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PORTFOLIO: Economy and Planning

CABINET – 2ND JANUARY 2002

FORMER WEBBS FACTORY SITE, LYMINGTON: SUPPLEMENTARY PLANNING GUIDANCE: DRAFT FOR CONSULTATION

1. INTRODUCTION

- 1.1 The purpose of this report is to agree draft Supplementary Planning Guidance (SPG) for the former Webbs factory site, Bridge Road, Lymington so that this can be published for public consultation.

2. BACKGROUND

- 2.1 The Webbs food processing factory located off Bridge Road on the eastern edge of Lymington closed in mid 2001 and the site was put on the market shortly afterwards.
- 2.2 A number of Local Plan policies apply to site and a statement of these has been made available to those expressing an interest in the site. However, given the importance of the site and in order to guide redevelopment proposals coming forward, it is considered that detailed Supplementary Planning Guidance (SPG) should be published (see Annex 1 to this report), describing the constraints and principles for redeveloping the site.
- 2.3 Consulting on the draft SPG provides the opportunity for the Council to consider the requirements and aspirations of the community and other interested parties in finalising guidance for the redevelopment of the site.

3. CONSULTATIONS IN PREPARING THE DRAFT SPG

- 3.1 In drawing up the draft SPG informal consultations have taken place with interested parties including the Environment Agency, English Nature, Railtrack and Hampshire County Council's Highways and Archaeology departments. A group of local representatives has also been consulted.
- 3.2 The publication of the draft SPG, however, will provide the main basis for the public and organisations to express their views.
- 3.3 The Economy and Planning Portfolio holder has been involved in the preparation of the draft SPG. The Economy and Planning Review

Panel and DC Planning Committee will be consulted as part of the wider consultation process before the SPG is finalised and formally adopted.

4. FINANCIAL IMPLICATIONS

4.1 None directly arising from this report.

5. CRIME AND DISORDER IMPLICATIONS

5.1 Reference is made in the draft SPG to the Council's "Design for Community Safety" SPG .

6. ENVIRONMENTAL IMPLICATIONS

6.1 The environmental implications of the redevelopment of the site are considered in the draft SPG, which also includes a requirement for a development proposal to be accompanied by an Environmental Impact Assessment.

7. OTHER OPTIONS CONSIDERED

7.1 The draft SPG is supplementary to the adopted Local Plan which sets the policy framework for the redevelopment of the site and limits the scope for considering other options. Within these limitations, views on alternative options for the site will be invited as part of the consultation process.

8. RECOMMENDATIONS

8.1 That Cabinet approves publication of the draft SPG for public consultation.

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Background Papers:

None

FORMER WEBBS FACTORY SITE SUPPLEMENTARY PLANNING GUIDANCE: DRAFT FOR CONSULTATION

Site Description

The site of the former Webbs food processing factory (Figures 1 & 2) has an area of about 3 hectares¹ and lies on the eastern edge of Lymington. The eastern and southern boundaries of the site are formed by the Lymington River. Bridge Road, which is the eastern approach to the town, forms the north-eastern boundary and sole access for vehicular traffic to the site is from this road. The western boundary of the site is formed by the Lymington railway branch line which terminates at the Lymington – Isle of Wight ferry terminal located about 700 metres to the south-east of the site. Beyond the railway, to the south west of the site, lies Lymington Town Centre.

The site is mainly flat with some subtle level changes. There is a tidal flood defence bund around the river's edge, which varies in height. Tree cover around the site is almost exclusively associated with this bund.

There are views into the site from Bridge Road, which forms the entrance to the town from the east. This view is dominated by the sea wall and existing buildings on the site. Similarly, views from the east across the site are extensive, with the trees around the edge of the site providing some screening value. Views west from Undershore Road extend across the site and beyond to the town rising further to the west. Views east towards the site from Waterloo Road are largely obscured by industrial buildings, the station building and bus depot, although there are views through into the site from the station. Viewed from the south, around Lymington Quay, the elevations of the factories are accentuated by the viewing angle and appear very prominent in the landscape.

Within the site itself, views out to the east change from rural river valley character in the north-east, including Lymington River and the countryside beyond, to a maritime / seaside character in the south-east, including Lymington Quay, moored yachts and boat yards. Views to the west are largely obscured by industrial works, station and bus depot.

Development Constraints

New Forest Heritage Area (NFHA)

The NFHA lies in close proximity to the north (north of Bridge Road) and east (east of Undershore Road) of the site, but does not adjoin the site itself. The Defined NFHA has National Park status for planning purposes. The whole of Lymington is proposed by the Countryside Agency for inclusion within a New Forest National Park.

Green Belt

The South West Hampshire Green Belt extends from the New Forest Heritage Area boundary, covering the Lymington River, and adjoins the built up area boundary of Lymington. The Green Belt boundary adjoins the site along its entire eastern and southern boundaries. National planning guidance for Green Belts is set out in PPG2.

