

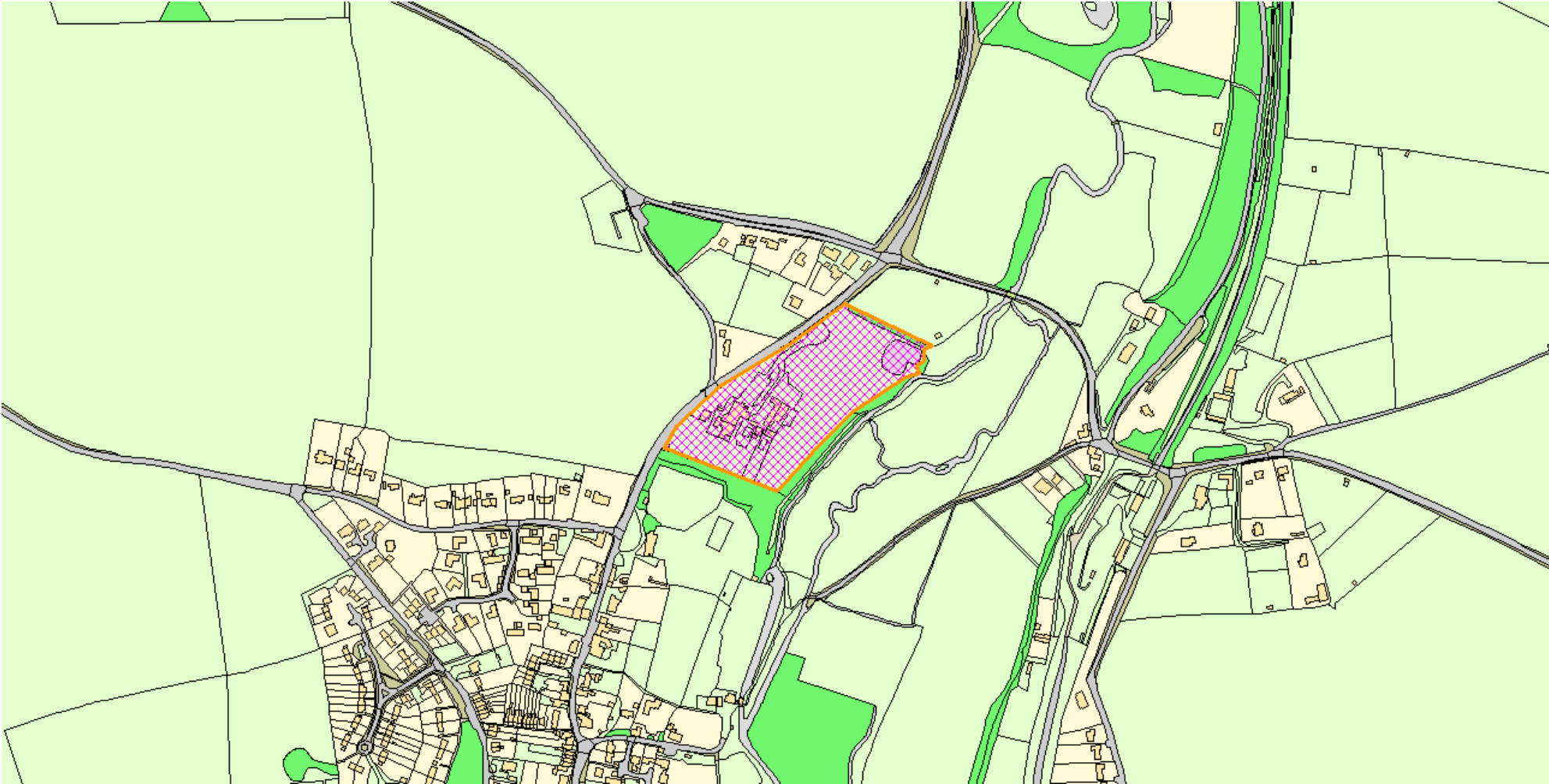
Agenda Item 8
Report PC23/24-31

Report to **Planning Committee**
Date **11 April 2024**
By **Director of Planning**
Local Authority **Winchester City Council**
Application Number **SDNP/23/01722/FUL**
Applicant **Mr R Seacombe**
Application **22 self-contained holiday lodges together with an on-site managers lodge, facilities/reception building, spa, car parking, alterations to the vehicular access and landscaping improvement.**
Address **Upland Park, Garrison Hill, Droxford, Hampshire, SO32 3QL.**

Recommendation:

- 1) That authority be delegated to the **Director of Planning**, in consultation with the **Chairman of the Planning Committee**, to grant planning permission subject to:
 - i) **The satisfactory resolution of the issue of nitrate neutrality.**
 - ii) **A S106 legal agreement, the final form of which is delegated to the Director of Planning, in consultation with the Chairman of the Planning Committee, to secure:**
 - **Nitrate neutrality mitigation measures (as necessary)**
 - iii) **The conditions set out in paragraph 9.2 of the report and any amendments or other conditions required to address nitrate neutrality, as necessary.**
 - 2) That authority be delegated to the **Director of Planning** to refuse **Planning Permission**, with appropriate reasons, if matters relating to nutrient neutrality have not been resolved, or the legal agreement is not completed, or insufficient progress made, within six months of the **11 April 2024 Planning Committee meeting**.
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Site Location Map



