

**HAMPSHIRE COUNTY COUNCIL**  
**Decision Report**

<b>Decision Maker:</b>	Regulatory Committee
<b>Date:</b>	16 December 2020
<b>Title:</b>	Provision of two new grass pitches (with no floodlighting), retention of large areas of the existing natural habitat, provision of fencing to control access and new gated link paths from the main school campus at Robert Mays School, West Street, Odiham, Hook RG29 1NA (No. 20/01082/HCC) (Site Ref: HRE006)
<b>Report From:</b>	Head of Strategic Planning

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### **Recommendation**

- 1 That, subject to all parties amending a Section 106 Agreement between Hart District Council and the land owner/s for the land to be retained as 'open land', the Director of Economy, Transport and Environment be authorised to GRANT permission subject to the conditions listed in Appendix A and any additional conditions required following receipt of additional drainage information and consultation responses.

### **Executive Summary**

- 2 The planning application is for the provision of two new grass pitches (with no floodlighting), retention of large areas of the existing natural habitat, provision of fencing to control access and new gated link paths from the main school campus at Robert Mays School, West Street in Odiham.
- 3 This application is being considered by the Regulatory Committee as it constitutes 'major development' and as a Regulation 3 application (a Local Planning Authority applying to itself for consent) it is subsequently required to be determined by the Regulatory Committee.
- 4 Key issues raised are:
  - The need to address a shortfall in playing field provision at Robert May's School;
  - Impact upon adjacent residents;
  - The design of the proposal; and
  - Loss of part of an area of public open space; and Impact on trees, flora and fauna.

- 5 The proposed development is not an Environmental Impact Assessment development under the [Town & Country Planning \(Environmental Impact Assessment\) Regulations 2017](#).
- 6 It is considered that the proposal would be in accordance with the relevant policies of the adopted [Hart District Local Plan](#) and the Odiham and North Warnborough Neighbourhood Plan.
  - The proposal is on land allocated for the proposed use;
  - It will provide additional grass sports pitches to address an existing shortfall in playing field provision at Robert May's School and in other settlements in the vicinity;
  - Be in keeping with local character in terms of scale, design, landscaping and layout and avoid any material loss of amenity to adjoining residential uses;
  - Not have a significant adverse effect on protected plant or animal species or their habitats and would protect the countryside through the creation and enhancement of features of nature conservation by providing compensatory habitat to mitigate that to be lost;
  - Not give rise to traffic flows which would cause material detriment to the amenities of nearby properties or to highway safety and have adequate arrangements on site for the parking of vehicles;
  - Not unacceptably increase the risk of flooding on site or other land;
  - Include new planting to maintain the value of trees and hedgerows affected by the proposal;
  - Not seriously detract from the amenity and consequent recreational value of well-used footpaths and other public rights of way; and
  - Include provision for a Community Use Plan setting out how and when the main pitch will be made available for community.
- 7 That planning permission be granted subject to the conditions listed in Appendix A.

### **The Site**

- 8 Robert May's School is an eight Form-Entry Academy Secondary school which lies to the north-west of the village of Odiham.
- 9 The school currently has capacity for 1,200 pupils and employs 152 members of staff. The school lies approximately 800 metres to the north-west of the village centre and is accessed from West Street immediately to the south.
- 10 The school is situated in a predominantly rural area with a subsequently wide catchment area between Basingstoke in the west, Farnborough in the east and bounded by the A31 to the south and A33 to the north.

- 11 The application site comprises a field of semi-mature dense scrub, grassland and woodland and occupies approximately 2.6 hectares of land which abuts Robert May's school to the west, existing housing areas to the north and south and agricultural land to the east. The field currently comprises an unmanaged area of land formed of rough grass and scrub habitats.
- 12 The nearest residential properties lie adjacent to the northern and southern boundaries of the application site. The pitches, at their closest point, would be 23 metres from the curtilage of properties on the northern boundary and approximately 60 metres from the rear of properties on the southern boundary.
- 13 A shared use footway / cycleway between West Street and Bufton Field (Public Right of Way (PROW) footpath Odiham 7) lies adjacent and parallel to the western boundary of the site.
- 14 There are no ecological designations on or surrounding the site. The site is not identified as being at risk from flooding from rivers or the sea or known to be susceptible to surface water flooding.

### Planning History

- 15 The planning history of the site is as follows:

<b>Application No</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date Issued</b>
01/00739/REM	Robert Mays School, West Street, Odiham, Hook, RG29 1NA	Construct 60 no. 2 storey 1,2,3 and 4 bedroom houses, garages, open space and associated infrastructure	Granted	03.09.20
16/02232/HCC	Robert Mays School, West Street, Odiham, Hook, RG29 1NA	Construction of one grass sports pitch and one open access grass space for community recreation benefit, including associated	Granted	25.01.17

		earthworks, fencing and drainage.		
16/02229/HCC	Robert Mays School, West Street, Odiham, Hook, RG29 1NA	Provision of new accommodation to expand the existing Robert May's School by one form of entry (150 pupils) with associated remodelling and expansion of car park and coach drop off, including the demolition of the caretakers bungalow	Granted	19.10.16
17/00559/HCC	Robert Mays School, West Street, Odiham, Hook, RG29 1NA	Un-lit Multi-Use Games Area with 4m high sports fencing, acoustic barrier, mounding and tree planting	Granted	23.05.17

- 16 16/02232/HCC was determined by Hart District Council in their role as the Local Planning Authority. The permission did not involve development of the land subject of this application but required it to be retained as 'open land' for public access. This was secured through a section 106 legal agreement as part of the permission.

