

NEW FOREST NATIONAL PARK AUTHORITY

MINUTES OF THE EXTRAORDINARY PLANNING COMMITTEE VIRTUAL MEETING

HELD ON TUESDAY 28 JULY 2020 AT 10:00 AM VIA MICROSOFT TEAMS

Attending remotely:

Members:

Leo Randall (Chairman)
Gordon Bailey (Deputy Chairman)
David Bence
Sue Bennison
George Bisson
Gavin Parker
Caroline Rackham
Barry Rickman
John Sanger
Ann Sevier
Richard Taylor

Officers:

Steve Avery	Executive Director Strategy and Planning
Rosalind Alderman	Solicitor and Monitoring Officer
Natalie Walter	Principal Planning Officer
Simon Ludlow	ICT Technical Officer
Vicki Gibbon	Member Services Administrator
Frances Connolly	Executive Assistant

108 Chairman's Introduction to Conduct of Remotely held Meetings on Microsoft Teams, Live Events

108.1 The Chairman opened the meeting by introducing himself and advising which officers from the NPA were present and their roles at the meeting.

109 Apologies for Absence

109.1 Apologies for absence were received from Oliver Crosthwaite-Eyre.

110 Declarations of Interest

110.1 Sue Bennison declared a non-prejudicial interest as a member of NFDC's planning Committee.

Gavin Parker declared a non-prejudicial interest as he was known to one of the applicant's associates.

Leo Randall declared a non-prejudicial interest as a member of the New Forest Access Forum and Friends of the New Forest.

Caroline Rackham declared a prejudicial interest in both items of business on the agenda. Accordingly, she made a statement to the meeting after the officer's report and did not participate in the discussion or vote.

Ann Sevier declared a non-prejudicial interest as a member of NFDC's Planning Committee, the New Forest Access Forum and Friends of the New Forest.

111 Chairman's Announcements

- 111.1 The Chairman asked Steve Avery to give an update on the NFDC Planning Committee decision for the cojoined application site which was held on Monday 27 July 2020.
- 111.2 Steve Avery advised members that the application heard by NFDC was approved subject to conditions, a landowner agreement and subject to a S106 agreement and consideration of call in by the Secretary of State.

112 Planning Applications for Committee Decision (Paper PC 334-20)

- 112.1 Members gave detailed consideration to the individual planning applications contained within the report.

RESOLVED: That the planning applications listed below be determined as shown in respect of each application and, in accordance with the Authority's policies and procedures, formal notice of the decisions to be sent to the applicants forthwith.

REPORT ITEM 1	
Application No.	19/00365/OUT
Details	Land Adjacent to Fawley Power Station, Fawley - Outline application for land within the New Forest National Park Authority comprising of the removal of structures on the quarry site and provision of 120 new homes, 1000 square metres of new civic space including provision for Early Years Learning (Use Class D1), 200 square metres of drinking establishments (Use Class A4), a two form entry primary school, flood defences / sea wall, public open space and habitat enhancement of existing land, hard and soft landscaping. Suitable Alternative Natural Greenspace, a saline lagoon, tidal creek, reconfiguration of the existing access and creation of a new access from the B3053 and access road through the site, associated infrastructure and engineering works (access to be considered) (AMENDED DESCRIPTION AND AMENDED PLANS)
Member speakers with an interest	Caroline Rackham
Public Participants	Aldred Drummond (Applicant) Shay Milgate (Against – Statement was read out on his behalf) John Lawrence (Against – Statement was read out on his behalf) Bernard Austin (Against) Brendan Gibbs (Marchwood Parish Council)
Comments	Natalie Walter advised the Committee Members that minor amendments were required to the report and proposed to delete duplicate condition 44, to refer to the updated development specification submitted in July 2020 in condition 58, and to substitute the word 'east' for 'west' in references to flood defences

	<p>in paragraphs 11.19 and 11.172, and that the recommendation for delegated permission was also subject to securing a landowner agreement with HCC regarding a Marine Management Plan. She explained that National Grid had removed their holding direction and that Natural England concur with the conclusions of the appropriate assessment providing that all mitigation measures were secured.</p>
<p>Decision</p>	<p>Subject to the prior completion of a section 106 legal agreement in accordance with the heads of terms set out in the report, the imposition of the conditions listed below as may be updated, and entry into a landowner agreement with Hampshire County Council securing a Marine Management Plan, the Executive Director of Strategy & Planning is authorised to grant planning permission, subject to consideration by the Secretary of State as to whether to call-in the application.</p>
<p>Conditions</p>	<p>1. Time Limit for Approval of Reserved Matters</p> <p>The first application for the approval of reserved matters shall be made within a period of three years from the date of this permission. All subsequent reserved matters applications shall be submitted no later than 15 years from the date of this permission.</p> <p>Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).</p> <p>2. Time Limit for Commencement of Development</p> <p>The development shall be begun not later than:</p> <p>Three years from the date of this permission in the case of the Primary Access Road; Two years from the final approval of the reserved matters that are relevant to any individual phase of the development in all other cases.</p> <p>Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).</p> <p>3. Reserved Matters Details</p> <p>No development within any phase of the development (other than the Primary Access Road) shall commence until details of the access arrangements within that phase of the development, the layout, scale and appearance of that phase, and the landscaping within that phase (herein referred to as the 'reserved matters') have been submitted to and approved in writing by the Local Planning Authority, and the development of that development phase shall be carried out in accordance with the approved details.</p> <p>Reason: To comply with Section 92 of the Town and Country</p>

Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

4. Parameter Plans

The reserved matters for each development phase shall fully accord with the Development Parameter Plans comprising: Site Boundary & Ownership Boundary (2/01 Rev A); Demolition / Retention (2/02 Rev A); Indicative Character Areas (2/03 Rev A); Green Infrastructure, Open Space and SANGs (2/04 Rev A); Access and Movement (2/05 Rev A); Land Use Ground Floor (2/06 Rev A); Land Use First Floor and above (2/07 Rev A); Proposed Development Plots and Ground Levels (2/08 Rev A); Development Plots Southern Quarter (2A/08 Rev A); Maximum Building Heights Plan (2/09 Rev A); Maximum Building Heights Plan – Southern Quarter (2A/09 Rev A); Underground Development (2/10 Rev A); Existing and Proposed Trees (1/11 Rev A).

Reason: To ensure high standards of Urban Design are achieved and maintained; to ensure that there is a coordinated and harmonious integration of land uses, built-form and spaces, reflecting the scale and nature of development; and to ensure that the development is responsive to its context surrounded by the New Forest National Park.

5. Design Code

The reserved matters for each development phase shall fully accord with the set of rules, instructions and detailed guidance that is applicable to that particular development phase, as set out within the Fawley Waterside Design Code Version 1 – April 2020.

Reason: To ensure high standards of Urban Design are achieved and maintained; to ensure that there is a coordinated and harmonious integration of land uses, built-form and spaces, reflecting the scale and nature of development; and to ensure that the development is responsive to its context surrounded by the New Forest National Park.

6. Primary Access Road – approval of landscaping

No development in connection with the Primary Access Road shall commence until the detailed landscaping proposals associated with that road, to include detailed tree planting information and a detailed management and maintenance specification, have been submitted to and approved in writing by the Local Planning Authority. The detailed landscaping proposals to be submitted for the Local Planning Authority's approval shall be in accordance with the Landscape Strategy and Access Design that forms part of the Fawley Waterside Design Code Version 1 – April 2020, and substantially in accordance with the following illustrative Fabrik landscape drawings: D2502_L150 Rev 05, D25202_L151 Rev 05,

D2502_L152 Rev 05, D25202_L153 Rev 05, D2502_L154 Rev 05, D2502_L155 Rev 04, D2502_L156 Rev 04, D2502_L157 Rev 04, D2509-L159 Rev 04, D2502-L160 Rev 04, D2502-L161 Rev 04, D2502 0401 Rev P5, D2502 0402 Rev P5, D2502 0405 Rev 02.

Reason: To ensure that the Primary Access Road has a high design quality and an integrated landscape setting, appropriate to the site's context adjacent to the New Forest National Park, and to ensure that the approved landscaping is secured in the long term.

7. Primary Access Road – implementation and future maintenance of landscaping

The detailed landscaping proposals associated with the Primary Access Road shall be carried out in full no later than the first planting season following practical completion of the Primary Access Road. Furthermore, the detailed landscaping proposals associated with Access Road Phase 1 (as defined by Parameter Plan 2/12 Rev A) shall be carried out no later than the first planting season following practical completion of this section of the Primary Access Road.

Any trees or plants which within a period of 25 years after planting are removed, die or become seriously damaged or defective shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved unless otherwise first agreed in writing by the Local Planning Authority.

The landscaping proposals associated with the Primary Access Road shall otherwise be managed for the lifetime of the development in accordance with the management and maintenance specification approved under Condition 6 of this planning permission.

Reason: To ensure that the Primary Access Road has a high design quality and an integrated landscape setting, appropriate to the site's context adjacent to the New Forest National Park

8. Land Raising

Before implementing each phase of development approved by this planning permission, no development shall commence until such time as a scheme for the proposed land raising has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include precise details of how the land will be raised, together with details of the source of the material to be used to raise levels and how such material will be transported to the site.

The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme's timing/ phasing arrangements, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

This condition may be discharged on an individual development phase basis.

Reason: To ensure the environmental effects of land raising are appropriately minimised, and to reduce the risk of flooding to the proposed development and its future users.

9. Flood Risk Assessment

The development shall be carried out in accordance with the submitted flood risk assessment (ref 70018569-FRA&DS, dated 16th April 2019, titled Fawley Waterside Flood Risk Assessment and compiled by WSP) and the following mitigation measures it details:

- Finished ground levels shall be set no lower than outlined in Table 4.4 – Proposed Final Ground Levels.
- Finished floor levels shall be set no lower than outlined in Table 4.4 – Proposed Final Ground Levels where it states that property thresholds shall be raised, as a minimum, 0.3m higher than proposed ground levels and as stated in section 4.2.18.
- The proposed flood defences shall be built in accordance with Table 4.2 – Proposed Sea Defence and shall contain sheet piling as stated in section 4.2.11.
- The proposed sea defences shall be constructed in their entirety prior to the phased residential/commercial occupation of the development as stated in section 4.2.6.

Following implementation, these mitigation measures shall be retained and maintained throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants and to ensure the structural integrity of the proposed flood defences, thereby reducing the risk of flooding.