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Executive Summary

Key Matters

- The application site is on the northern edge of Droxford, within designated countryside. The site already has an extant Planning Permission granted in 2017 for 22 holiday lodges and spa. This was subsequently implemented with the demolition and clearance of the former hotel and site. The planning history of former and permitted tourism uses are material considerations which weigh in favour of the proposals in principle.
- The proposals, nonetheless, still need to accord with the Local Plan, namely policies SD23 and SD25, regarding the principle of tourism development in countryside locations and on this site specifically, not least as the extant scheme pre-dates the adoption of the Local Plan. Holiday accommodation is acceptable in principle in this location under policies SD23 and SD25 in this instance.
- The current proposals are a re-designed scheme (by a different owner/applicant) which still proposes 22 lodges (all 2 bed) and a spa. The layout broadly reflects some of the characteristics of the permitted scheme and still utilises the existing site access, but the design of the lodges is very different. The Site plans of the proposals and extant permission are included in **appendix 2** for comparison.
- The scale and design of the scheme is acceptable insofar as it respects the prevailing landscape character of the area including a new site wide landscape scheme. A variety of biodiversity net gain is also proposed. A SUDs scheme is also proposed to manage surface water. It is also acceptable regarding matters such as highway safety, impact on surrounding amenities, setting of heritage assets, as well as providing visitors with the opportunity to enjoy the National Park. In all of these respects, the scheme accords with the relevant Local Plan policies as well as National Park Purposes and Duty.
- Nutrient neutrality, regarding waste water from the development, remains an outstanding issue that needs to be addressed. The Recommendation reflects this position insofar as this matter is recommended to be delegated to the Director of Planning, in consultation with the chairman, resolve, prior to Planning Permission being granted.
- The application is before Members due to the sensitive location of the site, the scale and design of the proposals and earlier consideration by the Committee.

I. Site Description

- I.1 The application site is located at the northern edge of Droxford in a reasonably prominent location. It was formerly occupied by the Upland Park Hotel which was demolished around 2018, with subsequent clearance of the land including some boundary vegetation and tree felling (previously permitted). The A32 runs alongside the north-western site boundary below an embankment with trees and scrub vegetation. The site has a wide access onto the A32.
- I.2 The highest part of the site is next to the A32 and, from which, it slopes down to a pond and the River Meon (a designed Site of Importance for Nature Conservation) which defines the south east site boundary. A row of trees define the north-east boundary, whilst denser tree and hedgerow planting define the south-west boundary. The site is also north of Droxford's conservation area.
- I.3 Adjacent uses to the site including a grazing paddock immediately to the north-east, whilst to the south-west is a large listed dwelling and its grounds. On the opposite side of the A32 are two dwellings and a neighbouring petrol station at a crossroads further north.
- I.4 Views across the site are possible from the petrol station and approach into Droxford on the A32. Views are also possible when travelling on the B2150 north of the site and on Mill Lane and a public footpath to the east. The Meon Valley Trail also runs past the eastern side of Droxford where there are limited views generally given the well treed nature of the route.

2. Relevant Planning History

- 2.1 SDNP/16/04613/FUL: 22 self-contained holiday lodges together with an on-site manager's lodge, facilities/reception buildings and spa with parking and landscaping improvement following demolition of vacant hotel buildings - Approved 18.09.2017. Permission implemented and is extant.
- 2.2 SDNP/21/03144/CND: Variation of conditions 2, 3, 4, 9, 10, 11, 12, 14, 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26 relating to planning approval SDNP/16/04613/FUL for alterations to the design and layout of the proposed holiday lodges, and for changes to the occupancy condition. Refused 24.09.2021.
- 2.3 Appeal against refusal of SDNP/2103144/CND dismissed 21.06.2022, for the following reason:
- The re-design of the original scheme falls outside of the scope of minor material amendments. No detailed comments about its re-design were made.
- 2.4 SDNP/22/01832/FUL: Removal of 2 derelict bridges and erection of 2 replacement bridges, removal of silt from pond. Refused 08.06.2022.
- 2.5 SDNP/22/04466/FUL: 22 self-contained holiday lodges together with an on-site managers lodge, facilities/reception buildings and spa with parking and landscaping improvement. Withdrawn 23.11.2022.
- 2.6 SDNP/22/04178/PRE: 22 self-contained holiday lodges together with an on-site managers lodge, facilities/reception buildings, parking and landscaping improvement. No response issued - pre-application case closed following submission of this current application.

3. Proposal

- 3.1 The application proposes:
- 22 no.2 bed holiday lodges.
 - Staff accommodation (for a permanent on site presence) and reception building.
 - Separate spa building for people either staying in the lodges or visiting on any from elsewhere for appointments.
 - Utilising the existing access with alterations; new internal access road and car parking.
 - New landscaping and ecological enhancements.
 - New surface water and foul drainage schemes.

Layout

- 3.2 The existing access would be utilised, with its wide tarmac area at the junction with the A32 reduced. From here, the internal road would lead into a separate parking area for the spa on the north-eastern part of the site and a one-way (to limit its width) circular route around the site with areas of car parking interspersed along it and amongst the lodges. The route and lodges have been positioned to reflect the site's topography.
- 3.3 The lodges would be arranged around this route and set back from it with varying distances, building lines and orientations. The area covered by the circular road and lodges reflects the extent of the previously developed area of the hotel plus its terraces and outbuildings.
- 3.4 Their design and siting seek to maximise views down to the River Meon and across the valley and to create a varied roofscape that steps down through the site, to reflect its sloping ground levels. This approach involves the tallest lodges being sited along the north-eastern site boundary, near to the A32.
- 3.5 The spa building would be located in the north-east part of the site and set back from the A32, in between which would be a new car park. It would also be on higher ground to the adjacent existing pond.

- 3.6 A reception building (with staff accommodation) would be sited near to the site entrance in a position which would be visible to arriving visitors and offer surveillance of the access.

Design of the lodges, spa and reception building

- 3.7 Seven different lodge designs are proposed with varied footprint shapes, building forms and heights. They would have a rural character and appearance with wholly timber clad elevations and pitched slate roofs, along with outside timber decking. 18 lodges would be single storey and 4 would be 1.5 storey, with respective ridge heights of 4m and 6m. They have been designed to be accessible for all.
- 3.8 The spa would be a bespoke timber clad building. Its footprint comprises of various circular 'pods' of different sizes with conical shaped roofs joined together by a flat green roof. The largest 'pod' would be 5.4m high.
- 3.9 The reception building would be a two storey timber clad building. It would be of a similar appearance to the lodges with elevations clad in timber.