ANNEX 1

1. For the purposes of this SPG the site area includes the site known as "Yot Grot" and adjoining car sales outlet.

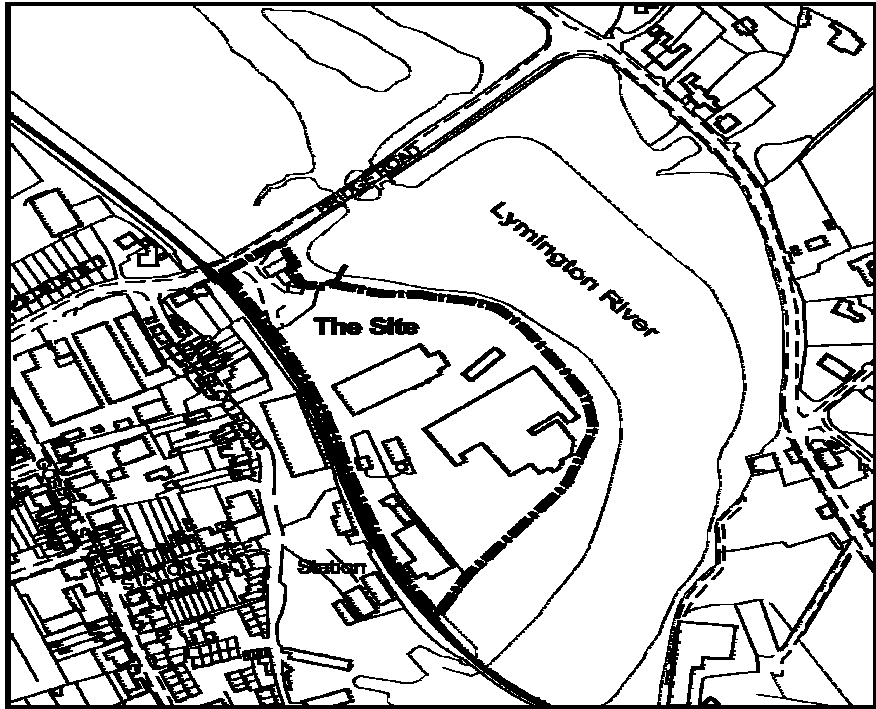


Figure1. Site Map



Figure 2. Aerial Photograph

Lymington Conservation Area

The boundary of the designated Conservation Area which covers much of Lymington Town Centre runs along the entire western boundary of the site, but does not include any of the site itself. National planning guidance for conservation areas is set out in PPG15. As the site adjoins the Lymington Conservation Area paragraph 4.14 of the guidance is relevant and states that in considering proposals for development outside conservation areas, the desirability of preserving or enhancing the conservation area should be a material consideration.

Flooding and Drainage

The entire site lies within the indicative flood area defined by the Environment Agency and is susceptible to both tidal and fluvial flooding. The Agency states that the current flood defences are inadequate to protect the site. Also, due to the fact that the site is low-lying behind flood defences there is a risk that the site could flood from rainwater which could not drain away especially during the coincidence of high tides and heavy rainfall. The assessment of flood risk and mitigation measures will determine the developable area of the site.

Trees

There are currently no Tree Preservation Orders in existence on the site. There are some well-established Holm Oak along the southern edge, a screen of conifers on the eastern headland and a mixed belt of mainly deciduous trees on the northern boundary on the river bank; here cover is sparse and the trees are poorly established.

Soil Contamination

Soils on the site have not been investigated as much of the site lies under rafts of concrete and gravel. However the site may have been subject to potentially contaminating uses over the years.

Archaeology

A desktop analysis of the site indicates that the site may have been salterns originally, but a brick field and mill pond are shown on the First Edition Ordnance Survey Map. There may be evidence of a mill on the site, although the survival of archaeological remains may have been compromised by the more recent development and activity on the site.

Adjoining Land Uses

A number of industrial and residential uses adjoin the site to the west and across Lymington River to the east. The previous occupier of the site caused noise and odour nuisance problems within the vicinity. The proposed uses on the site will need to take account of adjoining land uses, the sensitive location of the site, and the desirability of promoting local environmental improvements.

ANNEX 1

The Local Planning Authority would be willing to consider the inclusion of adjacent sites within the scope of the redevelopment of this site should they become available and provided acceptable proposals are put forward for the vacated sites.

Nature Conservation Interests

The River and its banks to the east of the site and south of Bridge Road are designated a Site of Importance for Nature Conservation (SINC), whilst north of Bridge Road the River is designated a Site of Special Scientific Interest (SSSI), a classified Special Protection Area (SPA) and a Ramsar Site. To the south, the mouth of the river is designated a SSSI, SPA, Ramsar and candidate (Special Area of Conservation) SAC. In other words, various parts of the Lymington River are recognised and protected at local, national and international levels for its nature conservation value. The redevelopment of the site will need to give careful consideration to the likely impacts upon these conservation interests. The activities of waterfowl and otters are of particular relevance in this location.

Development Requirements

Flooding and Drainage

The site is liable to both fluvial and tidal flooding. Relevant policies within the Adopted New Forest District Local Plan are DW-E40, DW-E41 and DW-E42. Within the Deposit First Alterations to the Local Plan the relevant policies are DW-E40 and DW-E41. These policies refer to river and coastal flooding and drainage. The issue of flood risk and flood mitigation will be the prime consideration in determining the extent and nature of development on the site.

A comprehensive flood risk assessment will be required. The scope and contents of an assessment should meet the requirements laid down in Annex F of PPG25 'Development and Flood Risk' and should be carried out in consultation with the Environment Agency.

The minimum flood defence standard required by the Environment Agency will be protection from a one in 200 year flood event. In addition, a safety factor should be incorporated to allow for uncertainties in estimating flood levels over the lifetime of the development. The standard protection provided by the existing sea defences is below that required, consequently improved defences will be necessary.

The site is also at risk from flooding due to surface water run-off. An assessment of this risk will be required as part of the site's redevelopment. If necessary, an appropriate surface water drainage and disposal system should be provided including arrangements for its future maintenance and renewal.

Notwithstanding the requirement for a flood risk assessment, adequate flood defences should:

- Be in place prior to development commencing on the site;
- Protect the site and its vehicular and pedestrian accesses to and from higher land;
- Provide surface water drainage attenuation where appropriate;
- Not increase flood risks elsewhere;
- Be sustainable and environmentally acceptable in terms of adjoining land uses;

- Provide, through agreement, for future maintenance and renewal of flood defences including access through the site and along the length of the sea wall defences for maintenance plant and personnel.