10. Outline Remediation Strategy

Both prior to the commencement of development and during its construction, to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, the approved Outline Remediation Strategy document ref. 70018569.RS.V3 must be fully adhered to at all

	<p>times unless otherwise agreed through the submission and approval of individual reserved matters applications.</p> <p>Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors</p> <p>11. Contamination: Investigation & Risk Assessment</p> <p>Upon submission of reserved matters application for each phase of development, a detailed investigation and risk assessment (based on Updated Environmental Impact Assessment, WSP, April 2020, ref 70018569), in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.</p> <p>No development shall commence in respect of the individual development phases unless the detailed investigation and risk assessment for that development phase has been submitted to, and approved in writing by, the Local Planning Authority. This condition may be discharged on an individual development phase basis.</p> <p>Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors</p> <p>12. Contamination: Detailed Remediation Scheme</p> <p>Upon submission of reserved matters application for each phase of development, a detailed remediation scheme to bring the land within each phase to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment, in addition to any assessment provided with the planning application, must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated</p>
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land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

No development shall commence in respect of the individual development phases unless the detailed remediation strategy for that development phase has been submitted to, and approved in writing by, the Local Planning Authority.

This condition may be discharged on an individual development phase basis.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from/adversely affected by, unacceptable levels of soil and water pollution in line with paragraphs 170 and 178 of the National Planning Policy Framework.

13. Contamination: Verification

With respect to each phase of development, any approved remediation scheme must be carried out in accordance with its terms prior to the commencement of each phase of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out in respect of each development phase must be produced, and is subject to the approval in writing of the Local Planning Authority (unless otherwise already approved). The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

This condition may be discharged on an individual development phase basis.

Reason: To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraphs 170 and 178 of the National Planning Policy Framework.

14. Contamination: Reporting of Unexpected Contamination

If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing, until an investigation and risk assessment has been undertaken. Where remediation is

necessary, a remediation scheme must be prepared to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, which shall be the subject of approval in writing by the Local Planning Authority.

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

15. Piling

Piling or deep foundation using penetrative methods shall not be carried out other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that any proposed piling or deep foundation using penetrative methods, does not harm groundwater resources in line with paragraph 170 of the National Planning Policy Framework.

16. Noise from Piling

No percussive piling (where it is agreed under condition 15) or works with heavy machinery - i.e. plant resulting in a noise level in excess of 69dbAmax – measured at the sensitive receptor- shall be undertaken during the bird overwintering period - i.e. 1st October to 31st March inclusive. (Note: The sensitive receptor is the nearest point of the SPA or any SPA supporting habitat (e.g. high tide roosting site)).

Reason: To ensure the construction of the development does not give rise to a level of noise that would cause unacceptable disturbance to birds using the adjacent Solent and Southampton Water Special Protection Area.

17. Construction Environmental Management Plan

No development (including the approved demolition) shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The approved CEMP shall be retained and maintained throughout the construction phase. The CEMP shall consider the potential environmental impacts (including noise, vibration and air quality) that the construction stage may have upon any occupants of nearby premises and shall detail mitigation proposed. This shall include but not necessarily be restricted to:

Monitoring of noise and vibration, to include reduction measures, including use of acoustic screens and enclosures, the type of equipment to be used and their hours of operation, taking into account relevant guidance such as BS5228.

Where it is necessary to undertake piling on the site, details shall be provided justifying the method of piling used to minimise disturbance, from noise and vibration, to the occupants of nearby premises.

Detail of any planned measures for liaison with the local community and any procedures to deal with any complaints received.

Details of whether there will be any crushing/screening of materials on site using a mobile crusher/screen and the measures that will be taken to minimise any environmental impact.

Use of fences and barriers to protect adjacent land, properties, footpaths and highways.

Details of parking and traffic management measures.

Measures to control light spill and glare from any floodlighting and security lighting installed.

A dust management plan that is site specific and has regard to the impact on human health and potential for dust soiling. The dust management plan shall take into account relevant guidance.

Pest control.

Details of storage and disposal of waste on site.

Details of biosecurity.

Cleaning and maintenance of tools and equipment.

Additional details and measures to reduce concurrent construction activities.

Reason: To ensure that the environmental impacts of construction

	<p>are satisfactorily minimised and mitigated.</p> <p>18. Construction Environmental Management Plan Addendum</p> <p>A Construction Environmental Management Plan (CEMP) Addendum shall be submitted to and approved by the Local Planning Authority before the commencement of each individual development phase. The CEMP Addendum shall set out any bespoke management measures that are proposed in respect of that phase that have not already been agreed through the main CEMP. The CEMP addendum shall take into account any new relevant receptors on site and the approved measures shall be retained and maintained throughout the construction of that development phase.</p> <p>Reason: To ensure that the environmental effects of each construction phase are satisfactorily minimised and mitigated.</p> <p>19. Noise Mitigation Measures</p> <p>Prior to the commencement of the development of each phase (except archaeological investigations, ground condition investigations and intrusive site surveys and other enabling works; site clearance; soil storage; remedial works in respect of any contamination or any other adverse ground conditions; erection of any temporary means of enclosure and land raising) of residential development, a noise mitigation scheme shall be submitted to and approved by the Local Planning Authority. The scheme must demonstrate that internal and external noise levels for the residential accommodation will not exceed the minimum standards stated in BS8233:2014, paragraphs 7.7.2 [table 4] and 7.7.3.2. The approved scheme shall thereafter be implemented, maintained and retained for the lifetime of the development.</p> <p>This condition may be discharged on an individual development phase basis.</p> <p>Reason: To ensure that residential properties within the new development have an acceptable noise environment.</p> <p>20. Noise: Plant & Equipment</p> <p>Following the completion of the development, the Noise rating level (LArTr) from plant and equipment from non-residential uses shall not exceed the existing background levels of 41dB LA90 between 07:00hrs and 23:00hrs and 40dB LA90 between 23:00hrs and 07:00hrs in accordance with BS4142:2014+A1:2019.</p> <p>Reason: To ensure that the noise from such plant and equipment does not adversely affect the amenities of future residents</p>
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21. Lighting