Parking

- 3.10 27 parking spaces are proposed for the lodges, equating to 1.2 spaces per unit. These would be in 6 parking areas, rather than individual spaces next to each lodge. There would be 12 parking in a separate parking area for the spa and reception building.

Sustainability

- 3.11 The lodges are proposed to be energy and water efficient. Air source heat pumps are also proposed. The car parking would be provided with electric vehicle charging points. The spa building would have a green roof.

Biodiversity and hard/soft landscaping

- 3.12 The site wide landscape and ecology strategy involves the creation and enhancement of woodland, hedgerow and grassland, and pond and riverbank enhancements. A Landscape and Ecological Management Plan has been submitted which details these objectives. New mixed species tree planting would be interspersed around the lodges, access and parking to create a wooded setting. Lodges would be positioned away from retained boundary trees. The proposals represent a net gain of 81.26% new habitat and 10.5% new hedgerow habitat.
- 3.13 The vehicular access would initially be tarmac at the site entrance. The remaining access road and parking areas would be gravel. Pathways to the lodges would be of a natural material to be agreed.

Drainage

- 3.14 A private treatment plant for foul water is proposed, which would discharge into the river. The surface water drainage scheme involves unbound gravel underneath the road and car parking areas for infiltration and various swales amongst the lodges, next to the spa, and along south-eastern extent of the lodges.
- 3.15 The swales would have a piped network leading to a SUDs basin south-east of the lodges, which they would also be connected to. The spa would have its own smaller SUDs basin with water being piped to it from the building. The initial section of access road from the A32 would be tarmac with infiltration drainage alongside it.

Lighting

- 3.16 A site wide external lighting scheme is proposed which would include low level sensor controlled bollard lighting and wall lighting on the lodges, underneath roof overhangs. The specification is proposed to be dark night skies compliant.

4. Consultations

- 4.1 Responses received from a range of consultees are summarised below. A re-consultation exercise, following receipt of amended plans, resulted in additional responses from a number of consultees.
- 4.2 **Arboriculture:** No objection, subject to conditions.

- 4.3 **Dark Night Skies:** No objection.
- 4.4 **Design:** Support, subject to conditions.
- Reasonable architectural design response to a sensitive environment.
 - Some concerns relating to materials, which could be conditioned.
 - Impressive energy efficiency but clarification on other sustainability commitments required (eg, water efficiency).
- 4.5 **Drainage:** No objection, subject to conditions.
- 4.6 **Droxford Parish Council:** Objection:
- No evidence that the proposals meet the expectations of SDNPA or local residents for this sensitive site.
 - Prominent gateway edge of village location requires full compliance with the Local Plan; contrary to policies SD 1,2,3,4,5,9.
 - Site clearance has not conserved the landscape, which will take time to recover.
 - Concerned about sustainable management of land and water environment; negative impact on ecosystems services.
 - Lack of footpath linking to the village; therefore neutral impact to local economy;
 - Neither conserves nor enhances landscape character; does not reflect settlement pattern.
 - Design not architecturally sympathetic to the locality.
 - Occupancy and level of activity would be greater than the hotel, impacting upon on site biodiversity and the wider surroundings.
- 4.7 **Ecology:** No objection, subject to conditions.
- 4.8 **Environment Agency:** No response.
- 4.9 **Environmental Health:** No objection, subject to conditions.
- 4.10 **Highways:** No objection, subject to conditions.
- 4.11 **Historic Buildings Advisor:** No objection.
- 4.12 **Lead Flood Authority:** No objection.
- 4.13 **Landscape:** Comments:
- Replicating elements of the permitted scheme in the design has had varied success.
 - Overall, a poorer scheme than the approved in landscape terms due to the drainage strategy, number of car parks, lodge design, and extent of the site's manipulation.
 - Loss of grassland adjacent to the river to be re-instated; it provided a buffer to the river.
 - Site exposed in views and changes to the site going to be publicly visible.
 - Appropriately worded and linked conditions on the following aspects required: Drainage design/strategy; Landscape and Ecological Management Plan; landscape strategy (written details out of date unsupported); trees; managing access along the riverbank; lighting.
- 4.14 **Natural England:** Comments:
- LPA shall determine an appropriate baseline to assess impacts from increased nitrates in waste water, through a Habitats Regulation Assessment. Precautionary approach of excluding the extant permission in these calculations recommended.
 - Details of the package treatment plant and measures to address nutrient impacts, including funded management and monitoring, for the lifetime of the development required.

4.15 **Southern Water:** No objection.

5. Representations

5.1 11 objections have been received, with 9 respondents commenting only at the initial application stage and 2 objectors commenting upon the original scheme and during the re-consultation exercise, following receipt of revised plans. One neutral response from the original consultation exercise has been received. All outline the following:

Objections

Principle

- Original approved scheme preferred.
- Tourism supported but development would negatively impact surrounding countryside.
- Unclear if lodges will be for sale as holiday/second homes.
- Previous application restricted occupancy; concern proposals creates 22 homes.
- Overall level of activity (eg. number of people on site, cars, dogs, movements, unauthorised access to the river) unacceptable.
- Site management regarding noise, lighting, landscaping implementation and maintenance.
- No plans/footpath to enable visitors to visit facilities in Droxford other than by car and limited parking in village; scope for new path along northern site boundary.
- Concerns of previous application unaddressed; including nitrates and a Habitats Regulations Assessment.
- Nutrient neutrality regarding waste water needs to be addressed.

Landscape and design

- Gateway location into Droxford and adjacent to rare chalk stream with designations.
- Prominent location on A32 and Mill Lane, especially given site clearance.
- Impact on views from public vantage points.
- Design needs to be appropriate for the landscape.
- Important it is well screened and blends into the landscape.
- Needs to be sensitively designed and to protect unique local river environment.
- Not landscape-led – no comparable sites of similar buildings in the Meon Valley.
- Building design not in keeping with local village vernacular.
- Concern the proposed planting would not be undertaken.
- Does not support Droxford's history and architecture.
- Cheap pre-fabricated caravan type houses.
- Impact on dark night skies.