### **The Proposal**

- 17 The proposal is for the change of use of land to two new grass pitches (with no floodlighting), retention of large areas of the existing natural habitat, provision of fencing to control access and new gated link paths from the main school campus.
- 18 This application specifically supersedes previous application 16/02232/HCC for a very similar sports pitch proposal which was granted planning permission in on the 25th January 2017.
- 19 The applicant has detailed that Hampshire County Council Children's Services has identified a requirement for an additional 150 pupil places

within Robert May's existing catchment. These pupils are already in the primary school system or from known housing development forecasts.

- 20 The applicant has detailed that the existing school land was assessed against the Department for Education BB103 requirements for a 1,350 capacity school and for enlargement to 1,500 pupils. This analysis showed that the school playing fields are currently under the recommended area and that after the expansion the school would be well below the guidance areas set out in the Department for Education BB103 requirements. The aim of the development is to ensure the school would be only slightly under the guidance areas once both pitches are constructed.
- 21 Two grass playing pitches are proposed, one larger than the other. The larger pitch is proposed to be on the northern section of the site and be 115 metres x 64 metres with a grass playing surface to allow for either full size rugby or football pitches. The layout Plan is set out in Appendix C.
- 22 The smaller pitch is proposed to be to the south of the larger pitch and be 70 x 50 metres with a grass surface and to be capable of being used for 7 v 7 football.
- 23 The main pitch will be constructed to a 1 in 100 diagonal cross-fall from south-west to north-east. The smaller pitch will have a cross-fall of 1:80.
- 24 Between the two pitches a tree/landscape planting copse is proposed which will be protected by habitat fencing. To the north, east and south of the proposed pitches the existing habitat areas would be retained.
- 25 Fencing is proposed on the site, on the north-east and partial of the western boundary of the northern pitch 3 metres tall ball catching fencing is proposed. 1.8 metres fencing is proposed around the application site to secure the facility.
- 26 Residential dwellings are to the north and south of the application site. On Bufton Field, Queens Road, on the east side of Dunleys Hill and on the northern side of West Street and Western Lane. On the northern boundary the proposed pitch would be between approximately 25 and 42 metres from the boundary of resident's properties at Bufton Field. On the southern boundary the proposal would be approximately 60 metres from the nearest residential properties on West Street.
- 27 Land at the southern section of the site is higher than the northern section of the site being approximately 93 m AOD lowering to approximately 86 AOD near the rear of dwellings on Bufton Field
- 28 Odiham Footpath 7 runs adjacent to the western boundary of the development site.

- 29 Future pedestrian access to the new pitches is proposed to be via the existing Public Right of Way on the western boundary of the site adjacent to the southern pitch.
- 30 A mower access gate is also proposed on the western boundary although further north adjacent to the northern pitch.
- 31 Vehicular access during construction will be by temporary arrangement in the south-western corner of the site. Construction vehicles will access the site by crossing hard-surfaced areas of the school site from the existing vehicular access and parking areas. The proposed highway works are set out in Appendix D.
- 32 During the school day the site will be used exclusively by the school and students will walk to the site. Outside of school hours, the site will be made available in the evenings and weekends for community bookings made via the school.
- 33 No external lighting is proposed as part of this application.
- 34 The proposed development has been assessed under [Town & Country Planning \(Environmental Impact Assessment\) Regulations 2017](#).
- 35 Screening under the EIA Regulations has been carried out on the proposed development as supplied.
- 36 The development is classified as a Schedule 2 development as it falls within Category 10 b) and exceeds the size threshold. However, whilst being identified under the Regulations, it is not deemed an EIA development requiring an Environmental Statement.

### **Development Plan and Guidance**

- 37 The following plans and associated policies are considered to be relevant to the proposal:

#### **National Planning Policy Framework (2019) (NPPF)**

- 38 The following paragraphs are relevant to this proposal:
- Paragraph 11: Presumption in favour of sustainable development;
  - Paragraph 80: Support of sustainable economic growth;
  - Paragraph 94: Ensuring sufficient choice of school places is available to meet the needs of existing and new communities;
  - Paragraph 170: Contributions and enhancement of natural and local environment; and
  - Paragraph 102-103: Sustainable transport.

## Hart Local Plan Strategy & Sites 2032 Adopted 30 April 2020

39 The following policies are relevant to the proposal:

- Policy SD1: Sustainable Development;
- Policy NBE2: Landscape;
- Policy NBE4: Biodiversity;
- Policy NBE5: Managing Flood Risk;
- Policy NBE8: Historic Environment;
- Policy NBE9: Design;
- Policy INF2: Green Infrastructure;
- Policy INF3: Transport;
- Policy INF4: Open Space, Sport and Recreation;
- Policy INF5: Community Facilities; and
- Policy INF8: Safeguarded Land for Education.

## Odiham and North Warnborough Neighbourhood Plan (2014 - 2032) (Adopted June 2017)

40 The following policy is relevant to the proposal:

- Policy 10 (Education).