Prior to the erection of any external lighting on site (excluding lighting associated with the construction phase of the development), a Lighting Scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall:

- Set out details of all proposed operational external lighting;
- Include timings of lighting operation;
- Include a lighting plan showing locations and specifications of all proposed lighting;
- Adequately rate phases and areas of the development into appropriate Environmental Zones in accordance with Institute of Lighting Professional's Guidance Note 1 for the reduction of obtrusive light 2020.
- Demonstrate that vertical illuminance into adjacent habitats has been minimised and avoided, and do not exceed the illuminance in the vertical plane at all windows of sensitive properties of the assigned environmental zone in accordance with table 3 of Institute of Lighting Professional's Guidance Note 1 for the reduction of obtrusive light 2020.

The scheme shall be implemented as approved for the duration of the development.

Reason: To ensure that the level of lighting within the development is acceptably minimised, having regard to the site's context surrounded by the New Forest National Park and adjacent to designated European sites.

22. Construction Traffic Management Plan

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

Reason: In the interests of highway safety.

23. Construction Traffic

Prior to the commencement of the development, full details of the vehicle cleaning measures proposed to prevent mud and spoil from vehicles leaving the site shall be submitted to the Local Planning Authority for its written approval. The approved measures shall be implemented before the development commences. Once the

development has been commenced, these measures shall be used by all vehicles leaving the site and maintained in good working order for the duration of the development. No vehicle shall leave the site unless its wheels have been cleaned sufficiently to prevent mud and spoil being carried on to the public highway.

Reason: In the interests of highway safety.

24. B3053 Crossings

Prior to the occupation of any dwellings within the development hereby approved, details of measures to deliver pedestrian crossing points on the B3053, as set out in principle on drawing number 16031-MA-AC-XX-SK-C-0150-P01, shall be submitted to and approved by the local planning authority in consultation with the local highway authority. No more than 10 dwellings shall be occupied within the development hereby approved unless the pedestrian crossing points have first been provided on the B3053 to the approved specification.

Reason: In the interest of highway safety and to meet the access needs of the development

25. Surface Water Drainage Details

No above ground development shall begin until a surface water drainage scheme for the site, based on sustainable drainage principles, has been submitted to and approved in writing by the local planning authority for each phase of works. Where there is any interaction of the drainage between phases, the full system must be assessed to ensure certainty of discharge arrangements for future phases. The scheme shall subsequently be implemented in accordance with the approved details before development is completed. The scheme shall be based upon the principles within the agreed Drainage Strategy prepared by WSP and shall also include:

- a. A technical summary highlighting any changes to the design from that within the approved Flood Risk Assessment.
- b. Infiltration test results undertaken in accordance with BRE365 and providing a representative assessment of those locations where infiltration features are proposed.
- c. Detailed drainage plans to include type, layout and dimensions of drainage features including references to link to the drainage calculations.
- d. Detailed drainage calculations to demonstrate existing runoff rates are not exceeded and there is sufficient attenuation for storm events up to and including 1:100 + climate change.

- e. Evidence that urban creep has been included within the calculations.
- f. Confirmation that sufficient water quality measures have been included to satisfy the methodology in the Ciria SuDS Manual C753.
- g. Exceedance plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria.

This condition may be discharged on an individual development phase basis.

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

26. Surface Water Drainage: Maintenance

Details for the long-term maintenance arrangements for the surface water drainage system (including all SuDS features) shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings hereby permitted. The submitted details should identify runoff sub-catchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter.

This condition may be discharged on an individual development phase basis.

Reason: To ensure the satisfactory maintenance of unadopted drainage systems in accordance with the requirements of paragraphs 103 and 109 of the National Planning Policy Framework.

27. Archaeology: A Programme of Archaeological Work

No demolition / development shall take place until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved by the Local Planning Authority in writing. The Scheme shall include an assessment of significance and research questions; and

The programme and methodology of site investigation and recording.

The programme for post investigation assessment.

Provision to be made for analysis of the site investigation and recording.

Provision to be made for publication and dissemination of the analysis and records of the site investigation.

