

Planning Policy

From: Andrew Somerville <
Sent: 14 September 2018 08:50
To: Planning Policy
Subject: Representations to the Issues & Options Consultation
Attachments: CEG - response to Issues & Options Consultation.pdf

Dear Sir/Madam

On behalf of CEG, please find the enclosed representations to the Issues & Options Consultation for the next Local Plan.

I would be pleased if you could confirm their receipt and use them to inform the next stage of the emerging Local Plan.

Best wishes

Andrew

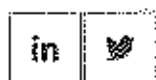
Andrew Somerville
Associate Director

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Nexus Planning - Thames Valley

Nexus Planning - Birmingham

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NEXUS
PLANNING

Test Valley Borough Council

Issues and Options Consultation for the next Local Plan

Representations on behalf of CEG

September 2018





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1. Introduction

- 1.1 These representations are made to Test Valley Borough Council's ("**the Council**") 'Issues and Options Consultation for the next Local Plan' ("**the Consultation**") on behalf of CEG.
- 1.2 The Consultation is a key stage in the Council's preparation of its new Local Plan ("**the Emerging LP**"), which will provide for future growth and development in the Borough up to 2036, seven years beyond the current plan period ending in 2029.
- 1.3 The focus of the Consultation is on issues surrounding the number and location of new homes that will be required in the Borough – to ensure a sufficient supply of market and affordable homes for current and future generations. Specific questions are raised by the Consultation as to how the Emerging LP should distribute housing growth – posing a number of spatial options that include local allocations through neighbourhood plans; a proportionate distribution of growth between the main settlements; specific allocations through the plan making process; and/or a new garden village.
- 1.4 As well as the Council's own housing requirement, which is now informed by the Government's standardised methodology, the relationship of Test Valley to its neighbouring authorities will influence how many new homes are needed in the Borough and where they should go. Particularly that the south of the Borough has strong functional connections with Southampton and the Solent sub-region.
- 1.5 CEG's interest in the Emerging LP is that it is the sole freehold owner of land at Rownhams Lane, Rownhams ("**the Site**"), identified as ID210 in the Council's Strategic Housing and Economic Land Availability Assessment (February 2018) ("**the SHELAA**").
- 1.6 A detailed submission setting out the suitability of the Site, together with the development opportunity and vision, was presented in response to the Council's call for sites in October 2017. This explains that:
 - the Site is wholly suitable for development, most notably with its close relationship to the existing settlement of Nursling and Rownhams – a second tier settlement behind only Andover and Romsey, which the Revised Local Plan 2011-2029 ("**the LP**") identifies as suitable for residential allocations of a strategic size;

- the Site is available for development, with a single landowner (CEG) making delivery of housing less complicated and therefore faster;
- the Site has a great degree of natural containment in the landscape;
- the Site abuts the 'Key Service Centre' of Nursling and Rownhams and is within walking and cycling distance of the services and facilities within Rownhams and Lordshill. The 'Key Service Centre' role of Nursling and Rownhams is reinforced by its strong relationship with employment areas and other services in the adjoining areas of Southampton;
- the suitability of the Site was considered by the appeal Inspector in allowing the development adjacent to the west of the Site (APP/C1760/A/14/2224913) ("**the Approved Scheme**"); "*The Appeal Site is in an accessible and sustainable location, adjoining the existing settlement boundary as an extension of Rownhams. The Appeal Site is appropriate for the Appeal Scheme*";
- there is headroom in the SANG provided by the Approved Scheme to mitigate any impact on European protected sites that development on the Site might cause from increased recreational pressure; and
- as suitable and available land, residential development of up to 300 dwellings on the Site will help meet (i) the housing requirement of the Southern Test Valley (STV) area and (ii) the unmet needs of the wider Southampton Housing Market Area (HMA), which includes the residual unmet need of Southampton.

1.7 In response to the Consultation, building on the CEG's call for sites submission, these representations address:

- i. what the appropriate spatial strategy and distribution of new homes should be; and
- ii. how development on the Site is suitable and would help deliver the level of growth required in the right location.

2. Amount and Distribution of Growth

- 2.1 The presumption in favour of sustainable development remains at the heart of the revised National Planning Policy Framework (“**the Framework**”) – that plans should meet the development needs of their area, providing as a minimum the objectively assessed needs for housing, as well as needs that cannot be met within neighbouring areas.

Housing Market Areas

- 2.2 The Consultation identifies the two HMAs in Test Valley Borough – one covering the northern area, focussed around Andover (NTV); the other comprising STV, around the settlements of Romsey and Key Service Centres including Nursling & Rownhams. The LP explains (paragraph 2.29) that STV is functionally connected with good transport links to the towns and cities in south Hampshire (including Southampton, Eastleigh and Winchester, as well as other authority areas) that together form the Partnership for Urban South Hampshire (“**the PUSH**”). Consequentially residents of STV look to this area – particularly Southampton (LP paragraph 2.30) – for a range of services and facilities. This is consistent with commuting flows identified by the Consultation between Test Valley Borough, Southampton and other locations.
- 2.3 This dependency with Southampton is mutual, with STV providing a number of high value business sites including Adanac Park and the Nursling Estate. The LP (paragraph 2.29) identifies a significant inward flow of workers to STV and recognises the sustainable merits of accommodating housing growth where it is closest to employment opportunities.
- 2.4 In contrast, NTV is focussed around Andover, which has a high degree of self-containment and relative distance from other larger centres including Basingstoke, Winchester, Southampton and Salisbury (LP paragraph 2.25). 70% of residents in Andover also work in the town.
- 2.5 This stark difference in economic and functional dependencies justifies STV being in the Southampton sub area of the south Hampshire HMA, whilst Andover and NTV should remain within the central Hampshire HMA. Otherwise, a single HMA would be perverse with unsustainable outcomes – that it could enable homes required in relation to the housing needs of the PUSH and Solent region to be accommodated in the relatively isolated and self-contained town of Andover.

- 2.6 This logical two HMA approach is also recognised by the PUSH, as well as the respective local economic partnerships (LEP) – Solent LEP (covering STV) and Enterprise M3 LEP (covering NTV).
- 2.7 Against this background, the Emerging LP should retain the current boundary between the two HMAs – consistent with (i) the spatial and economic functionality of the Borough and (ii) the boundaries of other sub-regional organisations.

Housing Requirement

Economic growth

- 2.8 The Government's standardised methodology, as introduced by the Framework (paragraph 60), is now the approach for calculating the minimum level of housing need and growth. It is important to recognise that this calculation is indeed just the minimum – it does not include job-led and economic growth aspects from the standardised objectively assessed need (OAN) starting point.
- 2.9 The Framework is clear that the Emerging LP should set a clear economic vision and strategy that encourages sustainable economic growth and supports productivity, so to create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on such economic objectives.
- 2.10 The economic strategy for STV (along with the wider Solent region) is presented by the Solent LEP in its 'Transforming Solent Growth Strategy' (January 2015). The need to provide sufficient housing to support the growing workforce is one of its key objectives and priorities, along with maximising the effectiveness of the region's economic assets and promoting the Solent in the global market place.
- 2.11 Accordingly, the Council should support the aims of Solent LEP's growth strategy by aligning its housing need with that – through ensuring that additional housing in STV is provided beyond any minimum level.
- 2.12 This is nothing new: the STV housing figure in the PUSH Spatial Position Statement (June 2016) ("**the Position Statement**") is based on the 2014-based household projections, but uplifted to take account of economic priorities through the delivery of the Solent LEP Strategic Economic Plan.

Unmet need

- 2.13 The Framework's presumption in favour of sustainable development (paragraph 11) places the requirement for strategic policies to accommodate any needs that cannot be met within neighbouring authorities at the heart of sustainable plan making. This is amplified by the Framework (paragraph 60) in addressing how a sufficient supply of new homes should be delivered:

"In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for."

- 2.14 Such cooperation is of course also a statutory requirement in the plan making process.
- 2.15 STV and the Site fall within the Southampton HMA, along with Eastleigh, parts of Fareham, New Forest and Winchester, and Southampton itself, as defined by the PUSH 'Objectively-Assessed Housing Need Update' (April 2016) ("the SHMA"). The SHMA concludes that 57,000 homes (2,280 dwellings per annum (dpa)) are required across the Southampton HMA over the period 2011 to 2036.
- 2.16 The Position Statement takes the SHMA as the starting point and then addresses the distribution of future development across the Southampton HMA up to 2034, providing a framework of cooperation intended to allow each local authority to review its own local plan.
- 2.17 For STV, the Position Statement's distribution of housing increases the housing figure to 202 dpa – marginally higher than the LP (with a requirement of 195 dpa) and the SHMA (with an OAN of 185 dpa).
- 2.18 Based on these numbers, the Emerging LP will need to identify land in STV for at least an additional 1,414 dwellings (202 dpa x 7).
- 2.19 However, over the period of 2011 – 34, the Position Statement identifies a significant level of unmet housing need within the Southampton HMA – of 2,390 dwellings (104 dpa). Southampton itself has an unmet need (of 6,187 dwellings), as does Fareham (of 598 dwellings) and New Forest (of 1,219 dwellings). Whilst part of this unmet need is apportioned to be made up elsewhere – most notably in Eastleigh and Winchester – there remains a shortfall of 2,390 dwellings.

- 2.20 The Position Statement recommends that local authorities investigate opportunities to address this unmet shortfall as part of their plan making process.
- 2.21 Through the introduction of the Government's standardised methodology, the minimum figures for calculating local housing need across the Southampton HMA may change. Whilst in some local authority areas this may go down, in others such as Eastleigh, Fareham and Winchester, the minimum figure is set to rise; and this is before any uplift in housing growth to accommodate the economic priorities of the Solent LEP. Therefore, it would be unsound to conclude that the unmet need of the Southampton HMA will be any less in the future.
- 2.22 Accordingly, the Emerging LP should still accommodate the current apportionment of need from the Southampton HMA and, on top of this, make provision to accommodate some of the unmet need. This is especially so given the availability of the Site (land at Rownhams Lane) as a suitable location, where the needs of both STV itself and the wider Southampton HMA can and should be met.

Approach to Distribution

- 2.23 The Consultation introduces potential options of how development should be distributed across the Borough – whether or not through neighbourhood planning, a proportionate distribution based on existing population, allocations through the Emerging LP, or a new garden village. The Consultation highlights the current (and sound) approach of the LP – that of making allocations concentrated around the higher tier settlements (Major Centres and Key Service Centres), in order to support a sustainable pattern of development (limiting development in the smaller 'Rural Villages' and countryside). Thus, the Consultation recognises that any alternative approach must also be an appropriate and sound strategy, as considered against the provisions of the Framework – that the Emerging LP must contribute to the achievement of sustainable development (paragraph 16) and meet the tests of soundness (paragraph 35).
- 2.24 For STV, a process of bringing forward allocations through neighbourhood plans would be fragmented and ad hoc in its nature. For example: whilst Romsey Town Council and Romsey Extra Parish Council have had their combined area designated as a Neighbourhood Plan Area in 2014, there is little evidence of further progress in the four years since that. Other areas containing sustainable 'Key Service Centres' in STV have not progressed any form of neighbourhood planning. It is unclear how such a disjointed system could deliver a sustainable pattern of development.