General development requirements

The redevelopment of the former Webbs Factory Site will be required to satisfy a number of general development criteria relating to design, layout and landscape. Relevant Local Plan policies include policy DW-E1, DW-E2, DW-E3, DW-E4, DW-E5, DW-E6, DW-E11 and DW-E12. Also, proposed changes to policies within the Local Plan First Alterations including new policy DW-E6A.

The developer will be required to submit a Design Statement in support of any application for development of the site in accordance with Policy DW-E1 of the Local Plan.

Types of uses

This is a former employment site. As such policy BU-B2 of the Adopted Local Plan and BU-CE2 of the Deposited First Alterations apply. Both the existing Local Plan and the proposed Alterations seek to retain former employment sites in employment uses. The Webbs factory employed in the region of 500 people and it is important that the redevelopment of this site provides for new employment opportunities. The supply of employment land in Lymington is very restricted and it is essential that there continues to be a range and choice of sites available to meet the needs of business in the area. The particular characteristics of this site mean that its redevelopment should make a valuable contribution to employment provision in the locality.

This is a prominent site within the townscape of Lymington, highly visible from the town and the surrounding area. It is recognised that there is considerable scope for improving the local environment and visual appearance of the site through redevelopment. Within the scope of policies BU-B2 and BU-CE2 the Council is willing to consider a mix of uses on the site where this would enable redevelopment of the site predominantly for employment uses and would provide for environmental and other local benefits for the town, which would not otherwise be achieved.

Acceptable uses on the site will include: offices and industry; hotel and fitness centre; a restaurant; a small amount of convenience retailing; community uses; some housing (including affordable housing provided in accordance with Policies AH-1 and AH-2 of the Adopted Local Plan and the same policies within the First Alteration to the Local Plan); and other uses consistent with a mixed development. In the interests of maintaining employment as the predominant use on the site the housing element should not exceed 25 percent of the developable site area.

The Council considers it is important that the site is redeveloped for a mixed use scheme. The developer will be required to put forward a plan for the phasing of the development. The Council may then seek to control implementation of an approved plan through the use of appropriate planning conditions or legal agreements.

Transport and Access

The relevant policies of the Adopted New Forest District Local Plan are DW-T6, DW-T7, DW-T8, DW-T9, DW-T10, DW-T15.26 and DW-T17. Within the Deposit First Alterations to the Local Plan the relevant policies are DW-T6A, DW-T6B, DW-T9A, DW-T15.26, DW-T17 and DW-T18. These policies refer to the location of new development, access and traffic management requirements, car parking provision, site specific footpath / cycleway safeguarding and contributions / improvements to existing footpaths and cycleways.

A Transport Impact Assessment and Site Travel Plan will be required. Depending on these, contributions may be required towards transport improvements in the vicinity of the site. Key transport improvements in the Lymington area are identified in the Hampshire Local Transport Plan and the New Forest and Coastal Towns Transport Strategies.

In considering access and circulation within the development reference should be made to Hampshire County Council's published document "Movement, Access, Streets and Spaces" 2001.

The access from Bridge Road is the only possible vehicular access to the site. Whilst visibility should be maximised, this is still likely to be substandard and combined with the proximity of the level crossing could limit the amount of development on the site. It also reinforces the need for measures to limit the need for vehicular access to the site. If the ex-"Yot Grot" site (immediately to the east of the current access) could be incorporated into the site in order to provide a re-designed access further from the rail level crossing, this would be a benefit.

The access to Bridge Road should be designed to maximise visibility for emerging drivers and to give an uninterrupted view of the level crossing. Within visibility splays, landscaping should constitute only ground cover, with perhaps a specimen tree, which does not obscure visibility.

Given the proximity of the rail level crossing to the site entrance, Railtrack will need to be consulted about development proposals for the site.

Access roads within the site should be designed so as to reduce speeds. Appropriate turning areas will need to be included within the employment areas for HCVs.

Parking and loading

Parking provision on site should not exceed that set out in the District Council's "Parking Standards Supplementary Planning Guidance, New Forest District Council, 1999". In view of the site's location, near the town centre and next to a railway station and bus connections, applicants should also have regard to the emerging revised

standards set out in “Hampshire Parking Strategy and Standards”, Hampshire County Council, 2001. In the site travel plan the developer will be expected to ensure that the development and associated measures will not result in over-spill parking in the surrounding roads. The developer is likely to be required to contribute to a bonded fund.

Cycle parking should be provided in accordance with adopted standards and should be both secure and covered.

Access for Disabled People

Applicants should have regard to the “Access for Disabled People” Supplementary Planning Guidance issued by New Forest District Council in April 2000.

Pedestrian and Cycle Provision

Given the location of the site on the edge of Lymington Town Centre, good pedestrian and cycle links from the site across the railway line to the station and the Town Centre are desirable. The Local Plan currently safeguards a route for a footpath link from Lymington Quay around the edge of the site and linking with Bridge Road. The Council recognises that the railway crossing point indicated by the Local Plan may not be currently achievable given the site constraints, neighbouring land uses and design principles. However it remains a requirement that development of the site provides for good pedestrian and cycle links from the site to the town centre and Bridge Road, and for public access to the waterfront.

The redevelopment of the site should aim to provide a pedestrian route to the town centre, crossing the railway, at or in the vicinity of the station. A suitable crossing would take the form of a covered bridge, which can be used by the mobility impaired and should meet the appropriate standards specified by Railtrack, as well as be subject to the terms and conditions agreed with Railtrack. A bridge would be adopted by the Highways Authority and the developer would be required to pay a commuted sum for its future maintenance. Consultation will be required with Railtrack on proposals for a bridge and any works to the station buildings.