Ecology

- River Meon a fragile/rare habitat.
- Impact on River Meon - activity on site; rubbish; drainage discharges; water quality degradation; eutrophication; habitat degradation; bioaccumulation.
- Contempt for biodiversity through site clearance and have not respected the Meon Valley; SDNPA needs to preserve what is left on the site.
- Previous scheme was more habitat and landscape driven.
- Impact on bats and further updated survey work required.

- River bank to be fenced off, but question how this would be maintained/enforced.

Drainage

- Discharging into river and concern over maintenance/risk of failure of foul drainage.
- Insufficient information provided; ground investigations, calculations; flood risk.
- Discharging into mill stream and concern about flows.
- Alternative of discharging into mains drainage or infiltration on site to be explored.
- Need to ensure adequate flows in summer, and at peak holiday times.

Amenity

- Development will create more traffic, noise and light pollution.
- Access is close to a dangerous junction on A32.
- Concern about flood risk to neighbouring property.

Neutral response:

- Traffic calming/management measures required at site access because of fast moving traffic on A32.
- Crossroads to the north experiences accidents and vehicles existing the site could potentially increase the accident rate.
- Should be footpath access on the A32 to the village to enable access to shops/services.

6. Planning Policy

6.1 Most relevant polices of the adopted South Downs Local Plan (2019) (a longer list of other relevant policies and legislation can be found in Appendix 1)

- SD4: Landscape character
- SD5: Design
- SD9: Biodiversity and geodiversity
- SD10: International sites
- SD23: Sustainable tourism
- SD15: Conservation areas
- SD50: Sustainable drainage systems

6.2 Relevant supplementary planning documents (SPD) and other guidance

- Design SPD (2022)
- Sustainable Construction SPD (2020)
- Parking for Residential and Non-Residential Development SPD (2021)
- Biodiversity Net Gain Technical Advice Note (TAN)
- Ecosystems Services TAN
- Habitats Regulations Assessment TAN

6.3 Most relevant sections of the National Planning Policy Framework (NPPF) 2023

- Section 12: Achieving well designed places.
- Section 15: Conserving and enhancing the natural environment.
- Section 16: Conserving and enhancing the historic environment.

6.4 Most relevant policies of the South Downs Management Plan (2020-2025)

- Policy I - Landscape
- Policy 9 - Heritage
- Policy 43 – Support new tourism

7. Planning Assessment

Principle of development

7.1 Planning Permission was granted for 22 lodges in 2017 (see paragraph 2.3above). This permission was lawfully implemented, upon the demolition of the hotel and clearance of the site, and remains extant. On this basis, the principle of the site’s continued tourism use is acceptable. The spa building is also part of the extant permission and therefore this use is also acceptable.

7.2 Policies SD23 and SD25 are, nevertheless, relevant to determining the principle of development as the current proposals still need to accord with the Local Plan (adopted after permission was granted), even though the above are significant material considerations.

7.3 Policy SD25(2) outlines that, exceptionally, proposals outside of defined settlements are permitted where they meet other relevant Local Plan policies, respond to the landscape context, and (in this case) whether it is an appropriate reuse of a previously developed site and conserves and enhances the special qualities of the National Park. In these regards, the assessment below outlines compliance with other relevant policies and it would be an appropriate re-use of the site given its planning history. There is, therefore, no conflict with policy SD25.

7.4 Policy SD23 outlines a range of criteria to assess proposals. Given the planning history and that a revised scheme is proposed, its following policy criteria are the most relevant. These are addressed in the assessment below, which demonstrates that there is substantial compliance with this policy.

(a) provide opportunities for visitors to increase their awareness, understanding and enjoyment of the special qualities;

(c) proposals not detracting from the experience of visitors or adversely affect the character, historical significance, appearance amenity of the area;

(d) new buildings be sensitive to their character and setting; and

(g)(i) that proposals make a positive contribution to the First purpose pertaining to design and a sensitive approach to a site’s context and, in countryside locations.

7.5 In summary, there is overall compliance with SD23 and SD25 and the extant planning permission for a similar quantum of development establishes an in principle acceptance of the proposals.

Layout

7.6 The layout has been revised through the application process and is assessed on its own merits, but it is initially useful to summarise a comparison with the extant scheme for additional context.

7.7 The proposed layout broadly reflects the approved layout (see **appendix 2**). Specifically, in reference to utilising the existing access; a circular vehicular route through the site with lodges arranged around it; the area and extent of new development including its proximity to the River Meon; wooded landscape strategy; and the siting of the spa building. Noticeable differences are the parking arrangements, with smaller interspersed parking areas now proposed versus an approved single large car park, and lodge designs.

7.8 Turning to the proposed layout, the irregular spacing between lodges combined with their varied setbacks and relationship to the internal road, orientations, their differing footprint shapes and forms are positive characteristics of the scheme. The main benefits of this approach would be avoiding an overly suburban appearance and a less regimented character

within the layout, which would otherwise detract from this rural edge of the village and surrounding landscape character.

