorily resolved before permission could be granted and Members will be updated at committee.

72. It is not considered that the proposed development would have a likely significant effect on a European Protected Site.
73. Trees – The access as originally proposed would have resulted in the unjustified loss of trees and woodland at the Kanes Hill edge of the site that are covered by Tree Preservation Order and offer high levels of amenity and visual screening. Trees have confirmed that the revised access arrangements minimise tree loss and are now largely acceptable, however a Tree Protection Plan and Arboricultural Method Statement would be required before development commences and should be conditioned. Trees have no objection to the internal site layout.
74. Air Quality – the development will lead to some increase in traffic travelling through the Hamble Lane Air Quality Management Area and Environmental Health have requested that a financial contribution be secured to help monitor and mitigate the impact. The impact on air quality arising from construction and the future use of the buildings could be controlled by condition.
75. Contaminated Land – some trial pit information was submitted with the application, but not a full contaminated land report. Given the previous activities on site and the location of 2 former landfills within 250m of the boundary Environmental Health have requested that conditions relating to contaminated land site investigation and a strategy for remedial works and dealing with unsuspected contamination be attached to any permission granted.
76. Noise – Environmental Health expressed concerns that the layout as originally submitted would expose the neighbouring properties to excessive noise levels. As set out above to address the concerns of Ecology and Environmental Health the layout is being amended to provide units backing onto the length of the southern boundary, and positioned further into the site such that a 6m landscape buffer could be provided. It is anticipated that these amendments together with acoustic fencing to block any gaps between buildings and on the

eastern boundary should ensure that noise levels from the site do not have a significantly detrimental impact on the nearby residential properties. The recommendation has been worded to reflect the need for this matter to be satisfactorily resolved before permission could be granted and Members will be updated at committee.

77. Heritage Assets - a scatter of possibly later pre-historic era burnt flints has been recorded within the site, which has been largely undisturbed apart from the existing buildings. Owing to the site's proximity to a group of 3 Bronze Age Barrows, and to the projected alignment of a Roman Road, it is possible that further, well-preserved archaeological features and deposits from these periods may remain. HCC Archaeology has advised that there is no overriding archaeological concern, but requested that a condition be attached to any permission granted to secure an appropriate archaeological assessment and analysis. It is not considered that the proposed development would have any significantly detrimental impact on any other heritage assets.
78. Minerals – the site is located within a Minerals Safeguarding Area, however Hampshire County Council (HCC) as the minerals and waste authority were consulted on the application and confirmed they have no comments to make.
79. Drainage – The proposed surface water drainage strategy is via infiltration and HCC Flood & Water and Ecology have raised no objection in terms of impact on flood risk and water quality.
80. Highway Safety & Transport – amendments have been made to the access, moving it slightly further south than the existing access. HCC Highways have confirmed that the proposed access to the site is now acceptable. Discussions are currently underway with regard to the measures required to mitigate the increase in traffic on the local network. This is likely to be in the form of a financial contribution towards off-site highway works, and/or direct provision of such works by the developer. To encourage the use of sustainable modes of travel a Travel Plan is also required and is currently being prepared.
81. Given the amendments being made to the internal layout revised tracking details will also be required and once received HCC Highways will be consulted on them. Members will be updated on all these matters at committee.
82. Subject to appropriate plan amendments, conditions and the consideration of further consultee comments, the proposals are, on balance, considered to be environmentally sustainable.

Residential amenity

83. As set out above the site is in close proximity to the residential properties on Netley Firs Close and those on the other side of the A27.

Environmental Health has suggested alterations to the proposed layout so that the buildings are sited to form a noise barrier for the neighbouring properties to the south. In addition an acoustic fence and a requirement that only B1b and B1c uses are sited on the southern boundary would assist in minimising the impact on residential amenities. It is not considered that there would be a significantly detrimental impact on the amenities of the properties to the west due to noise or activities associated with the use. However, conditions can be attached to any permission granted to control hours of construction, construction management and hours of use once the development is operational.

Layout and parking

84. As set out above subject to satisfactory amended plans being received it is considered that the units could be accommodated on site without a significantly detrimental impact on the existing trees, landscaping and ecological interests.
85. The revised layout will need to be assessed in terms of parking provision, but the level of parking provided on the original layout was considered to be acceptable for the proposed mix of uses. Direct Services have requested that the layout include provision of bins collection/storage points. While some of the refuse requirements will depend on the future occupier, as the layout is to be considered as part of this application, suitable provision does need to be made and it is anticipated that the amended plans will include this detail.