Soil Contamination

There is potential contamination on the site due to its previous use. The relevant policy within the Adopted New Forest District Local Plan is DW-E39. A targeted contamination survey will be required as part of the site’s redevelopment together with any necessary remedial action.

Archaeology

Arrangements for preservation and recording of archaeological remains are set out in national guidance PPG16 “Archaeology and Planning”. In accordance with paragraph 25 of the guidance, the developer will need to make appropriate provision for the excavation and recording of archaeological remains.

The date, location and archaeological significance of a mill, associated with the mill pond, on the site are uncertain. Policy DW-E24 of the Adopted Local Plan considers the need for archaeological field assessments where the extent and importance of archaeological remains are unknown. A developer will be expected to establish firstly the significance of any archaeological remains on the site and secondly whether the

archaeology is extant. If they are unable to make a case for not excavating and recording, the Council will seek to ensure the provision of archaeological excavation and subsequent recording either by agreement or by condition as modelled in paragraph 30 of the PPG.

Environmental Assessment

It is likely that the scale of the development proposed for the site will bring it within Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 1999. Taking into account other factors such as the adjoining nature conservation designations, the Conservation Area and the flood risk issues, the Council consider that an EIA is likely to be required with any comprehensive redevelopment of the site.

Nature Conservation

Nature conservation interests are covered by policies in Section C4 of the New Forest District Local Plan Adopted 1999 and C4A in the First Alteration to the Local Plan 2001. Given the sensitive location of the site in relation to designated areas of high nature conservation value, a detailed ecological assessment of the site will be required. The ecological assessment of the site and the impact of the proposals will need to take into account the provisions of the Conservation of Natural Habitats Regulations and information is likely to be required to allow an appropriate assessment to be carried out. The assessment should also show that the development will not adversely affect the designated areas and how the development would contribute to achieving biodiversity targets, as set out in the Hampshire Biodiversity Action Plan (1999) and Habitat Action Plans for Coastal Habitats (2001).

The river and foreshore around the edges of the site is of particular importance to waterfowl and otters. Initial advice from English Nature and the Environment Agency is that any dredging of the river to allow moorings adjacent to or within the site is unlikely to be acceptable. In order that this resource is retained and that there is no undue disturbance to wildlife, there should be no loss or reclamation of inter-tidal habitat. There should also be no public access from the site to the foreshore and there should be a low screen of at least one metre in height separating the foreshore from any areas with public access.

Lighting

The site is extremely sensitive due to its location in relation to the town of Lymington and its proximity to the waterfront. Lighting must be considered as part of a Design Statement and should be designed in such a way that limits light pollution. Developers will be required to provide an assessment of the lighting impact of any proposed design.

Developers Contributions

Contributions towards other necessary infrastructure are likely to be required depending upon the nature of the redevelopment scheme proposed in accordance with Policy DW-F1 of the Local Plan.

Design Principles

Site Analysis

The starting point for any analysis of the development potential of the site should be the comprehensive flood risk assessment previously referred to. This may impose significant constraints on the potential redevelopment of the site.

This is a significant site located on the eastern approach to the town across the Lymington River. It is vital that any development on the site responds to this significance and relates to the context of the existing town. It must take account of local distinctiveness as well as creating it's own identity through design.

An analysis of the site and its context has resulted in a number of key areas being identified which should influence the site's redevelopment. These are marked on Figure 3 and the issues surrounding each area are set out below. A Conceptual Layout and Guiding Principles for Development of the site is set out in Figure 4.