	<p>Provision to be made for archive deposition of the analysis and records of the site investigation.</p> <p>Nomination of a competent person or persons / organisation to undertake the works set out within the Written Scheme of Investigation.</p> <p>This condition may be discharged on an individual development phase basis.</p> <p>Reason: To ensure the archaeological interest of the site is investigated and assessed.</p> <p>28. Archaeology: Implementation of Written Scheme of Investigation</p> <p>No demolition / development shall take place other than in accordance with the Written Scheme of Investigation approved under Condition 27.</p> <p>Reason: To ensure the archaeological interest of the site is adequately investigated.</p> <p>29. Archaeology: Completion and Archive Deposition</p> <p>The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 27 and the provision made for the analysis, publication and dissemination of results and archive deposition has been secured.</p> <p>Reason: To ensure the archaeological interest of the site is adequately investigated and recorded.</p> <p>30. Foul Drainage</p> <p>Construction of any development phase shall not commence until details of the proposed means of foul sewerage disposal for that phase of the development have been submitted to and approved in writing by the Local Planning Authority.</p> <p>This condition may be discharged on an individual development phase basis.</p> <p>Reason: To ensure the foul drainage arrangements for the development are dealt with in an acceptable manner.</p> <p>31. Implementation of Stone Stream Wetland</p> <p>No dwelling or other overnight sleeping accommodation shall be occupied unless the first phase of the Stone Stream Wetland, as described in the Fawley Waterside Strategy for Reaching Nutrient Neutrality – Version 3 dated 5th May 2020, by Jonathan Cox</p>
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Associates, including its associated appendices, has been fully implemented. Thereafter, any dwelling or overnight sleeping accommodation shall only be first occupied if the nutrient load generated by such accommodation has first been fully mitigated in accordance with the mitigation measures and phasing programme set out in the Fawley Waterside Strategy for Reaching Nutrient Neutrality – Version 3 dated 5th May 2020, by Jonathan Cox Associates, including its associated appendices,

Reason: The avoidance of adverse effects on the Solent and Southampton Water European sites can only be assured if the applicant’s Strategy for Reaching Nutrient Neutrality is delivered, a key component of which is the creation of a new 2 hectare wetland within the nearby Stone Stream Catchment.

32. Dwelling Numbers & Development Mix

The development hereby permitted shall not exceed 120 dwellings. The detailed designs for the approved development shall substantially accord with the following residential mix, or as otherwise may be agreed through the approval of applications for reserved matters:

2 bedroom Units:	45 Units
3 bedroom Units:	24 Units
4 bedroom plus Units:	51 Units

In addition, with each reserved matters application, the mix of those residential units that have already been built or which have already been granted reserved matters approval shall be specified.

Reason: This is the basis on which the application and the required level of mitigation has been assessed. A material change to the residential mix would affect the level of mitigation that would be necessary to offset the development's impacts, which may not be achievable based on the details that have been submitted in support of the application. Monitoring and Recording of the Development Mix is considered necessary to ensure an appropriate balance to the new community and to have certainty throughout all phases of the development that necessary mitigation measures are in place.

33. Dwelling Size

50% of dwellings to be provided shall comprise smaller dwellings (of maximum total internal habitable floor space of 100 square metres).

Reason: To meet the identified local housing need for smaller dwellings and to accord with Policy SP26 of the New Forest National Park Local Plan 2016-36 (August 2019)

	<p>34. Affordable Housing</p> <p>50% of dwellings to be provided shall comprise affordable dwellings (as defined in the National Planning Policy Framework)</p> <p>Reason: To meet identified local housing need and to accord with Policy SP26 of the New Forest National Park Local Plan 2016-36 (August 2019)</p> <p>35. Restrictions of Permitted Development Rights</p> <p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any re-enactment of that Order), no extension or alterations otherwise approved by Classes A, B or C of Part 1 of Schedule 2 to the Order, garage or other outbuilding otherwise approved by Class E of Part 1 of Schedule 2 to the Order, or means of enclosure otherwise approved by Class A of Part 2 of Schedule 2 to the Order shall be erected or carried out without express planning permission first having been granted.</p> <p>Reason: To ensure that the development's high quality design is secured for the lifetime of the development, to accord with Policy SP26 and to ensure that the development is not subsequently modified in a way that would be harmful to the special qualities of the New Forest National Park.</p> <p>36. Sustainability Requirements</p> <p>For each reserved matters application where new buildings are proposed, the development shall be accompanied by a sustainability statement setting out what measures will be incorporated into that part of the development to achieve a sustainable design, with particular reference to the Fawley Waterside Design Code Version 1 – April 2020 (in particular Pages 10-13 and Section 8 of the Code). The approved details shall be implemented in full for each building prior to the occupation of that building.</p> <p>Reason: In the interests of achieving a sustainable form of construction, in accordance with Policies DP18 and SP11 of the New Forest National Park Local Plan 2016-36 (August 2019) and national planning policies.</p> <p>37. Air Quality</p> <p>In respect of each reserved matters application where buildings or car parking spaces are proposed, an air quality assessment shall be submitted to assess the impact of any proposed emission sources on the development site on local air quality. This shall include, but is not limited to, underground car parks, industrial premises, commercial premises, shipping sources and power</p>
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generation plants. The air quality assessment shall be undertaken in accordance with current guidance, include cumulative impacts and appropriate mitigation schemes. Any mitigation scheme shall be the subject of agreement with the Local Planning Authority and shall be retained and maintained for the lifetime of the development.

Reason: To ensure that the development does not result in adverse effects on local air quality and to safeguard the amenities of existing and future residents.

38. Electric Vehicle Charging Points

For each reserved matters application where buildings or car parking spaces are proposed, a scheme for the provision of facilities to enable the charging of electric vehicles to serve that part of the development shall be submitted to the Local Planning Authority for its written approval. Thereafter, the development shall be implemented in full accordance with the approved details and the charge points shall be retained and maintained for the lifetime of the development.

