
Appeal Decision

Hearing held on 23 July 2014

Site visit made on 23 July 2014

by John Woolcock BNatRes(Hons) MURP DipLaw MRTPI

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

Decision date: 4 August 2014

Appeal Ref: APP/M1710/A/14/2213234

Keyline/CCF Builders Merchants, Redhill Road, Rowlands Castle, Hampshire PO9 6DW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Keyline Builders Merchants Ltd against the decision of East Hampshire District Council (EHDC).
 - The application Ref:23856/009, dated 9 September 2011, was refused by notice dated 8 August 2013.
 - The development proposed is demolition of existing buildings and erection of 43 dwellings to comprise a mix of 2, 3 and 4 bedroom houses, including access arrangements, landscaping, open space and associated works.
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Decision

1. I allow the appeal and grant planning permission for demolition of existing buildings and erection of 43 dwellings to comprise a mix of 2, 3 and 4 bedroom houses, including access arrangements, landscaping, open space and associated works at Keyline/CCF Builders Merchants, Redhill Road, Rowlands Castle, Hampshire PO9 6DW in accordance with the terms of the application Ref:23856/009, dated 9 September 2011, as amended, subject to the conditions set out in the Schedule of Conditions attached to this decision.

Preliminary matters

2. The application was made jointly by Explore Living PLC and Keyline Builders Merchants Ltd. The appeal form indicates that the appellant is Keyline Builders Merchants Ltd, and a letter dated 28 November 2013 from Explore Living plc states that Keyline Builders Merchants Ltd can act as sole appellant. The appeal has been accepted on this basis, and I have dealt with it accordingly.
3. EHDC considered a revised scheme from that originally submitted with the application. This amended the layout and housing mix to 21 x two bed dwellings (including 6 bungalows), 10 x three bed and 12 x four bed houses. It is the scheme shown on the drawings listed in the Schedule of Plans attached to this decision that I have used in my consideration of the appeal.
4. EHDC refused the application for five reasons. The offer at that time of four affordable units was considered to fall well below the then policy requirement of 35%, and there was no satisfactory evidence concerning development viability. The second reason for refusal cited inadequate information about the

effects of the proposal on biodiversity, including protected species. The third, fourth and fifth reasons for refusals concerned the absence of provision for financial contributions towards integrated transport measures, environmental improvements and education facilities, contrary to relevant development plan policies.

5. Following viability evidence prepared for the Hearing, EHDC and the appellant reached agreement that the provision of eight units of affordable housing, four social rented units and four intermediate housing would be an appropriate level of affordable housing provision in the circumstances. The Statement of Common Ground (SoCG) states that subject to completion of a section 106 agreement EHDC would not pursue its first reason for refusal at the Hearing.
6. The appellant carried out additional ecological survey work and identified a mitigation strategy. EHDC subsequently agreed that ecological protection measures could be adequately dealt with by condition and that the second reason for refusal would not be pursued at the Hearing. The SoCG also provides that the third, fourth and fifth reasons for refusals concerning financial contributions towards infrastructure could be overcome.
7. The site comprises part of a former brickworks, now used as a builders merchants, with large buildings and extensive areas of open storage, in a secluded wooded setting. The site is accessed via a private road off Redhill Road, which has a wide bell mouth junction. Part of this route is a bridleway, which links to the wider network. The private access is used by HGVs serving the existing commercial premises. The area surrounding the existing buildings and the open storage is wooded, with trees on the appeal site and on adjoining land that is also in the appellant's ownership, subject to Tree Preservation Orders (TPOs). The London/Portsmouth railway line is located in a cutting that adjoins the eastern boundary of the appeal site, and there are residential dwellings beyond this is Glen Dale. Rowlands Castle motte and bailey site is a scheduled ancient monument (SAM) that lies to the north of the appeal site. Rowlands Castle Conservation Area is centred on the core of the settlement and extends south to include the SAM and land adjoining the northern boundary of the appeal site.
8. A planning agreement, dated 18 July 2014, provides for affordable housing and financial contributions towards education, environmental improvements and transport on commencement of the development that is the subject of this appeal.¹

Main issues

9. The main issue in this appeal is whether appropriate provision would be made for affordable housing. I have also considered the effects of the proposal on biodiversity and whether access arrangements would be satisfactory.