Analysis and issues of site concept

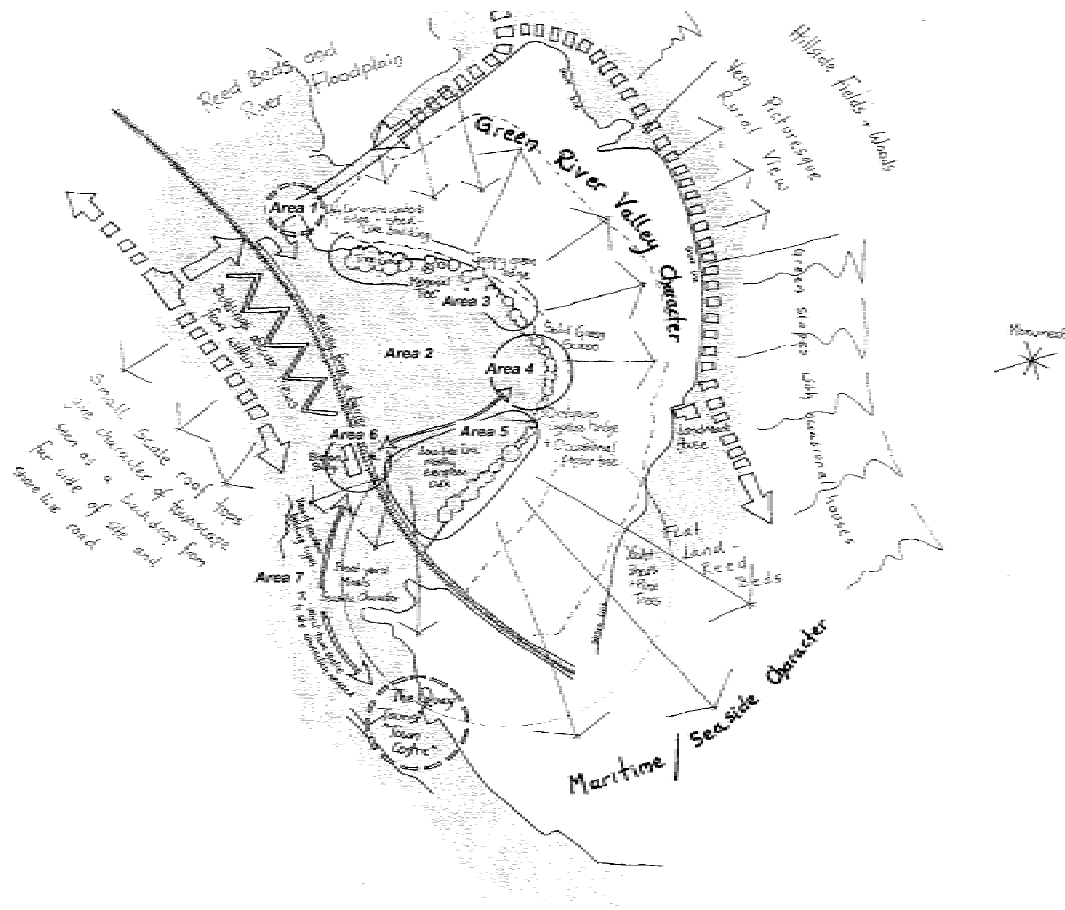


Figure 3

Area 1 – The gateway

This area is the gateway to Lyminster from the east. Presently an ugly sea wall and shed-like building, this needs improvement. Views from the bridge are important and it is the water's edge which catches the eye. One of two approaches may be adopted for this site: Create a small-scale landmark building to appear as a gatehouse, where 'Yot Grot' now stands (if this could be included within the site), which could be backed by domestic-scale buildings following the waterline or be set against a screen of trees; or screen the town and this site from the road continuing the green water's edge appearance up to the road side. Improvements to the sea wall should accompany either approach.

Area 2 – The centre of the site

The middle of the site should remain low-rise. Taller buildings will interfere with the waterside character and give a poor impression on approaching the town.

Area 3 – North eastern edge

The impression looking out of the site from this area is one of a green, river valley. This contrasts with the maritime character that Lyminster offers. Tree cover should be established here using typical riverbank species planted as a dense screen.

Any buildings which may be visible from outside the site should be high density and articulated to disguise the scale and with interesting roofscape.

Area 4 – The headland

The headland is critical since it is the point where the river valley character changes to maritime character. This point should be emphasised with a landmark. The nature of this landmark will be determined by the treatment of the waterfront elsewhere on the site, but will need to comprise of a landmark group of trees unless significant tree planting forms the dominant character of the rest of the shoreline.

Area 5 – South-eastern area

Maximum benefit should be made of the riverbank. There should be public access along the waterfront. The height of buildings should be two and a half storeys along most of the waterfront with the occasional three storey building. A landmark building close to Area 4 or a gradual build up of height towards the town would work well. All buildings should face the water and domestic scale and varied rooftops will be expected.

Area 6 – Station area

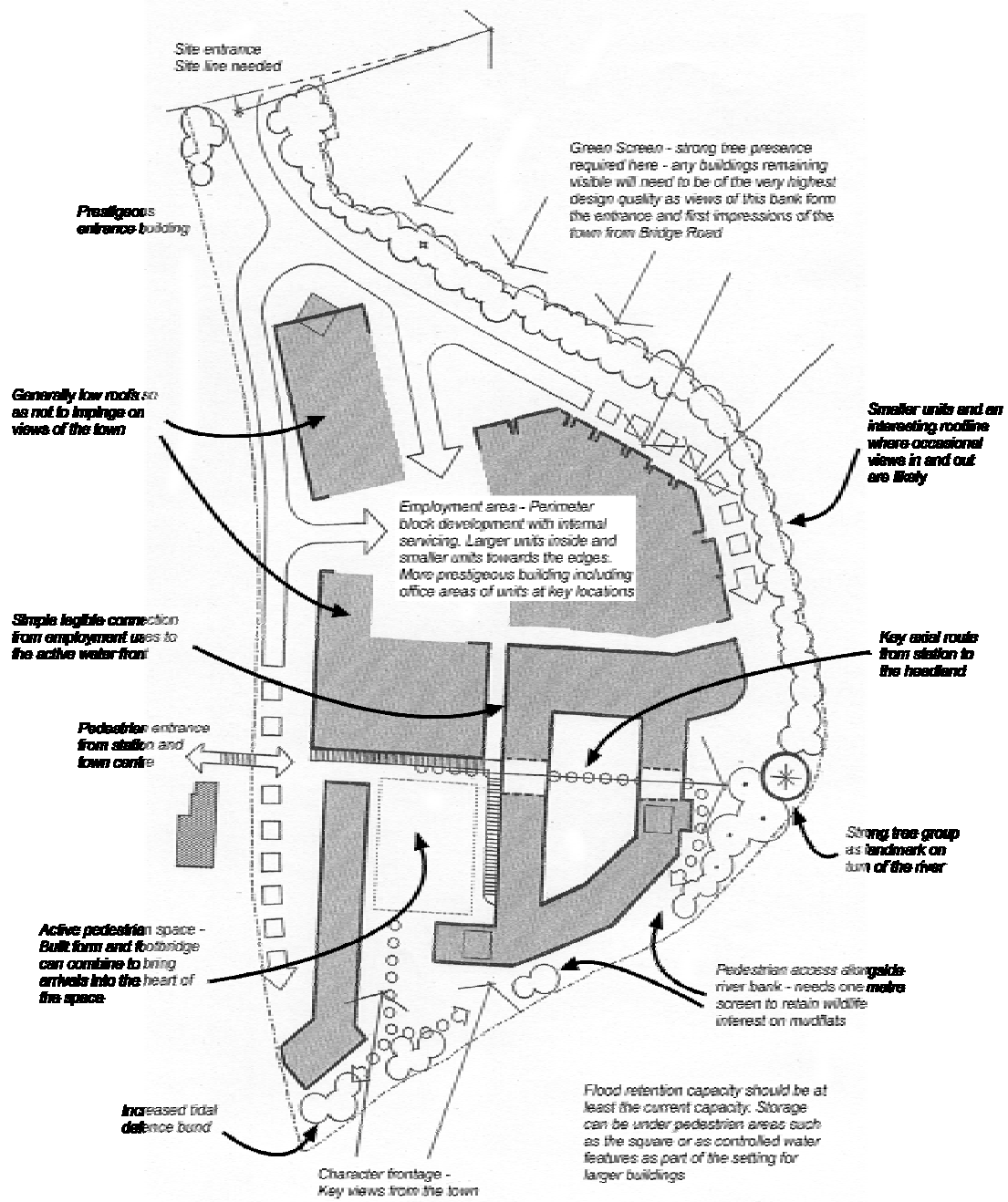
The station is the only building of architectural merit relating to the site. Access to the station should be simple and attractive. It should remain a key point of reference indicating the approach to the town centre from the site for pedestrians.