Reason: In the interests of sustainability and to ensure that opportunities for the provision of electrical charging points are maximised in line with policy expectations.

39. Tree Protection

The existing trees within the development site, which are shown as to be retained, shall be protected during building operations in full accordance with the management practices and protection measures set out in the WSP Detailed Arboricultural Report – Ref: 70018569_AIA_V2 – dated February 2020 as updated by Technical Note- WSP Fawley Waterside TN T86 & T126 Retention – dated 9 July 2020.

Reason: To ensure that trees that are valuable to the amenities of the area and which will be important to the setting of the development are adequately protected during the construction of the development.

40. Travel Plan

Before any part of the development is first occupied, a Full Travel Plan based on the principles set out in the Markides Associates (Framework) Community Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, Development shall only be implemented and occupied in accordance with the approved Full Travel Plan unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that sustainable modes of travel are duly promoted.

41. Phasing: General Scheme Phasing

No development shall commence in respect of any individual phase within phases 2-8 of the development, as shown on the Indicative Phasing Plan (2/12 Rev A), unless development has already commenced in respect of all of the preceding development phases.

Reason: To ensure that the development is provided in an appropriate and comprehensive phased manner.

42. Phasing: The Primary Access Road

All of the Southern section of The Primary Access Road (highlighted as Access Road Phase 1 on Indicative Phasing Plan 2/12 Rev A) shall be provided before the occupation of any dwelling. The remaining sections of The Primary Access Road shall be provided in full before the occupation of 10 dwellings.

Reason: To ensure that the Primary Access Road is delivered in an appropriate timescale to meet the needs of the development.

43. Car & Cycle Parking

For each reserved matters application, details of the car and cycle parking that is to be provided in association with that phase of development shall be submitted to the Local Planning Authority for its written approval. The approved development on that phase shall not be occupied or made available for public use until the approved car and cycle parking arrangements within that phase have been provided in accordance with the approved plans.

Reason: To ensure that appropriate levels of car and cycle parking are delivered in association with the development.

44. Changes of Use to Residential

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 2005 and the Town and Country Planning (General Permitted Development) Order 2015 and the Town and Country Planning (General Permitted Development) (Amendment) Order 2015 or any subsequent re-enactments thereof, no non-residential building / floorspace (namely, the proposed drinking establishment and community uses) hereby approved shall subsequently be converted to residential use unless express planning permission has first been granted.

Reason: In view of the significant amount of non-residential floorspace that is proposed, and the potential for relatively small increases in the number of residential uses to have a significant impact on the adjacent and nearby designated European sites through recreational disturbance, it is considered essential to be able to consider the impacts of any such additional residential

development, which would only be acceptable if its impacts are appropriately mitigated.

45. Tree Planting to Southern Edge of Southern Quarter

The proposed tree planting to the Southern Edge of the Southern Quarter, as illustrated in Section 5 of the Fawley Waterside Design Code Version 1 – April 2020, shall have been implemented in full in accordance with the approved details before any dwelling within the development is hereby occupied.

Reason: This landscaping is essential to ensuring that the new development will have an appropriate landscape setting, an acceptable interface with the New Forest National Park, and to ensure that the impact on the setting of nearby heritage assets is minimised.

46. Nitrates: Water Efficiency

No dwelling hereby approved shall be occupied until a water efficiency calculation in accordance with the Government's National Calculation Methodology for assessing water efficiency in new dwellings has been undertaken which demonstrates that no more than 110 litres of water per person per day shall be consumed within the dwelling / hotel, and this calculation has been submitted to, and approved in writing by, the Local Planning Authority; all measures necessary to meet the agreed waste water efficiency calculation must be installed before first occupation and retained thereafter.

This condition may be discharged on an individual development phase basis.

Reason: There is existing evidence of high levels of nitrogen in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017.

47. Nitrates: Nutrients

The development shall be carried out in full accordance with the mitigation package addressing the additional nutrient input arising from the development as detailed in the Fawley Waterside Strategy

for Reaching Nutrient Neutrality (Jonathan Cox Associates Version 3 – 5th May 2020). In addition, before the commencement of Phase 2 of the development (Parameter Plan 2/12 Rev A), a more detailed programme / timetable for implementing, monitoring and recording the mitigation shall be submitted to and approved in writing by the Local Planning Authority, and the agreed programme shall thereafter be adhered to at all times, unless otherwise agreed in writing with the Local Planning Authority.

Reason: There is existing evidence of high levels of nitrogen in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. To ensure that the proposal may proceed as sustainable development, there is a duty upon the Local Planning Authority to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Authority has had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017.

48. Ecological Measures

In respect of each reserved matters application, a scheme for delivering biodiversity enhancements in association with that phase of the development shall be submitted to the Local Planning Authority for its written approval. Where new buildings are proposed, the proposed biodiversity enhancement measures shall detail any provision of bat and bird boxes that are to be incorporated into the development in line with the Fawley Waterside Design Code Version 1 – April 2020. Development shall thereafter only be implemented in accordance with the approved details.

Reason: To ensure that biodiversity enhancement measures are delivered throughout the development; and to ensure that a key aspect of sustainability is delivered.