### **Consultations**

41 **Councillor Glen** - No objection subject to the usual noise mitigation requirements.

42 **Arboriculture** - No objection subject to a condition to ensure the recommendations contained within the arboricultural documentation are implemented and condition relating to planting and aftercare.

43 **Rights of Way Manager** – No objection to the proposal subject to a condition relating to the temporary closure of the footpath and informatives.

44 **Natural England** – No objection.

45 **Local Highway Authority** - No objection.

46 **Environmental Health Hart** - Was notified.

47 **Odiham Parish Council** - No objection, with the following comments: OPC expresses an interest in being involved in the Community Use agreement and an interest in commuted funds should any of the land be transferred to OPC. OPC raised concerns about the temporary closure of a well-used footpath alongside the site from Buffon Fields to West Street

- 48 **Hart District Council** - No objection.
- 49 **County Ecologist (HCC)** – No objection, subject to condition relating to an ecological Appraisal and Ecology Strategy.
- 50 **Sport England** - Sport England supports this application, as the creation of two new playing pitches is to be welcomed. Sport England does not wish to raise an objection to this application, nor do we wish to recommend any conditions should planning consent be granted.
- 51 **Landscape Planning and Heritage (Landscape) (HCC)** - Was notified
- 52 **Landscape Planning and Heritage (Archaeology) (HCC)** - No objection subject to conditions relating to securing an archaeological evaluation and subsequent mitigation and reporting.
- 53 **Lead Local Flood Authority** - Further information is requested including details of infiltration testing and the groundwater levels to ensure a suitable unsaturated zone can be provided. Information is also needed in relation to the change in levels and how this could affect the overland flow routes of surface water if the drainage system failed to operate (exceedance flows). Update on this will be reported in an update to the Committee.

## Representations

- 54 Hampshire County Council's [Statement of Community Involvement \(2017\)](#) (SCI) sets out the adopted consultation and publicity procedures associated with determining planning applications.
- 55 In complying with the requirements of the SCI, Hampshire County Council:
- Placed notices of the application at the application site and local area;
  - Consulted all statutory and non-statutory consultees in accordance with [The Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#); and
  - Notified by letter all residential properties within 50 metres of the boundary of the site.
- 56 As of 12<sup>th</sup> November 2020, a total of 12 representations to the proposal have been received. All objected to the proposal. The main areas of concern raised in the objections related to the following areas:
- Proposal during construction and future use will cause noise pollution, particularly during the day and weekends;
  - Proposal would generate more traffic and parking problems in the area;
  - Privacy to properties would be reduced
  - Proposal would compromise security to properties;
  - Proposal could result in harm to local natural wildlife and their habitat;



- Closing the walkway while works are being carried out would cause inconvenience as pathway is used daily;
  - Proposed pitches would be underutilised, sufficient facilities are already available;
  - Proposal will result in devaluing property prices in the area; and
  - Proposal will spoil existing views from back of houses.
- 57 The above issues will be addressed within the following commentary, (except where identified as not being relevant to the decision).

### **Habitats Regulation Assessment [HRA]**

- 57 The [Conservation of Species and Habitats Regulations 2017](#) (otherwise known as the 'Habitats Regulations') transpose European Directives into UK law.
- 58 In accordance with the Habitats Regulations, Hampshire County Council (as a 'competent authority') must undertake a formal assessment of the implications of any new projects we may be granting planning permission for e.g. proposals that may be capable of affecting the qualifying interest features of the following European designated sites:
- Special Protection Areas [SPAs];
  - Special Areas of Conservation [SACs]; and
  - RAMSARs.
- 59 Collectively this assessment is described as 'Habitats Regulations Assessment' [HRA]. The HRA will need to be carried out unless the project is wholly connected with or necessary to the conservation management of such sites' qualifying features.
- 60 It is acknowledged that the proposed development includes environmental mitigation essential for the delivery of the proposed development regardless of any effect they may have on impacts on European designated sites.
- 61 The HRA screening hereby carried out by the LPA/MWPA considers the proposed development to have **no likely significant effect** on the identified European designated sites due to:
- It is not located at a distance to be considered to have proximity to directly impact on the European designated sites;
  - The site is not considered to have any functional impact pathways connecting the proposed works with any European designated sites; and;
  - The proposal does not have any significant increase on any adverse impacts the wider site may have.

## Climate Change

62 Hampshire County Council declared a climate change emergency on 17 June 2019. This proposed development has been subject to consideration of Policy NBE5 – (Managing Flood Risk), NBE9 (Design) of the Hart Local Plan and *Paragraph 148 of the NPPF (2019)*. The proposal is for playing fields with no lighting. Whilst no carbon assessment was submitted as part of the application, due to the nature of the proposed development there would be minimal carbon emission in the construction and operation of the facility.