- 2.25 Similarly, an approach that coarsely allocates housing growth based only on the size of existing settlements would fail to adhere to sustainable principles of development. As well as compounding issues where a relatively unsustainable settlement could be disproportionately large, it would add more growth to areas that have already had recent significant development without any more detailed consideration as to whether or not such growth is the most appropriate and sustainable strategy.
- 2.26 For example, Romsey was the focus of significant development by the LP (with 78% of the allocated housing numbers for STV). If future growth in Romsey is proportionate to the rapid expansion that has already happened, a number of distinct disadvantages are identified. These include that the delivery of housing is reliant on just one location/housing market (Romsey); that the town's infrastructure capacity and capability would come under increased pressure; and the adjoining city of Southampton, offering the most comprehensive range of services and facilities, as well as being the greatest driver of commuting flows, would be overlooked.
- 2.27 Instead, for reasons of proximity to employment opportunities, transport infrastructure and reducing the need to travel, the Council should look to accommodate future development as close as possible to Southampton. This would also be the most appropriate approach to accommodate its unmet housing needs.
- 2.28 Finally, given the existing interdependencies of STV to the other nearby settlements, particularly Southampton, a new garden village in STV would not meet the eligibility criteria in that it would not be free standing as a sustainable place. Rather, as the garden village would simply be a dormitory of Southampton, a more sustainable spatial response instead would be to locate development where it is most accessible to it – in the settlement of Nursling and Rownhams.
- 2.29 Given the flaws of other options, the allocation of housing sites should again come forward through the Emerging LP. But this must be underpinned and consistent with an appropriate spatial strategy for STV. As this strategy must recognise Southampton as the main generator of travel and highest tier sub-regional settlement providing a range of key services and amenities for local residents, housing growth should be focussed where it is most accessible to it.
- 2.30 As development on the Site would be wholly consistent with this strategy, the Emerging LP should accordingly allocate it for housing.

3. Development on land at Rownhams Lane

3.1 In response to the Council's latest call for sites, the suitability of development on the Site was presented in the Vision Document. This document has now been updated and is enclosed as **Appendix A** to these representations.

3.2 Key aspects of the Site that make it suitable for development are:

- its contiguous relationship with the 'Key Service Centre' of Nursling & Rownhams (the built form of the Approved Scheme will be a natural part of the settlement, with an appropriate adjustment of the settlement boundary);
- that it is extremely well contained by natural landscape features, greatly screened to the east and south by woodland;
- that it is not constrained by heritage assets; and
- that the adjacent SANG has capacity to further mitigate any additional recreational pressure on European protected sites.

3.3 Reinforcing this suitability are the findings of the appeal Inspector for the Approved Scheme, which remain relevant for the Site (with reference to the paragraphs of the appeal decision as enclosed at **Appendix B**):

- significant tree planting to the north of the access off Rownhams Lane would effectively screen the development in views from existing public highways (paragraph 32);
- tree planting along the northern edge of the housing development would provide screening in views from the public footpath (paragraph 32);
- from the M27 motorway, the housing development would be screened by significant tree planting and separated by the SANG – development would not be intrusive in views of the rural landscape (paragraph 33);

- tree planting around the SANG would attenuate noise from the motorway to a significant degree; and it is noted that existing housing in Rownhams is closer to the motorway (paragraph 38);
 - buffer zones between the built development and Clam's Copse and the paddocks and Lord's Wood would maintain the woodlands' nature conservation status (paragraph 39). There would be a net gain in biodiversity (paragraph 55);
 - the bus stop on Horn's Drove is within easy walking distance (paragraph 42); and bus route 4, from this stop, connects to the central railway station in Southampton and other bus services at Lordshill, providing residents with frequent and nearby access to public transport (paragraph 43);
 - Lordshill local centre, which is within walking distance of the development, includes a supermarket, medical centre, library, post office, public house and church, amongst other services. It is also within easy cycling distance (paragraph 44); and
 - overall, the development has no significant adverse impact on the visual amenity of the area, highway safety or local infrastructure. The site is a sustainable location for residential development (paragraph 47).
- 3.4 The Council has considered the Site in the SHELAA. Whilst a number of constraints are identified – including TPOs and the adjacency to 'Sites of Importance for Nature Conservation' and ancient woodland – the Vision Document and appeal decision of the Approved Scheme demonstrate how these can be successfully addressed in any development through sensitive design. Likewise, the eastern edge of the Site being in flood zone 2 can be accommodated with an appropriate layout.
- 3.5 The SHELAA identifies the M27 motorway as a significant noise source that constrains development. However, very recent decisions by the Council on the Reserved Matters for the Approved Scheme, as well as the considered views of the Planning Inspector in granting outline permission, demonstrate that such noise can be addressed and development is acceptable. The noise climate on the Site is not significantly different to that of the Approved Scheme.
- 3.6 In the Reserved Matters applications pursuant to the outline planning permission (APP/C1760/A/14/2224913), which the Council's Planning Committee resolved to approve in July

2018, planning officers reported that the dwellings would have an internal noise environment compliant with the requirements of the Council's environmental protection officer. With the use of acoustically attenuated ventilation if necessary, it was considered:

"that future occupiers of the proposed dwellings would not experience levels of noise that would adversely affect their amenities. The proposals are considered to comply with policy LHW4 of the RLP in this regard."

- 3.7 Therefore, it cannot be said that the Site is unsuitable for development based on any noise from the motorway.
- 3.8 The SHELAA alleges that there are *"no local amenities within walking distance"*; but it is unclear on what evidence this based on. The Vision Document shows a significant range of facilities, many accessible by foot and many more by cycle, within the Key Service Centre and the neighbouring urban area of Southampton, including Lordshill local centre and bus interchange. Indeed, the Inspector for the Approved Scheme also considered this to be the case – that Lordshill is within walking and easy cycling distance.
- 3.9 For those who may not wish to walk or cycle, the SHELAA identifies the bus stop on Rownhams Lane close to the Site, from where there is access to the wider bus network serving locations including Romsey, Southampton Hospital, Southampton city centre and Adanac Park. As agreed by the appeal inspector for the Approved Scheme, this provides residents with frequent and nearby access to public transport.
- 3.10 It is therefore considered that significant future development on the Site would be consistent with paragraph 103 of the Framework – that the Site is a location which is sustainable through limiting the need to travel and offering a genuine choice of transport modes. In turn, this can help reduce congestion and emissions, and improve air quality and public health.
- 3.11 Overall, it is demonstrated that there are no reasons why the Site cannot be considered suitable for development. It is in a highly sustainable location, capable of making a meaningful contribution towards the need for market and affordable housing within STV and the wider Southampton HMA.

4. Conclusions

4.1 These representations respond to the Consultation and specifically in relation to how the Council should plan to meet its current and future housing need, as well as an apportion of that which is unmet from the wider HMA, in its Emerging LP.

4.2 In this regard it is considered that:

- the economic and functional dependencies of STV relate closely to south Hampshire and the area covered by the PUSH and Solent LEP. The current two HMA approach of the Council should therefore be retained; there is no justification for a single HMA across the Borough;
- the Council's housing need to be calculated through the Government's standardised methodology is the minimum starting point. Beyond that, the objectives of the Solent LEP, through the delivery of its Strategic Economic Plan and providing sufficient housing to support the growing workforce should be accommodated;
- the Council should plan to accommodate a proportion of the unmet need of the Southampton HMA at locations, including the Site, where it is most appropriate to do so;
- allocations for housing development should be made through the Emerging LP in accordance with a spatial strategy that recognises Southampton as the main generator of travel and highest tier sub-regional settlement providing a range of key services and amenities; and
- the Site is wholly suitable for development and issues raised in the SHELAA as to why it may not be are unjustified.

4.3 Therefore, as the Site is both suitable and located where it is consistent with the most sustainable distribution of housing growth in STV – of locating development close to Southampton and other nearby employment opportunities so to maximise sustainable forms of transport and minimise the need to travel – it should be allocated in the Emerging LP for housing development.

Appendix A



Land at
Rownhams Test Valley

Vision Document
September 2018



EXECUTIVE SUMMARY

1. The Site is wholly suitable for development, most notably with its close relationship to the existing settlement and natural containment in the landscape.
2. The Site is available for development, with CEG being the sole freehold owner of it, making delivery of housing less complicated and therefore faster than where there are multiple landowners.
3. The Site abuts the 'Key Service Centre' of Nursling and Rownhams, within walking and cycling distance of the services and facilities within Rownhams and Lordshill. The 'Key Service Centre' role of Nursling and Rownhams is reinforced by its strong relationship with employment areas and other services in the adjoining areas of Southampton.
4. The suitability of the Site was considered by the appeal Inspector for the Approved Scheme: "The Appeal Site is in an accessible and sustainable location, adjoining the existing settlement boundary as an extension of Rownhams. The Appeal Site is appropriate for the Appeal Scheme."
5. As suitable and available land, residential development on the Site will help meet (i) the housing requirement of the STV area and (ii) the unmet needs of the Southampton HMA, which includes the residual unmet need of Southampton.
6. Taking into account the constraints and opportunities for the Site, approximately 290 new homes can be accommodated along with green infrastructure.



The **concept masterplan** above demonstrates how housing development on the Site (approximately 290 new homes along with green infrastructure) can be delivered.

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1. INTRODUCTION

This vision document introduces Rownhams and specifically land at Rownhams Lane (“the Site”), as a sustainable location to provide new homes, which is both suitable and available for development.

In the context of the current and future housing requirement in southern Test Valley and the unmet need from Southampton, the Site (being within the same Southampton Housing Market Area) presents a significant opportunity.

This document supports representations to Test Valley Borough Council’s (“the Council”) Issues and Options Consultation for the next Local Plan.

The Site is wholly suitable for development, most notably with its close relationship to the existing settlement and natural containment in the landscape, screened by existing woodland. This is supported by the recent planning permission (APP/C1780/A/14/2224913) for up to 320 dwellings and a 60 unit extra care facility (“the Approved Scheme”), on land to the east of Rownhams Lane, which included the Site as paddocks.

The Site and its general wider context is shown at **Figure 1**.



Figure 1: The Site and Context



INTRODUCTION TO CEG

CEG is an investment and development company, specialising in the investment, management, promotion and development of land and property around the UK. CEG is the single freehold owner of the Site.

CEG works as a 'master developer', in partnership with communities and local authorities, using its expertise to find unique and viable solutions to deliver development.

CEG's approach puts place-making and people first, helping to ensure the creation of sustainable, well-designed environments and communities that meet local needs and aspirations.

CEG secured planning permission for the Approved Scheme, which is now being quickly delivered by Taylor Wimpey with their substantial housebuilding expertise.

ceg:

2. THE SITE



Figure 2: The Site

The Site, as shown in more detail at **Figure 2**, comprises approximately 19.48 hectares of agricultural land, which has extant planning permission for paddock use, consented as part of the Approved Scheme.

With the implementation of the Approved Scheme, the Site is bounded to the north by an area of Suitable Alternative Natural Greenspace (“SANG”), including new tree, hedgerow and woodland planting, which will further buffer the M27 motorway beyond. The motorway service area is substantially screened by the dense trees and vegetation of Routs Copse.

To the east and south, the Site is bounded by other areas of established woodland – Lords Wood and Clam’s Copse. Tanners Brook also runs along the eastern boundary of the Site.

To the west, the Site abuts the built form of the Approved Scheme, with its retained / reinforced network of hedgerows.

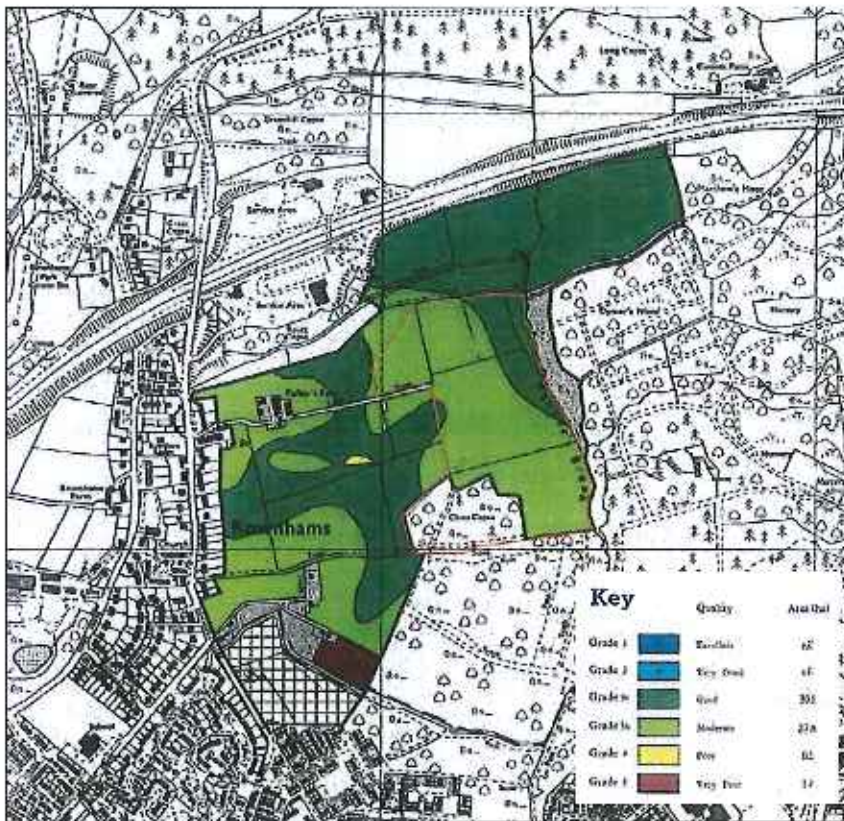


Figure 3: Agricultural Land Classification

The Site is generally flat, with a gentle fall down towards its eastern boundary that does not constrain development.