49. Landscape & Ecological Management Establishment Plan

For each reserved matters application, a Landscape and Ecological Management Establishment Plan shall be submitted, comprising a detailed specification for how the landscape and ecological features within that phase of the development are to be maintained and managed, having regard to the principles set out within the Landscape Strategy of the Fawley Waterside Design Code Volume 1 – April 2020 and the principles set out in drawing number L-330 (Ecological Mitigation Plan). The landscape and ecological features shall thereafter be maintained and managed in full accordance with the approved specification / Plan for the lifetime of the development.

Reason: To ensure that the landscape and ecological assets within the development are maintained and managed in a way that will

	<p>secure long term benefits.</p> <p>50. Compensation for Habitat Loss</p> <p>Before development commences, a detailed programme for implementing, monitoring and recording compensation of the loss of habitat within the Tom Tiddler's Ground Site of Interest for Nature Conservation, based on the principles contained within the 'Tom Tiddler's Ground SINC Habitat Compensation and Improvement Plan' Version 4, dated 28 April 2020, prepared by Jonathan Cox Associates, shall be submitted to and approved in writing by the Local Planning Authority. The detailed programme shall include details of soil and reptile translocation and must be able to demonstrate how a minimum of 9 hectares of compensatory habitat will be achieved through the different phases of development and it must include appropriate remedial measures should monitoring and recording show that the establishment of compensatory habitat has not been achieved. Before the occupation of 120 dwellings, a report demonstrating that the compensatory habitat has been achieved shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: It is essential that the development delivers compensatory habitat in accordance with Policy SP26 of the New Forest National Park Local Plan 2016-36 (August 2019)</p> <p>51. Net Biodiversity Gain</p> <p>Before development commences, a detailed programme for implementing, monitoring and recording net biodiversity gain within the application site and other adjacent land that is within the applicant's control shall be submitted to and approved in writing by the Local Planning Authority. The detailed programme must be able to demonstrate how a minimum net 10% increase in biodiversity will be achieved through the different phases of development, and it must include appropriate remedial measures should monitoring and recording show that a minimum 10% increase in biodiversity has not been achieved. Before the occupation of 120 dwellings, a Report demonstrating that a minimum 10% increase in Biodiversity has been achieved shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: It is essential that the development delivers a minimum 10% uplift in the site's biodiversity value in accordance with the local and national planning policies.</p> <p>52. Crime Prevention</p> <p>For each reserved matters application where new buildings or areas of public realm are proposed, details of the measures that will be incorporated into that part of the development to minimise</p>
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	<p>the risk of crime in accordance with Secured by Design principles shall be submitted to the Local Planning Authority for its written approval. Thereafter, development shall only be implemented fully in accordance with the approved details.</p> <p>Reason: In the interests of reducing crime and disorder and in accordance with Policy DP18 of the New Forest National Park Local Plan 2016-36 (August 2019) and national planning policies.</p> <p>53. Telecommunications</p> <p>For each reserved matters application where occupiable buildings are proposed, details of a technology and communication strategy for the provision of high speed fibre broadband, fibre optic and audio visual technology shall be submitted to the Local Planning Authority for its written approval. Thereafter, the approved infrastructure must be provided for use prior to first occupation of each occupiable building within the development and retained thereafter.</p> <p>Reason: To improve the opportunities to work from home and to reduce the proliferation of masts, aerials and wiring on flatted and commercial blocks, in the interests of visual amenity.</p> <p>54. Tree Retention</p> <p>Notwithstanding approved parameter plan 2/11 Rev A, as approved under condition 56, trees T86 and T126 shall be retained.</p> <p>Reason: In the interests of visual amenity.</p> <p>55. Waste Collection Strategy</p> <p>All applications for the approval of reserved matters relating to occupiable buildings shall be accompanied by a waste collection strategy in relation to the relevant phase. The development shall be carried out and thereafter maintained in full accordance with the approved details.</p> <p>Reason: To ensure a satisfactory form of development.</p> <p>56. No burning of materials</p> <p>No materials obtained from site clearance or from the construction of the development shall be burnt on site.</p> <p>Reason To ensure that the construction period does not have a detrimental impact on the environment.</p> <p>57. Approved Plans</p> <p>The development permitted shall be carried out in accordance with</p>
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the following approved plans and particulars:

Parameter Plans

2/01 Rev A – Application Site Boundary and Ownership Boundary
 2/02 Rev A – Demolition and Retention
 2/03 Rev A – Character Areas
 2/04 Rev A – Green Infrastructure, Open Space and SANGs
 2/05 Rev A – Access and Movement
 2/06 Rev A – Land Use Ground Floor
 2/07 Rev A – Land Use First Floor and above
 2/08 Rev A – Proposed Development Plots and Ground Levels
 2A/08 Rev A – Proposed Development Plots Southern Quarter
 2/09 Rev A – Maximum Building Heights Plan
 2A/09 Rev A – Maximum Building Heights Plan Southern Quarter
 2/10 Rev A – Underground Development
 2/11 Rev A – Existing and Proposed Trees