Planning policy

10. The development plan for the area includes saved policies of the East Hampshire District Council Local Plan Second Review 2006 (LP), which have not been superseded by the East Hampshire District Council Local Plan: Joint Core Strategy (JCS), which was adopted in May 2014. The appeal site was de-allocated as an employment site in the JCS due to its unsuitable location. The

¹ Hearing Document 3.

proposal would not therefore conflict with JCS Policy CP4, which permits the use of employment land for alternative uses where the site can be shown to be no longer suitable for employment use. The developed part of the site lies within the defined settlement boundary, where LP Policy H3 provides for residential development that would redevelop previously-developed land.

11. EHDC does not have a five year housing supply of deliverable housing sites. Paragraph 49 of the *National Planning Policy Framework* (hereinafter the *Framework*) provides that housing applications should be considered in the context of the presumption in favour of sustainable development, and that relevant policies for the supply of housing should not be considered to be up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

Reasons

Affordable housing

12. JCS Policy CP11 requires new residential development, to amongst other things, maximise the delivery of affordable housing. JCS Policy CP13 states that the target is for 40% of all new dwellings to be provided as affordable housing, with the target number and tenure split negotiated on a site-by-site basis, depending on individual site circumstances, including development viability and site surroundings.
13. During the appeal process the appellant increased the proposed provision for affordable housing from 10% to 18% on the basis of a revised viability assessment. EHDC subsequently accepted that eight units of affordable housing, comprising four social rented units and four intermediate housing units, would be an appropriate level of provision in the circumstances.² At the Hearing the parties' experts outlined their approach to the viability assessment of the scheme, and the matters about which they had reached agreement. I am satisfied that relevant evidence about the residual land value has been assessed, and that this is a relatively expensive site to prepare for housing because of the existing development and the site conditions. The assessments have properly had regard to the existing use value. Reasonable contingencies have been allowed for any land contamination and solution features or swallow holes within the ground that might affect construction costs. There was agreement that the proposal would not conflict with JCS Policy CP13 because this sets an overall target of 40% for affordable housing with provision in each case negotiated on a site by site basis.
14. I have no reason to come to a different conclusion to the agreed position of EHDC's and the appellant's respective experts about the viability of the appeal scheme. I am, therefore, satisfied that the proposed affordable housing provision would be reasonable in the circumstances which apply in this case. I am also satisfied that the affordable housing would be appropriately sited within the layout of the scheme.
15. The proposal would make a significant contribution towards meeting the housing need. The affordable housing would be beneficial, and the obligation would accord with the aims of JCS Policy CP13. Notwithstanding local concerns about the number of bungalows proposed, the housing mix would not conflict

² Hearing Document 1.

with either JCS Policy CP11, which requires a range of dwelling tenures, types and sizes to meet housing needs, or with paragraph 50 of the *Framework*, which requires local planning authorities to plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community. The housing benefits of the scheme weigh significantly in favour of allowing the appeal. I find no conflict with the aims of EHDC's *Implementation of Affordable Housing Policy* 2006.

16. There was some criticism at the Hearing that the obligation might not secure affordable housing provision for the shared ownership units in the long term because of 'staircasing'. This results from the purchase of additional shares. The purchase of the final share would 'staircase out', and the purchaser would own the whole home. However, even if this were to occur, overall benefits to affordable housing provision in the District would still result from the appeal scheme. Furthermore, affordable housing could not properly function without the clauses in the obligation that provide underlying guarantees for those providing funding. I accept that these provisions are necessary to enable funding to be obtained from the market. These are not considerations that weigh against the proposal.
17. On the first main issue, I am satisfied that the evidence before the Hearing demonstrates that the provision of eight affordable units, and the proposed tenure, would be appropriate in the circumstances that apply here. I find that the appeal scheme would comply with JCS Policy CP13.

Biodiversity

18. Ecological surveys have been conducted, including an amphibian survey and mitigation strategy. These were sufficient to enable Hampshire County Council to remove its previous objection to the proposal. The proposal would not be likely to have a significant effect on protected species. Conditions could reasonably safeguard wildlife. Subject to the imposition of appropriate planning conditions, I find no conflict with JCS Policy CP21 concerning biodiversity.

