

Horton Heath Development Management Committee 17 October 2019

Application Number: F/18/83945
Case Officer: Dawn Errington
Valid Date: 13 September 2018
Site Address: Chalcroft Business Park, Burnetts Lane, West End
Applicant: FIP (West End) Ltd
Proposal: Hybrid Planning Application consisting of: 1) Full Planning Application for the construction of a two storey industrial building for a commercial butchery (2,064 m² of Use Class B1(c)), development of 767m² of B1b/B1c floorspace (including a first floor extension to the existing security building), construction of a cafe and site maintenance store and the demolition of building 17 and a water tank; and 2) Outline Planning Application for the demolition of Units 10 - 15 (1,860m² of Commercial floorspace), and store building and the development of 6,420m² of B1b, B1c, B2 and B8 storage and distribution floorspace (All matters other than access reserved).

Recommendation: PERMIT subject to the further advice from Environmental Health officers in respect of ground conditions information for Unit 1E (delegated to the Head of Development Management to consider); to the completion of a S106 legal agreement as detailed in the report and subject to the following conditions:

CONDITIONS AND REASONS

- 1) The development hereby permitted shall be implemented in accordance with the following plans numbered: 1001 PL Rev C, 1002 PL Rev A, 1003 PL Rev A, 1004 PL Rev B, 1005 PL Rev B, 2001 PL Rev E, 2002 PL Rev G, 2003 PL Rev F, 2004 PL Rev F, 2005 PL Rev G, 3001 PL, 3002 PL Rev B, 3003 PL Rev B, 3004 PL Rev B, 3005 PL, 3006 PL, 3007 PL, Rev B, 3010 PL Rev B, 3011 – PL, 3501 PL, 4001 PL, 4002 PL Rev B, 4003 4004 PL, 4010 PL, 4011 PL, 5002 PL Rev B, 5003 PL, 5005 PL Rev A, 9002 PL Rev B. Reason: For the avoidance of doubt and in the interests of proper planning.
- 2) The development hereby permitted must be commenced by the later of either
 - the expiry of three years from the date of the grant of this permission, or
 - the expiration of two years from the final approval of any reserved matter application or,
 - in the case of an approval on different dates, the final approval of the last such matter to be approved.

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

3) Other than for the development where the full details are approved by this planning permission, no development shall start until details of the:

- a) layout of the site.
- b) scale of the buildings.

c) external appearance of the buildings.

d) 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 not approved by this permission 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.

4) The development of Phase 2 (the outline phase subject to further reserved matters approval) shall be in accordance with the use, layout, scale and design principles set out in the submitted Design and Access Statement Addendum (1.8.19) and Site Plan – Outline Application ref CBP-BSL-ZZ-XX-DR-A-2003-PL-F. Reason: To ensure design continuity and parameter compliance for the development as a whole

5) Within 1 month of the commencement of development of each unit the following details shall be submitted to and approved in writing by the Local Planning Authority:

- a) Hard landscaping and external surfaces, including their colour and texture
- b) Retaining structures
- c) Motorcycle parking
- d) Crime prevention measures
- e) Boundary treatments
- f) External lighting (including lighting specifications of the luminaires to be used, a plan showing lux levels across the application site and surrounds and details in compliance with advice and guidance of the Institute of Lighting Professional, ILP, publication 'Guidance Notes for the Reduction of Obtrusive Light GN01:2011')
- g) Disabled access ramps and doors
- h) Electric vehicle charging points
- i) Bat and bird boxes
- j) Details and samples of facing and roofing materials

The development shall not be occupied until the following provisions have been made in accordance with the approved plans and details only and these provisions shall subsequently be maintained and retained thereafter. Reason: to ensure compliance with Policies 25.NC, 59.BE, 62.BE and 107.T of the Eastleigh Borough Local Plan Review 2001-2011 and Policies DM1 and DM11 of the Submitted Eastleigh Borough Local Plan 2016-2036, October 2018 and to protect biodiversity

6) Within 3 months of the completion of each unit of the development hereby permitted a report and BREEAM New Construction 2014 post construction stage certificate detailing how water and energy consumption has been minimised and how the development has met the BREEAM New Construction Very Good standard for each unit (in accordance with BREEAM Pre-Assessments as agreed by the Local Planning Authority) shall be submitted to the Local Planning Authority. The development shall be implemented in full compliance with the provisions set out in each report. Reason: To deliver sustainable development in

conformity with Policies 34.ES and 37.ES of the Eastleigh Borough Local Plan Review 2001-2011 and Policies DM2, DM3 and DM14 of the Submitted Eastleigh Borough Local Plan 2016-2036, October 2018 and the non-residential requirements of the adopted Supplementary Planning Document 'Environmentally Sustainable Development'

7) No individual part of the development shall be first occupied until the following provisions have been made in accordance with the approved plans and details only and these provisions shall subsequently be maintained and retained thereafter:

- a) Cycle storage and parking
- b) Refuse storage
- c) Disabled parking
- d) Vehicle loading/unloading and turning areas
- e) Car, lorry, and van parking

Reason: To ensure compliance with Policies 59.BE, 62.BE and 63.BE of the Eastleigh Borough Local Plan Review 2001-2011 and Policy DM1 of the Submitted Eastleigh Borough Local Plan 2016-2036, October 2018.

8) No work shall start until a Construction Environment Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. Construction and demolition work shall only take place in accordance with the approved CEMP which shall include:

- a) A programme of and phasing of demolition and construction work;
- b) arrangements for the routing/ turning of lorries and details for construction traffic access to the site;
- c) the arrangements for deliveries associated with all construction works, loading/unloading of plant & materials, storage of materials and access and egress for plant machinery ;
- d) the provision for the long-term facilities for contractor parking;
- e) a dust assessment and measures to control the emission of dust and dirt generated by the works including the use of a dust sheet;
- f) a noise and vibration assessment and a scheme for controlling noise and vibration from construction activities, including piling (having regard to the advice and guidance contained in British Standard BS5228:2009 (A1 2014) "Noise And Vibration Control On Construction And Open Sites";
- g) temporary lighting;
- h) protection of pedestrian routes during construction works;
- i) no deliveries to the site, demolition or construction works to take place during the construction period except between the hours of 0800 to 1800 Mondays to Fridays or 0900 to 1300 on Saturdays and not at all on Sundays or Bank Holidays;
- j) drainage measures to prevent pollution of surface water and water courses
- k) temporary protective fencing for trees and habitats
- l) timings of works in relating to the breeding bird season

m) controls to ensure that there is no burning of site clearance materials or vegetation on the site or adjoining land

Reason: To minimize the impact on amenity, safety and biodiversity during the construction period and to conform with Policies 25.NC and 30.ES of the Eastleigh Borough Local Plan Review 2001-2011 and Policy DM8 of the Submitted Eastleigh Borough Local Plan 2016-2036, October 2018.

9) Final proposals for new site landscaping for each unit shall be submitted to and approved by the Local Planning Authority within 3 months of the commencement of the development of each unit hereby approved and the approved schemes shall be carried out in the first planting and seeding seasons following first occupation of each building. Any trees or plants which, within a period of 5 years from the date of planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. Reason: in the interests of visual amenity and biodiversity and to conform with Policies 25.NC and 59.BE of the Eastleigh Borough Local Plan Review 2001-2011 and Policy DM1 of the Submitted Eastleigh Borough Local Plan 2016-2036, October 2018.