The Site is not within any designated landscape area.

There are no listed buildings on or adjacent to the Site, nor does it sit within or adjoin a conservation area.

Although the Site currently comprises grazing farmland, it has extant planning permission (the Approved Scheme) for paddock use. The plan at **Figure 3** shows the agricultural land classification of the Site to be mainly Grade 3b moderate, which is not within the best or most versatile category.

The Site is located within Flood Zone 1, except for a narrow band of land adjacent to Tanner's Brink which is at higher risk of flooding. All future built development can be located within Flood Zone 1.

The Site is not within a Local Gap as defined by the Revised Local Plan 2011-2029 (adopted January 2016) ("the Local Plan").

LOCATION

The Site abuts the 'Key Service Centre' of Nursling and Rownhams*, which the Local Plan (Table 7: Settlement Hierarchy) identifies as suitable for residential allocations of a strategic size. It is a second tier settlement behind only the 'Major Centres' of Andover and Romsey.

* The built form of the Approved Scheme will be a natural part of the settlement, with an appropriate adjustment of the settlement boundary in due course.

The Site is well located, within walking and cycling distance of the services and facilities within Rownhams and Lordshill. Facilities include a supermarket, convenience grocery shop, doctors' surgery, pubs/restaurant and village hall, of which more details are provided in the following sections.

The Local Plan (paragraph 3.55) emphasises that the 'Key Service Centre' role of Nursling and Rownhams is reinforced by its strong relationship with employment areas and other services in the adjoining areas of Southampton and Chandlers Ford.

The Site is accessible by bus services, including between Romsey, Winchester and Southampton, and is close to Southampton Central Railway Station and a number of smaller stations.

PLANNING HISTORY

The extant planning permission for the Approved Scheme (including up to 320 dwellings and a 60 unit extra care facility) (Figure 4), which included the Site as paddocks, is extremely relevant.

Although the Approved Scheme was subject to appeal, the Council did not present any evidence at the inquiry and took no part in proceedings, other than to confirm agreement of the S.106 undertaking. The Council agreed in the Statement of Common Ground that:

“The Appeal Site is in an accessible and sustainable location, adjoining the existing settlement boundary as an extension of Rownhams. The Appeal Site is appropriate for the Appeal Scheme.”

In considering the suitability of the Site for residential development, many of the findings of the appeal Inspector for the Approved Scheme, remain relevant:

- significant tree planting to the north of the access off Rownhams Lane would effectively screen the development in views from existing public highways (paragraph 32);
- tree planting along the northern edge of the housing development would providing screening in views from the public footpath (paragraph 32);
- from the M27 motorway, the housing development would be screened by significant tree planting and separated by the SANG - development would not be intrusive in views of the rural landscape (paragraph 33);
- tree planting around the SANG would attenuate noise from the motorway to a significant degree; and it is noted that existing housing in Rownhams is closer to the motorway (paragraph 38);
- buffer zones between the built development and Clam's Copse and the paddocks and Lord's Wood would maintain the woodlands' nature conservation status (paragraph 39). There would be a net gain in biodiversity (paragraph 55);
- the bus stop on Horn's Drove is within easy walking distance (paragraph 42); and bus route 4, from this stop, connects to the central railway station in Southampton and other bus services at Lordshill, providing residents with frequent and nearby access to public transport (paragraph 43);
- Lordshill local centre, which is within walking distance of the development, includes a supermarket, medical centre, library, post office, public house and church, amongst other services. It is also within easy cycling distance (paragraph 44); and
- overall, the development has no significant adverse impact on the visual amenity of the area, highway safety or local infrastructure. The site is a sustainable location for residential development (paragraph 47).



Figure 4: The Approved Scheme

Key

 Application Boundary	 Public open space (19.15ha). Includes:	 Proposed footpath/cyclepath
 Built Area	 Children's play 0.46ha	 Existing public right of way retained
 Paddocks	 Informal Recreation 0.93ha	 SANG (12.20ha)
 Existing retained trees, hedgerows and woodland (3.63ha)	 Allotments 0.15ha	 Circular route (2.3km)
 Tree, hedgerow and woodland planting (2.54ha)	 Community Orchard 0.17ha	
 Indicative proposed attenuation areas (0.65ha)	 Landscape buffer (minimum 20metre width)	

3. TRANSPORT AND ACCESSIBILITY

FACILITIES PLAN

The Site is located on the eastern edge of Rowhams, which is a 'Key Service Centre' containing a number of facilities and amenities. These include:

- convenience grocery shop
- hairdresser
- takeaway
- pubs and restaurants
- village hall
- social club
- scout group
- St John's Church

In terms of educational facilities, St. John's C of E Primary School and Horns Drive Pre-School are also located within walking distance of the Site.

As considered by the appeal Inspector for the Approved Scheme, the Site is located within walking and cycling distance from facilities at the Lordshill Centre. Services and facilities here include:

- Sainsbury's superstore
- other retail facilities
- bingo hall
- petrol station
- pharmacy
- doctors surgery
- public house

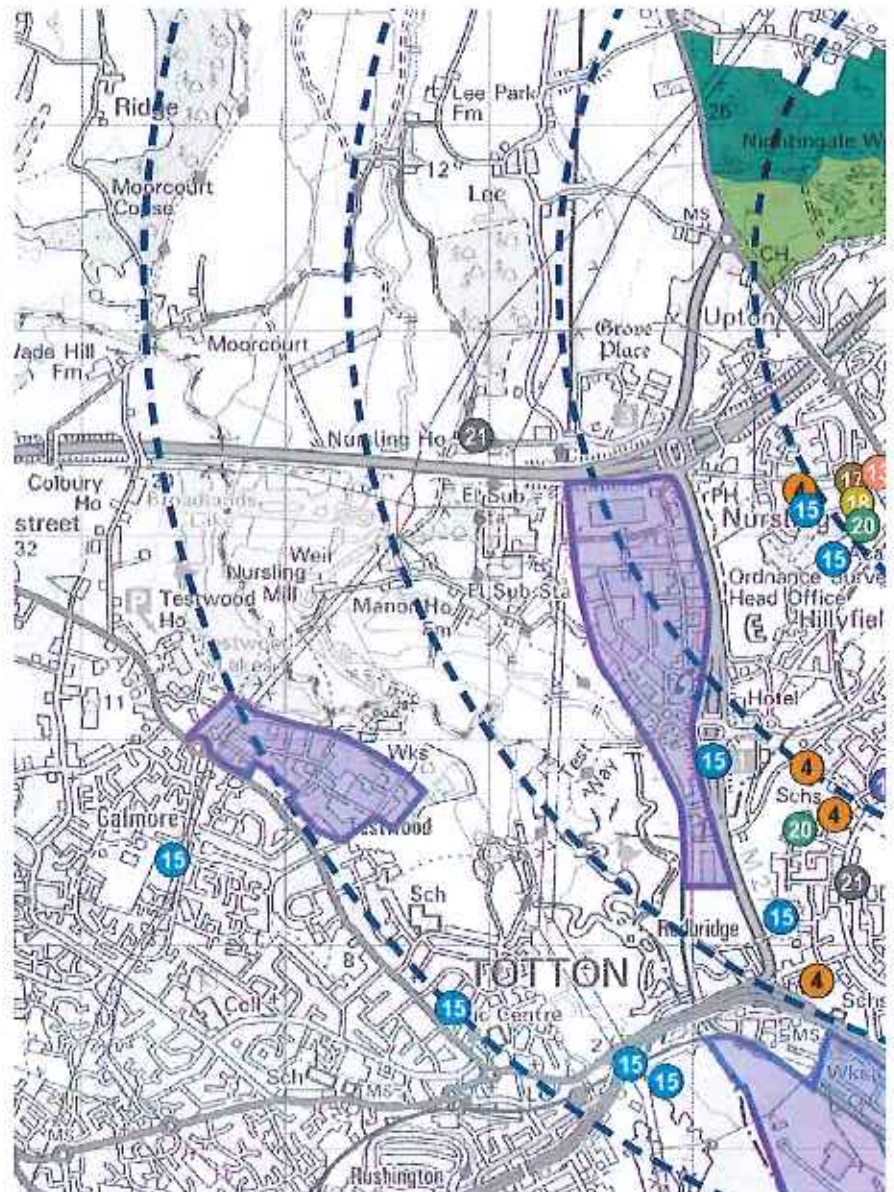
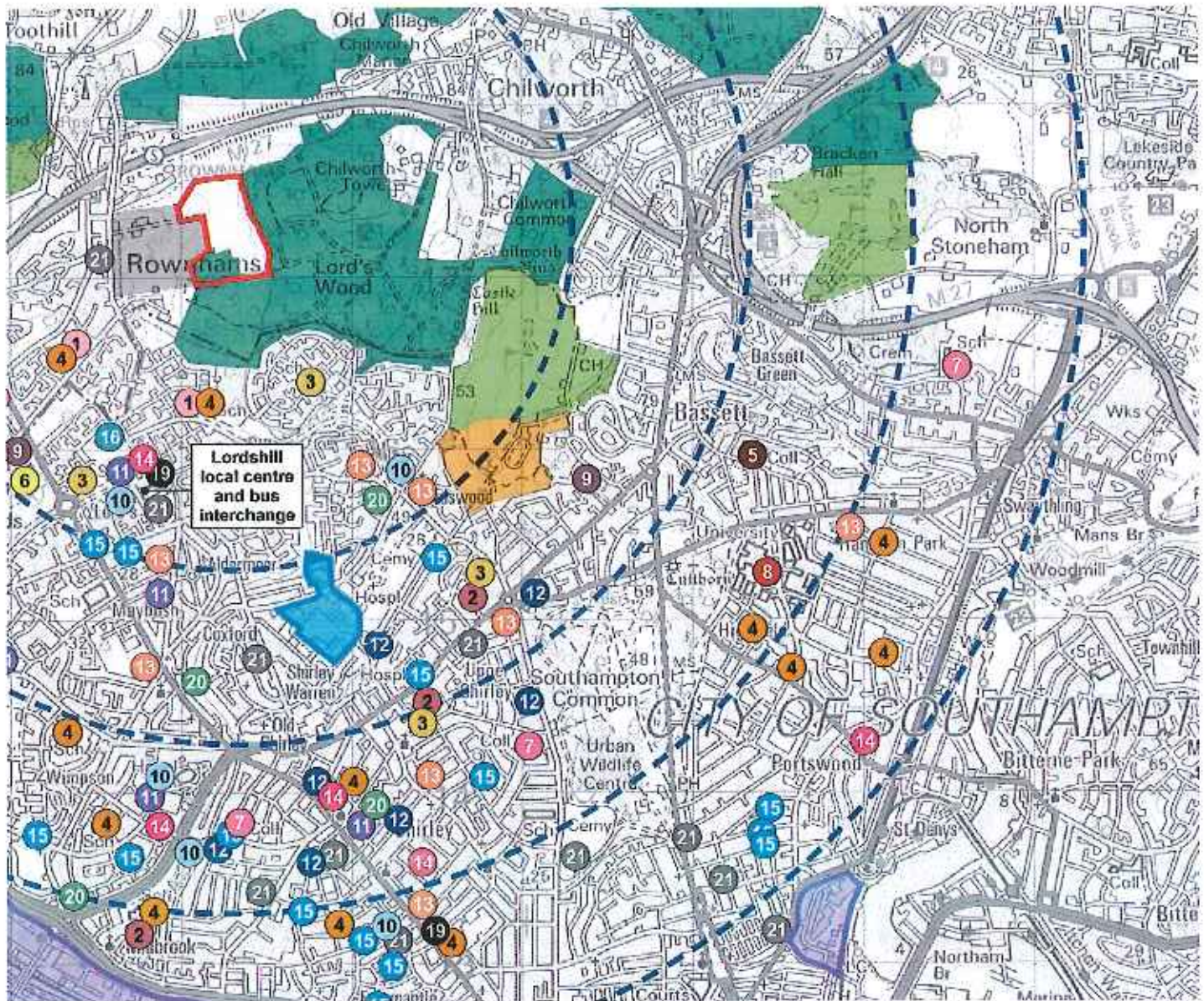