Access

19. The residential scheme would replace a large commercial enterprise that generates a significant number of HGV movements. It would enable the junction with Redhill Road to be re-designed to improve pedestrian and vehicle access. The improved access arrangements would provide an opportunity to improve conditions for those using the bridleway. I find that the proposal would be beneficial to highway safety and would comply with the aims of JCS Policy CP31 concerning transport.

Other matters

20. The removal of the large structures and open storage would improve the local landscape, and remove a source of local noise and disturbance. The trees proposed to be removed are generally of poor quality. Subject to the imposition of a condition requiring an arboricultural method statement and a landscaping scheme, I do not consider that the proposed development, either during construction or in the longer term, would have an unacceptable adverse effect on protected trees that contribute to the visual amenity of the area. I find no conflict with LP Policy C6 concerning tree preservation. The creation of a public amenity area and additional planting would be beneficial. The

proposed development includes terrace, semi-detached and detached houses under pitched roofs with private gardens, with a mix of two-storey houses and bungalows of traditional design. The proposed housing would include sufficient variety in house types, roof pitches and design features to provide an acceptable residential development. Noise from the railway could be minimised by an acoustic fence, and demolition and construction noise could be the subject of a mitigation scheme as part of an approved construction management plan. In terms of design and layout, I find no conflict with JCS Policy CP29.

21. Other benefits of the scheme would include securing the boundary of the wooded area adjoining the appeal site. The proposal would have no adverse effects on the nearby SAM, which has a limited setting confined by modern development, dense woodland and the local topography. I find no conflict with LP Policy HE17 in this regard. The surrounding woodland would mean that the proposal would have no impact upon Rowlands Castle Conservation Area and so would comply with LP Policy HE8. The proposal would accord with the aims of JCS Policy CP30 concerning heritage assets.
22. The possible development of adjoining land for residential development was raised, but no application has been submitted and there is no reason that any comprehensive development considerations for the wider area should weigh against the proposal. Concerns were raised at the Hearing about part of the appeal site extending into the registered Village Green near to the access on Redhill Road. If this was so separate considerations might apply regarding any development, but this would not prevent the grant of planning permission for the appeal scheme. I have taken into account all other matters raised in evidence, but have found nothing to outweigh the main considerations that lead to my conclusions.

Conditions

23. EHDC and the appellant suggested conditions if the appeal were to be allowed. These were discussed at the Hearing, and a revised list was submitted.³³ I have considered the need for these and their wording in the light of the advice contained in the *Guidance*.
24. The standard commencement period condition would be necessary (Condition 1). Otherwise than as set out in this decision and conditions, it is necessary that the development shall be carried out in accordance with the approved plans, for the avoidance of doubt and in the interests of proper planning. However, it was clarified at the Hearing that it is no longer proposed to offer the adjoining woodland to the Parish Council (Condition 2).
25. It would be necessary for details to be approved about foul drainage and lighting in the interests of the amenity of the area (Conditions 3 and 4). An ecological mitigation and enhancement plan would be necessary for biodiversity reasons (Condition 5). Details of all the materials to be used for external facing and roofing would need to be approved in the interests of the appearance of the area (Condition 6). Obscured glazing would be necessary in en suite first floor windows to safeguard privacy (Condition 7). Details of the existing and proposed ground levels, and proposed finished floor levels would need to be approved, as there is insufficient detail provided in the application

³³ Hearing Document 4.2.

documentation (Condition 8).