10) A 20m buffer from the Round Copse SINC boundary and the Chalcroft Distribution Park SINC boundary shall be provided at all times. These shall be free of all new structures and hardstanding and thereafter managed to benefit biodiversity to the satisfaction of the Local Planning Authority in accordance with the updated Biodiversity Mitigation and Enhancement Plan (BMEP) and Landscape and Ecology Management Plan required by Condition 11. Reason: To minimise impact on the SINC and to comply with Policy 23.NC of the Eastleigh Borough Local Plan Review 2001-2011 and Policies DM11 and WE1 of the Submitted Eastleigh Borough Local Plan 2016-2036, October 2018.

11) Prior to the commencement of development an updated Biodiversity Mitigation and Enhancement Plan (BMEP) and Landscape and Ecology Management Plan (including ongoing management provisions) shall be submitted to and approved in writing by the Local Planning Authority. These shall include

- a plan showing the landscaped areas and 20m SINC buffers and the habitats/ features that will be created within them, e.g. scrub, woodland, wildflower / unimproved grassland areas and landscaped SuDS features to be used;
- detailed management actions provisions for the SINC and buffers management (including the potential for modifications to the fencing to be penetrable to wildlife) and planting specifications comprising native species;
- a Woodland Management Plan as part of the BMEP for Round House Copse SINC and Chalcroft Distribution Park SINC which shall enhance their biodiversity value;
- Biodiversity measures which will be incorporated into the built development, such as bird and bat boxes.

Reason: To minimise impact on the SINC and to comply with Policy 23.NC of the Eastleigh Borough Local Plan Review 2001-2011 and Policies DM11 and WE1 of the Submitted Eastleigh Borough Local Plan 2016-2036, October 2018.

12) All excavation, demolition and development related works shall take place on site in accordance with the provision of the updated ADS arboricultural report ref CBA11012v1A and tree protection plan, as per British Standard 5837:2012 (Trees in Relation to Design, Demolition and Construction – Recommendations). The approved tree protection plan must be adhered to in full, and may only be modified subject to written agreement from the LPA. Reason: to retain and protect existing trees to remain which form an important part of the amenity and biodiversity of the locality and to comply with Policy 59.BE of the Eastleigh Borough Local Plan Review 2001-2011 and Policy DM1 of the Submitted Eastleigh Borough Local Plan 2016-2036, October 2018.

13) Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water. Reason: to provide adequate foul and surface water drainage and to comply with Policy 45.ES of the Eastleigh Borough Local Plan Review 2001-2011 and Policy DM6 of the Submitted Eastleigh Borough Local Plan 2016-2036, October 2018.

14) No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the ecological, hydrological and hydro geological context of the development, 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 the development is completed. Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). The drainage system should be designed to accommodate surface water runoff according to the following criteria:

i) Information evidencing that the correct level of water treatment exists in the system in accordance with the Ciria SuDS Manual C753

ii) Where infiltration is used for drainage, evidence that a suitable number of infiltration tests have been completed. These need to be across the whole site; within different geologies and to a similar depth to the proposed infiltration devices. Tests must be completed according to the BRE 365 method or another recognised method including British Standard BS 5930: 2015

iii) Maintenance regimes of entire surface water drainage system including individual SuDS features, including a plan illustrating the organisation responsible for each element. Evidence that those responsible/adopting bodies are in discussion with the developer

iv) Evidence that enough storage/attenuation has been provided without increasing the runoff rate or volume. This must be shown for a 1 in 100 year plus climate change event

v) Evidence that Exceedance flows and runoff in excess of design criteria have been considered - calculations and plans shall be provided to show where above ground flooding might occur and where this would pool and flow.

vi) evidence that the drainage system is designed to comply 24 hours half drain times. If this cannot be met, confirmation of the consequences of consecutive storm events occurring, i.e. where is exceedance water going to surcharge from the drainage system and flow if the 1:100 year half drain down cannot be met

vii) Information demonstrating that any drainage arising from the site will not adversely affect the SINC's or water quality of the receiving watercourses which include the watercourse within the Chalcroft Distribution Park SINC and the River Itchen SAC.

Reason: to provide adequate surface water drainage and protect water quality in compliance with Policy 45.ES of the Eastleigh Borough Local Plan Review 2001-2011 and Policy DM6 of the Submitted Eastleigh Borough Local Plan 2016-2036, October 2018.

15) The demolition of the buildings must take place in accordance with the method outlined in the Biodiversity Mitigation and Enhancement Plan (Ecology Partnership, Aug 2018) and Dusk Emergence & Dawn Re-entry Surveys for Bat Species Letter of Report (Ecology Partnership, Sep 2018) as updated by the requirements of Condition 11 . Reason: To ensure the protection of bats and provision of replacement roosting opportunities and to comply with Policy 24.NC of the Eastleigh Borough Local Plan Review 2001-2011 and Policy DM11 of the Submitted Eastleigh Borough Local Plan 2016-2036, October 2018.

16) If demolition of the buildings is taking place within the breeding bird season (March to September inclusive), the buildings must be checked for the presence of nesting birds prior to demolition. If nesting birds are found, the nest must remain undisturbed and demolition cannot take place until the young have fledged. Reason: To protect nesting birds in line with legislation and to comply with Policy 24.NC of the Eastleigh Borough Local Plan Review 2001-2011 and Policy DM11 of the Submitted Eastleigh Borough Local Plan 2016-2036, October 2018.

17) No more than 2427sqm gross floorspace within Units 1A, 1C, 1D, 1E and 1F hereby approved shall be occupied until the Burnetts Lane to Bubb Lane link road, the associated 5-arm access roundabout and the Bubb Lane / Link road roundabout as approved under Planning Permission O/14/75735 (and as subsequently varied) have been fully constructed and brought into use. Unless otherwise agreed in writing by the Local Planning Authority, Units 1E and 1F shall be first occupied by Owtons Butchery only.

18) All Heavy Goods Vehicles above 7.5 Tonnes in conjunction with the development hereby permitted and travelling to and from the Chalcroft Business Park site shall follow agreed lorry routing and signage, the details for which shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of use of any of the development hereby permitted. Once operational, this routing shall be via the new Bubb Lane-Burnetts Lane link road. Reason: in the interests of highway safety and residential amenity and to comply with Policies 59.BE and 123.E of the Eastleigh Borough Local Plan Review 2001-2011 and DM1 of the Submitted Eastleigh Borough Local Plan 2016-2036, October 2018.

19) Other than for a relocation period not exceeding one month, no occupation of any floorspace by Owton Butchery shall take place until the existing Owtons Butchery at Chalcroft Farm, Burnetts Lane, Horton Heath has been closed and ceased trading, and the existing Owtons Butchery and the new Owtons butchery within Units 1E and 1F hereby permitted shall not be operated simultaneously. Reason: In the interests of highway safety and residential amenity and to comply with Policy 59.BE of the Eastleigh Borough Local Plan Review 2001-2011 and Policy DM1 of the Submitted Eastleigh Borough Local Plan 2016-2036, October 2018.