Figure 5: Facilities Plan



Key

- | | | | |
|---------------------------|------------------------------------|--------------------------------------|---|
| Site Boundary | Academy | Dentist | Scout Group |
| Major Employment Location | College | Local Store | Place of Worship |
| Pre-School | University of Southampton | Supermarket | Golf Course |
| Infant School | Special Education Needs | Takeaway/Restaurant/
Public House | Regional Sports Centre
Including Alpine Snowsports |
| Junior School | Doctors Surgery | Oaklands Community Pool | Proposed Lordshill
Forest Park |
| Primary School | University Hospital
Southampton | Village Hall | |
| Secondary School | Pharmacy | Social Club | |
| | | Hinge Hall | |

PUBLIC TRANSPORT

The nearest public bus stops to the Site, within an accessible walking distance as considered by the appeal Inspector for the Approved Scheme, are located on Horns Drive, served by route 4. From these bus stops, there are regular services to Romsey, Winchester, Lordshill, Southampton Hospital and Southampton City Centre.

At Lordshill, there are additional bus services to a number of other locations including Adanac Park, Maybush Corner, General Hospital, RSH Hospital, Sholing, Millbrook, Woolston and Midanbury. As agreed by the appeal Inspector for the Approved Scheme, this provides residents with frequent and nearby access to public transport.

For rail travel, Southampton Central Railway Station is located approximately 7km from the Site, giving regular access to London, Weymouth, Bristol and West Sussex via the Southwestern Mainline, Wessex Main Line and West Coastway Line. There are a number of smaller stations (including Millbrook, Redbridge, Romsey, Swaythling and Chandlers Ford) within a similar distance of 7km.

The Site has excellent access to the local and strategic highway network. Junction 3 between the M27 and M271 is located a driving distance of only 4km from the Site.

The Site is in an accessible and sustainable location, as agreed by the previous appeal Inspector, which is suitable for residential development.

Key

-  Bus Routes
-  Southampton Central Railway Station
-  Key Bus Stops near the Site and Facilities

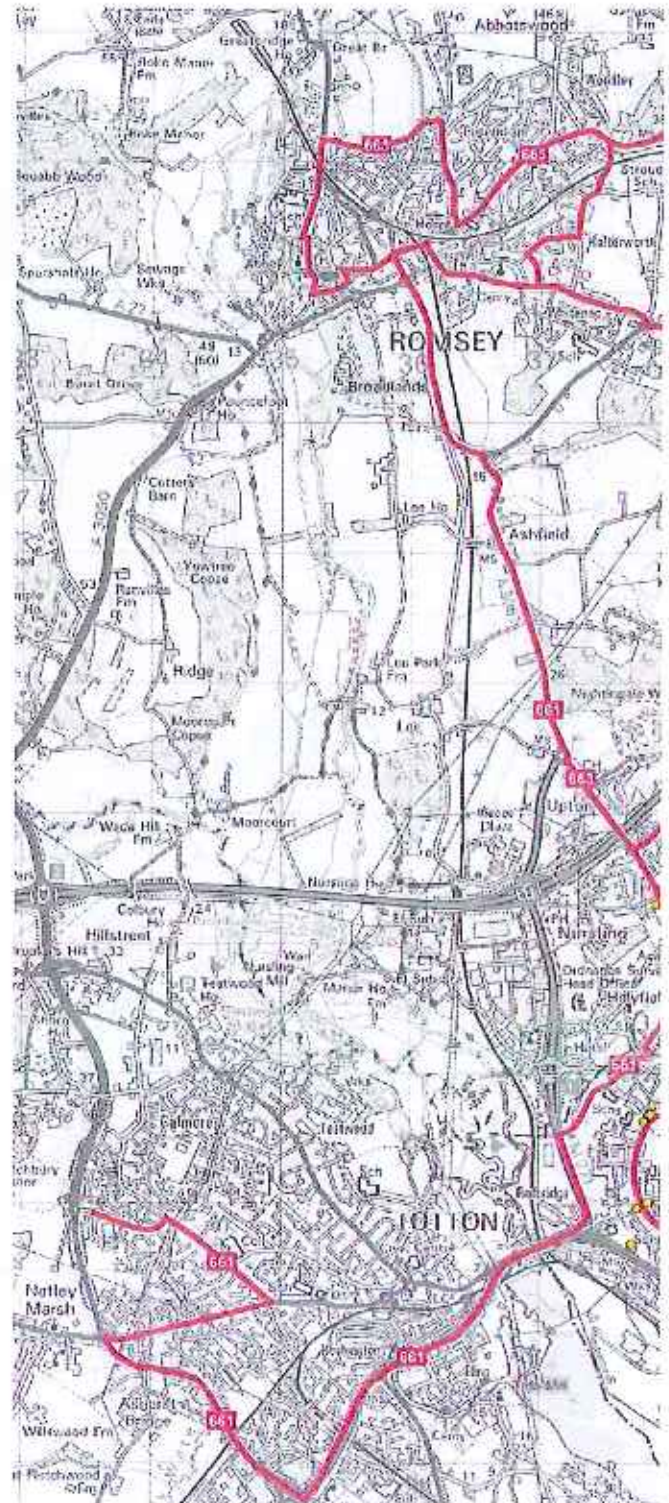
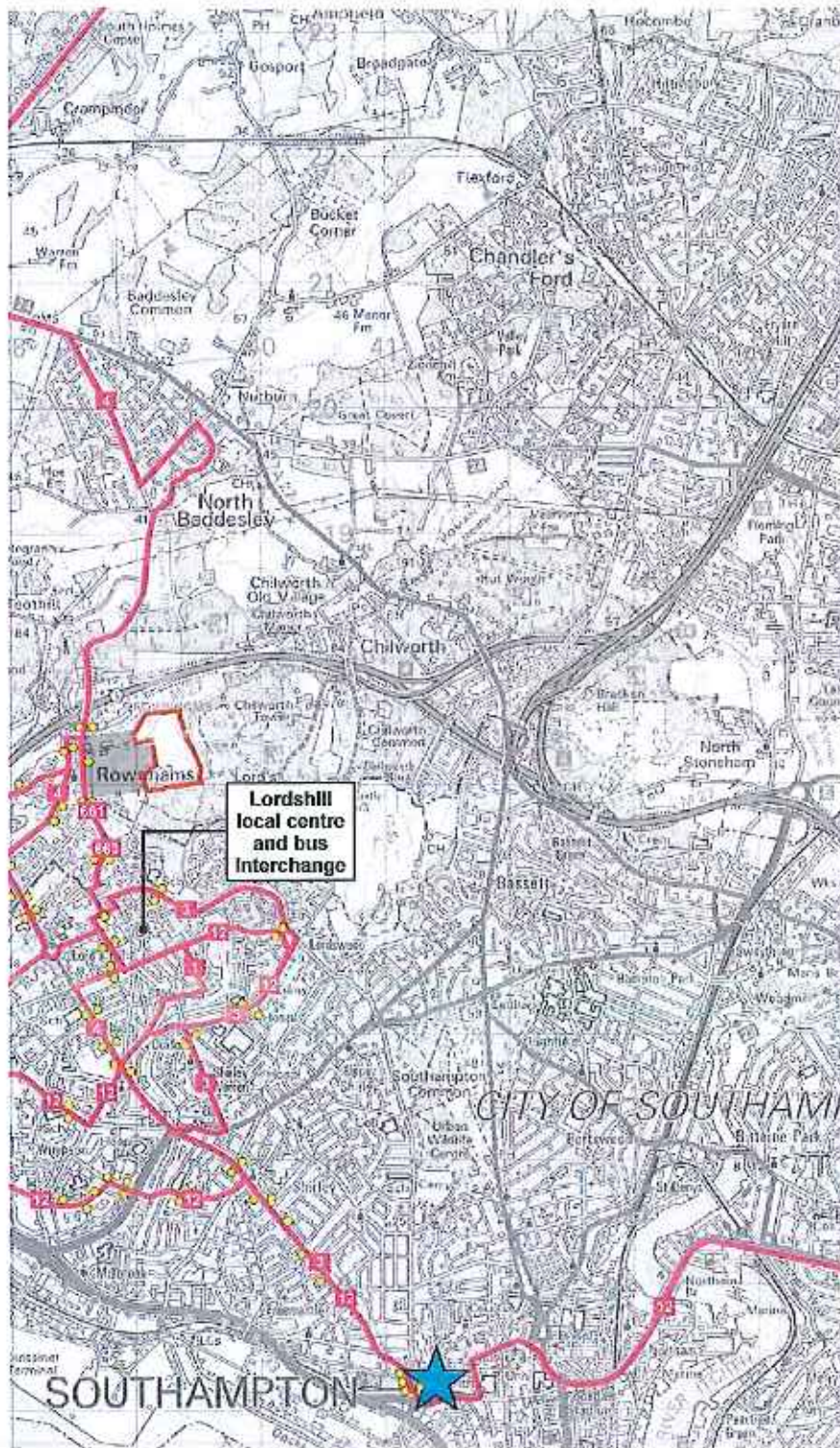


Figure 6: Public Transport.



SITE ACCESS

New accesses and pedestrian crossing points on Rownhams Lane will be provided as part of the Approved Scheme. These comprise:

- a principal vehicular access, with a separated pedestrian/cycle access, close to the north western corner of that site;
- a combined footway/cycleway/emergency access to the south;
- a footway/cycle access close to the southern boundary of the site; and
- three pedestrian crossings: one to the north of the principal access; one further south to correspond with the bus stops on either side of Rownhams Lane; and one to the south of the southern footway/cycle access.

Hampshire County Council, as the highways authority, agreed that the Approved Scheme (which includes the Site), is a sustainable location, acceptable in terms of all transport, traffic and highway matters.

Whilst further work will be required with the highways authority, there are no overriding reasons why transport related issues for the residential development of the Site cannot similarly be addressed.

4. TECHNICAL MATTERS

LANDSCAPE / VISUAL

The Site is very well screened by natural features within the landscape. To the south and east are areas of mature woodland, and to the west is the built form of the Approved Scheme, with houses up to two-and-a-half storeys (10m) in height. To the north, not only does the significant barrier of the M27 motorway contain the Site, with significant tree planting and the intervening SANG, development would not be intrusive in views from this direction, as was considered by the appeal Inspector for the Approved Scheme.

The visual amenity of users of the public footpath adjacent to the north of the Site is maintained with retention of the treed hedgerow, which can be reinforced if necessary.

There are no landscape or visual reasons why the Site is unsuitable for development.