- 7.9 In addition, interspersing the shared parking areas around the internal access, setting many of these areas back from it, and avoiding them being too close to one another is a good approach. This is because it helps to further avoid suburbanisation of the scheme compared to individual driveways being proposed for each lodge, which would have consequently influenced the layout to be more akin to a housing scheme. It also avoids the ‘street scene’ being dominated by parked cars.
- 7.10 The siting and orientation of lodges, as well as the circular access, also would make best use of the site’s topography to avoid an overly engineered landform. The tallest lodges are proposed on the highest part of the site on the north-west boundary and the other lodges then graduate down the slope. This is positive because the layout and the overall roofscape of the lodges, which would be visible from the north and east in particular, would show the scheme working with the existing site characteristics.
- 7.11 Whilst the tallest lodges would be on the highest part of the site, they would be set back from the A32, to respect root protection areas of adjacent trees, and have lower ridge heights than the approved scheme. It is not considered that they would be unduly prominent in views along the A32 and would not appear overly suburban at this edge of village location.
- 7.12 The use of topography combined with the varied siting, orientations and roof forms would add character and visual interest to the scheme. It would also enable views of the river and valley from the lodges, which helps to create a sense of place and aligns with SD23(1)(a) above. Furthermore, the overall ridge heights of the proposed lodges would be lower than the approved scheme, with 18 of the units being single storey which would reduce their overall prominence. The layout also allows for space amongst and around the lodges for a coherent landscaping scheme, which its woodland character would help to integrate the scheme into the site and its surroundings over time.
- 7.13 The layout would also be an acceptable distance from the River Meon. Apart from the outside decking of three lodges, development would not extend closer to the river than the approved scheme. Between which, there would be sufficient space for re-creating grassland and provide some amenity space.
- 7.14 In summary, some consultees and third parties raise concern about the layout and its impact upon the site and surrounding landscape character. However, for the reasons above it is considered that a satisfactory scheme could be achieved that accords with policies SD4, SD5, SD23 and its criteria (c)(d) and (gi) referred to above.

Lodge design

- 7.15 The single storey lodges would have a rural character and appearance, given their simple building forms with wholly timber clad elevations with shallow pitched and gabled roofs. Their fenestrations also reflect their rural appearance without appearing overly residential. The 1.5 storey lodges would have a relatively more domestic character because of features like dormer windows, raised balconies and fenestrations. However, given their form, massing and timber cladding they would sufficiently retain a lodge character that would be consistent with the rest of the scheme, which is acceptable.
- 7.16 The design officer, whilst supporting the scheme, has advised that a more locally characteristic roof material would be red clay tiles and that 22 lodges all with slate roofs would be uncharacteristic. They have, therefore, recommended a mix of clay tiles, slate, or timber shingles, would be an acceptable alternative. An updated plan has been submitted which shows a varied roof material and an overall condition concerning materials would secure this. Varying the materials also adds visual interest the scheme particularly where the roofscape would be seen from wider vantage points.
- 7.17 Local concern has been raised about whether the lodges reflect the local vernacular. Overall, the lodges would be an acceptable scale, form, and appearance to reflect the location and rural context of the site for the reasons above. They, therefore, accord with policies SD5 and SD23(1)(c),(d), and (gi) in particular.

Sustainability

- 7.18 The following measures are proposed and supported. On this basis, the proposals accord with policy SD48 overall. These construction measures are recommended to be secured by condition. A requirement for electric vehicle charging points is also proposed to be conditioned, to accord with SD22.
- Energy Efficiency – improvement over 2021 Building Regulations is 73%, which exceeds the policy and Sustainable Construction SPD.
 - Water usage – 110L/p//p/d.
 - Sustainable materials overall (eg. FSC certified timber)
 - Air source heat pumps.

Surface water drainage

- 7.19 The drainage strategy comprises of permeable surfaced parking areas and a number of swales (which would be lined). Water is, otherwise, directed via underground pipes to two SUDs basins (one for the lodges and a second for the spa building). The drainage strategy has been considered with the applicant in regard to reducing pipework, however, the justification for it is due to the underlying chalk and a risk of ‘dissolution’ which is effectively water eroding the chalk which would be an issue for around the lodges. It is contended by the applicant that this issue, in combination with Building Regulations, has influenced why more at surface features have not been introduced.
- 7.20 Certainly, more surface features like swales or other means of capturing water at source (eg. rain water gardens) could help to reduce the amount of pipework and even the size of the SUDs basin itself. At this stage, the scheme has been sufficiently developed to consider it and any further improvements in more detail via a condition to achieve a more acceptable drainage strategy that delivers as far a landscape-led scheme as possible and contribute to biodiversity. This would better accord with policies SD9 and SD50 in regard to a holistic scheme.
- 7.21 A SUDs scheme can help to manage any particulate and/or pollutants entering water courses and certainly the site being situated next to the River Meon (a chalk stream) is both a constraint and opportunity in terms of drainage, water quality, landscaping and habitat creation. The ecologist, drainage engineer and Lead Local Flood Authority, as key consultees, have not raised objections to the scheme subject to conditions and on the basis of their advice it is considered that a suitable drainage scheme can be achieved.

Ecology and biodiversity net gain

- 7.22 Third parties have raised concerns about impact upon the River Meon primarily, as well as protected species. The proposals overall would create enhancements within the site including the riverbank. Consultees have not objected but have recommended further detail to refine these aspects of the scheme, including ongoing management longer term.
- 7.23 The application pre-dates the mandatory requirement for delivering biodiversity net gain, however, notwithstanding policies SD2 and SD9 in particular and the First Purpose create a basis upon which to conserve and enhance sites and their wider surrounding landscape context. Additionally, calculations provided by the Applicant (paragraph 3.10) show significant biodiversity net gain is achievable. These aspects of the scheme are considered to be acceptable to accord with policies SD2 and SD9 overall.
- 7.24 An Arboricultural Impact Appraisal and Method Statement has been provided in regard to protection of retained trees and works to others. Consultees have not objected to these details, subject to conditions, and in this respect the proposals accord with SD10. Condition 14 in the recommendation requires the works to be undertaken in accordance with the aforementioned report.

Foul drainage

- 7.25 A private package treatment is proposed on site. Third parties have raised concern about its

proposed discharging into the River Meon. It is acknowledged that the river is sensitive habitat. Relevant consultees have not, however, raised an objection to this approach on ecological and/or water quality issues. Such a system would also likely require a permit from the Environment Agency.