## Commentary

### Principle of the development

- 63 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the plan unless material considerations indicate otherwise.
- 64 Paragraph 11 of the NPPF (2019) contains a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with an up-to-date development plan without delay. This is echoed in Policy SD1 of the Hart Local Plan (2020) which states 'Planning applications that accord with the policies in the Development Plan (including, where relevant, policies in Neighbourhood Plans) will be approved unless material considerations indicate otherwise'.
- 65 Section 8 of the NPPF (2019) relates to promoting healthy and safe communities. Paragraph 94 details that it is important that a sufficient choice of school places is available to meet the needs of existing and new communities. The Policy states that local planning authorities should give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on application.
- 66 The proposal will provide additional grass sport pitches to cater for an existing shortfall in formal grass sport area at the school and provide for 150 additional pupils. The proposed sport pitches would be outside of the complex of the existing school, located on land outside the settlement boundary.
- 67 Policy SS1 of the Hart Local Plan (2020) details that development will be focused within defined settlements, on previously development land in sustainable locations, and on allocated sites as shown on the Policies Map.

- 68 The application site on land outside a settlement boundary as defined by Policy SS1 although is on land safeguarded for education and allocated as such by Policy INF8 of the Hart Local Plan (2020).
- 69 Policy INF8 of the Hart Local Plan (2020) seeks to safeguard the application site for educational use unless the Local Education Authority confirms the land in question is no longer required for educational purposes.
- 70 The Odiham and North Warnborough Neighbourhood Plan (2014 - 2032) has been adopted and forms part of the development plan. Policy 10: Education supports the use of this site for educational uses provided that the use is confined to outdoor recreation and a legal obligation is made to secure the shared use of such facilities with the local community. An advisory note is therefore recommended to be attached to any subsequent decision notice to inform the developer that implementation of the proposal would be subject to the developer securing a legal agreement.
- 71 As identified in section 3 (Planning History) of the report, the land comprising Bufton Field is subject to a section 106 legal agreement between Hart District Council and the land owner/s for the land to be retained as 'open land'. The proposal for the enclosure of the pitches will necessitate the removal of this 'open land' restriction on the site. This would be achieved through a variation to the existing legal agreement held by Hart District Council. An advisory note is therefore recommended to be attached to any subsequent decision notice to inform the developer that implementation of the proposal would be subject to the developer securing a variation to the existing legal agreement.
- 72 It is therefore considered the proposed development is in principle acceptable in accordance with the relevant paragraphs of the NPPF (2019) as well as the relevant policies of the Hart Local Plan (2020) and Odiham and North Warnborough Neighbourhood Plan (2014 - 2032).

#### Visual impact and landscape

- 73 Policy NBE2 (Landscape) of the Hart Local Plan (2020) details that development proposals must respect and wherever possible enhance the special characteristics, value or visual amenity of the District's landscapes.
- 74 In addition, Policy NBE9 (Design) of the Hart Local Plan (2020) requires all developments should seek to achieve a high quality design and positively contribute to the overall appearance of the local area. (Protecting public health, safety and amenity) protects residents from significant adverse visual impact.

- 75 The applicant states that the following key principle emerged from the Site Strategy Workshop's, consultation with the Parish Council and public meetings:
- Provide grass pitches that will make up for the shortfall in flat grass sports area on the school site currently, but do not include floodlighting as it would be a nuisance to neighbours and would be overly intrusive within the green gap between Odiham and North Warnborough;
  - Retain large areas of the existing natural habitat and develop them as study and wildlife protection areas;
  - Provide fencing to control access and to provide new gated link paths from the main campus across the public path to the pitches, but do not provide direct access from Bufton Field housing estate to deter nuisance parking from potential weekend pitch users; and
  - Provide a carefully designed land drainage scheme to make sure that lower lying land is not at risk of flooding.
- 76 The application site is proposed to be fenced off with 1.8 metre tall open mesh fencing from the adjacent open land and would include new gated link paths from the main school campus across the public footpath to the pitches.
- 77 The fencing and playing fields will change the character of the open countryside, however, whilst the fencing would be up to three metres high in places, it would not be a solid structure and views across the application site would largely be retained by virtue of the transparency of the wire-mesh design.
- 78 It is considered that the open, light weight and sympathetic appearance of the fencing will reduce any impact regarding the openness of the area and any concerns regarding potential coalescence of adjacent settlements as a result of the application.
- 79 The siting of the sports pitches adjacent the school grounds will provide access from the main school facilities. The applicant states that the playing fields have been designed to be fully accessible allowing inclusion for all staff, pupils and visitors.
- 80 The development is subsequently considered to be in accordance with Policies NBE2 (Landscape) and NBE9 (Design) of the Hart Local Plan (2020).

### Amenity

- 81 Paragraph 127 of the NPPF (2019) sets out the criteria to ensure well designed developments. This includes their function, visual attractiveness, being sympathetic to local character and history, establishing and maintaining a strong sense of place, optimising the potential of the site to accommodate and sustain an appropriate amount and mix of development and support local facilities and transport networks and create places that