AGRICULTURAL LAND

As was confirmed by the Council in the Statement of Common Ground in the appeal for the Approved Scheme, the larger appeal site (of which the Site formed part) is too small to be financially viable as a self-contained agricultural unit. Accordingly, as any loss of higher grades of agricultural land was not significant, the Approved Scheme did not conflict with paragraph 112 of the National Planning Policy Framework (2012). Given that the Site by itself is much smaller than when it formed part of the larger appeal site, this conclusion applies to an even greater extent.

Although the Site has extant planning permission for paddock use, as part of the Approved Scheme, the delivery of the residential development is not predicated on these paddocks being provided. Therefore, in any fallback position, because the Approved Scheme is extant but a material change of use to paddocks has not occurred, the Site can still be considered as either agricultural or paddock land. It does not comprise an 'existing' recreation facility.

OPEN SPACE

A significant amount of informal recreation space, provision for children and teenagers, and allotments were provided as part of the Approved Scheme, with a financial contribution towards outdoor sports facilities and agreement that there was a surplus of parks and public gardens in the area.

Future residential development on the Site will meet, through on site provision or financial contribution (depending on the Council's preference), the public open space requirements of Local Plan Policy LHWL.

SANG / ECOLOGY

To mitigate any additional recreational pressure from the Approved Scheme (320 dwellings) on the New Forest SPA/SAC/RAMSAR/SSSI, an area of SANG, measuring 12.20 ha, will be provided by the Approved Scheme, as secured by s.106 obligation.

As set out in **Table 1**, there is sufficient headroom in the Approved Scheme SANG for up to 315 dwellings (in addition to the up to 320 dwellings already consented). Appropriate mitigation to offset any additional recreational pressure on the New Forest SPA/SAC/RAMSAR/SSSI is available.

Buffer areas between the built form of the development and the areas of adjacent woodland to the south and east can be provided, as was considered an appropriate layout in the Approved Scheme.

In terms of whether or not there are other habitat and species of ecological value, this was comprehensively addressed by ecology surveys as part of the Approved Scheme application, which included the Site. The Inspector in his appeal decision noted that the ecology officer of Hampshire County Council accepted the survey results (as not posing a constraint for development) in respect of reptiles, great crested newts, dormice, bats and birds.

NOISE

The noise climate on the Site will be very similar to that on the adjacent site of the Approved Scheme, which was also considered suitable for residential development.

The main source of noise is from the M27 motorway, with some intermittent contributions from air traffic and local sources such as bird song and farm movements.

The site layout, building envelope construction and ventilation strategy for development on the Site will be informed by detailed survey work, so that any scheme is compliant with the relevant local and national standards. In particular, requirements of BS8233:2014 can be met with suitable internal ambient noise levels within internal living areas and bedrooms under appropriate ventilation conditions.

Noise levels in external amenity areas will also be considered. Based on the noise survey carried out for the Approved Scheme, suitable external and internal noise levels can be achieved across the Site using standard construction materials and design approaches.

Matters of noise were most recently considered acceptable by the Council in resolving to approve reserved matters for the Approved Scheme. Each of the dwellings will have an internal noise environment compliant with the requirements of the Council's environmental protection officer. The Council is satisfied that future residents would not experience levels of noise that would adversely affect their amenities; and the scheme would comply with policy LHW4 of the Local Plan.

Table 1: SANG Headroom

Natural England's SANG requirement	8 ha per 1,000 head of new residents (0.008 ha per head)	
Size of Approved Scheme SANG	12.20 ha	
Number of Approved Scheme residents	320 x 2.4 = 768	
Headroom in Approved Scheme SANG	12.20 - (0.008 x 768)	= 6.056 ha
	6.056 / 0.008	757 population
	757/2.4	315 dwellings

5. CONCEPT MASTERPLAN

SITE ANALYSIS

The constraints and opportunities for development are shown at

Figure 7. The main constraint is an area of land at higher risk of flooding in Flood Zones 2 and 3, associated with Tanner's Brook. Also close to the eastern boundary of the Site, are an underground water main and sewer. Whilst these have a wayleave to ensure that buildings are not constructed over them, they provide readily available utilities infrastructure and connections.

The retention of existing trees is a constraint, but also provides an opportunity to take advantage of a mature landscape setting. The reinforced and new planting in the SANG (as secured as part of the Approved Scheme), will screen the M27 motorway and provide noise attenuation and is shown as an opportunity.

Taking account of these constraints, there is a large developable space in the centre of the Site that is suitable for residential development.

To provide access to the Site, connecting it to the Approved Scheme, two locations for such connectivity are identified.

Key

	Site boundary (19.48ha)		Sewer
	Flood Zone 2		Existing public right of way
	Flood Zone 3		Existing surveyed trees, hedgerows and woodland (blue line denotes BPA, white outline denotes tree shadow & orange dashed line denotes 2014 TPO)
	Water pipeline		Woodland
	Sewer		SANG Land

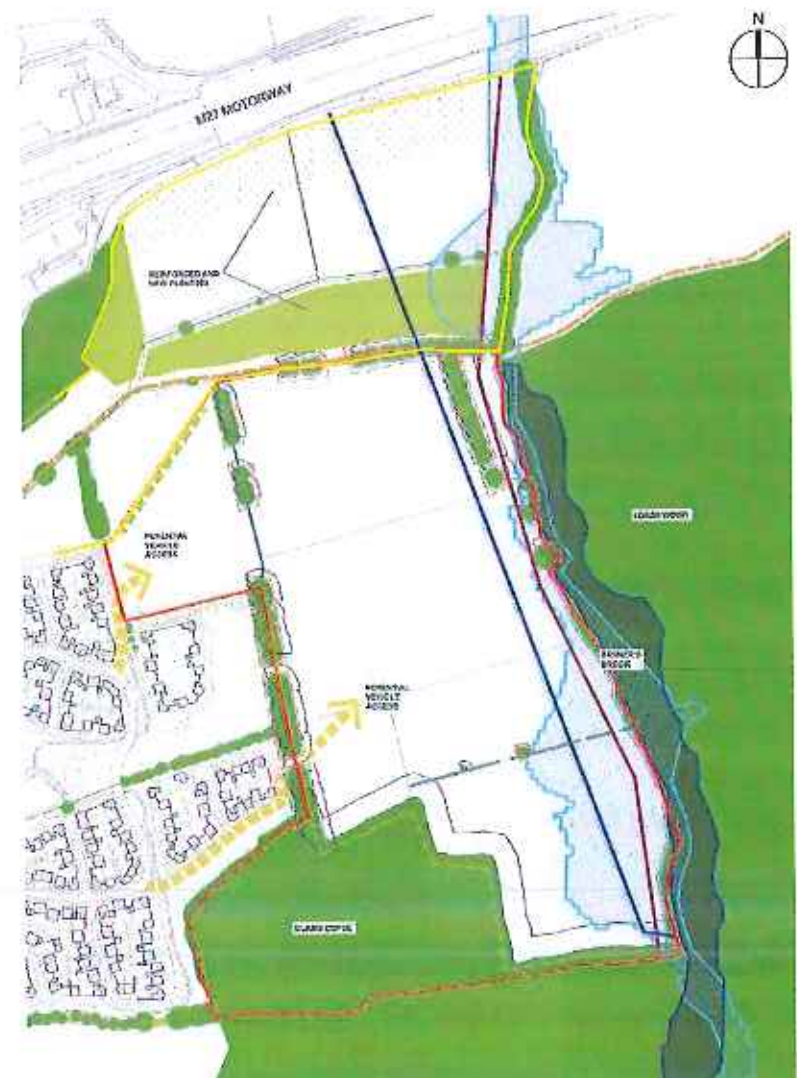


Figure 7: Site Analysis

DESIGN PRINCIPLES

Figure 8 demonstrates a number of the key design principles that would inform future development on the Site. These include:

- green edge planting to reinforce the setting of the SANG;
- an outward facing development with active frontages;
- areas of Green Infrastructure distributed across the Site;
- an expansion of potential bus services through the Site; and
- an expanded network of recreational footpaths.

Key

-  Green Edge Planting
-  Active Frontages
-  Recreational Footpath Links

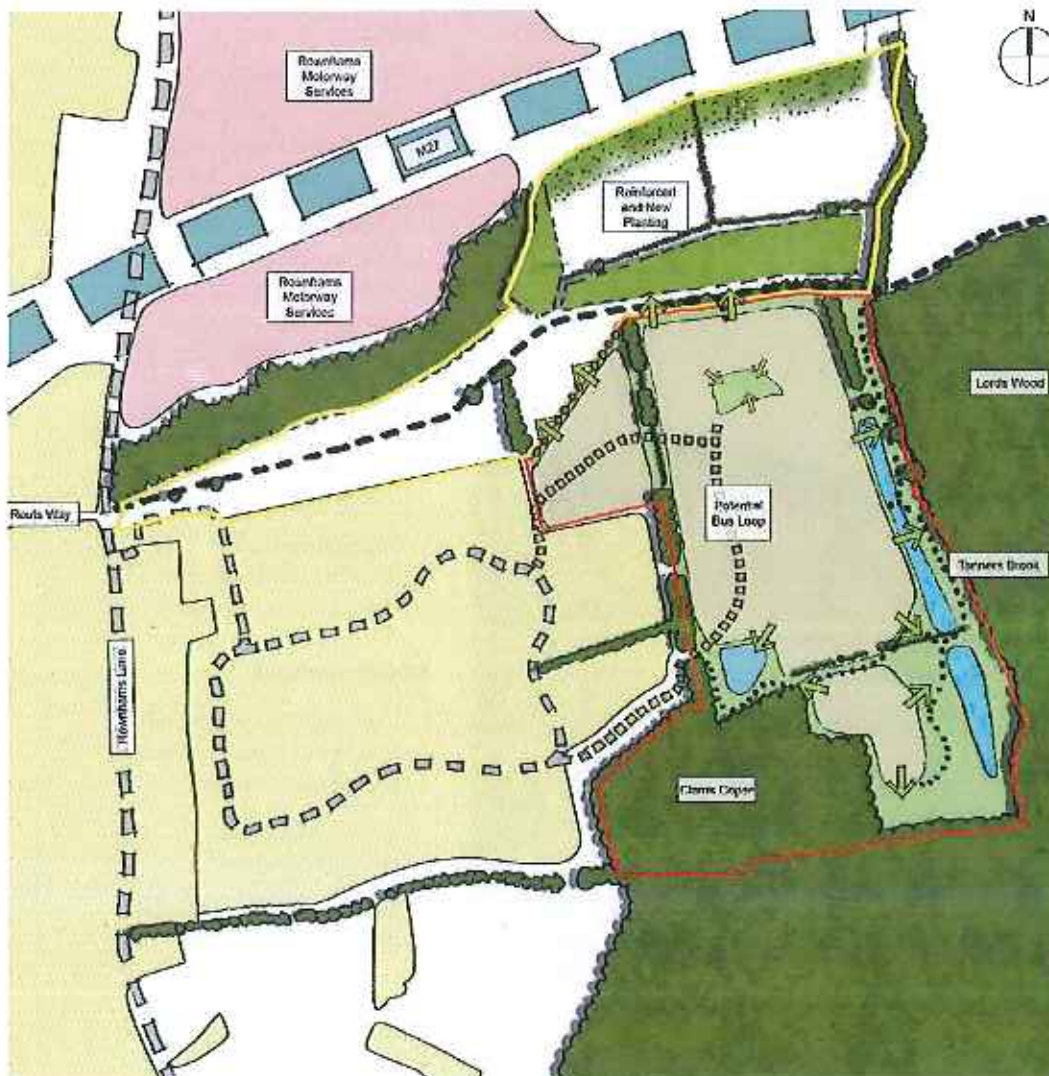


Figure 8: Design Principles

MASTERPLAN

Figures 9 & 10 show a parameter land use and concept masterplan for the Site. At an average density of 30dph, 291 units can be provided, avoiding the area at higher flood risk close to the eastern boundary.