Area 7 – Connection to the town centre

There should be a direct route to the lower part of the town centre from the site in the vicinity of the station.

Conceptual layout

Figure 4

*Guiding Principles for Development*

The following principles should underlie any design statement, forming a framework for the integral development of this site. The concept (Figure 4) shows a conceptual layout which responds to the listed issues and guiding principles.

Visual Appropriateness

The site is visually significant and it is vital that the design of any development responds to its contextual significance and that it does not harm or detract from the appearance of the existing townscape.

Scale

- *Height: the height of any proposed development should not be at odds with the characteristic heights in and around Lymington.*
- *Massing: the massing must take into account and respond to key views into, out of and over the site.*

Appearance

- *Materials: careful consideration must be given to the choice of materials palette with judicious use of colour and texture taking reference from the traditional materials predominating in the immediate locality and adapting them to a contemporary approach. All materials should be obtained and employed using sustainable principles.*
- *Details: these should provide a well mannered and exciting design which responds to the context and the local distinctiveness with a contemporary interpretation.*
- *Lighting: lighting should be an integral part of the design of any development. It must respond to the needs of the development in such a way that it does not adversely impact on the immediate surroundings or the appearance of the wider townscape. Light pollution of the night sky must be limited by appropriately designed luminaires.*

Vitality and Connectivity

- *The mix of uses, quality of the streetscape and public realm will determine how active the site becomes. A high quality of streetscape, access to the waterside and permeable, legible layout will offer residents and workers a quality place which encourages use of the public realm.*
- *A connected street network of perimeter blocks will offer legibility, security and a permeable scheme for ease of movement around the site. Public access for pedestrians and cyclists through the site and around the waterside should be safe and secure. Reference should be made to the Council's "Design for Community Safety" Supplementary Planning Guidance.*

Sustainability

- *Enable sustainable lifestyles and work practices through considered design, energy efficient buildings, sustainable waste management etc. and minimise pollution through design and construction processes.*
- *Choose sustainably-sourced materials.*
- *S.U.D.S. - Use sustainable drainage to mitigate flood potential.*
- *Transport - Design should consider ways to reduce the need to travel and the reliance on private motor cars and encourage use of alternative transport modes.*
- *Ecology - Consider nature conservation opportunities afforded by the water's edge and use predominantly native species in planting schemes.*

NEW FOREST DISTRICT LOCAL PLAN POLICIES

The planning policies applying to this site are set out in the New Forest District Local Plan Adopted 1999 (NFDLP 1999) and the New Forest District Local Plan First Alteration First Stage Deposit July 2001 (NFDLPFA 2001). Section 54A of the Town and Country Planning Act 1990 states that planning applications shall be determined in accordance with the development plan unless material considerations indicate otherwise. Until formally adopted, proposed changes set out in the First Alteration to the Local Plan are material considerations.

Policies in both the Adopted Local Plan and the Proposed Alterations are included here. Where alterations to policies are proposed new text is shown in *italics* and deleted text is shown by ~~strikeout~~.

River and coastal flooding (NFDLP 1999)**Policy DW-E40 River and coastal flooding**

Development will not be permitted in areas at risk from river or coastal flooding including those illustrated on the proposals maps unless the local planning authority as advised by the Environment Agency is satisfied that:

- a it will not result in additional flooding elsewhere or danger to life and property, or prejudice the maintenance of existing flood defences; and**
- b the developer can provide and make arrangements to maintain the necessary flood defences; and**
- c the flood defences required are acceptable in environmental terms; and**
- d any other works required by the Environment Agency (eg. raising of slab levels) are acceptable in environmental terms.**

C7.1 Hampshire County Structure Plan Policy C12 refers to development in coastal areas at risk from flooding. Government advice on development areas at risk from flooding is in Circular 30/92, Development and Flood Risk, and Planning Policy Guidance Note 20 (PPG 20), Coastal Planning (1992). The proposals maps indicate predicted flood plains. The Environment Agency will from time to time review the extent of these areas. Individual applications for sites within these areas will be referred to the Environment Agency for comment.

C7.2 Flooding in this District occurs in low-lying coastal areas, particularly between Milford-on-Sea and Lymington, along the north-west Solent shores, and in the valleys of rivers such as the Avon (see proposals maps). It is associated with surface water run-off from the catchment areas of rivers and watercourses, and in the case of coastal flooding, with storm surges and high tides, the effects of which may increase with anticipated sea level rise. Major expenditure on improvement works may reduce, but can never eliminate, the risk of flooding.