are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users

- 82 The concerns that have been raised from adjacent residents in terms of harm to residential amenity are noted.
- 83 Given the separation distances and mature vegetation between the fencing and sports pitches and the neighbouring dwellings, any impact regarding loss of amenity would be limited. The application proposal does not include any floodlighting and therefore hours of use would be limited to daylight hours.
- 84 The proposal includes the provision of landscape planting to mitigate the impact of the development and enhance its setting following completion. Existing habitat offering vegetative screening between the site and dwellings on Queens Road to the north will also be retained to limit the initial visual impact of the development from this aspect.
- 85 Planning conditions are recommended to prevent the installation of any external lighting on site without prior approval, to require the submission of a detailed Landscaping Scheme, protect the existing tree group between the northern pitch and residential properties to the north of the site for the duration of the development and to ensure the development is implemented in accordance with the approved plans. These are included in Appendix A. It is therefore considered that the development will not be harmful to the residential amenities of occupants of Bufton Fields, Laurel Close, Dunley's Hill, West Street and Western Lane.
- 86 Concerns raised by members of the public regarding nuisance issues during construction are noted. The applicant has stated that during the construction phase, contractor's working hours will be limited to minimise disruption to the community and to avoid unnecessary Health and Safety risks and nuisance to neighbouring property owners. Provisions will be made to ensure that vehicles leaving the construction site will not transfer mud and other debris onto the highway.
- 87 Conditions on any approval requiring the submission and approval of a Construction Management Plan and a Waste Management Plan would mitigate any safety and nuisance concerns regarding construction vehicles and construction works during the temporary construction phase.
- 88 With the proposed conditions, it is therefore considered the proposal is in accordance with Paragraph 127 of the NPPF (2019) in terms of residential amenity.

## Cultural and Archaeological Heritage

- 89 Policy NBE8 (Historic Environment) of the Hart Local Plan (2020) details that development proposals should conserve or enhance heritage assets and their settings, taking account of their significance.
- 90 The proposal is not in the proximity of any listed buildings or Conservation Areas. The County Archaeologist has commented on the application and raise no objections although details any planning permission issued should secure not only the Archaeological Evaluation described but also the subsequent mitigation and reporting. These conditions are included within Appendix A to the report.
- 91 The proposal is therefore considered to in accordance with Policy NBE8 (Historic Environment) of the Hart Local Plan (2020).

## Ecology

- 92 Policy NBE4 (Biodiversity) of the Hart Local Plan (2020) relates to the enhancement and conservation of biodiversity set outs the all development will be expected to avoid negative impacts on existing biodiversity and provide a net gain where possible.
- 93 If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, or, in the case of European Protected sites does not comply with the Conservation of Habitats and Species regulations 2017, then planning permission will be refused.
- 94 The application has been supported by a Preliminary Ecological Appraisal dated November 2019 and a further Ecological Appraisal dated October 2020.
- 95 The Ecological Appraisal comprised badger, bat, hazel dormouse and reptile surveys. Great crested newt surveys were cancelled as a result of Covid-19 safety measures. Therefore, a desk-based Great Crested Newt Assessment was completed, which forms part of this Ecological Appraisal.
- 96 The proposed works involve removing the interior areas of habitat to make way for new non illuminated sport pitches whilst retained northern, eastern and southern boundary habitats.
- 97 The report details that the impacts of the proposal are a slight reduction in bat foraging and commuting habitat and a minimal risk of encountering individual great crested newts during site clearance works.
- 98 A Mitigation Strategy is provided, detailing measures to minimise identified impacts and to provide appropriate compensation and enhancement to offset those impacts. This includes mitigation measures for foraging and

commuting bats and great crested newts, compensation for bats and enhancement measures for bats and other mammals, breeding birds and invertebrates.

- 99 Implementation of these measures should ensure no overall net loss of biodiversity and deliver biodiversity enhancements for a range of species. Proposed measures can be secured via conditions on any approval.
- 100 The County Ecologist has been consulted on the application and they view there would be no harm to protected species although have some concerns regarding the net loss of habitat and type of habitats to be created not reflecting what is existing. A condition is recommended that requires the creation of species rich grassland over the creation of woodland/trees within the site and include the siting of approximately 2000m<sup>2</sup> of habitat to be managed as grassland habitat (managed as a meadow). It is considered this would ensure no net loss of biodiversity and be in accordance with Policy NBE4 of the Hart Local Plan and Chapter 15 of the NPPF. Such a condition can be imposed on any potential approval.
- 101 Natural England have raised no objection to the application and have commented, 'Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes'.
- 102 It is therefore considered the proposed development is in accordance with Policy NBE4 of the Hart Local Plan. The proposed development avoids negative impacts on existing biodiversity and provide a biodiversity net gain.

#### Arboriculture

- 103 Policy NBE2 (Landscape) of the Hart Local Plan (2020) states that were appropriate 'proposals will be required to include a comprehensive landscaping scheme to ensure that the development would successfully integrate with the landscape and surroundings'.
- 104 The application was supported by an Arboricultural method statement and an Arboricultural Impact Assessment. The submitted Arboricultural Impact Assessment contains recommendations and refers to a separate Arboricultural Method Statement and Tree Protection Plan.
- 105 The supporting documents details that the proposal will result in the loss of approximately 0.7ha of low value regeneration and three semi mature sycamore trees of moderate value.
- 106 The submitted Ecological Strategy on plan P10998 -L-7106 – REV P3 details extensive proposed planting on the northern boundary of the site, in the centre of the site.

- 107 The County Arboriculturalist has commented on the application, they raise no objection to the proposal although recommends that the recommendations and provisions contained within the submitted documents are adequate for the preservation of trees, provided they are adhered to in full. Appropriate condition to require the recommendations contained within the Arboricultural Impact Assessment and to ensure appropriate after care is provided to the proposed landscaping can be imposed on any approval.
- 108 Due to appropriate protection and mitigation proposed it is considered the development is in accordance with Policy NBE2 (Landscape) of the Hart Local Plan (2020).