Means of Access Plans

16031-MA-AC-XX-SK-C-0001 – Location Plan Rev P02
 16031-MA-AC-XX-SK-C-0002 – Highway Land Plan P02
 16031-MA-AC-XX-SK-C-0100 – General Arrangement Plan 1 of 7
 Rev P03
 16031-MA-AC-XX-SK-C-0101 - General Arrangement Plan 2 of 7
 Rev P03
 16031-MA-AC-XX-SK-C-0102 - General Arrangement Plan 3 of 7
 Rev P03
 16031-MA-AC-XX-SK-C-0103 - General Arrangement Plan 4 of 7
 Rev P03
 16031-MA-AC-XX-SK-C-0104 - General Arrangement Plan 5 of 7
 Rev P03
 16031-MA-AC-XX-SK-C-0105 - General Arrangement Plan 6 of 7
 Rev P03
 16031-MA-AC-XX-SK-C-0106 - General Arrangement Plan 7 of 7
 Rev P03
 16031-MA-AC-XX-SK-C – Swept Path Analysis Northern Access
 Junction Rev P02
 16031-MA-AC-XX-SK-C-0111 - Swept Path Analysis Northern
 Quarter Access Autotrack Analysis Rev P02
 16031-MA-AC-XX-SK-C-0112 - Swept Path Analysis Northern
 Quarter Access (2-way flow) Rev P02
 16031-MA-AC-XX-SK-C-0113 - Swept Path Analysis Western
 Road Halfway Road Rev P02
 16031-MA-AC-XX-SK-C-0114 - Swept Path Analysis Car Park 1 &
 2 (Sheet 1 of 2) Rev P02
 16031-MA-AC-XX-SK-C-0115 - Swept Path Analysis Car Park 1 &
 2 (Sheet 2 of 2) Rev P02
 16031-MA-AC-XX-SK-C-0116 - Swept Path Analysis Service
 Access, Surface Car Park & Southern Quarter (Sheet 1 of 2) Rev
 P02
 16031-MA-AC-XX-SK-C-0117 - Swept Path Analysis Service
 Access, Surface Car Park & Southern Quarter (Sheet 2 of 2) Rev

	<p>P02</p> <p>16031-MA-AC-XX-SK-C-0118 - Swept Path Analysis Southern Quarter Access Rev P02</p> <p>16031-MA-AC-XX-SK-C-0119 - Swept Path Analysis Service Access 16.5m Articulated Vehicle Rev P02</p> <p>16031-MA-AC-XX-SK-C-0150 – B3053 South Indicative Traffic Calming Locations Rev P01</p> <p>16031-MA-AC-XX-SK-C-0500 – Drainage Strategy 1 of 7 Rev P02</p> <p>16031-MA-AC-XX-SK-C-0501 - Drainage Strategy 2 of 7 Rev P02</p> <p>16031-MA-AC-XX-SK-C-0502 - Drainage Strategy 3 of 7 Rev P02</p> <p>16031-MA-AC-XX-SK-C-0503 - Drainage Strategy 4 of 7 Rev P02</p> <p>16031-MA-AC-XX-SK-C-0504 - Drainage Strategy 5 of 7 Rev P02</p> <p>16031-MA-AC-XX-SK-C-0505 - Drainage Strategy 6 of 7 Rev P02</p> <p>16031-MA-AC-XX-SK-C-0506 - Drainage Strategy 7 of 7 Rev P02</p> <p>16031-MA-AC-XX-SK-C-0600 – Earthworks Rev P02</p> <p>16031-MA-AC-XX-SK-C-2600 – Highway Longsections 1 of 3 Rev P02</p> <p>16031-MA-AC-XX-SK-C-2601 - Highway Longsections 2 of 3 Rev P02</p> <p>16031-MA-AC-XX-SK-C-2602 - Highway Longsections 3 of 3 Rev P02</p> <p>16031-MA-AC-XX-SK-C-2610 – Typical Cross Sections 1 of 3 Rev P02</p> <p>16031-MA-AC-XX-SK-C-2611 - Typical Cross Sections 2 of 3 Rev P02</p> <p>16031-MA-AC-XX-SK-C-2612 - Typical Cross Sections 3 of 3 Rev P02</p> <p>16031-MA-AC-XX-SK-C-4050 – Proposed Materials Location Plan Rev P02</p> <p>16031-MA-AC-XX-SK-C-4051 – Proposed Materials Construction Details (1 of 2) Rev P02</p> <p>16031-MA-AC-XX-SK-C-4052 - Proposed Materials Construction Details (2 of 2) Rev P02</p> <p>Application Documents</p> <p>Revised Development Specification (Deloitte – July 2020)</p> <p>Fawley Waterside Design Code Version 1 – April 2020 (Ben Pentreath)</p> <p>Reason: To ensure satisfactory provision of the development.</p> <p>Definitions:</p> <p>For the purposes of the above conditions, the word 'phase' should be taken as relating to any individual reserved matters application, except where explicit reference is made to Parameter Plan 2/12 Rev A where the word 'phase' should be taken as relating to the specific phases of development shown on that plan.</p>
<p>Voting</p>	<p>8:2</p>

113 Consultation on Application No: 19/10581 Outline Planning Application (PC 335-20)

113.1 Natalie Walter introduced her report which was to confirm the Authority’s formal response to the concurrent outline planning application submitted to the New Forest District Council. Members agreed to support the recommendation as detailed below.

Resolved, that, the Planning Committee confirmed its support for application 19/10581 (subject to the completion of the S106 agreement, a landowner agreement and relevant conditions) and that the Secretary of State be advised accordingly.

Voting: 8:0, 2 abstentions

114 Any other items which the Chairman decides are urgent.

114.1 None.

115 Date of next meeting

115.1 The next meeting is scheduled to be held remotely on 18 August 2020 at 10:00 a.m. via Microsoft Teams, Live Events.

The meeting ended at 12:20 pm.

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Chairman

Date