26. Measures that provide at least 10% of the predicted energy requirement from on-site renewable sources would be required in the interests of climate change and to accord with JCS Policy CP24 (Condition 9). A landscaping scheme would need to be approved and implemented to safeguard the appearance of the area, but it would not be necessary to specifically refer to the reinforcement of the eastern boundary because Condition 15 requires an acoustic fence along part of this boundary (Condition 10). Access and visibility splays, along with vehicle manoeuvring and parking area, would be required for highway safety reasons (Conditions 11 and 12). Bin and cycle storage areas would be necessary (Condition 13). A construction method statement (Condition 14) and arboricultural method statement (Condition 22) would be necessary to safeguard local amenity. An acoustic fence along the railway line would be necessary to limit the noise exposure of future occupiers, as would attenuation measures within dwellings (Conditions 15 and 16).
27. Measures would be necessary to ensure that risks from land contamination to future occupiers and neighbouring land were minimised, and to ensure that the development could be carried out safely, in accordance with LP Policy P7 (Conditions 17, 18 and 19). The details of surface water drainage would need to be approved in the interests of flood risk and water quality (Condition 20). Piling would need to be controlled so as to protect groundwater (Condition 21). Treatment of the play area would need to be approved (Condition 23). Archaeological conditions would be necessary given historic remains in the vicinity (Conditions 24 and 25).
28. Boundary treatment along the south-western boundary of the site with the adjoining woodland, and the pond, would be necessary to ensure the safety of future occupiers (Conditions 26 and 29). Measures to secure the management of roads not adopted would be necessary in the interests of the amenity of the area (Condition 27). Details of garages for some dwellings would need to be approved, as insufficient information is available in the submitted documentation (Condition 28).
29. The obligations set out in the planning agreement would be necessary to make the development acceptable in planning terms, are directly related to the development, and fairly and reasonably relate in scale and kind to the appeal scheme. I am satisfied that the obligation complies with relevant statutory and policy requirements, including JCS Policy CP32.

Conclusions

30. There is considerable local support for the proposed development, which is evident from the written representations and the submissions made at the Inquiry, but also some reservations about the details of the scheme. One of the aims of national planning policy is to strengthen local decision making.⁴ However, local opposition or support for a proposal is not in itself a ground for refusing or granting planning permission, unless it is founded upon valid planning reasons. The proposal therefore falls to be determined on its planning merits. I am required to decide this appeal having regard to the development plan, and to make my determination in accordance with it, unless material considerations indicate otherwise. The proposal would accord with relevant LP

⁴ *National Planning Policy Framework* Annex 1: Implementation.

Policies and JSP Policies and would comply with the development plan taken as a whole.

31. The appeal scheme would make a significant contribution to boosting the supply of housing in the District, and the affordable housing provision would be beneficial. I find that the proposal would be sustainable development to which the presumption in the *Framework* should apply. The benefits of the proposed development would significantly and demonstrably outweigh any harm. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

John Woolcock
Inspector

Richborough Estates

SCHEDULE OF CONDITIONS (1-29)

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the approved plans listed in the Schedule of Plans included in this decision, except that the annotation, shown on Drawings LA_100 171, LA_101 171 and other plans and documents, regarding land adjoining the site, which states that "existing woodland to be part of a woodland management plan and offered to the Parish Council" shall not apply.
- 3) No development shall start on site until details of a scheme for foul drainage has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details before of any part of the development is occupied and shall be retained thereafter.
- 4) Prior to the commencement of development a scheme for lighting within the publically accessible areas of the site (during construction and the operational life of the development), designed to minimise impacts on wildlife, particularly bats, including a timetable for its implementation, shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented as approved and thereafter retained.
- 5) Prior to commencement of development, a detailed site-wide ecological mitigation and enhancement Plan shall be submitted to and approved in writing by the local planning authority. The Plan shall be in accordance with the outline ecological mitigation and enhancement measures detailed within the Amphibian Survey & Mitigation Strategy (Herpetologic, June 2014) and the Ecological Statement (Herpetologic, March 2014). The Plan shall include (but not necessarily be restricted to) details of: on-going woodland management (timing, extent, rationale, lighting, enhancements); great crested newts mitigation and enhancement (fencing, trapping, pond enhancement measures); and ecological monitoring (updating great crested newts surveys). Development shall subsequently proceed in accordance with the approved Plan, with all ecological enhancement features permanently retained in accordance with the approved Plan.
- 6) Notwithstanding any indication of materials that may have been given in the application or in the absence of such information, no development shall start on site until samples / details, including manufacturers details, of all the materials to be used for external facing and roofing have been submitted to and approved in writing by the local planning authority. The development works shall be carried out in accordance with the approved details.
- 7) Notwithstanding any indication shown on the approved plans, the ensuite first floor windows throughout the development hereby permitted shall at all times be glazed with obscure glass.
- 8) No development shall start on site until plans of the site showing details of the existing and proposed ground levels, proposed external leaf DPC level and proposed finished floor levels have been submitted to and