### Sport England

- 109 Sport England have been consulted on the application, they welcome the provision of two new playing pitches and raise no objection nor do they recommend conditions on any approval.
- 110 The proposed development is therefore considered to be in accordance with paragraph 97 of the NPPF (2019) which seeks to protect existing open spaces, sports and recreational buildings and land including playing fields.

### Flooding

- 111 The application site is within Flood Zone 1, land having less than 1 in 1,000 annual probability of river or sea flooding.
- 112 The application was supported by a Ground Investigation Report, the report indicates that the site is underlain by White Chalk Subgroup. Falling head infiltration tests were undertaken in two of the investigative boreholes and these showed infiltration rates of 10-4 m/s indicating that infiltration was good.
- 113 The land drainage system will be designed to be capable of draining the site without flooding for 1 in 100 year storm flows plus climate change allowance, without putting the lower lying housing at and other third party land at risk from flooding.
- 114 Drainage works for the proposed development consist of linear sand banding and linear land drain/soakaways.
- 115 The development is for a grass sport pitches which would not involve hardstanding and would be comparable to the existing scrub and grassland situation on site. The Lead Local Flood Authority has requested further information regarding drainage and ground water levels. It is considered that with the additional information and appropriate conditions the proposed development would not result in any adverse impact upon local or wider flooding issues. Any additional information will be reported at the meeting.



## Highways impact

- 116 Policy INF3 (Transport) of the Hart Local Plan (2020) states that proposals for development will be supported where they amongst other factors, integrate into existing movement networks; provide safe, suitable and convenient access for all potential users; provide appropriate parking provision and do not have a severe impact on the operation, safety or accessibility of the local or strategic highway networks.
- 117 A Transport Technical Note was submitted as part of the application. The document details that community use of the facility would be outside of school hours in the evening and weekends when traffic movements are lower. Based on the proposed size of the pitches, the Technical Note supplied with the application estimates that there would be a maximum of 88 community users if all pitches were used to maximum capacity. There is an all-weather pitch also available for community use within the school site which can accommodate around 35 users. In total 123 potential users of the site could be on site for any given time slot.
- 118 As community users of the pitches would be outside of school hours users of the facility will have use of the schools parking facilities. Car parking on site comprises of 91 (including two accessible) car parking spaces which will increase to 102 (including three accessible) when the school expands. Coach bays are also available within the schools parking facilities which could provide an additional 31 car parking bays. 35 cycle parking spaces are present assisting and promoting sustainable transport, one motorcycle bay and three minibus spaces are also available.
- 119 Concerns have been raised by members of the public regarding potential car parking and traffic problems. The submitted Transport Assessment concludes that the key roads in the vicinity of the site are unlikely to experience a detrimental impact as a result of this application and that there would be no significant highway or transportation matters as a result of the development. The Highway Authority has been consulted on the application, they have no comments on the application and view the proposal would not have a significant impact upon the highway.
- 120 Whilst concerns are noted it is considered there is sufficient car parking spaces available on site. Community users of the facility would be using the site outside of school times when car parking facilities would be available and traffic volumes would be low. It is therefore considered the proposed development would have no adverse impact upon the local highway network and parking provision. It is therefore considered the proposed development accords with Policy INF3 (Transport) of the Hart Local Plan (2020).

## Public Right of Way

- 121 Policy INF3 (Transport) of the Hart Local Plan (2020) specifically details that proposals for development will be supported where they 'protect and where possible enhance access to public rights of way'.
- 122 A public right of way runs to the west and parallel to the west of the site. The applicant has detailed that temporary closure of the public right of way footpath that runs north and south to the western side of the land will be required at strategic times during the works.
- 123 The proposal development will involve a new 1.8 metre tall fence and additional landscaping adjacent to the public right of way, gates are proposed within this fencing to allow access to the proposed facilities, users of the footpath will therefore have a new experience when travelling along the footpath.
- 124 Concerns have been raised by members of the public regarding impact and closure of the footpath and these are noted.
- 125 County Rights of Way have been consulted on the application. They have raised no objection although have advised the applicant enters into discussions regarding a temporary closure of the footpath and informative's on any permission to protect the footpath. Appropriate conditions can be imposed on any permission to secure protection of the public right of way, ensure any damage following construction works is appropriately repaired and restored to its original condition and appropriate diversion routes are made available.
- 126 Any impact to the public right of way would be temporary during the construction phase. The proposed development would therefore have minimal impact upon the public rights of way. The proposal is therefore considered to be in accordance with Policy INF3 (Transport) of the Hart Local Plan.