20) Except for Units 1A, 1C and 1D, prior to the first occupation of each unit hereby permitted a detailed assessment of air quality impacts arising from the business uses permitted, and recommendations for mitigation of the impacts, shall be submitted to and approved in writing by the Local Planning Authority. The scope of the report and standards to be achieved shall be agreed in writing by the Local Planning Authority prior to the submission of the mitigation scheme. The mitigation measures, as approved in writing by the Local Planning Authority, shall be fully installed and verified as performing as required by the agreed mitigation scheme, and shall thereafter be retained. Reason: in the interests of residential amenity and to comply with Policies 32.ES and 33.ES of the Eastleigh Borough Local Plan Review 2001-2011 and Policy DM8 of the Submitted Eastleigh Borough Local Plan 2016-2036, October 2018.

21) The siting and installation of plant and equipment which gives rise, or is likely to give rise, to emissions to air of either ash, dust, fume, gases, grit, odours or soot shall be approved in writing by the local planning authority. Reason: To protect residential amenity in respect of air pollution and to comply with Policies 32.ES and 33.ES of the Eastleigh Borough Local Plan Review 2001-2011 and Policy DM8 of the Submitted Eastleigh Borough Local Plan 2016-2036, October 2018.

22) Except for Units Units 1A, 1C and 1D, prior to the first occupation of each unit hereby permitted, a detailed noise mitigation scheme, to include an Operational Management Plan, to address noise arising from the commercial/business units 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 and to comply with Policies 29.ES and 31.ES of the Eastleigh Borough Local Plan Review 2001-2011 and Policy DM8 of the Submitted Eastleigh Borough Local Plan 2016-2036, October 2018.

23) Any fixed plant or machinery used on site shall be provided with suitable acoustic attenuation, or sited at agreed locations, to mitigate the effects of noise as approved in writing by the local planning authority. Reason: To protect residential amenity and to comply with Policies 29.ES and 31.ES of the

Eastleigh Borough Local Plan Review 2001-2011 and Policy DM8 of the Submitted Eastleigh Borough Local Plan 2016-2036, October 2018.

24) Except for Units 1E and 1F (and only if they are occupied by Owton butchery), the hours of use of all commercial uses hereby permitted, including loading and unloading activities and deliveries to and from the site, shall be restricted to 0700 - 1900 hours Monday to Friday, 0800 - 1300 on Saturday, and at no other time on Sundays, Bank and Public holidays. HGV (above 7.5 tonnes) deliveries to/from the Owton butchery at units 1E and 1F between 1900 hours and 0700 hours on any day shall not exceed 6 single movements in total.

Reason: To protect residential amenity and to comply with Policies 29.ES and 31.ES of the Eastleigh Borough Local Plan Review 2001-2011 and Policy DM8 of the Submitted Eastleigh Borough Local Plan 2016-2036, October 2018

26) No work shall commence on site until the following has been submitted to, and approved in writing by the LPA:

a. a Report of Preliminary Investigation 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. 1 and 2, CLR11 (or equivalent), and BS 10175:2011+A2:2017 Investigation of potentially contaminated sites - Code of Practice, and, unless otherwise agreed with the LPA,

b. a Report of a 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 BS 10175:2011+A2:2017, and BS 8576:2013 and unless otherwise agreed with the LPA

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 protect health and the environment and to comply with Policies 35.ES of the Eastleigh Borough Local Plan Review 2001-2011 and Policy DM8 of the Submitted Eastleigh Borough Local Plan 2016-2036, October 2018

27) The development hereby permitted shall not be occupied / brought into use until there has been submitted to the LPA verification by the competent person approved under the provisions of condition 26(c) that any remediation scheme required and approved under the provisions of condition 26(c) has been implemented fully in accordance with the approved details (unless varied with the written permission of the LPA in advance of implementation).

Unless agreed in writing with the LPA 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 and maintained in accordance with the scheme approved under condition 26(c).

Reason: To protect health and the environment and to comply with Policies 35.ES of the Eastleigh Borough Local Plan Review 2001-2011 and Policy DM8 of the Submitted Eastleigh Borough Local Plan 2016-2036, October 2018

NOTES TO APPLICANT

In accordance with paragraph 38 of the National Planning Policy Framework (July 2018), 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

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

You are advised to refer to the Institute of Air Quality Management, IAQM, 'Guidance on the assessment of dust from demolition and construction sites'. <http://iaqm.co.uk/text/guidance/construction-dust-2014.pdf>

Report:

This application has been referred to Committee because it is for a major development which is in the public interest

The Site and Its Surroundings

1. Chalcroft Business Park (CBP) is located between West End and Horton Heath, off the B3354 Burnetts Lane. CBP comprises a mix of predominantly storage and distribution (Use Class B8) commercial units totalling 23,226sqm which were originally constructed as the rail-served Royal Navy Victualling Depot. There is a central internal estate road with units either side, and also a small solar farm part within the application site. Of particular note are the two Sites of Importance for Nature Conservation (SINCs), and the Round Copse SINC directly abuts the application site to the north, whilst the Chalcroft Distribution Park SINC is to the south and west. Round Copse SINC contains mature trees including those of ancient woodland status. These provide

screening for the site. Apart from an existing grassed mounded area, the application site is relatively flat with some small, lower grade trees. Of the existing site, Units 10-15, 17 and 19 would be demolished.

2. Burnetts Lane has no footways in the vicinity of the site and is subject to a 40mph speed limit. Signs are in place north of the site access restricting usage by vehicles over 7.5 tonnes to loading purposes only. The X10 hourly bus service (weekdays) serves the site. Further bus services and footway/cycleways will be accessible to the site in the future as the adjoining land at West of Horton Heath and including Chalcroft Farm has planning permission (ref O/14/75735) for major housing and commercial development with associated infrastructure. The site is now owned and is to be brought forward by Eastleigh Borough Council. Significantly for CBP, the permission also includes a new link road between Burnetts Lane and Bubb Lane which will serve the site and is due to be constructed by March 2021.

Description of Application

3. The application is in respect of 3.62ha of the existing Chalcroft Business Park site. The application site has been split in half for a Phase 1 full application for 3,029sqm B1b and B1c development on undeveloped land and the demolition of Unit 17, and for a Phase 2 outline proposal for 6420sqm B1b, B1c, B2 and B8 floorspace and the demolition of existing Units 10-15 (1860sqm) and a store building and removal of part of the solar farm.
4. The hybrid application was amended on 1 August 2019 to now include a 2065sqm butchery building (for Owton's) within a revised Phase 1; to move development outside of SINC buffers and to provide further supporting information. The overall floorspace proposed has reduced by about 10%. The application for full permission (Phase 1) therefore now comprises a two storey industrial building for a commercial butchery (2065sqm, Use Class B1c) as well as 767sqm of other Class B1b or c (research and development or light industry) floorspace and including an extension to the existing security building and a relocated café. The proposals submitted for outline permission only with all detailed matters reserved (Phase 2) comprise a 1860sqm store building (use class B8) divided into 2 units and 10 smaller Class B1b (light industry), B2 (general industry) and B8 (warehousing and distribution) units in two blocks
5. Overall, therefore, there is 9,447sqm gross new floorspace proposed and a net increase of 7,587sqm once demolition of the existing buildings is taken into account.
6. In detail, Phase 1 for full planning permission comprises Units 1A to 1F. The butchery (Building 1E) is of a bespoke design with production, cold storage, catering, cutting, packing and staff changing areas on the ground floor and a training kitchen and offices/meeting rooms on the first floor. Associated with this is an outbuilding store (1F). The detailed elevations for building 1E show a low-pitched contemporary design using a palette of silver/grey metal cladding panels. The building is 2 storeys high (12.2m to ridge) and sits on raised land. In addition to these 2 buildings, Phase 1 also includes proposals

in detail for Unit 1A (a first floor extension to the existing security lodge in brick and steel cladding), Unit 1B (a new cladded 600sqm 2 storey use Class B1b/B1c building), Unit 1C (a small 61sqm café) and Unit 1D (a storage shed).