The masterplan utilises the access locations between the Site and the Approved Scheme, which enables a rational movement network to be provided for vehicles, bus services, as well as cyclists and pedestrians.

A significant amount of Green Infrastructure, measuring nearly 10 ha is provided, which is more than sufficient to comply with provisions of Local Plan Policy L11W1, with at least 0.56ha of informal recreation, 0.42 ha of provision for children and teenagers and allotments.

As the Site gently falls to the east, SuDS drainage basins are rationally located on this side. Buildings are no located in the wayleave above the water main and sewer.

The areas of woodland at Claim's Copse and Lords Wood are maintained with suitable buffer areas to the built form.

The development will utilise the headroom in the SANG to ensure that any impact on the New Forest SPA/SAC/RAMSAR/SSSI is fully mitigated. The 291 dwellings is comfortably below the SANG headroom capacity of 315 units.

BENEFITS

The NPPF identifies three dimensions to sustainable development and requires that local planning authorities seek opportunities to achieve net gains across all three (paragraph 152).

Residential development on the Site will provide benefits that include:

Economic

- a significant capital investment in the local area
- increased spending by new residents in local shops, restaurants, businesses and other services
- new housing to underpin existing and support new economic activity
- accessibility for residents to a significant range of job opportunities
- provision of direct construction jobs
- New Homes Bonus funding

Social

- approximately 290 new market and affordable homes, which will make a significant contribution to local need
- a high quality physical environment with green infrastructure that will provide opportunities for social interaction
- through good design, a reduction in the fear of crime and opportunities for crime and antisocial behaviour
- accessibility to facilities utilising non car modes of transport

Environmental

- high quality design that reinforces local character and distinctiveness
- on-site biodiversity enhancements
- new green infrastructure and open space



Figure 9: Parameter Plan



Key



Site Boundary



SANG (12.20ha)



Residential
(9.17ha / 291 units @ 30cph average)



9.77 ha of Green Infrastructure, including:
- at least 0.56 ha of informal recreation
- at least 0.42 ha of provision for children & teenagers
- at least 0.14 ha of allotments
(In accordance with Local Plan Policy LH7/1 - Public Open Space)



Figure 10: Concept Masterplan

6. DELIVERY

The Site is available for development, with **CEG being the sole freehold owner** of it, making delivery of housing less complicated and therefore faster than where there are multiple landowners.

Whilst delivery on the Site is dependent on the road infrastructure of the Approved Scheme being put in place, this is being quickly progressed by Taylor Wimpey. Reserved matter approval has been granted for phase 1 of that development, with a positive resolution from the Planning Committee for phases 2, 3 & 4 in July 2018. Commencement of Approved Scheme is expected in autumn 2018.

With the need for outline planning permission and subsequent reserved matters approval, development on the Site would be some two years behind the Approved Scheme, providing time for the Approved Scheme to be sufficiently progressed to provide access to the Site.

For the Site, 200 new homes can be delivered within the five year period up to 2023; and 100 homes between 2023 and 2028.



ceg

NEXUS
PLANNING

Appendix B

Appeal Decision

Inquiry held on 10 and 11 June 2015

Site visits made on 11 and 12 June 2015

by **John Braithwaite BSc(Arch) BArch(Hons) RIBA MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 8 July 2015

Appeal Ref: APP/C1760/A/14/2224913

Land east of Rownhams Lane, Rownhams, Hampshire

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for outline planning permission.
 - The appeal is made by Commercial Estates Group against Test Valley Borough Council.
 - The application Ref 14/00726/OUTS is dated 24 March 2014.
 - The development proposed is the demolition of two dwellings and existing farm house and associated farm buildings, the construction of a new access on Rownhams Lane, the construction of up to 320 residential dwellings and a 60 unit extra care facility, the construction of a livery comprising stables for up to 30 horses and ménage, the change of use of land from agricultural to paddocks, and associated road/footway/cycleway provision, open space and landscaping, surface water attenuation and ancillary works.
-

Decision

1. The appeal is allowed and planning permission is granted for 'the demolition of two dwellings and existing farm house and associated farm buildings, the construction of a new access on Rownhams Lane, the construction of up to 320 residential dwellings and a 60 unit extra care facility, the construction of a livery comprising stables for up to 30 horses and ménage, the change of use of land from agricultural to paddocks, and associated road/footway/cycleway provision, open space and landscaping, surface water attenuation and ancillary works' on land east of Rownhams Lane, Rownhams, Hampshire in accordance with the terms of the application, Ref 14/00726/OUTS dated 24 March 2014, subject to the conditions set out in a schedule attached to this decision.

Procedural matters

2. The application was submitted in outline form with only access a matter for consideration; appearance, landscaping, layout and scale being matters reserved for future consideration. The appeal has been determined on the same basis.

3. The Inquiry was held at Romsey Town Hall on 10 and 11 June 2015. An accompanied site visit was carried out on the afternoon of 11 June 2015 and unaccompanied site visits were carried out on 11 and 12 June 2015.

4. The Council did not present evidence at the Inquiry and took no part in the proceedings other than during the discussion on agreed conditions and a Unilateral Undertaking made pursuant to Section 106 of the Town and Country Planning Act as amended; a signed and dated copy of which was submitted by the Appellants at the close of the Inquiry. The Council was represented during the discussion by Mr A Trevelyan Thomas and Mr A Allen.

5. The 'Say No to Parkers Farm Group', represented by Mr Seaton and Mr Bundy, took the place of the Council as the main opposing party at the Inquiry. Mr Seaton and Mr Bundy presented evidence, which was cross-examined by Mr Hill on behalf of the Appellants, and cross-examined the Appellants' three witnesses.

Background information

The site and its surroundings

6. The 52 hectare appeal site adjoins the eastern boundary of Rownhams, which, together with Nursling to the west, is a settlement to the north of Southampton. To the north of the site is Routs Copse, an area of woodland, beyond which is Rownhams motorway service area alongside the M27 motorway, which also partly borders the site. Along the east boundary of the site is Tanner's Brook beyond which is an extensive area of woodland, Lord's Wood. Along the south boundary is a hedgerow beyond which is a further area of woodland, and to the west of the site are dwellings and a telephone exchange with frontages to Rownhams Lane. The two northernmost dwellings are within the appeal site.

7. The appeal site, which slopes generally down from west to east, is, principally, grazed farmland divided into fields by hedgerows and trees. Towards the north-west corner of the site is a farmstead, Parkers Farm, which comprises a farm house and farm buildings. The track that leads to the farmstead has a junction with a short cul-de-sac that is parallel with Rownhams Lane and which provides access to four dwellings including one of the two dwellings that are within the appeal site. Close to the farmstead is a telecommunications mast and another of these masts is on the south boundary of the site. A track, alongside the south boundary, leads to the mast and beyond from a junction with Rownhams Lane.

8. The farmland of the appeal site has a frontage to Rownhams Lane to the north of the two dwellings within the site. A short track from Rownhams Lane leads to a gate alongside which is a stile. A footpath, which is a public right of way, extends from the stile through the northern part of the site to Lord's Wood, where it connects with a network of other footpaths.

The proposed development

9. The proposed residential development of up to 320 dwellings would take up about 12 hectares of land to the east of dwellings on Rownhams Lane. The proposed 60 unit care home would be in the south-west corner of the site and would take up about 0.9 hectares. The proposed equestrian livery for up to 30 horses would take up about 0.5 hectares and would be located to the east of the housing development. Associated with the livery would be about 12.2 hectares of paddock land. Green infrastructure, including Suitable Alternative Natural Greenspace (SANG), public open space, equipped play space, allotments, a community orchard and sustainable drainage attenuation features, would take up nearly 20 hectares.

10. The SANG would be the north part of the site and the public footpath through it would be retained. Trees, hedges and woodland, both existing and proposed, would take up about 6.2 hectares. The two dwellings within the site and all the buildings of the farmstead would be demolished. The demolition of the two dwellings would provide space for the principal vehicular access into the site and to all of the components of the proposed development. The track currently leading to the farmstead would become a pedestrian and cycle access way and also an

emergency access route into the site. The track along the south boundary would become a pedestrian and cycle path; the southern access point.

The Council's position

11. After the appeal was submitted the Council resolved that, had it been in a position to do so, it would have refused planning permission for seven reasons primarily relating to insufficient information or lack of mitigation proposals. These include matters relating to public recreational open space and its subsequent management, the impact on nearby nature conservation sites, the absence of a legal agreement to secure contributions to necessary infrastructure improvements and community facilities, the absence of a legal agreement to secure the provision of new affordable housing, the safety and operation of the local highway network, adequate visibility at highway junctions, and the loss of Grade 3A agricultural land.

12. Following negotiations with the Appellants the Council withdrew putative reason seven and confirmed that, subject to some minor layout alterations and a range of appropriate Section 106 planning obligations, all of their objections could be overcome. The Appellants subsequently submitted further details of the proposed recreation space provision and minor layout amendments. The additional details were the subject of consultation and provide clarification of some technical concerns. They do not prejudice the interests of any objectors and will be taken into account in determination of the appeal.

The Development Plan and the emerging Local Plan

13. The Development Plan comprises saved policies of the Test Valley Borough Local Plan 2006 (TVBLP). The appeal site is outside the settlement boundary of Nursling/Rownhams and is countryside to which saved TVBLP policy SET 03 applies. The policy restricts residential development in the countryside other than where there is an overriding need for it to be located in such an area. Planning applications must be, with regard to Section 38(6) of the Planning and Compulsory Purchase Act 2004, determined in accordance with the development plan unless material considerations indicate otherwise.

14. The emerging Test Valley Borough Revised Local Plan 2011-2029 (TVBRLP) has been examined in public but the Inspector's Report has not yet been published.

The National Planning Policy Framework (NPPF)

15. The NPPF was published in March 2012 and is a material consideration. Paragraph 215 states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. Paragraph 216 states that decision takers may also give weight to relevant policies in emerging plans according, amongst other things, to the stage of preparation of the emerging plan and to the degree of consistency of the relevant policies in the emerging plan to policies in the framework. Paragraph 47 requires local planning authorities to identify and update annually a supply of specific deliverable sites to provide five years of housing against their housing requirements.

Housing land supply in Test Valley

16. The main parties differ in their assessment of the five year housing land supply position in the Borough. They disagree on the housing requirement between 2014/15 and 2018/19 and on whether, with regard to paragraph 47 of the NPPF, a 5% or 20% buffer should be applied. They agree, however, that the

Council cannot demonstrate a five year supply of housing; the Council maintains that they have 3.89 years of housing supply whereas the Appellants maintain that there is only 2.67 years of supply.

17. Paragraph 49 of the NPPF states that relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. Saved TVBLP policy SET 03 is essentially a policy for the supply of housing, because it seeks to direct housing to urban areas, and is, with regard to paragraph 49, out of date.

Reasons

18. Objectors to the proposed development, principally the Say No to Parkers Farm (SNPF) Group, have not raised any substantive objections to the care home and livery elements of the development. Their concerns are with regard to the housing element of the development and to its effect, principally, on highway safety, local infrastructure, and the visual amenity of the area.

19. The main issue is whether the site is a sustainable location for housing, with particular regard to highway safety, local infrastructure and visual amenity.

Highway safety

20. The proposed vehicular access into the site and the two proposed courtesy crossing points, one at the southern access point, and the impact of traffic associated with the development on the local highway network, have been the subject of extensive discussions between the Appellants' Highway Consultants, Mouchel Ltd, and Highway Engineers of both Hampshire County Council and Test Valley Borough Council (TVBC), advised by Atkins Highways and Transportation (Atkins). In response to concerns expressed during the discussions Mouchel prepared seven Technical Notes on various subjects which satisfied almost all of the concerns expressed during previous meetings.