- approved in writing by the local planning authority. The development thereafter shall be carried out in accordance with the approved details.
- 9) Before any part of the development is first occupied a verification report and completion certificate shall be submitted in writing, to the local planning authority, confirming that the built development hereby permitted incorporates measures that provide at least 10% of the predicted energy requirement from on-site renewable sources, or, provided that first approved in writing by the local planning authority before development starts on site, an alternative means of achieving an equivalent energy saving. The developer shall nominate a competent person for the purpose of assessing and providing the above required report and certificate to confirm that the completed works incorporate such measures as to provide the required energy savings. The energy saving works set out in the above report shall thereafter be maintained so that the required energy saving is sustained at the certified level for the lifetime of the development.
- 10) No development shall start on site until a fully detailed landscape and planting scheme for the site has been submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved details and in accordance with the recommendations of the appropriate British Standards or other recognised codes of good practice. These works shall be carried out in the first planting season after practical completion or first occupation of the development, whichever is earlier, unless otherwise first approved in writing by the local planning authority. Any trees or plants which, within a period of five 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 approved in writing by the local planning authority.
- 11) No development shall start on site until the access, including the footway and/or verge crossing shall be constructed and lines of sight of 2.4 metres by 43 metres provided in accordance with the approved plans. The lines of sight splays shown on the approved plans shall be kept free of any obstruction exceeding one metre in height above the adjacent carriageway and shall be subsequently maintained so thereafter.
- 12) Before the occupation of the first dwelling, provision for the turning, loading, unloading and the parking of vehicles shall have been made within the site in accordance with the approved details and shall be retained thereafter.
- 13) No development shall start on site until plans and particulars showing details of the provisions of bin/cycle storage within the site have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details before the occupation of the first dwelling and shall be retained thereafter.

- 14) No development shall start on site until a construction method statement has been submitted to and approved in writing by the local planning authority, which shall include:
- A programme for and phasing of demolition and construction work;
 - The provision of facilities for contractor parking;
 - Details of the method to break up and re-use concrete slabs arising from site clearance and demolition;
 - The arrangements for deliveries associated with all construction works;
 - Methods and phasing of construction works;
 - Access and egress for plant and machinery;
 - Protection of pedestrian routes during construction;
 - Location of temporary site buildings, compounds, construction material, and plant storage areas;
 - Controls, including a mitigation scheme, for dust, noise and vibration during the demolition and construction period;
 - Provision for storage, collection, and disposal of rubbish from the development during the construction period;
 - Re-use of on-site material and spoil arising from any site clearance or demolition work; and
 - Details of any piles of rubble or similar material on the site which need to be removed and which shall be dismantled by hand between March and September (inclusive) only, so as to allow any wildlife to disperse naturally into the surrounding habitat.
- Demolition and construction work shall only take place in accordance with the approved method statement.
- 15) Prior to the commencement of development, a scheme detailing the construction, specification and siting of the acoustic fence in the vicinity of the railway line (being a minimum two metres high with a mass of at least 15 kg/m³) shall be submitted to and approved in writing by the local planning authority. The approved fencing shall be erected prior to the occupation of the first dwelling and shall be retained thereafter.
- 16) Prior to the occupation of the first dwelling, all the attenuation measures recommended in the acoustic report prepared by H & H Acoustic Consultancy Division, dated 25 February 2010, including minimum specifications for glazing and ventilation as provided in table 7.1, shall be incorporated into the building designs of all properties that overlook the railway line on the eastern site boundary and shall be retained thereafter.
- 17) No development shall start on site until the following details have been submitted to and approved in writing by the local planning authority:
- (a) a desk top study report, documenting all the previous and existing land uses both on and adjacent to the site and including a conceptual site model and preliminary risk assessment. The report should be completed by a competent person and produced in accordance with national guidance, as set out in Contaminated Land Research Report No.11 and BS10175:2001;
- and unless otherwise first approved in writing by the local planning authority:
- (b) a scheme outlining a site investigation and risk assessments designed to assess the nature and extent of any contamination on the site;