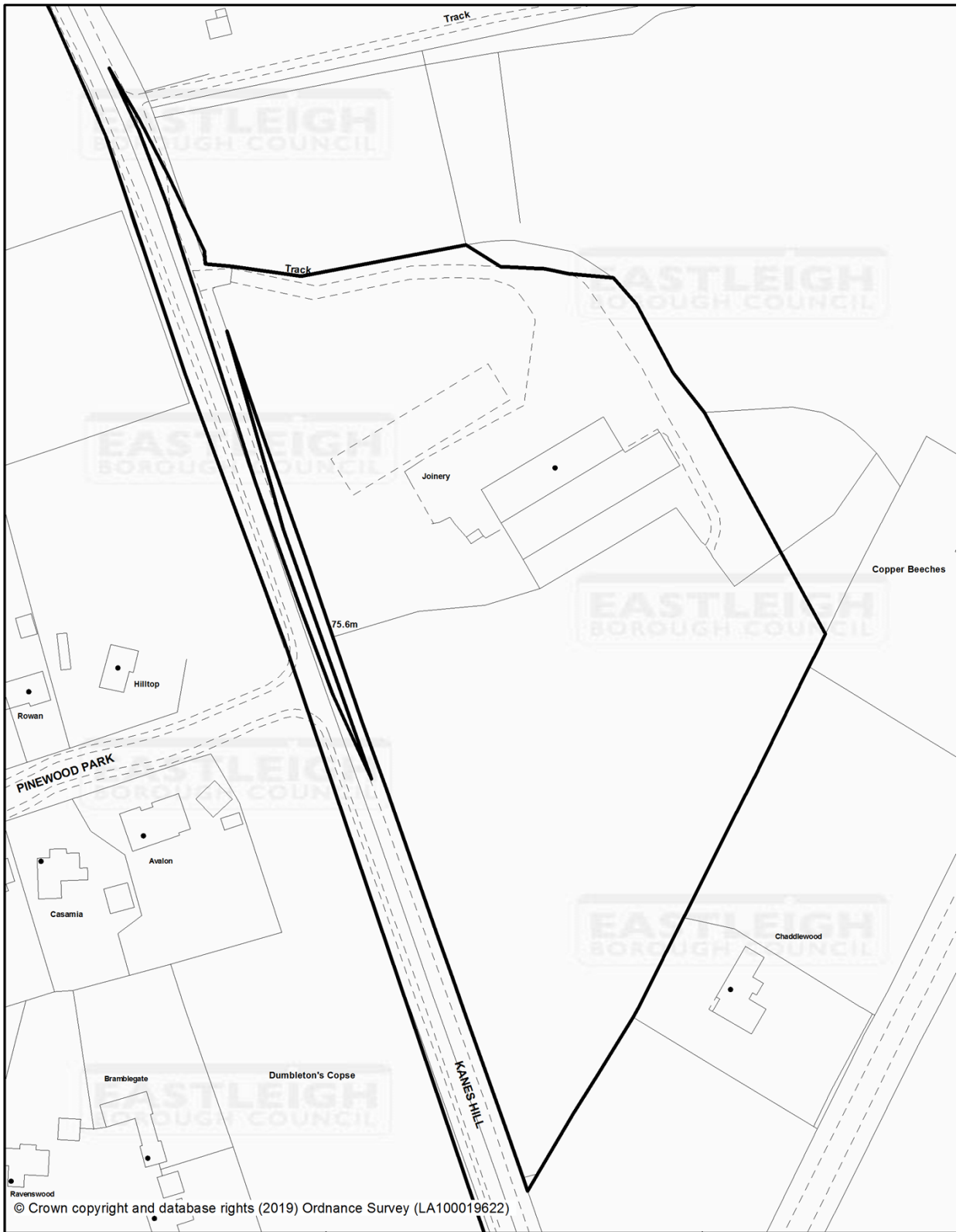
Planning Obligations

86. In accordance with the guidance contained within the NPPF, Saved Policies 101.T and 191.IN of the adopted Eastleigh Borough Local Plan Review (2001-2011), the Council's 'Planning Obligations' SPD and the requirements of Regulation 122 of the Community Infrastructure Regulations, there is a requirement for developers' contributions to ensure on and off-site provision for facilities and infrastructure made necessary by the development, or to mitigate against any increased need/pressure on existing facilities.
87. Contributions/obligations towards the provision of the following infrastructure have been agreed and would be secured via a Section 106 agreement index linked as per the Planning Obligations SPD and HCC requirements: air quality monitoring and mitigation, and sustainable transport and/or off-site highway works, although the level of the highways and transportation contribution will need to be agreed with HCC Highways once the additional information has been submitted.

88. The projects and measures identified for contribution expenditure will comply with the 3 tests set out in Regulation 122 of the Community Infrastructure Levy 2010, in that the monies would go towards the projects which are directly related to the development, and are fairly and reasonably related in scale and kind to the proposed development. The contributions would be index-linked to ensure the contributions rise in line with the costs of providing the identified projects/measures. The obligations sought are necessary to make the development acceptable in planning terms and to mitigate the potential impact on existing services and facilities.

Conclusion

89. The proposed development is contrary to the adopted Local Plan, but there is a recognised shortfall of B1b, B1c and B2 employment land within the borough and the emerging Local Plan allocates the application site for such uses. For the reasons set out above it is considered that there are sufficient material considerations to justify permitting the proposed development contrary to the adopted local plan. Subject to the receipt of satisfactory amended and additional information relating to ecology, environmental health and highways, and subject to conditions and planning obligations, it is anticipated that the proposed development could be accommodated on site without a significantly detrimental impact on the surrounding area, the highway network, ecological interests and residential amenities. It would constitute sustainable development and outline planning permission is recommended.



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Title:
Land at Nettle Firs, Kanes Hill,
Southampton.

Scale:
1:1250
Map Ref:
SU4712SE
Date:
05/06/2019