7. The Phase 2 outline proposals now indicate the demolition of existing Units 10-15 and replacement with Units 2A to 2J industrial buildings of between 176sqm and 272sqm of B1b, B1c and B2 uses and Units 2K and 2L of 1858sqm and 2322sqm floorspace for Class B8 storage and distribution use. the indicative maximum building heights for the largest units is 15m and it expected that they would comprise modern industrial units which are energy efficient and adaptable buildings and easy to manage and maintain.
8. Other than the relocated Owton butchery and café and extended gatehouse, the new development is not proposed to be occupied until the link road between the B3342 Bubb Lane/Tollbar Way and Burnetts Lane and associated roundabout/ roundabout arm for the Business Park are provided. The road would then be the required route for traffic for the whole Business Park. The anticipated completion date for this link road is March 2021, and the butchery could potentially be operational by the end of 2020.
9. Car parking of 185 spaces is distributed throughout the application site and requires the removal of 3 category C trees. Of this parking, 69 spaces are for Phase 1. SINC buffer zones are now provided at 20m from Round Copse SINC edge and all root protection zones of trees with the SINC area are maintained. New planting is proposed within the parking areas and along the spine road.
10. The application is accompanied by a location plan, demolition plan, layout plans, sketch and detailed elevations and floor plans, together with the following reports and technical assessments:
 - Design and Access Statement (updated);
 - Planning Statement (updated)
 - Preliminary Ecological Appraisal and interim Bat report (updated)
 - Geoenvironmental Desk Study and report
 - Transport Assessment and Travel Plan (updated)
 - Flood Risk Assessment and Surface Water Drainage Strategy;
 - Noise Assessment (updated)
 - Sustainability Statement (updated)
 - Topographical Survey
 - Air Quality Report (updated)
 - Heritage Statement
 - Draft Construction Management Plan
 - Tree Survey Report (updated)

11. The proposals have been screened for Environmental Impact Assessment with the conclusion that they do not fall within the EIA regime and an Environmental Statement is not required.
12. Sufficient information has been provided to enable the necessary Habitats Regulations Appropriate Assessment under the Conservation of Habitats and Species Regulations 2017 to conclude that the River Itchen SAC European Site would be adequately protected from harm from drainage pollution.

Relevant Planning History

- Originally built as rail-served Royal Navy Victualling Depot and changed to Class B8 Warehousing and Distribution Park without need for planning permission from EBC in 1998
- Post 1998 Chalcroft Business Park controls through planning permissions for individual units or HGV Operating Licence controls (subject to final confirmation) are detailed below. Units not listed are uncontrolled.

Unit	Occupier	Planning controls on HGV movements (not between hours specified in condition)	HGV Operating Licence controls (no vehicles of 26 tonnes or above to operate between hours specified)	Operating licence no. of vehicles
1	Smith Bradbeer		19:00 - 07:00 Monday to Friday (7.5 tonne weight limit) 4 vehicle movements can take place between 08:00 and 17:30 on Saturdays No movements on Sundays or Bank Holidays	2
6	Riva South Ltd		21:00 – 05:00 daily	Not specified
9	Churchill Filestore Ltd	Decision 19636/17 (2000) cond 3: 7pm – 7am Mondays to Fridays, before 8am or after 1pm Saturdays, none Sundays		
10	Honeyring		21:00 – 05:00	12

To be demolished and replaced	(trading as Hampshire Insulations)		daily	
11 To be demolished and replaced	N Compass Ltd	Temp permission 19636/13 to 31.1.2004 cond 4: 7pm – 7am Mondays to Fridays, before 8am or after 1pm Saturdays, none Sundays or Bank Holidays		
13 To be demolished and replaced	Rob Bryan	Decision 19636/20 (2002) cond 2: 7pm – 7am Mondays to Fridays, before 8am or after 1pm Saturdays, none Sundays or Bank Holidays		

Representations Received

To original proposals:

- 30 objections and comments from residents in Horton Heath, Fair Oak, Hedge End, West End and Bishopstoke and Burnetts Lane Residents Association in respect of:
 - Need to control night time HGV movements and lorry routing to/from site even if new link road used
 - New development should not proceed until new link road is built
 - Existing controls and signage breached causing noise and vibration nuisance, air quality impacts and sleep disturbance
 - Other traffic and highway safety impacts on the network and junctions and for pedestrians and cyclists
 - Damage to residential properties and verges due to HGV movements

To amended proposals:

- Objection maintained by Burnetts Lane Residents Association, stressing need to control night time activity including use of the new link road and for further information in respect of likely HGV movements.

Consultation Responses

13. **HCC Highways Development Planning:** 78% of the application site's trips are forecast to route to the M27 Junction 7 and contributions towards improvements at the Bubb Lane/Tollbar Way junction is required to improve its capacity. Other road junctions would not be severely affected. No additional net floorspace above that to be provided for the Owton butchery

(2064sqm) should be occupied before the Burnetts Lane to Bubb Lane link road is operational. Conditions and contributions towards the Eastleigh to Hedge End cycleway, Travel Plan (with monitoring and bond provisions) and new TROs, traffic management and signage required.

14. **Environmental Health Specialist**- recommends reorientation of buildings to assist with noise screening and conditions to restrict night activity, and for air quality, noise management, contaminated land, external plant and demolition/construction. Any further comments to be reported.
15. **Natural England** – site is close to the River Itchen SAC and SSSI with a watercourse on site draining to it, therefore there are potential impacts during construction and the operational phase. A Construction Environment Management Plan (CEMP) should be secured and the application should also be assessed under the Habitats Regulations. The site is adjacent to the Round Copse Site of Importance for Nature Conservation (SINC) and Chalcroft Distribution Park SINC, designated for supporting lowland mixed deciduous woodland and wet woodland and which supports ancient semi natural woodland. The SINC impact assessment should also address potential surface water pollution impacts. To offset adverse impacts on the SINC a funded SINC management plan is recommended. The mitigation measures should also address wider strategic biodiversity mitigation and enhancement measures. Standing advice on protected species should be applied.
16. **Biodiversity Specialist** – no objection to demolition subject to further bat survey information and conditions. Adherence to an updated Biodiversity Mitigation and Enhancement Plan must be conditioned Lighting should also be controlled during and post-construction to provide a dark corridor and conditions necessary for agreed Construction Environment Management Plan and sustainable drainage system.
17. **HCC Flood and Water Team** – no objection in principle subject to conditions.
18. **HCC Archaeologist** – no archaeological issues raised.
19. **Tree Officer** – amended plans now show group of trees, including ash and oak, to be removed. This is not significant and there is no arboricultural objection, subject to an update to the arboricultural report and a condition to protect remaining trees.
20. **Design Specialist** – no objection in principle. Tree replacement necessary and further soft landscaping to improve setting for buildings. Links to cycle network, replacement photovoltaics, electric vehicle charging points, green roofs/walls, and permeable surfaces/SUDS recommended. Sectional drawings for building 1E necessary given site level difference and materials samples condition.
21. **Landscape Specialist** – further tree planting sought. Plans to be amended.