21. At a meeting in March 2015 it was agreed by Atkins, TVBC and Mouchel Ltd that the impact of traffic associated with the development on the local highway network was limited to the Bakers Drove/A3057/Redbridge Lane junction. The latest improvement scheme for this junction is a roundabout solution estimated at £2,714,022. It is also estimated that traffic associated with the proposed development would constitute 29% of the increased traffic flows at the junction when assessed together with increases resulting from development and changes elsewhere. But this impact is mitigated by the commitment of the Appellants, included in the Section 106 Undertaking, to pay a commuted sum of £787,066 (29% of £2,714,022) towards improvement works at the junction.

22. The Appellants are also committed to pay a Transport Contribution of £177,510, costed in accordance with the Test Valley Transport Statement and Hampshire County Council's Transport Contributions Policy (TCP), to improve cycle lanes, provide additional on-road cycle routes, and improve bus stop infrastructure. These improvements, and the improvements to the aforementioned road junction, would contribute to maintaining highway safety in the local area.

23. SNPF are concerned, with regard to highway safety, about bus manoeuvres at the junction of Routs Way and Rownhams Lane, about 50 metres to the north of the proposed vehicular access into the site, and about the safety of all highway users at the courtesy crossing of Rownhams Lane at the southern access point.

24. Currently, buses turning left out of Routs Way must cross into the opposite carriageway and therefore rely, to make the manoeuvre, on a gap in approaching traffic or the courtesy of other drivers. The proposed highway works that accompany the proposed development include the slight realignment of Rownhams Lane and the consequent slight reduction in the radius of the kerb line on the corner. Bus drivers would be very aware of any pedestrians in the vicinity of the corner and would not drive over the kerb thus causing danger to those pedestrians.

25. It is more likely that bus drivers, and the drivers of other large vehicles, would take a wider line round the corner and would encroach to a greater extent into the opposite carriageway. But the incidence of buses and other large vehicles encroaching into that carriageway would not increase as a result of the development, and the increase in traffic approaching from the north resulting from the development would not be likely to cause any significant increase in congestion or in any significant adverse effect for highway safety.

26. The courtesy crossing at the southern access point would include the construction of two build-out dropped kerbs, one on either side of Rownhams Lane. This crossing point is that which would be used by, amongst others, parents and children walking to and from the nearby St John's Church of England Primary School. The crossing is at a slight bend in Rownhams Lane but it was noted at the site visit that visibility to the north, from the crossing point on the inside of the bend in the road, is more than adequate to provide advance warning of approaching traffic. The number of potential users of the crossing would not be as imagined by SNPF and there would be sufficient space, on both sides of the road, for pedestrians and for parents with pushchairs to wait for a gap in the traffic.

27. Rownhams Lane is a cycle route and cyclists approaching from the north might not be aware of the build-out on the east side of the road until it is close. In any event cyclists would need to move out to avoid the build-out. There is the potential at this point for conflict between cyclists and motor vehicles because drivers are inclined to drive close to the kerb on the inside of the bend. The road is generally about 6.2 metres wide but widens at the bend and the gap between the build-outs would be the same as the general width. The marked centreline of the road is not in the centre of the road at the bend but maintains a consistent southbound carriageway. It would need to be repositioned so that it is in the centre of the road around the bend but this could be included with the ultimately necessary scheme of highway works that would be required under an Agreement made with the Highway Authority pursuant to Section 278 of the Highways Act 1980. Consequently, the courtesy crossing at the southern access point would not be detrimental to highway safety. Taking all highway matters into account, the proposed development does not conflict with saved TVBLP policy TRA 05.

Local Infrastructure

28. The appeal site is, for education purposes, within the catchment areas of, for primary school pupils, St John's Church of England Primary School and, for secondary school pupils, The Mountbatten School. The Statement of Common Ground on Education Matters (Document 7) indicates that there is no need to increase the capacity of The Mountbatten School to accommodate secondary school age pupils resident at the proposed development. To accommodate resident primary school age pupils at St John's Church of England Primary School there is an identified need to increase its Published Admission Number from 40 to 45. The Appellants agree that this is desirable and a provision of the Section 106

Undertaking is the payment of an education contribution of £269,262. This payment is suitable and adequate mitigation for the effect of the proposed development on education provision in Hampshire and accords with Regulations 122 and 123 of the Community Infrastructure Levy (CIL) Regulations 2010.

29. The Section 106 Undertaking provides for the payment of £134,000, to offset increased pressure on local community facilities arising from the development, which would be used for alterations and improvements to Nursling Community Centre and Nursling Village Hall. The Undertaking also provides for the payment of £636,249.43, to offset increased pressure on off-site recreational needs from the development, which would be used to provide new and upgrade existing recreational facilities within 1.3-1.5 kms of the site. These would include on-going maintenance of a Multi Use Games Area at Joe Bigwood Field, the provision and on-going maintenance of two tennis courts off Nursling Street, the extension of Nursling Recreation Ground (NRG), the provision of a boules/petanque court at NRG, and the provision of changing rooms and a club house for Nursling Football Club and Nursling Cricket Club at NRG.

30. SNPF have submitted letters from two local doctors' surgeries. The letter from North Baddesley Surgery indicates that they have some additional capacity, and the letter from Lordshill Health Centre indicates that they are at capacity but that the population of Lordshill is slowly reducing and that practice boundaries in the area and in Southampton which could be adjusted would "...be a good way of spreading the workload fairly". In these circumstances pressure on local health infrastructure is not a matter that weighs against the proposed development.

31. Taking into account the various aforementioned financial provisions of the Section 106 Unilateral Undertaking and other factors, the proposed development would not place an unacceptable burden upon local infrastructure. The proposed development does not therefore conflict with saved TVBLP policy ESN 30.

Visual amenity

32. Dwellings at the north-west corner of the site would be visible from Rownhams Lane and from Routs Way particularly in the early years of the development. But significant tree planting is proposed to the north of the access off Rownhams Lane and alongside the first part of the access road and this would effectively screen the development in views from existing public highways. Proposed tree planting along the north edge of the housing development would also, in time, provide screening in views from the public footpath that extends westwards through the retained open area from Rownhams Lane. The footpath would also be separated from the housing development by two retained fields and the development would not be intrusive in views south from the footpath.

33. SNPF have specifically referred to the view southwards across the appeal site from the elevated M27. This view, for drivers and passengers in vehicles on the motorway and given the speed of these vehicles, is only a glimpse of open countryside at best. The housing development would be separated from the motorway by the SANG and would be screened by significant proposed tree planting. Furthermore, drivers and passengers in vehicles travelling westwards are aware that they are skirting a major urban area and the glimpse southwards over the appeal site, even with the screened development in place, would still be of a significant gap in that urban area and over countryside. The development would not, from the motorway that is a major transport corridor, undermine or be

intrusive in views of the rural landscape. The proposed development does not, in this regard, conflict with saved TVBLP policy DES 03.

34. The visual and practical amenity of the SANG has been criticised by SNPF. But the 12 hectare SANG, and the footpath and general access within it, must be compared with the current situation of a footpath, straying from which would constitute trespass, passing through grazing land. The SANG would be fully accessible and would be a recreational area for dog walking and other recreational activities. It would be a new facility that would benefit not just the residents of the proposed development but also existing residents of the area. It would, furthermore, be handed over to either a management company or the Council in accordance with a provision of the Section 106 Undertaking, before development commences. The SANG would thus remain, in perpetuity, a public recreational facility and a further provision of the Undertaking is the payment of £524,440 for the maintenance and management of the area for a 20 year period. Public parking for direct access to the existing footpath does not exist at present so there can be no requirement for public parking for access to the SANG by dog walkers.

Other sustainability matters

35. SNPF have submitted photographs of traffic congestion in the vicinity of the appeal site and are concerned that development traffic would exacerbate this problem. The photographs are snap shots in time and do not indicate that there is a specific or unusual traffic congestion problem. The Borough and County Highway Authorities have not raised any issues with regard to the effect of the proposed development on traffic congestion or the free flow of traffic on existing highways.

36. Paragraph 112 of the NPPF states that local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land and that where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality. 7.9 hectares of the appeal site is classified Grade 3A, under the Agricultural Land Classification (ALC), and Grade 3A land, together with Grade 1 and Grade 2 land, is regarded to be best and most versatile agricultural land. Whilst the housing element of the proposed development would be on only part of the 7.9 hectares of Grade 3A land the remainder would be within the SANG and the paddock land for the livery element, and would thus be lost to cultivation. The loss of 7.9 hectares of Grade 3A agricultural land is a matter to be weighed in the planning balance.

37. SNPF maintain, contrary to the view of the Appellants' ecology consultants, that there is an active badger sett in Routs Copse and that there is a used badger run across the appeal site to Lord's Wood to the east of the site, where there are other active badger setts. Routs Copse is outside the appeal site so there would be no disturbance of the alleged badger sett within it. Furthermore, the badger run is on land that would be used for recreational purposes and as paddock land associated with the livery. It is not likely that works on this land would be significant and it is unlikely that the badger run, if it exists, would be compromised.

38. The presence of two telecommunication masts, one within and one at the edge of the housing development, is not a matter that counts against the proposed scheme. The SANG land and the proposed housing development would be subject to background noise from traffic on the motorway. Proposed tree planting within and around the SANG would attenuate the noise to a significant degree within the housing development, and it is noted that existing housing development in

Rownhams is closer to the motorway than that proposed. Furthermore, it would be for prospective purchasers of the dwellings to decide whether background traffic noise would be acceptable or not. The noise might very well be intrusive for users of the SANG but the public footpath already exists and the noise would not undermine the recreational value of the area.

39. Ecology surveys, in respect of reptiles, great crested newts, dormice, bats and birds, have been carried out and have been accepted by the Ecology Officer of Hampshire County Council. Mitigation for the disturbance of roosting bats could be provided by the imposition of a condition that would require the installation of bat boxes in accordance with an approved drawing. Clam's Copse, which is an area of ancient woodland and is within the site alongside its south boundary, is a Site of Importance for Nature Conservation (SINC). The copse would be retained in its entirety and would be separated from the built development by a buffer zone 20 metres deep that would be part of the green infrastructure of the developed site. Lord's Wood to the east of the site is also ancient woodland and a SINC but there would be a buffer zone between it and paddock land associated with the livery element of the development, which would not adversely affect either SINC.

40. Natural England have advised that new development in the area, including the appeal development, would increase recreational use of the Solent coastline and would thus be likely to have an adverse effect on the Solent and Southampton Water Special Protection Area (SPA). The Section 106 Undertaking includes the payment of a Solent Recreational Mitigation Contribution, £172 per dwelling approved at Reserved Matters stage, to be used towards the implementation of the Solent Recreational Strategy. The contribution would adequately mitigate the recreational disturbance of birds, resulting from the development, within the SPA. No harm would be caused to the New Forest SPA and Special Area of Conservation and it is unlikely, in the absence of any substantive evidence, that the development would increase the likelihood of barn owls being struck by vehicles on the motorway. The proposed development, which would include, amongst other things, tree and hedgerow planting and the introduction of new wildlife corridors, would improve biodiversity of the site and would introduce habitats, albeit different than at present, for wildlife. The proposed development does not thus conflict with saved TVBLP policies ENV 01 and ENV 03.

41. Tanner's Brook, which defines the east boundary of the site, is known to flood downstream at Millbrook. The built elements of the proposed development would be served by a sustainable drainage scheme which includes the introduction of attenuation ponds. SNPF are concerned that the development would, however, increase rainwater run-off into Tanner's Brook from the paddock land associated with the livery element of the development. An agreed condition would require an assessment of the hydrological and hydro geological context of the site, and the design, prior approval and implementation of a drainage scheme based on sustainable drainage principles. The condition overcomes the concern that run-off from the site would exacerbate flooding of Tanner's Brook.

42. The proposed housing development is not intended to be a car free scheme where residents rely, for access to services and amenities, on modes of transport other than the motor car. Sustainability must therefore be measured on the degree to which there are alternatives, such as cycling, walking and buses, to using a motor car. The nearest bus stop to the site is on Horn's Drove about 200 metres from the site access. Though the dwellings would be further away this bus stop is within easy walking distance for all intended residents. The bus stop serves bus

route 4 between Romsey and Southampton and residents would have access to a total of 27 buses per day; the earliest at 0626 hours and the latest at 2218 hours.