C7.3 Most of the areas at risk from flooding in this District are outside the defined built up areas, with the exception of small parts of Ringwood, Fordingbridge, Hythe, Lymington and Milford-on-Sea.

C7.4 The Environment Agency has powers to carry out maintenance or repair to flood defences but is not under any obligation to do so; private landowners can also undertake such works in the absence of any express agreement to the contrary. Government grant aid is now only available for the maintenance of existing defences, not for the provision of works associated with new development.

Surface water drainage

Policy DW-E41 Surface water drainage

In considering development proposals within the catchment of a watercourse, the local planning authority will require to be satisfied that:

a) watercourses can cater for increased flows arising from the development, or can be improved to an appropriate standard, or that adequate provision for the storage of water can be made on site; and

b) the development will not hinder the Environment Agency, local authority or riparian landowner from maintaining the watercourse effectively.

Development will not be permitted when in the opinion of the local planning authority, as advised by the Environment Agency, it will cause or exacerbate damaging flooding or interfere with natural flows.

C7.5 Flooding can be exacerbated by development which reduces the capacity of flood plains, increases surface water run-off, or interferes with watercourses or existing flood defence measures. In accordance with government advice in Circular 30/92, Development and Flood Risk, this policy seeks to mitigate the effects of development on the flooding of existing watercourses, and to avoid developments which create or worsen flooding.

C7.6 Primary responsibility for the maintenance of a watercourse rests with the riparian landowner. However action can be taken by the Environment Agency on designated main rivers, and by the District Council on other watercourses.

Policy DW-E42 Off-site improvements to surface water drainage

Where provision for surface water drainage cannot be made on-site, and/or the development specifically necessitates improvements to water drainage infrastructure off-site, developers will be expected to make financial contributions towards the costs of provision, future operation and maintenance of these works (see Policy DW-F1, Section C14).

C7.7 Under the provisions of the Water Resources Act 1991, the Environment Agency is given general supervision over all flood defense matters. For watercourses not designated as main rivers, the Local Authority has the statutory power under the Land Drainage Act 1991, to maintain or improve existing works or construct new works in certain circumstances. In order to make such provision, operation and maintenance, financial contributions will be sought. These will be fairly and reasonably related in scale and kind to the proposed development, in accordance with advice contained in Circular 1/97 -"Planning Obligations".

C7.8 The local planning authority must be satisfied that on-site and off-site watercourses are either adequate to cater for the additional flows arising from the development, or alternatively, that the developer has the means to improve such watercourses to the appropriate standard. This will be of particular importance where riparian rights are affected on land outside the developer's control.

River and coastal flooding (NFDLPFA 2001)

Policy DW-E40 River and coastal flooding

Development will not be permitted in areas *likely to be* at risk from river or coastal flooding including those *indicative areas* illustrated on the proposals maps unless the local planning authority as advised by the Environment Agency is satisfied that:

a **it will not result in additional flooding elsewhere, or danger to life and or damage to property, or prejudice the maintenance of existing flood defences; and**

- b the developer can provide and make arrangements to maintain the necessary flood defences; and**
- c the flood defences required are acceptable in environmental terms; and**
- d any other works required by the Environment Agency (e.g. raising of slab levels) are acceptable in environmental terms.**

C7.1 *Policy E2 of the Hampshire County Structure Plan Review* ~~Policy C12~~ refers to development in coastal areas at risk from flooding. Government advice on development areas at risk from flooding is in Circular 30/92, Development and Flood Risk, *draft Planning Policy Guidance Note 25 (PPG 25)(revised)*, *Development and Flood Risk (2001)* and PPG 20, Coastal Planning (1992). The proposals maps indicate predicted flood plains show indicative areas identified by the Environment Agency as being at risk from river or coastal flooding. The Environment Agency will from time to time review the extent of these areas. Individual applications for sites within and close to these areas will be referred to the Environment Agency for comment as advised in *draft PPG25 (revised)*. *Developers will be required to assess the likely risk of flooding in consultation with the Environment Agency, and in formulating development proposals, to have regard to the sequential test set out in draft PPG25 (revised)*.

C7.2 Flooding in this District occurs in low-lying coastal areas, particularly between Milford-on-Sea and Lymington, along the north-west Solent shores, and in the valleys of rivers such as the Avon (see proposals maps). It is associated with surface water run-off from the catchment areas of rivers and watercourses, and in the case of coastal flooding, with storm surges and high tides, the effects of which may increase with anticipated sea level rise and climate change. Major expenditure on improvement works may reduce, but can never eliminate, the risk of flooding.

C7.3 Most of the areas at risk from flooding in this District are outside the defined built up areas, with the exception of small parts of Ringwood, Fordingbridge, Hythe, Lymington, and Milford-on-Sea and Totton.

C7.4 The Environment Agency has powers to carry out maintenance or repair to flood defences on main river or sea defences but is not under any obligation to do so; private landowners can also undertake such works in the absence of any express agreement to the contrary. Government grant aid is now only available for the maintenance of existing defences flood defences to protect existing development, not for the provision of works associated with new development.

Surface water drainage

Policy DW-E41 ~~Surface water drainage~~ *Drainage*

In considering development proposals within the catchment of a watercourse, the local planning authority will require to be satisfied that:

- a) watercourses can cater for increased flows arising from the development, or can be improved to an appropriate standard, or that adequate provision for the storage of water can be made on site; and**
- b) the development will not hinder the Environment Agency, local authority or riparian landowner from maintaining the watercourse effectively.**

Development will not be permitted when in the opinion of the local planning authority, as advised by the Environment Agency, it will cause or exacerbate damaging flooding or interfere with natural flows. The local planning authority will encourage the provision of sustainable drainage systems in order to limit discharges into drains and rivers which could exacerbate flood risk elsewhere (see also Policy DW-E5, Section C1).