22. **Direct Services** – no objection.
23. **Environment Agency** – no comments
24. **Highways England** – no objection subject to condition for a construction management plan
25. **Pipeline Agency** – no objection – development does not directly affect pipeline adjacent Bubb Lane
26. **Southern Water Services** – private waste water treatment works to be used therefore consult Environment Agency. Site is not directly served by a public sewer. Conditions recommended for further details of foul and surface water drainage.
27. **Southampton Airport** – no objection
28. **Economy Lead Specialist** – no objection and support retention of employment space
29. **Fair Oak and Horton Heath Parish Council** – Objection – there is lack of clarification regarding the positioning and timing of the new link road and the impact the increase traffic from heavy goods vehicles will have to noise and air pollution for nearby residents. Along with the increase in traffic from commercial vehicles. The Parish Council requests that times restrictions be placed heavy goods vehicles restricting their movement so as to minimise noise disturbance to nearby residents
30. **West End Parish Council** – Objection - Impact of additional HGV traffic Additional environmental impact on residents. Additional night time movement of vehicles Pressure on M27 motorway junctions 5 & 7.
31. **Burnetts Lane Residents Association** – opportunity should be taken to deliver night controls on HGV and LGV vehicles for Chalcroft Park and prevent movements between 7pm and 7am. If this is not done then application should not be granted as it will intensify the current misery for residents who currently must endure night-time movements of HGVs past their houses. It has been the stated aim of the site owners (FIP West End) in recent years to concentrate their business on daytime movements, so we cannot see any reason why the applicant would object to such a restriction being applied.
32. **Moorgreen Road Residents Association** – no comments received
33. **National Rail** – no comments received

Policy Context: Designation Applicable to Site and constraints

- Within countryside
- Within designated Employment Site

- Within Habitats Regulations Screening Area
- Within Southampton Airport Safeguarding zone
- Within National Rail Consultation area

National Planning Policy Framework 2019

34. The National Planning Policy Framework (NPPF) is a significant material consideration and advises that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. There is a general presumption in favour of sustainable development for both plan-making and decision-taking, and development proposals which accord with the development plan should be approved without delay. Where relevant policies of the development plan are out-of-date planning permission should be granted unless the adverse impacts of the development would outweigh the benefits; or specific policies in the Framework indicate development should be restricted. Local plan policies that do not accord with the NPPF are now deemed to be “out-of-date”. The NPPF requires that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. In other words the closer the policies in the plan accord to the policies in the Framework, the greater the weight that may be given.
35. Three dimensions of sustainability are to be sought jointly: economic (supporting economy and ensuring land availability); social (providing housing, creating high quality environment with accessible local services); and environmental (contributing to, protecting and enhancing natural, built and historic environment) whilst local circumstances must also be taken into account, so they respond to the different opportunities for achieving sustainable development in different areas. Planning should operate to encourage and not act as an impediment to sustainable growth. Sustainable transport is promoted in order offer genuine choice of transport modes for new development and to help reduce congestion and emissions, and improve air quality and public health.

National Planning Practice Guidance

36. Where material, this guidance on air quality, good design, material considerations, flood risk, contamination, noise, open space, recreational facilities, natural environment, planning obligations, travel plans, transport assessments, water supply and wastewater provision should be afforded weight in the consideration of planning applications.

Development Plan Saved Policies and Emerging Local Plan Policies

37. 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 2001-2011

- 17.CO – Extension of authorised commercial uses in the countryside
- 23.NC - Protection of Sites of Importance for Nature Conservation
- 25.NC – Habitat protection
- 33.ES – Air quality consideration
- 34.ES – Requirement to reduce greenhouse gases
- 37.ES – Sustainable development considerations
- 59.BE – High quality design
- 63.BE – Car park design
- 100.T – Sites to provide for sustainable transport
- 101.T – Development not to increase traffic growth above road traffic reduction levels and to contribute towards Local Transport Plan
- 103.T – Travel Plan requirement for larger developments
- 104.T – Off-highway parking to be adequate
- 117.E – Existing employment sites development for employment uses
- 118.E - Redevelopment of existing employment sites for new uses
- 123.E – Chalcroft Distribution Park policy – supports development within site provided no increase in HGV or other detrimental traffic and SINC not adversely affected.

Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014

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. Includes:
- Policy WE1- Land West of Horton Heath - major mixed use development, to include link road between Bubb Lane and the Chalcroft Business Park capable of taking its HGV traffic;
 - WE6 – Chalcroft Business Park site specific policy for employment uses

Submitted Eastleigh Borough Local Plan 2016-2036, October 2018

39. This Local Plan was submitted to the Planning Inspectorate on 31st October 2018 and the examination starts in November 2019. The adoption of the Local Plan is anticipated in Summer 2020. Given the status of the emerging Plan, it is considered that overall limited weight can be attributed to it. Relevant policies include:

- S1 – Delivering sustainable development
- S4 – Employment provision (including Chalcroft Business Park)
- S12 – Transport infrastructure
- S13 – Strategic footpath, cycleway and bridleway links (including Eastleigh to Hedge End parallel to the railway line)
- DM1 – General criteria for new development
- DM2 – Environmentally sustainable development

- DM3 – Adaption to climate change
- DM4 – Low carbon energy
- DM6 - Sustainable surface water management
- DM8 – Pollution
- DM11 – Nature conservation
- DM13 – Transport and highway safety, including sustainable transport
- DM14 – Parking
- DM15 – Safeguarding existing employment sites
- DM40 – Funding infrastructure
- WE1 – Chalcroft Business Park site specific policy for employment uses (see below)
- WE2 – Land Adjoining Chalcroft Business Park new employment site allocation
- HH1 – Land West of Horton Heath residential and employment site

Other Relevant Documents/Supplementary Planning Documents

- Environmentally Sustainable Development SPD (2009)
- Quality Places SPD (2011)
- Biodiversity SPD (2009)
- Planning Obligations SPD
- Biodiversity Action Plan 2012-22

Assessment of Proposal: Development Plan and / or Legislative Background

- 41 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. The Hampshire Minerals and Waste Plan (MWP) adopted October 2013 is not relevant to this site and the principal Development Plan document is the adopted Eastleigh Borough Local Plan.

The General Principle of the Development

- 42 Saved Policy 123.E only allows development at the Chalcroft Business Park Site if there is no detrimental increase in traffic or harm to the adjoining SINC. However, Policies WE6 (2014 Submitted Eastleigh Borough Local Plan) and WE1 (2018 Submitted Eastleigh Borough Local Plan) both identify the Chalcroft Business Park Site as being suitable for further Class B1b (research and development), B1c (light industry), B2 (general industry) and B8 (warehousing and distribution) development subject to a new link road being built and used (so preventing harmful traffic impacts), and subject to development not adversely affecting the Round Copse or Chalcroft Business Park Sites of Importance for Nature Conservation. Policy WE1 also identifies that a site level Habitats Regulation Assessment is required to demonstrate how this site will be delivered without adverse effect on any European site. Whilst still an emerging policy, WE1 has received limited substantive objection

as a result of consultation on the new Plan, with most comment seeking assurances that the infrastructure and necessary mitigation measures are provided. WE1 is also considered to be consistent with NPPF objectives for the economy and biodiversity and thus can be afforded moderate weight as a material planning consideration and a clear direction of travel for local plan policy. Subject to the WE1 criteria, necessary controls and mitigation, and other relevant policies being fully met, the development can be considered acceptable in principle. It is also accepted in principle that replacement floorspace for that to be demolished could be provided ahead of the construction of the new link road. The development can be acceptable in principle but not in detail if the site specific policy and other policy criteria are not met, resulting in harmful impacts. The 2018 Submitted Plan also recognises that, along with the opportunity to provide improved vehicular access to the site and a new landscape framework via the adjoining west of Horton Heath development, the business park can also be extended at the front (Policy W2).