Highways and parking

- 7.26 The highways Authority have not objected to the use of the existing access and works to it, provided these are outside of the designated highway, which is understood to be the case. Sufficient parking is also proposed on site both for those staying in lodges and visiting the spa. On this basis, the proposals accord with policies SD19, SD21 and SD22.
- 7.27 Third parties have raised concerns such as highway safety and any increased traffic, however, the proposals utilise an access previously used by a hotel use and deemed to be acceptable in the 2017 extant permission. Representations have also raised concern about a lack of connection with the village, however, there does not appear to be any apparent scope alongside or the A32 to introduce a new pedestrian route given the characteristics of the site and A32 at this location. In any event, it would not be within the scope of the Applicant for any such route to then continue beyond the site into Droxford.

Neighbouring amenities

- 7.28 Third parties have raised a range of planning considerations concerning impact upon amenities. Having assessed the layout and design of lodges, the proposals would not cause any significant harmful overlooking, loss of privacy and outlook upon neighbouring dwellings due to the siting, scale, orientation and fenestration of the lodges.
- 7.29 The level of activity overall from the development is also unlikely to significantly affect surrounding amenities given the relationship with neighbouring properties, this edge of village location and use of the existing access directly onto the A32 which would not cause any significant disturbance to neighbours. Notwithstanding, a site management plan is recommended via condition 5 to help manage any noise and disturbance. A suitable lighting scheme could also minimise light pollution to minimise any impact upon surrounding amenities also.
- 7.30 In these respects, the proposals accord with policy SD5. The planning history of the site has also been taken into account in assessing the impact on surrounding amenities.

Cultural Heritage

- 7.31 Section 72 of the Town and Country Planning (Listed Buildings and Conservation Area) Act 1990 relates to conservation areas. It requires “*special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.*”
- 7.32 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states “*in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.*”
- 7.33 The scheme is adjacent to the conservation area and a large grade II listed dwelling known as Fir Hill. The Historic Buildings Advisor has not raised an objection. The proposals are not considered to impact upon their settings given the scale, layout, lodge design and the relationship between the site and these heritage assets. On this basis, it is not considered that the heritage significance and settings of these designated heritage assets would be affected.
- 7.34 The proposals are not considered to lead to any less than substantial harm upon the significance of heritage assets, whereby any such harm would need to be balanced with any public benefits of the proposals. There is, therefore, no conflict with policies SD13 and SD15 and the cited legislation.

Dark Night Skies

- 7.35 A lighting scheme is proposed to be the subject of a condition. It is envisaged that a low key scheme would be introduced to avoid upward light spill, disturbance to wildlife, and be practical for the amenity of visitors.

The Conservation of Habitats Regulations (2017)

- 7.36 It is determined that there is the potential for a likely significant effect upon the Solent SPA by virtue of overnight accommodation that would result in nitrates. Following this screening, there is, therefore, the need to fulfil the requirements of The Conservation of Habitats and Species Regulations 2017 (as amended) via an Appropriate Assessment.
- 7.37 The recommendation before Members is to delegate this more technical matter to the Director of Planning, in consultation with the Chairman of the Planning Committee to resolve, which may involve the completion of a legal agreement to secure mitigation measures and monitoring, prior to the grant of planning permission. Provided this aspect of the scheme is addressed it would accord with policy SD10 and the aforementioned Regulations.
- 7.38 Separately, it is considered that the proposals are unlikely to have a direct significant effect upon the Solent SPA or other similarly designated sites regarding recreational disturbance due to their proximity.

8. Conclusion

- 8.1 In light of the planning history and outlined compliance with policies SD25 and SD23, the proposals are considered to be acceptable in principle.
- 8.2 Overall, the scale and design of the revised proposals are acceptable having taken into account consultee responses, representations, and the landscape character and appearance of the area. The proposals would also preserve and enhance the setting of the conservation area for the reasons outlined. The surrounding amenities of neighbouring dwellings are also protected.
- 8.3 The NPPF outlines overarching economic, social and environmental objectives to sustainable development. In these respects, the scheme would deliver new tourism development which would have social and economic benefits. Environmentally, the scheme would utilise a previously developed site with an acceptably designed scheme which encompasses biodiversity enhancements, as well as preserving the setting of the conservation area.
- 8.4 The proposals substantially comply with both relevant individual policies and the Local Plan as a whole, the NPPF, National Park Purposes and duty, and relevant legislation. The extant permission is also a strong material consideration. There are no material considerations of sufficient weight which would justify refusing permission.
- 8.5 The application is, therefore, recommended for approval subject to resolving 'nutrient neutrality', to be delegated to the Director of Planning in consultation with the Chairman of the Planning Committee, and the recommended planning conditions.

9. Reason for Recommendation

- 9.1 It is recommended that:
- I) That authority be delegated to the Director of Planning, in consultation with the Chairman of the Planning Committee, to grant planning permission subject to:
 - i) The satisfactory resolution of the issue of nutrient neutrality.
 - ii) A S106 legal agreement, the final form of which is delegated to the Director of Planning, in consultation with the Chairman of the Planning Committee to secure:
 - Water neutrality mitigation measures (as necessary).
 - iii) The conditions set out in paragraph 9.2 of the report and any amendments or other conditions required to address nitrate neutrality, as necessary.

- 2) That authority be delegated to the Director of Planning to refuse Planning Permission, with appropriate reasons, if matters relating to nutrient neutrality have not been resolved, or the legal agreement is not completed, or insufficient progress made, within six months of the 11 April 2024 Planning Committee meeting.

9.2 And the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended) and Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application."

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

Use

3. The development hereby approved shall not be used at any time for any purpose other than as holiday accommodation. The lodges shall not be used as permanent residential accommodation or for any other purpose in Use Class C3 (dwellinghouses) of the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: This development in the countryside, outside of any identified settlement, is only acceptable as holiday accommodation for use by short term visitors to the area.

4. The holiday accommodation hereby approved shall not be occupied by any person, group or their dependants, for a consecutive period of more than 28 days in any calendar year. A register of the occupancy of the lodges shall be maintained and kept up-to-date by the operator of the units, and shall be made available to the Local Planning Authority upon request (within 14 days of a written request being made). It shall record the names and addresses of all visitors and their arrival and departures dates.

Reason: There is a need to ensure that practical and permanent management measures are in place to manage the site as visitor accommodation.