## Conclusions

- 127 The development is considered to be in accordance with the relevant policies included in the Hart District Local Plan (2020) and Odiham and North Warnborough Neighbourhood Plan and would:
- Provide additional grass sports pitches to address an existing shortfall in playing field provision at Robert May's School and in other settlements in the vicinity as supported by Policy DEV 19 (Land between Dunley's Hill, North Warnborough and Robert Mays School, Odiham);

- Be in keeping with local character in terms of scale, design, landscaping and layout and avoid any material loss of amenity to adjoining residential uses;
- Not have a significant adverse effect on protected plant or animal species or their habitats and would protect the countryside through the creation and enhancement of features of nature conservation by providing compensatory habitat to mitigate that to be lost;
- Not give rise to traffic flows which would cause material detriment to the amenities of nearby properties or to highway safety and have adequate arrangements on site for the parking of vehicles;
- Not unacceptably increase the risk of flooding on other land;
- Include new planting to maintain the value of trees and hedgerows affected by the proposal;
- Not seriously detract from the amenity and consequent recreational value of well-used footpaths and other public rights of way; and
- Include provision for a Community Use Plan setting out how the main pitch will be made available for community use.

128 It is considered that the proposal would be in accordance with the relevant paragraphs of the NPPF (2019) as well as relevant policies of the development plan.

### **Recommendation**

129 That, subject to all parties amending a Section 106 Agreement between Hart District Council and the land owner/s for the land to be retained as 'open land', the Director of Economy, Transport and Environment be authorised to GRANT permission subject to the conditions listed in Appendix A and any additional conditions required following receipt of additional drainage information and consultation responses.

Appendices:

Appendix A – Conditions

Appendix B – Committee Plan

Appendix C – Layout Plan

Appendix D – Proposed Highway Works

Other documents relating to this application:

<https://planning.hants.gov.uk/ApplicationDetails.aspx?RecNo=21164>

**REQUIRED CORPORATE AND LEGAL INFORMATION:**

**Links to the Strategic Plan**

<b>Hampshire maintains strong and sustainable economic growth and prosperity:</b>	No
<b>People in Hampshire live safe, healthy and independent lives:</b>	No
<b>People in Hampshire enjoy a rich and diverse environment:</b>	No
<b>People in Hampshire enjoy being part of strong, inclusive communities:</b>	No
<b>OR</b>	
<b>This proposal does not link to the Strategic Plan but, nevertheless, requires a decision because:</b>	
the proposal is an application for planning permission and requires determination by the County Council in its statutory role as the minerals and waste or local planning authority.	

**Section 100 D - Local Government Act 1972 - background documents**

**The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)**

Document

Location

20/01082/HCC  
HRE006

Hampshire County Council

Robert Mays School, West Street, Odiham  
Hook RG29 1NA  
(Provision of two new grass pitches (with no floodlighting), retention of large areas of the existing natural habitat, provision of fencing to control access and new gated link paths from the main school campus

## **EQUALITIES IMPACT ASSESSMENTS:**

### **1. Equality Duty**

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act with regard to the protected characteristics as set out in section 4 of the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation);
- Advance equality of opportunity between persons who share a relevant protected characteristic within section 149(7) of the Act (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic within section 149(7) of the Act (see above) and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- The need to remove or minimise disadvantages suffered by persons sharing a relevant protected characteristic that are connected to that characteristic;
- Take steps to meet the needs of persons sharing a relevant protected characteristic that are different from the needs of persons who do not share it;
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

Officers considered the information provided by the applicant, together with the response from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

## CONDITIONS

### Time

1. The development hereby permitted shall be begun before the expiration of three years from the date on which this planning permission was granted.

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

2. No work relating to the construction of the development hereby permitted, (including works of preparation prior to operations, the delivery of construction materials, skips or machinery, nor the removal of waste materials) shall take place before 0800 or after 1800 Monday to Friday inclusive, before 0800 or after 1400 on Saturday and not at all on Sunday or recognised Public Holidays.

Reason: To protect the amenities of occupiers of nearby properties in accordance with Paragraph 127 of the National Planning Policy Framework (2019).

3. Prior to the commencement of development, a Construction Ecological Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall incorporate the following measures as set out in the ecology recommendations:

- the previously-agreed species mitigation measures (with particular reference to foraging bats and breeding / foraging opportunities for birds),
- additional precautionary measures relating to the tree felling,
- the detailed planting scheme for the compensatory habitat at the adjacent school and the enhanced retained on-site habitat;
- detailed fencing layout, and
- the locations and specifications of the various species-specific enhancements (bat / bird boxes etc.).

The development shall be implemented in accordance with the approved details.

Reason: To ensure the development is in accordance with Policy NBE4 (Biodiversity) of the Hart Local Plan (2020).

4. Prior to the commencement of development, a detailed scheme of landscaping for the areas of the site outside of the off-site compensatory

habitat and the enhanced retained on-site habitat; shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall specify the types, size and species of all trees and shrubs to be planted; details of all trees to be retained; and details of fencing/enclosure of the site, phasing and timescales for carrying out the works, and provision for future maintenance. Any trees or shrubs which, within a period of five years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. The development shall be implemented in accordance with the approved details.

Reason: To ensure the development is in accordance with Policy NBE2 (Landscape) of the Hart Local Plan (2020).

5. Prior to the commencement of the development details of the RAL colour code of fencing to be erected on site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: To ensure the development is in accordance with Policy NBE9 (Design) of the Hart Local Plan (2020).

6. Prior to commencement, an updated Ecological Appraisal and Ecology Strategy shall be submitted to and approved in writing by the Local Planning Authority. This shall include the creation of species rich grassland over the creation of woodland/trees within the site, and include the siting of approximately 2000m<sup>2</sup> of habitat to be managed as grassland habitat (managed as a meadow).