Sustainable Development

43. The development must also be sustainable in respect of its specific details. Each of the three dimensions of sustainable development is considered below in this respect.

Economic Sustainability:

44. A key objective of the NPPF is to proactively drive and support sustainable economic development to deliver, amongst other things, the employment and services that the country needs. It is now proposed to relocate the Owton family butchery from its current site at Chalcroft Farm to the north this Chalcroft Business Park site. The butchery needs to relocate as it falls within the West of Horton Heath major development area. Whilst not generating new local jobs, this relocation does safeguard the existing 93 jobs. The other development proposed is estimated to provide up to 117 jobs. The latter figure is an estimate, as the buildings are largely speculative and without known occupiers and employee levels. The range of employment floorspace, from small start-up units to large warehouse buildings, supports the local economic need. During the building phase the site would make some contribution to the wider area in terms of construction jobs and related industries and there would be some benefit to the local area from construction workers using local facilities.

Social Sustainability:

- 45 In accordance with saved policy 190.IN of the local plan development is only to be permitted where adequate services and infrastructure are available or suitable arrangements can be made for their provision. Where facilities exist but will need to be enhanced to meet the needs of the development, contributions are sought towards provision and improvement of infrastructure. Planning obligations in respect of the provision and use of transport infrastructure for junction improvements and cycleway works would be necessary and these would enable the proposals to meet social sustainability objectives.

Environmental Sustainability:

40. There are a number of different components to Environmental Sustainability, including consideration of site-specific planning matters and the impacts of the development on its surroundings, the environment and local infrastructure, which are considered below under the relevant subheadings, with the conclusion that the development would not be environmentally sustainable due to the specific impacts which would arise from the development as proposed.

Ecology

41. As indicated above and detailed in the consultation responses from Natural England and the Council's Ecologist, the adjoining Round Copse Site of Importance for Nature Conservation (SINC) must be adequately protected from shading, lighting, construction and use impacts. Only in exceptional circumstances where the benefits of the development clearly outweigh the need to safeguard the nature conservation value of a site which adversely affects a SINC is development permissible, and in this event appropriate mitigation and compensation measures are required (Policy 23.BE EBLP Review and Policy DM11 Submitted EBLP). The Copse contains semi ancient woodland which results in trees with large canopies extending beyond the SINC site boundary. Buffers of at least 20m from SINC boundary edge are required and these have now been shown on the amended plans. The applicants also propose to provide more positive management of both the Round Copse and Chalcroft Distribution Park SINC through the implementation of a Biodiversity Mitigation and Enhancement Plan (BMEP) and Landscape and Ecology Management Plan management plan. Natural England has expressed concerns regarding the pollution impacts from the development on the SINCS' drainage, but I am satisfied that the site topography and conditions can provide the controls and mitigation necessary for this. Policies 123.E and WE1 for the site specifically require that any new development protects the SINCS. Subject to the conditions recommended I am now satisfied that adequate protection can be achieved.
42. The development's drainage also has the potential to impact the River Itchen SAC and SSSI and the watercourses leading to it. It would be possible to deliver an appropriate scheme for sustainable urban drainage with pollution control measures which can ensure that such impacts are prevented during and post construction, and meet Habitats Regulations Assessment Appropriate Assessment requirements to ensure that there would not be a significant impact. Without mitigation there would be conflict with Policies S1 and WE1 of the Submitted EBLP (October 2018).
43. An assessment of protected species has found that existing buildings are being used by low numbers of common pipstrelle bats as an occasional summer day roost. The demolition of these buildings would need a Low Impact Licence, issued by Natural England, and a method statement, which includes the use of bat boxes, is detailed in the submitted Biodiversity Mitigation and Enhancement Plan and is subject to conditions. Trees to be removed have been surveyed with the conclusion that there are no bats roosting in them,

although they are used for foraging. The provisions for new habitats and mitigation and management of existing enable the proposals to achieve a net gain in biodiversity.

Access and Highways

44. The application has been accompanied by a Transport Assessment and Travel Plan and addendum which takes account of the existing Owton butchery trips which are already on the network and the trip generation from the existing CBP units which will be demolished. Once completed, is estimated that there would be an increase in two way trips of around 94 in the AM peak hour (to a total of 246) and 76 in the PM peak hour (total for whole site of 197) and an estimated 78% of traffic would travel between the site and Junction 7 M27. There would be around an additional 60 HGV movements per day from the net increase of development (including 20 for Owton butchery, and of these up to 6 HGV movements would be at night). It is not expected that the Phase 1 Buildings 1A (gatehouse extension) or 1B (Class B1 use) would generate HGC traffic. For comparison, the existing CBP site generates in the order of 374 goods vehicle movements per 24 hours of which around 68 are HGVs and of these an average of 14 are at night after 7pm (data provided in September 2019 survey).
45. HCC Highways have assessed the submitted information and advise that because there are existing safety and junction capacity concerns in respect of the Bubb Lane/Tollbar Way junction, the level of trips forecast would have a significant impact and improvements to this junction are necessary, to be funded by the developer.
46. Only the replacement butchery and store for Owton, the replacement café and the extended gatehouse are proposed to be occupied before the link road between the B3342 Bubb Lane/Tollbar Way and Burnetts Lane and associated roundabout arm for the Business Park are provided. This is anticipated to be open for traffic by March 2021. The link road would then be the required route for traffic for the Business Park and this would enable traffic routing to be controlled so as to prevent HGV use in particular of Burnetts Lane and other unsuitable roads. Policy WE1 does not allow for any new development to proceed until the link road is built, but it is reasonable to allow for replacement of the butchery and other ancillary uses ahead of this, as it expected that there would be no additional impacts from this.
47. The current HGV restrictions on Burnetts Lane (7.5T Except for Loading) would still apply and, once the link road has been constructed, northbound through trips would not be allowed to route north on Burnetts Lane. As part of the site access works '7.5 T Except for Loading' signs would be installed on the Burnetts Lane roundabout arms. Therefore, the only legal route for HGV's to access/egress the site would be via the link road and new site access roundabout. In addition to this, as part of the West of Horton Heath application (O/14/75735), HCC secured a contribution towards traffic calming measures along Burnetts Lane deterring use or, if a closure TRO is approved, the closure of Burnetts Lane southbound, which would stop all vehicles travelling south along Burnetts Lane. In either scenario, it is considered the

proposed link road would provide a more attractive route for HGV movements both north and south of the site. As there may be a delay in elements of the West of Horton Heath development works and traffic orders and, as there is evidence of current breaches of signage instructions, the applicants and their tenants will also be required to comply with planning conditions controlling lorry routing.