5. The spa building shall not be brought into use until at least the 11th holiday lodge has been completed. It shall, thereafter, be made available for use by visitors staying in the holiday lodges and the public.

Reason: To ensure the spa building is not the only aspect of the scheme that is constructed and operated, in isolation from implementing the rest of the development as a whole, given the site wide landscape and ecological conversation and enhancement measures to create an overall comprehensive scheme.

6. The spa building shall operate in conjunction with the management of the holiday lodges and be retained as a constituent part of the development as a whole and shall not become a separate and independent use.

Reason: To ensure that the spa building remains part of the approved scheme and is operated as such, given it is an integrated part of the development as a whole including how the site is intended to be managed.

7. The reception building shall only be used for on-site management purposes. Its overnight accommodation shall only be occupied by persons employed on site for the safety and management of guests and not as holiday or other independent residential accommodation.

Reason: The building has an ancillary function within the development, as a reception for visitors staying in the holiday lodges and solely overnight accommodation for staff, which is not a separate unit of accommodation.

8. Prior to the development being brought into use, a Site Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This Plan shall include (but not limited to) the following:
 - a) Site management in respect of noise and visitor activities such as barbeques, pets and amplified music.
 - b) A Waste Management Plan identifying all waste streams and confirming how waste shall be collected, stored and disposed of.
 - c) Management and maintenance of the access, parking areas (including electric vehicle charging points) and external lighting.
 - d) Measures to educate visitors about the special qualities of the South Downs National Park.

The Site Management Plan shall be implemented in full accordance with the approved details and thereafter adhered to in the operation of the development.

Reason: To ensure that the site is managed in an environmentally sensitive way, to minimise impacts upon surrounding amenities and inform visitors of the recreational and educational activities in the South Downs National Park.

Materials and construction

9. No development shall be commenced unless and until a schedule including (but not limited to) materials and samples of such materials, finishes and colours to be used for external walls, windows and doors, roofs, and rainwater goods of the proposed buildings, have been submitted to and approved in writing by the Local Planning Authority. All materials used shall conform in full to those approved.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of the character and appearance of the area and the quality of the development.

Levels

10. Notwithstanding the details provided, no development shall commence until details of site levels and longitudinal and latitudinal sections through the site, including the SUDs basin areas, have been submitted to and approved in writing by the Local Planning Authority. These shall show how the buildings and SUDs basin are proposed to be set into the topography of the site, in comparison to existing levels. The development shall thereafter be implemented in full accordance with the agreed details.

Reason: To ensure a satisfactory development which responds to the characteristics of the site and its surroundings.

11. No development shall commence, including any works of demolition, until a Construction Environmental Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for (but not be limited to):
 - a) An indicative programme for carrying out of the works;
 - b) Method Statement for the demolition and construction work;
 - c) The arrangements for public consultation and liaison during the construction works;
 - d) Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method for constructing foundations, the selection of plant and machinery and use of noise mitigation barrier(s);

- e) Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination;
- f) Measures to protect the river from disturbance, deposit of material and contaminants.
- g) The parking of vehicles of site operatives and visitors;
- h) Loading and unloading of plant and materials;
- i) Storage of plant and materials used in constructing the development;
- j) The erection and maintenance of security hoarding, where appropriate;
- k) Wheel washing facilities;
- l) Measures to control the emission of dust and dirt during construction;
- m) A scheme for recycling/disposing of waste, including spoil, resulting from demolition and construction works;
- n) Protection of pedestrian routes during construction;
- o) Provision for storage, collection and disposal of rubbish;
- p) Any Re-use of on-site material and spoil arising from site clearance and demolition work.
- q) Working hours.

Reason: In the interests of highway safety and the amenities of the area.

12. No development shall commence until detailed information in a Design Stage Sustainable Construction Report in the form of:

- a) Design Stage SAP 10 assessment for each building.
- b) Design stage plan and specification for the electric vehicle charging points.
- c) Design stage BRE water calculator.
- d) Product specification for air source heat pumps, waste facilities, and materials; and
- e) Grown in Britain or FSC Certificates for timber.

Demonstrating that the development will:

- a) Reduce predicted CO₂ emissions by at least 12% due to energy efficiency measures and onsite renewable energy, compared with the maximum allowed by Part L1A 2021.
- b) Provide EV charge points in a suitable location with a minimum power rating output of 7kW and a universal socket.
- c) Have a predicted water consumption of no more than 85 litres per person per day and that the development is water neutral.
- d) Have separate internal bin collection for recyclables matching local waste collection service; and
- e) Have a private compost bin.
- f) Be designed to minimise overheating risk.

Has been submitted to and approved in writing by the Local Planning Authority. The development shall be built in full accordance with these agreed details.

Reason: To ensure the development demonstrates a high level of sustainable performance to address mitigation of, and adaptation to, predicted climate change.

Landscaping

13. No development above slab level shall take place until a further detailed Scheme of Soft and Hard Landscape Works has been submitted to and approved in writing by the Local Planning Authority. These details shall include (but not be limited to):
- a) Written specifications (including cultivation and other operations associated with plant and grass establishment;
 - b) Planting methods, tree pits & guying methods;
 - c) Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate;
 - d) Retained and new trees and hedgerows;
 - e) Plant, grass and tree species to be of native, locally characteristic varieties, and informed by soil testing on site.
 - f) Details of any works to and planting scheme for the River Meon river bank.
 - g) Details of all hard-surfaces, including paths, kerb edges, access ways, boundary treatments, bin and cycle stores and parking spaces;
 - h) Details shown of the siting, specifications and management of the Sustainable Urban Drainage systems and how this relates to new and retained planting;
 - i) Details of all fencing, gates or other means of enclosure;
 - j) A landscape schedule for a minimum period of 10 years including details of the arrangements for its implementation;
 - k) A timetable for implementation of the soft and hard landscaping works.
 - l) A landscape plan with services shown;
 - m) Delivery of the measures outlined in the Biodiversity Net Gain Design Stage Report (by Ecosa Ltd, June 2023) and the Ecological Impact Assessment (by Ecosa Ltd, April 2023).