43. Bus route 4 provides access to the central railway station in Southampton and to all of the services and amenities of the city. It also provides access to Lordshill local centre which is about 1.5 kms from the site access. At Lordshill route 4 connects with other bus services for access to the general hospital and other health facilities. Bus route 4 would provide residents of the proposed development with frequent and nearby access to public transport. The nearest southbound bus stop on Horn's Drove is hedge bound but the Section 106 Undertaking includes the payment of a Transport Contribution that would include the payment of £85,000 for improvements to bus stop infrastructure along route 4.

44. Lordshill local centre includes a supermarket, a medical centre, a library, a post office, a public house and a church, amongst other services. The shortest walking route between the site and the local centre includes unattractive highway underpasses but it is, nevertheless, within easy walking distance of the proposed development. Residents of dwellings furthest from the site access would have a longer walk and would have to walk uphill through the site but they would have walking access to Lordshill nevertheless. St John's Church of England Primary School is only a few hundred metres from the courtesy crossing at the southern access point. The local centre is within easy cycling distance of the site.

45. The Section 106 Undertaking includes the payment of a Travel Plan Bond of £280,000 that would be used for the provision of welcome packs, to provide financial incentives to use modes of transport other than the motor car, and for the preparation of a bus/cycle plan. The Bond would assist in achieving a modal shift away from private motor car use to more sustainable forms of travel.

46. All other matters raised by SNPF and other parties regarding the proposed development have been considered but they do not, either individually or collectively, contribute to the impact of the development, either negative or positive, on matters of acknowledged importance.

47. The proposed development would not have, taking into account proposed mitigation measures and conditions, any significant adverse impact on the visual amenity of the area, highway safety or local infrastructure, and would not have any significant adverse impact on any other matters of acknowledged importance, though it would result in the loss of best and most versatile agricultural land. The site is, with this proviso, a sustainable location for the proposed development.

Conditions and Section 106 Unilateral Undertaking

48. Prior to the Inquiry the Council and the Appellants agreed a list of 23 conditions (Document 13). These were discussed at the Inquiry and it was agreed that 11 of the conditions fail the test of necessity at this outline stage. All other suggested conditions have been imposed but they have been simplified, combined and/or amended where necessary in the interests of clarity and precision. The reasons for the conditions are set out in the schedule.

49. A signed and dated Section 106 Unilateral Undertaking was submitted at the close of the Inquiry and the Appellants also submitted a Compliance Note (Document 12) that sets out local and national policies relevant to each provision of the Undertaking and whether each provision complies with Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010. The obligations of the

Undertaking are all related to requirements of development plan policies and are all necessary to make the development acceptable in planning terms. They are all, furthermore, directly related to the development, are fairly and reasonably related in scale and kind to the development, and are in place to mitigate the effects of the development. The Legal Agreement therefore complies with Regulation 122 of the CIL Regulations 2010 and, with regard to clause 5.16 of the Undertaking, is required if planning permission is granted for the development.

50. Regulation 123(3) of the CIL Regulations 2010, as amended, came into effect on 6 April 2015, over two months before the opening of the Inquiry. I am satisfied, taking into account the discussion on the Section 106 Unilateral Undertaking at the Inquiry, that none of its obligations contravene the requirements of Regulation 123(3).

The planning balance and overall conclusions

51. The Test Valley Borough Revised Local Plan 2011-2029 has been examined in public but the Inspector's Report has not yet been published. It is neither at an early or advanced stage in the process leading to adoption but the publication of the Inspector's report is a crucial stage in the process and until that point is reached the emerging Local Plan can be afforded little weight. Furthermore, the Local Plan is required to comply with the NPPF and this will be critically assessed by the Inspector. At this time, and given that saved TVBLP policy SET 03 is, with regard to paragraph 49 of the NPPF, out of date, the NPPF must be given appropriate weight as a significant material consideration.

52. Paragraph 49 of the NPPF, which states that relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites, cannot be ignored. SNPF maintain that housing developments currently under construction and recently granted planning permission are redressing the under supply of housing in the Borough. But these developments have all been taken into account in an assessment of housing land supply, which is agreed by the main parties to be less than that which is required to maintain a five year supply. In policy terms the NPPF outweighs saved TVBLP policy SET 03.

53. Paragraph 7 of the NPPF states that there are three dimensions to sustainable development; an economic role, a social role, and an environmental role. With regard to its economic credentials the £42 million scheme would bring forward significant construction employment benefits and the residents of 320 homes would, as the significant element of the scheme, spend more than £8 million per annum in the local economy. Furthermore, the New Homes Bonus associated with the scheme would be in excess of £2.5 million.

54. The scheme would deliver 320 homes in a Borough where there is a shortfall in housing, and of these homes 128 would be affordable units. The delivery of 128 affordable homes must be judged against the Council's evidence to the TVBRLP examination that there is a need for 292 new affordable homes per year in the Borough. More than one third of the population of the Borough is aged over 55, compared to a national average of 28%, and the 60 unit extra care facility would contribute to meeting the need, both nationally and locally, for housing for the elderly. The scheme would thus satisfy the social role of sustainable development.

55. The scheme would cause no demonstrable harm to the ecology or biodiversity interests of the locality, and suitable and adequate mitigation

measures are in place to offset the potential for harm to the Solent and Southampton Water Special Protection Area. There would, in fact, given the potential for introducing new areas of woodland and other planting, and other factors, be a net gain in bio-diversity. The scheme would thus satisfy the environmental role of sustainable development. The proposed development, overall, and taking into account all of the matters considered in the main issue, would be sustainable development.

56. Paragraph 14 of the NPPF states that there is a presumption in favour of sustainable development and that, for decision taking, this means, where relevant policies in the development plan are out-of-date, granting planning permission for development unless any adverse effects of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. The loss of 7.9 hectares of Grade 3A agricultural land is the only adverse effect of the proposed development to be weighed in the planning balance.

57. The loss of less than 8 hectares of best and most versatile agricultural land does not, in my judgement, outweigh the considerable benefits of the proposed development. These benefits, assessed against the policies of the NPPF as a whole, are, primarily, the provision of market, affordable and extra care housing units in a Borough where there is a significant under supply of housing. This particular material consideration justifies determination of the appeal other than in accordance with the development plan.

58. The appeal is allowed and planning permission has been granted for 'the demolition of two dwellings and existing farm house and associated farm buildings, the construction of a new access on Rownhams Lane, the construction of up to 320 residential dwellings and a 60 unit extra care facility, the construction of a livery comprising stables for up to 30 horses and ménage, the change of use of land from agricultural to paddocks, and associated road/footway/cycleway provision, open space and landscaping, surface water attenuation and ancillary works' on land east of Rownhams Lane, Rownhams, Hampshire, subject to conditions.

Inspector

APPEARANCES

FOR THE APPELLANT:

Mr T Hill	Queens Counsel instructed by Clyde and Co LLP
He called	
Mr A Ross BA(Hons) DipTP MRTPI	Executive Director of Nexus Planning
Mr M Paddle EurIng BSc CEng CWEM MICE FIHT MCIWEM	Divisional Director of Mouchel Ltd
Mr P Rech BA BPhil LD CMLI	Director of FPCR Environment and Design Ltd

FOR SAY NO TO PARKERS FARM GROUP:

Mr T Seaton	Local resident
Mr P Bundy	Borough Councillor and Chairman of Nursling and Rownhams Parish Council

INTERESTED PERSONS:

Mr N Anderdon	Borough and Parish Councillor
Ms J Facey	Local resident

DOCUMENTS

- 1 Note of Appearances on behalf of Commercial Estates Group.
- 2 Letter of notification of the Inquiry and list of those notified.
- 3 Position Statement on behalf of the Appellants.
- 4 Inquiry representation by Mr Anderdon.
- 5 Inquiry representation by Mr Bundy.
- 6 Inquiry representation by Ms Facey.
- 7 Statement of Common Ground on Education Matters.
- 8 List of places to visit during the site visits.
- 9 Letter that sets out the specific objections by the Say No to Parkers Farm Group.
- 10 Petition against the development proposals.
- 11 Council's updated position on the five year housing land supply.
- 12 Compliance note on the provisions of the Unilateral Undertaking.
- 13 Draft agreed conditions.
- 14 Closing statement by Mr Bundy.
- 15 Unilateral Undertaking.

SCHEDULE OF CONDITIONS FOR PLANNING PERMISSION 14/00726/OUTS

1. Details of the appearance, landscaping, layout, and scale of any phase of the development hereby permitted (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development of that phase begins. The development of all phases shall be carried out as approved.
2. The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.
3. Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
4. The development hereby permitted shall be carried out in accordance with Development Parameter Plan Refs. 3039-L-P1 Rev A, 3039-L-P2 and 3039-L-P3 Rev A, Plan Ref. 1055722-D-008 Rev 01A, Plan Ref. 1055722-D-5b Rev A, the Design and Access Statement (March 2014), Design and Access Statement Supplementary Information (July 2014) and Green Infrastructure Illustrative Plan Ref. 3039-L-P6 Rev C.
5. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the site, has been submitted to and approved in writing by the local planning authority. The drainage scheme shall demonstrate that the surface water run-off generated up to and including the 1 in 100 year (30% climate change allowance) critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall also include details of how the scheme shall be maintained and managed after completion of the development. The approved scheme shall be implemented before the development is completed.
6. No development shall take place until archaeological work has been carried out in accordance with a Written Scheme of Investigation and Reporting which, prior to the work, shall have been submitted to and approved in writing by the local planning authority. Following completion of the work a report in accordance with the written scheme shall be submitted to the local planning authority.
7. The care home hereby permitted shall be used as a care home only (Class C2) and for no other purpose.
8. No development shall take place of any phase of the development until details of the roads and footways in that phase, including construction details, existing and proposed horizontal and longitudinal cross sections, street lighting, road drainage and a programme of implementation of the highway construction works, have been submitted to and approved in writing by the local planning authority. Highway construction works shall be carried out as approved and no dwelling or building shall be occupied until pedestrian and vehicular access to that dwelling or building has been completed and brought into use.
9. No development shall take place of any phase of the development until a noise and vibration assessment of demolition and construction activities, including piling, has been carried out and a scheme of works to mitigate noise and vibration from that phase of the development has been submitted to and approved in writing by the local planning authority. The scheme shall detail measures to protect residents of existing and proposed dwellings from the effects of noise and vibration and shall be in accordance with BS 5228:2009 'Noise and Vibration Control on

Construction and Open Sites'. The development of any phase of the development shall be carried out in accordance with approved scheme for that phase.

10. No dwelling or building in any phase of the development shall be occupied until bat boxes for that phase have been installed in accordance with Plan Ref. 3039-E-01 Bat Box Locations.

11. All clearance of existing vegetation on the site shall be undertaken in accordance with the methodology, to protect nesting birds, at paragraph 4.36 of the Phase 1 Habitat Survey Report (March 2014).

12. No development shall take place until a scheme for the delivery of allotments and a community orchard within the site has been submitted to and approved in writing by the local planning authority. The scheme shall include details of the location and specification of the allotments and community orchard, a programme of implementation, and future management arrangements. Development shall be carried out in accordance with the approved scheme.

Reasons for the Conditions

- 1 To comply with statutory requirements.
- 2 To comply with statutory requirements.
- 3 To comply with statutory requirements.
- 4 For the avoidance of doubt and in the interests of proper planning.
- 5 To prevent the increased risk of flooding on and off site.
- 6 In the interests of archaeology.
- 7 For the avoidance of doubt.
- 8 To ensure highways are constructed to acceptable standards.
- 9 To protect the amenities of residents.
- 10 To protect the ecological interest of the site.
- 11 To protect the ecological interest of the site.
- 12 To ensure delivery of important amenities.

**Nexus Planning
Thames Valley**

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