48. Extensive improvements to sustainable modes access are to be delivered by the West of Horton Heath and Fir Tree Farm applications (or a new combined application) and, with these improvements, the sustainable transport to and from the site would be of an acceptable standard. This would allow staff to travel from Chalcroft Business Park to Hedge End or Fair Oak on shared use footway/cycleways. Contributions towards the additional Hedge End to Eastleigh rail corridor cycleway are required (Policy S13).
49. An objective for the development is to reduce this extent of car usage and the sustainable transport infrastructure would need to be supplemented by Travel Plan provisions. The submitted Travel Plan would require finalising and implementation for each unit, with funded monitoring and a bond provided. The Travel Plan could also include vehicle routing provisions.
50. 185 parking spaces are proposed, including disabled spaces and this appears an acceptable level, given the known parking needs for Owton and current on-site provisions. There are no adopted parking standards for commercial developments which are applied.
51. HCC do not advise on the impact on amenity from traffic, but this is considered below.

Amenity

52. The proposed buildings and car parking may not themselves pose a risk to residential amenity, subject to conditions controlling night activity, plant noise, operational management and hours of operation, but the submitted noise report does not satisfy Environmental Health concerns and more detailed assessment for each unit is required in addition to the conditions recommended. Traffic from the development, and in particular night-time HGV traffic, is of considerable concern for local residents who live along existing routes used by vehicles travelling to and from Chalcroft Business Park. Unless there have been planning applications for the units on the site there has been no opportunity to impose planning controls to limit noise, vibration and air quality impacts and regrettably, although the Road Traffic Commissioner has imposed controls for night movements between 9pm and 5am for some units through HGV licencing, these controls only apply to lorries which are registered to the site and other visiting traffic is uncontrolled. In light of concerns for the protection of amenity for existing and new residents on the permitted West Horton Heath development, Environmental Health officers have recommended that new units are not operational between 7pm and 7am on weekdays, 0800 and 1300 on Saturdays and not at all on Sundays and Bank Holidays. Exceptions for the relocated Owton butchery, café, small

store and gatehouse building extension are, however, reasonable, albeit that lorry movement and operational controls for the Owton use are still necessary.

53. The applicants have emphasised that they are unable to change existing leases to add controls in respect of night uses, but have suggested that conditions are a mechanism whereby tenants can be required to comply. Discussion is ongoing as to whether conditions or S106 obligations are most appropriate and this will be confirmed at committee. Given the scale of objection highlighting the issue and the impacts on amenity and highway safety, it is reasonable now to seek a lorry routing condition across the whole site, with the expectation that the new link road will have adequate noise bund screening to allow more neighbourly night movements. The difficulty with controlling visiting lorries is acknowledged, but the combination of physical road works, TROs and conditions are expected to significantly assist.
54. As the site would generate significant additional traffic, albeit on agreed routes, this also has the potential to reduce air quality along these routes and therefore a S106 obligation or condition for air quality monitoring would be necessary, with mitigation further secured through a Travel Plan. Both the Travel Plan and lorry movement restrictions would require funding for ongoing monitoring and enforcement resourcing. It would be open to the applicant to seek to demonstrate that controls were not necessary/could be changed when further specific information in respect of noise becomes available for individual tenants in the future.
55. Therefore, in order to ensure that residential amenity, including at night, is not unacceptably harmed as a result of the development conditions/S106 obligations on the planning permission would be necessary to ensure that:
- A financial contribution is provided towards TRO's, traffic management measures and signage alterations required on the local road network.
 - All HGV traffic (above 7.5 tonnes) generated by the development proposed travelling to/from Chalcroft Business Park to use the new Burnetts Lane/Bubb Lane link road (once built)
 - All new leases for the CBP site to require HGV traffic to/from the whole site to follow agreed lorry routing within Eastleigh Borough and signage (both before and after the new link road is built)
 - Owton HGV traffic between 7pm and 7am be limited to 6 movements per night
 - Other than Owton butchery, the site is not operational between 7pm and 7am on any week day, before 8am or after 1pm on Saturdays or at all on Sundays and Bank Holidays
 - Only the butchery use by Owton, café and gatehouse would be permitted to be occupied prior to the new Burnetts Lane/Bubb Lane link road being used as public highway.
 - Operational Management Plans to be complied with
 - Air Quality Monitoring contribution
 - Monitoring/enforcement funding to be provided by applicants

Subject to the above, the proposals can be considered compliant with the requirements of Saved Policies 29.ES, 31.ES and 59.BE in respect of residential amenity and Submitted Plan policies DM1, DM8 and WE1.

On site Land Contamination

56. A contaminated land report was submitted with the application but is considered inadequate and further information is required prior to commencement and for verification. Conditions are recommended for this and may be updated following the late submission of information in respect of the Owton building (1E) which now requires assessment by Environmental Health. A verbal update on this matter will be provided.

Design and Layout

57. As a hybrid planning application, the specific design details of the full application element (Phase 1, Buildings 1A-1F) are to be considered and only the principle and parameter plan information for the outline element (Phase 2, Buildings 2A-2L). The siting of buildings is constrained by the adjoining SINC woodland and the need to provide appropriate buffer areas along its boundary with the site but the amended proposals have now addressed this and provided the requisite 20m buffering with no development within it.
58. As previously described, the elevational designs of the buildings which are part of the full application comprise modern materials and these indicate a robustness and quality which is acceptable. The front of the application site adjoins the Policy W2 site extension and it is expected that any proposals for this additional employment land would fit with these approved designs.
59. Views from high land nearby, including the route of the new link road between Burnetts Lane and Bubb Lane, have been considered. The site is well screened by existing mature trees and buildings, but the original indicative height of the large Phase 2 building of up to 17.6m to ridge was of concern as it was likely to be seen above the tree line. To address this issue, the applicants have now agreed to a maximum ridge height of 15m and eaves (haunch) height of 12m. The Phase 1 buildings (Building 1E max 12m to ridge) nearer to the front of the site would be clearly visible, but their scale and height is significantly less. The siting and impact of Building 1E on mounded land has been taken into account.
60. As well as car parking and lorry parking and turning areas, provision is made for bins and cycles and could also be made for motorcycles. Amended vehicle tracking plans have been submitted.

Trees and Landscaping

61. The site has significant trees along the north-eastern boundary, adjacent to the full planning application site and there is now an opportunity to renew the landscaping on this part of the Chalcroft Business Park site. Tree loss is limited to 5 low value specimens and not felt to be significant in the context of the site. The Council's Tree officer is satisfied with the level of prescribed

protection and has raised no arboricultural objection, subject to an updated report and a condition.

62. New landscaping is proposed which would assist in enhancing the internal appearance of the site. The Council's Landscape Officer has sought additional tree planting and this is now proposed. The front of the application site adjoins the Policy W2 site extension and it is expected that any proposals for this additional employment land would provide substantial landscape screening from Burnetts Lane.

Drainage and Flood Risk

63. Drainage impacts on the SINC's and River Itchen SAC and SSSI ecological interests is referred to above. The application site lies within Flood Zone 1 which is considered to have a low risk of flooding and the submitted Flood Risk Assessment and Drainage Strategy (FRA) demonstrates that the development would not increase the risk of flooding elsewhere, subject to the implementation and management of an acceptable Sustainable Urban Drainage system (SUDs). Despite the Zone 1 designation, parts of the site outside of the application area are known to flood, and the sustainable drainage scheme and use of porous surfacing will also help to address this by reducing run-off. The use of private foul sewerage is to continue for the current time. The site may in the future connect to a new public sewerage network to the north, and the Environment Agency and Southern Water have not raised any concerns with regard to this, which will require separate consents. Alternatively, a new private reed-based system is being explored, and either option can be subject to the recommended conditions, enabling the development of this site to comply with saved policy 45.ES and submitted policy DM6.