(c) a written report of the findings which includes, a description of the extent, scale and nature of contamination, an assessment of all potential risks to known receptors, an update of the conceptual site model (devised in the desktop study), identification of all pollutant linkages and unless otherwise approved in writing by the local planning authority and identified as unnecessary in the written report, an appraisal of remediation options and proposal of the preferred option(s) identified as appropriate for the type of contamination found on site; and unless otherwise first approved in writing by the local planning authority:

(d) a detailed remediation scheme designed to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historic environment. The scheme should include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works, site management procedures and a verification plan outlining details of the data to be collected in order to demonstrate the completion of the remediation works and any arrangements for the continued monitoring of identified pollutant linkages. Site works and details submitted shall be in accordance with the approved scheme and undertaken by a competent person.

The above reports and site works should be undertaken in accordance with Defra and the Environment Agency's *Model Procedures for the Management of Land Contamination*, CLR 11.

- 18) Before any part of the development is occupied or used (unless otherwise first approved in writing by the local planning authority) a verification report demonstrating the effectiveness of the remediation works carried out and a completion certificate confirming that the approved remediation scheme has been implemented in full shall both have been submitted to and approved in writing by the local planning authority. The verification report and completion certificate shall be submitted in accordance with the approved scheme and undertaken by a competent person in accordance with Defra and the Environment Agency's *Model Procedures for the Management of Land Contamination*, CLR 11.
- 19) All development shall be stopped immediately in the event that contamination not previously identified is found to be present on the development site and details of the contamination shall be reported immediately in writing to the local planning authority. Development shall not re-start on site until the following details have been submitted to and approved in writing by the local planning authority:
- (a) a scheme outlining a site investigation and risk assessments designed to assess the nature and extent of any contamination on the site.
 - (b) a written report of the findings which includes, a description of the extent, scale and nature of contamination, an assessment of all potential risks to known receptors, an update of the conceptual site model (devised in the desktop study), identification of all pollutant linkages and unless otherwise approved in writing by the local planning authority and identified as unnecessary in the written report, an appraisal of remediation options and proposal of the preferred option(s) identified as appropriate for the type of contamination found on site and (unless otherwise first approved in writing by the local planning authority).

(c) a detailed remediation scheme designed to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historic environment. The scheme should include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works, site management procedures and a verification plan outlining details of the data to be collected in order to demonstrate the completion of the remediation works and any arrangements for the continued monitoring of identified pollutant linkages; and before any part of the development is occupied or used (unless otherwise first approved in writing by the local planning authority) a verification report demonstrating the effectiveness of the remediation works carried out and a completion certificate confirming that the approved remediation scheme has been implemented in full shall both have been submitted to and approved in writing by the local planning authority. The above site works, details and certification submitted shall be in accordance with the approved scheme and undertaken by a competent person in accordance with Defra and the Environment Agency's *Model Procedures for the Management of Land Contamination, CLR 11*.

- 20) No development shall start on site until details of a scheme for surface water drainage for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall include details of the timescale for its implementation and on-going maintenance and management of the approved surface drainage proposals. The scheme shall also include details of the following; overland flood flow routes should there be an event that exceeds the design capacity of the drainage system, a scheme to dispose of surface water from roofs and areas of hardstanding (including access roads and parking bays), a scheme detailing the need for the use of borehole soakaways, along with details of how the surface water drainage scheme shall be maintained and managed after completion, and details of how the scheme would prevent surface water from the site discharging on to the adjacent highway. The scheme shall be implemented as approved. No infiltration of surface water drainage into the ground shall be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.
- 21) No development shall start on site until details of a scheme for piling or any other foundation designs using penetrative methods has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 22) Prior to commencement of works an Arboricultural Method Statement and proposed tree protection plan shall be submitted to and approved in writing by the local planning authority. All works shall be implemented in accordance with the approved statement and plan.
- 23) No development shall take place until there has been submitted to and approved in writing by the local planning authority details indicating the position, design, the timing of the provision of, and future management arrangements for the play area. The play area shall be implemented in

accordance with the approved details and shall not thereafter be used for any purpose other than as a play area.