The scheme of Soft and Hard Landscaping Works shall be implemented in full accordance with the approved timetable. Any plant which dies, becomes diseased or is removed within the first ten years of planting, shall be replaced with another of similar type and size, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To achieve an appropriate landscaping scheme to integrate the development into the landscape and provide a setting for the new development.

Ecology and trees

14. Prior to the commencement of development, an updated detailed Ecological Mitigation, Compensation and Enhancement Strategy shall be submitted to and agreed in writing by the local planning authority. This strategy shall be in full accordance with the outlined ecological mitigation and enhancement measures detailed within the Ecological Impact Assessment (by Ecosa Ltd, April 2023), unless otherwise agreed in writing by the Local Planning Authority. The Strategy shall include (but not be restricted to):
- a) Details of all habitat- and species-related avoidance and mitigation measures (e.g. timings, methods, responsibilities);
 - b) Detailed lighting strategy and evidence to demonstrate this takes full account of ecological receptors;
 - c) Plans of, and details describing, all habitat impacts and measures to compensate impacts (e.g. location, methods of establishment, responsibilities, care and maintenance);
 - d) Plans and details of all habitat- and species-related enhancement measures, including swift boxes, (e.g. location, methods, responsibilities, care and maintenance; and

The development shall, thereafter, be implemented in full accordance with these approved details.

Reason: to conserve and enhance biodiversity.

15. Notwithstanding the details provided in the Landscape and Ecological Management Plan (LEMP) (by Ecosa Ltd, April 2023), the development shall not be occupied until an updated site-wide detailed LEMP is submitted to and approved in writing by the Local Planning Authority. The LEMP shall include, but not necessarily be restricted to, details of measures to retain and supplement existing boundary features; long term objectives and management responsibilities; the management regime of the landscape and ecology schemes agreed pursuant to conditions 8 and 9. The approved measures shall thereafter be implemented in full and maintained in accordance with the approved details.

Reason: To conserve and enhance flora and fauna.

16. The development shall be undertaken in full accordance with the measures and works outlined in the Arboricultural Impact Appraisal and Method Statement (ref: 15751-AIA-12, by Eco-Urban Ltd).

Reason: To protect retained trees and limit works to those detailed, in order to undertake the development within good arboricultural practice.

Dark night skies

17. No development shall commence until an external lighting scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall specify the type and location of all external lighting to be installed on site. All external lighting on the lodges shall be restricted to down lighters that do not exceed 1000 lumens, which shall be designed and shielded to minimise upwards light spillage. The measures shall thereafter be implemented in full accordance with the approved details.

Reason: To conserve dark night skies and minimise impact upon the landscape and ecological receptors.

Surface and foul water drainage

18. Notwithstanding the details provided, no development shall commence until a detailed sustainable surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The design and details shall include (but not be limited to):

- a) The scheme follow the hierarchy of preferences for different types of surface water drainage disposal systems, as set out in Approved Document H of the Building Regulations (as amended) and the SUDs Manual produced by CIRIA.
- b) Cross sections (including topographical detail) of swales;
- c) Plans, including cross sections of the two SUDs basins, to show dimensions and topography/gradients of edges and depths;
- d) Layout of pipework and plans/details of head walls;
- e) Details of how the scheme delivers multifunction benefits in regard to integrating with the hard and soft landscape scheme (condition 10) and ecology compensation and enhancement measures (conditions 11 and 12).
- f) Full details of the maintenance and management of the SUDs system, to be set out in a site specific maintenance manual.

The scheme shall thereafter be undertaken and maintained in full accordance with the approved details.

Reason: To ensure the development demonstrates a high level of sustainable performance to address mitigation of, and adaptation to, predicted climate change, as well as deliver landscape and ecological benefits as part of managing water sustainably.

19. No development shall commence until a detailed drainage scheme for the means of foul water disposal has been submitted to and approved in writing by the Local Planning Authority. These details shall include drainage calculations and a Management and Maintenance Plan. The development shall be carried out in full accordance with the approved details. No building shall be occupied until the drainage system has been implemented in full accordance with the approved details.

Reason: To ensure satisfactory provision of foul water drainage.

Parking and Access

20. Prior to the development being brought into use, the vehicular accesses and car parking spaces shall have been completed in full accordance with the approved plans and shall be retained thereafter.

Reason: To ensure adequate on-site parking is provided.

21. Prior to the development being brought into use, details of covered and secure cycle parking spaces shall be submitted to, and agreed in writing by the Local Planning Authority. They shall, thereafter be provided and retained in full accordance with the agreed details.

Reason: To provide appropriate cycle storage to enable alternative sustainable modes of travel.

Permitted Development Rights

22. No other fences or means of enclosure nor any hard-surfaces, buildings or enclosures or additional site accesses shall be constructed or erected other than those approved pursuant to condition 10. This condition shall apply notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), Schedule 2, Part 2, Class A, or any order revoking or re-enacting that Order.

Reason: In the interests of landscape and visual amenity and to safeguard the rural character of the area.

Mike Hughes
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Appendices: 1. Information concerning consideration of applications before committee
 2. Currently Proposed Site Plan
 3. Approved Site Plan 2017 (ref: SDNP/16/04613/FUL)

SDNPA Consultees: Legal Services, Development Manager

Background Documents: [All planning application plans, supporting documents, and consultation and third party responses](#)

[SDNP/23/01722/FUL | 22 self-contained holiday lodges together with an on-site managers lodge, facilities/reception building, spa, car parking, alterations to the vehicular access and landscaping improvement | Upland Park Garrison Hill Droxford Hampshire SO32 3QL \(southdowns.gov.uk\)](#)

[South Downs Local Plan \(2014-33\)](#)

[South Downs National Park Partnership Management Plan](#)

[SDNPA Supplementary Planning Documents and Technical Advice Notes](#)