Sustainable Construction and Climate Change

64. A BREEAM Stage 3 pre-assessment of the full application buildings has been undertaken and initially only a low "Very Good" rating targeted. This is below the "Excellent" level sought in the Council's Environmentally Sustainable Development SPD and the principal reason for this is the current relatively poorly served location in respect of public transport, footways and cycleways. It is acknowledged that with the adjoining Horton Heath village development this element of the assessment will change, but it is also possible to achieve credits and a higher rating with other scheme enhancements. Whilst the buildings will use solar energy and be built to modern, energy-efficient standards which far exceed the sustainability of those being replaced, the low rating targeted for such a large-scale development was well below adopted policy requirements. However, the applicants have now submitted further BREEAM assessments for Units 1A, 1B, 1E and 1F. Building 1A includes a refurbishment and extension to an existing building and achieves a high Very Good rating. The butchery has the requirement for refrigerants and associated energy demands and also achieves a predicted high "Very Good". Therefore, whilst effort has been made to improve the sustainability of the buildings, they appear unlikely to achieve BREEAM Excellent if they are built

before the site becomes more accessible. Because the shortfalls below Excellent are now likely to be minimal, it is recommended that they be addressed through a contribution towards the Council's own sustainability (Carbon Fund) projects off-site through a S106 agreement obligation.

65. The combination of the sustainable construction provisions and contributions, sustainable drainage, the Travel Plans and the sustainable transport (cycleway) obligations would ensure that the new development meets climate change concerns raised through Eastleigh's declared Climate Change Emergency.

Planning obligation /considerations

66. In accordance with the guidance contained within the NPPF, Saved Policies 101.T, 125.TC and 191.IN of the adopted Eastleigh Borough Local Plan Review (2001-2011), Policies DM13 and DM40 of the Submitted Eastleigh Borough Local Plan, 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. These are secured by a Section 106 agreement under the provisions of the Town and Country Planning Act 1990.

67. Section 106 agreement heads of terms recommended are:

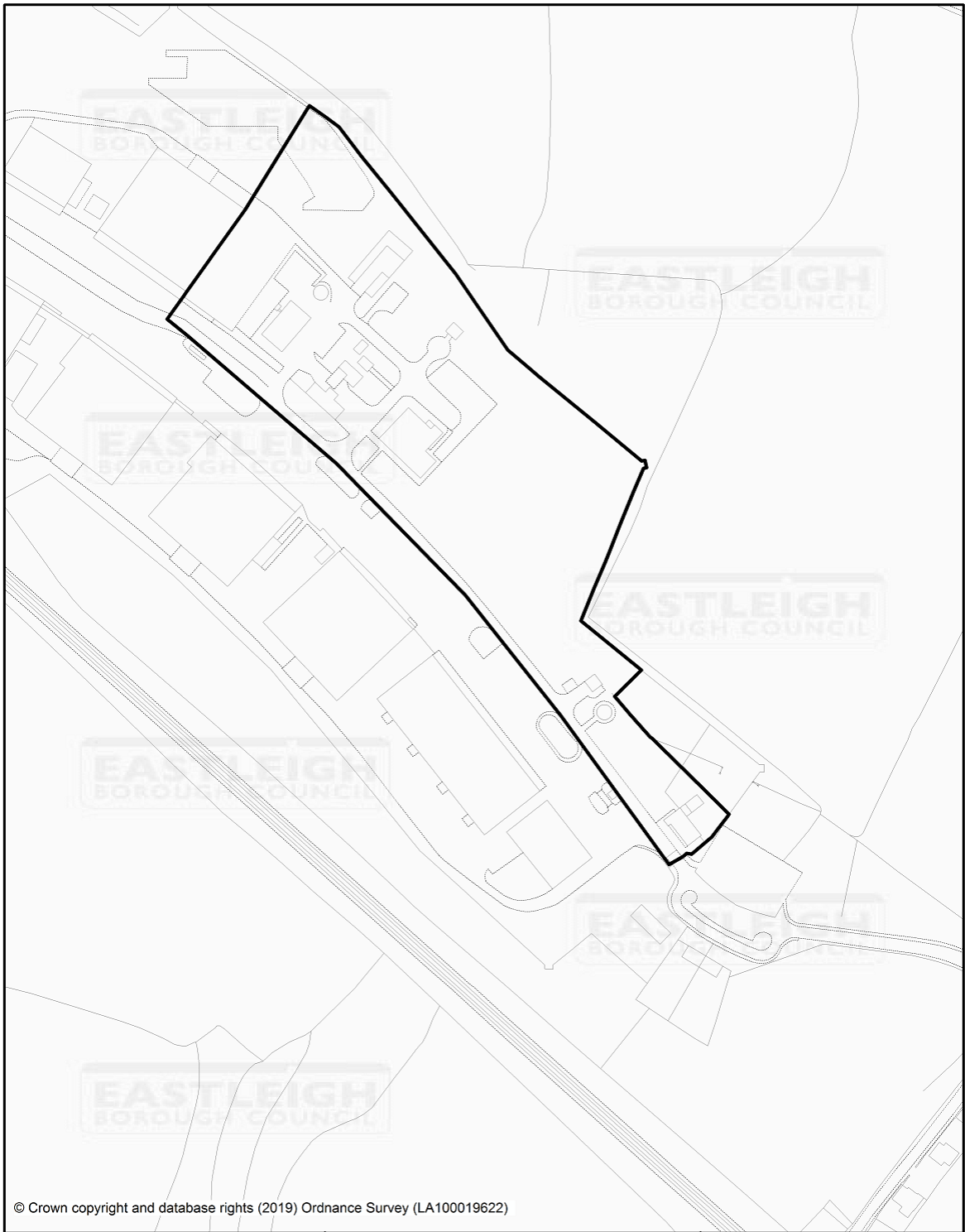
- Contribution towards improvements at the Bubb Lane / Tollbar Way junction.
- Contribution towards the Eastleigh to Hedge End sustainable transport route parallel to the railway line.
- Travel Plan with associated bond monitoring and approval fees.
- Contribution towards TRO's, traffic management measures and signage alterations required on the local road network.
- All HGV traffic (above 7.5 tonnes) generated by the development proposed travelling to/from Chalcroft Business Park to use the new Burnetts Lane/Bubb Lane link road (once built)
- All new leases for the CBP site to require HGV traffic to/from the whole site to follow agreed lorry routing within Eastleigh Borough and signage (both before and after the new link road is built)
- Owton HGV traffic between 7pm and 7am be limited to 6 per night
- Air Quality monitoring and mitigation contribution
- Carbon Fund contribution in respect of any shortfall below BREEAM Excellent
- SINC Management
- S106 monitoring and enforcement funding

68. 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 meet the needs generated by the development and the potential impact on existing services and facilities.

Conclusion

69. Plan and scheme amendments and S106 obligations have now been submitted to ensure full and proper protection of the SINCS, the safeguarding of amenity, and higher levels of sustainable construction, which enables compliance with relevant planning policy and NPPF guidance. The benefits of the scheme in relation to employment provision are acknowledged and there are no unmitigated adverse environmental impacts. Subject to conditions and planning obligations planning permission is recommended.



EASTLEIGH
BOROUGH COUNCIL
F/18/83945

Title:

Scale:
1:2500
Map Ref:
SU4816SE
Date:
24/01/2019