- 24) No development shall take place until the developer has secured the implementation of a programme of archaeological evaluation in accordance with a written scheme of investigation that has been submitted to and approved in writing by the local planning authority.
- 25) Following completion of archaeological fieldwork a report will be produced and submitted to the local planning authority in accordance with an approved programme including, where appropriate post-excavation assessment, specialist analysis, reports and publication.
- 26) No development shall start on site until a scheme detailing boundary treatment measures and alignment, to secure the south-western boundary of the site with the woodland edged blue as detailed on Drawing No. LA_100 171, has been submitted to and approved in writing by the local planning authority. The boundary treatment shall be implemented prior to the occupation of the first dwelling and in accordance with the approved details and shall thereafter be retained.
- 27) Prior to the first occupation of the development, details of the management arrangements set up to secure the management and maintenance of un-adopted roads in perpetuity shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented at all times unless prior written consent to any variation is given by the local planning authority.
- 28) No development shall start on site until plans and particulars showing details of the garage type and design for house types A, A2 and G have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and provided prior to the occupation of the first dwelling.
- 29) No development shall start on site until details of the boundary treatment surrounding the pond to the west of the permitted residential dwellings has been submitted to and approved in writing by the local planning authority. The details shall include the positions and design of the boundary treatment to be erected. The approved details shall be fully implemented before the first occupation of any dwelling and shall be retained thereafter.

SCHEDULE OF PLANS

LA_106 - Area Schedule (application site area)
LA_100 171 - master plan (received 26/11/2012)
LA_101 171 - site plan (received 26/11/2012)
LA_102(A) 171 - site location plan (received 22 November 2011)
LA_103 171 - Perspective Sheet 1 (Received 24 July 2012)
LA_104 171 - street elevations (received 26/11/2012)
LA_107 171 - site location plan (1:1250, received 22/11/2011)
LA_108 171 - site boundary plan (received 22/11/2011)
LA_109 171 - site boundary including existing/proposed overlay (received 22/11/2011)
Block A - Elevations
Block A 4B7P - elevation and floor plans
Block A2 Elevations (received 24/07/2012)
Block A2 4B7P - elevation and floor plans (received 24/07/2012)
Block B 2 - elevations
Block B - 2 2B4P - elevation and floor plans
Block B 3 - elevations (received 24 July 2012)
Block B - 3 2B4P - elevation and floor plans (received 24/07/2012)
Block D - elevations
Block D - 4B7P - elevation and floor plans
Block D2 - 4B7P - elevation and floor plans (Plots 35, 36, 41 & 42) (received 26/11/12)
Block D2 - 4B7P - elevations (Plots 35, 36, 41 & 42) (received 26/11/12)
Block F - elevations
Block F - 3B6P - elevation and floor plans
Block G - elevations
Block G - 2B4P - elevation and floor plan
G7802-017 Rev A - Proposed Access Arrangement
G7802-018 Rev A - Large refuse vehicle autotrack swept paths

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Adrian Ellis	Principal Planning Officer.
Cllr Marge Harvey	Ward Councillor.
Mark Bennett	Housing Officer.
Peter Miller FRICS	Registered Valuer, Wadham and Isherwood.

FOR THE APPELLANT:

Edward Ledwidge MRTPI	Director, Blue Sky Planning Ltd.
Timothy Cann MBA	Senior Director, BNP Paribas Real Estate.
Dip(Est.Man) FRICS	

INTERESTED PERSONS:

Bill Wilson	Rowlands Castle Parish Council.
Brian Harper	Rowlands Castle Parish Council.
John Pickering	Rowlands Castle Parish Council.
Stuart Hall	Local resident.
Roger Walker	Local resident.
Doug Moody	Local resident.

DOCUMENTS SUBMITTED AT THE HEARING

Document	1	Emails dated July 2014 concerning East Hampshire District Council's revised position concerning the proposed affordable housing provision.
Document	2	Statement of Common Ground.
Document	3	Section 106 Deed dated 18 July 2014.
Document	4.1	Suggested conditions.
	4.2	Revised suggested conditions submitted after the discussion at the Hearing.