Reason: to ensure no net loss of biodiversity in accordance with Policy NBE4 (Biodiversity) of the Hart Local Plan and Chapter 15 of the National Planning Policy Framework (2019).

7. Prior to the commencement of the development, surface water drainage details including the location and design of proposed drainage infrastructure and associated supporting calculations shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: To ensure that on-site drainage infrastructure is adequately designed to prevent any increase in net surface water run-off from the site and to ensure the development is in accordance with paragraph 163 of the National Planning Policy Framework (2019).

8. No development shall take place until the applicant has secured the implementation of a programme of Archaeological Assessment in accordance with a Written Scheme of Investigation (WSI) which shall be submitted to and approved by the Local Planning Authority in order to recognise, characterise and record any archaeological features and deposits that may exist within the proposed development area.

Reason: To assess the extent, nature and date of any archaeological deposits that might be present and the impact of the development upon these heritage assets in accordance with Policy NBE8 (Historic Environment) of the Hart Local Plan (2020) and paragraph 189 of the National Planning Policy Framework (2019).

9. No development shall take place until the applicant has secured the implementation of a programme of Archaeological Mitigation of Impact, based on the results of the trial trenching, in accordance with a Written Scheme of Investigation that has been submitted to and approved by the Local Planning Authority.

Reason: To mitigate the effect of the works associated with the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for future generations in accordance with Policy NBE8 (Historic Environment) and paragraph 189 of the National Planning Policy Framework (2019).

10. Following completion of archaeological fieldwork a report will be produced in accordance with an approved programme including where appropriate post-excavation assessment, specialist analysis and reports, publication and public engagement.

Reason: To contribute to our knowledge and understanding of our past by ensuring that opportunities are taken to capture evidence from the historic environment and to make this publicly available in accordance with Policy NBE8 (Historic Environment) and paragraph 189 of the National Planning Policy Framework (2019).

11. Within three months of occupation of the development a site wide Biodiversity Management Plan (BMP) shall be submitted to the Local Planning for approval in writing. The BMP shall demonstrate how the site will be managed in the long term, including details of personnel / organisations responsible for undertaking and reviewing this, at least two biodiversity monitoring visits and periodic checks and repairs of the post and rail fencing.



Reason: To ensure the development is in accordance with Policy NBE4 (Biodiversity) of the Hart Local Plan (2020).

12. There shall be no external lighting on site.

Reason: To limit the landscape and visual impact of the development and to limit the impact of the development on the amenity of local residents in accordance with paragraph 127 of the National Planning Policy Framework (2019).

13. The development hereby permitted shall be carried out in accordance with the document titled 'Arboricultural Impact Assessment' dated 14.05.20, document titled 'Arboricultural Method Statement' for 'Robert May's School Remote Field' (dated 9th August 2016) and drawing titled 'Arboricultural Method Statement (AMS)' dated 19/05/20 submitted with the application.

Reason: To ensure the development is in accordance with Policy NBE2 (Landscape) of the Hart Local Plan (2020).

14. Any damage caused during the construction of the development hereby approved, by vehicular access to Public Right of Way Odiham 7 shall be repaired to the 'countryside specification' or returned to its original standard following completion of the development.

Reason: To ensure the development is in accordance with Policy INF3 (Transport) of the Hart Local Plan (2020).

15. Prior to occupation of the development hereby permitted, a Community Use Plan shall be submitted to the Local Planning Authority for approval in writing. The Plan shall include details of how and when the pitches will be made available for use by the community. The development shall subsequently be implemented in accordance with the approved details.

Reason: To ensure that consideration is given to the provision of the enclosed pitch for community use in accordance with Policy 10 (Education) of the Odiham and North Warnborough Neighbourhood Plan (2014 - 2032).

## Plans

16. The development hereby permitted shall be carried out in accordance with the following approved plans: **P10998-L-7100RevP2, P10998-L-**

**7101RevP3, P10998-L-7102RevP3, P10998 - L-7103RevP3, P10998 - L-7105RevP2, P10998 - L-7106RevP3**

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

**Informatives**

1. In determining this planning application, the Local Planning Authority has worked with the applicant in a positive and proactive manner in accordance with the requirement in the National Planning Policy Framework (2019), as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.
2. The applicant is advised that a legal agreement exists requiring the land the subject of this application be maintained as open land. Implementation of the proposal would therefore be subject to a developer securing a variation to the existing legal agreement
3. The preparation of a Construction Traffic Management Plan to be submitted and approved by the Highway Authority, including lorry routes, parking and turning provision to be made on site and measures to prevent mud from being deposited on the highway is advised in order to ensure the safety of school children and the general public.
4. This decision does not purport or convey any approval or consent which may be required under the Building Regulations or any other Acts, including Byelaws, orders or Regulations made under such acts.
5. There must be no surface alterations to a public Right of Way without the consent of Hampshire County Council as Highway Authority. To carry out any such works without this permission would constitute an offence under s131 Highways Act 1980.
6. No builders or contractor's vehicles, machinery, equipment, materials, scaffolding or anything associated with the works should be left on or near the footpath so as to obstruct, hinder or provide a hazard to users.