C7.5 Flooding can be exacerbated by development which reduces the capacity of flood plains, increases surface water run-off, or interferes with watercourses or existing flood defence

measures. In accordance with government advice in Circular 30/92, Development and Flood Risk, and draft PPG25 (revised) this policy seeks to mitigate the effects of development on the flooding of existing watercourses, and to avoid developments which create or worsen flooding.

C7.6 Primary responsibility for the maintenance of a watercourse rests with the riparian landowner. However action can be taken by the Environment Agency on designated main rivers, and by the District Council on other watercourses.

C7.6A *Sustainable drainage schemes can assist in modifying the rate at which water is released into drainage systems, and hence in reducing flood risk. These schemes can also have a role in controlling or preventing pollution arising from urban or agricultural surface water drainage. In the design and implementation of such schemes, the local authority will require to be satisfied that adequate arrangements have been made for future*

General (NFDLP 1999)

Policy DW-E1 General development criteria

Development shall be appropriate and sympathetic in scale, appearance, materials, form, siting and layout, and shall not cause unacceptable effects by reason of visual intrusion, overlooking or shading. Developers shall have regard to:

a the scale and siting of the proposal in relation to adjoining development, spaces, the character of the area and the wider landscape. This will involve consideration of height, massing and density, relationship to adjoining buildings and land uses and landscape features on and off site; and

b materials and built form in relation to the character of adjoining development, local vernacular and any historic features (see also Policies DW-E14 to DW-E25, Section C2).

C1.1 In accordance with the Hampshire County Structure Plan Policies E2 and E3, and government advice in Planning Policy Guidance Note 1 (PPG 1) General Policy and Principles, this policy seeks to achieve high standards of design. Proposals which enhance their surroundings will be encouraged, particularly within the many parts of this District which are of high environmental quality and sensitivity.

Infrastructure

Policy DW-E2 Infrastructure

Lighting, gas, electrical and telecommunications service installations shall be sited unobtrusively, while respecting operational efficiency, and shall not detract unacceptably from the character or appearance of the locality.

C1.2 Lighting columns, gas regulators, transformers, cables, electricity and telegraph poles and lines, pumping stations and other such infrastructure can all detract from the appearance of new or existing development. Wherever possible, power lines and other cables should be put underground. Routing of infrastructure, whether above or below ground, should not damage trees or other landscape or historic features.

Recycling

Policy DW-E4 Recycling

Within larger commercial and industrial/business developments, provision shall be made for collection points for waste material, including that intended for recycling.

C1.4 PPG 22, Renewable Energy, recognises that combustion or digestion of domestic, industrial or agricultural waste materials is a source of renewable energy. The DoE Waste Management Paper No. 28, Recycling, (1991) provides guidance to local authorities on recycling. The District Council is committed to the recycling of waste materials, and has a Recycling Plan as required by the Environmental Protection Act 1990. The Council is also cooperating with other Hampshire district councils and the County Council in the formulation of an integrated strategy for the recycling of household waste. The above policy is intended to assist the District Council's waste collection procedures by seeking the provision of facilities which are not visually intrusive, for the disposal of separated waste as advised by the waste disposal authority.

Landscape

Policy DW-E5 Requirement for landscape scheme

Development proposals shall include a landscape scheme covering the design and layout of external space where the local planning authority considers that:

- a due to the scale or nature of the development or sensitivity of the site, a landscape scheme is required to assist in mitigating the impact of development proposals on neighbours, or on the character of the area; and/or**
- b the site contains natural features which it is important to retain; and/or**
- c a landscape scheme would contribute to the amenity of occupiers/users of the development and/or to public amenity; and/or**
- d a landscape scheme would assist in achieving environmental improvements to the site/neighbourhood including those identified in this local plan (paras. C1.10 to C1.13 below and Part F).**

Policy DW-E6 Content of landscape schemes

Landscape schemes shall:

- a incorporate any existing features of landscape and/or nature conservation value; and**
- b have regard to public safety and the need to create safe environments; and**
- c include measures to ensure both routine maintenance and long-term management; and**
- d make provision for the planting of trees and hedgerows, including the replacement of those of amenity value which have to be removed for safety reasons; and**
- e where possible include improvements to existing habitats, and/or creation of new areas of wildlife value; and**
- f ensure the integration of roads, parking and footpaths and lighting with the development and landscape framework.**

C1.5 These policies apply to detailed planning applications, and to outline planning applications where the local planning authority considers it necessary because, for example, siting and access are to be considered. Supplementary Planning Guidance, Landscape Requirements for New Development, explains the information which should normally be submitted and the procedures to be followed.

C1.6 The design of the external environment is an essential component of the character and appearance of a development, integral with its design and layout. It is also crucial to the quality of environmental improvements and countryside and coastal management proposals. Sensitive landscape design should be capable of producing environments which are not only attractive but safe, and minimise opportunities for criminal and antisocial behaviour.

C1.7 In accordance with PPG 1, General Policy and Principles, these policies seek to achieve a high standard of landscape design, and to ensure that it can be maintained in the long term; developers and landowners will be encouraged to enter into management agreements to secure the long term future of landscaped areas, and of new and existing areas of nature conservation value created or affected by development proposals.

C1.8 The policies seek to retain and protect features which are of value in their own right and/or contribute to the quality of the local environment. Landscape features include trees, woodlands, hedgerows, ponds and streams. The local planning authority is committed to the protection of existing trees, woodland and, where possible, hedgerows of amenity, historic and nature conservation value, and will promote measures for their management. The District Council is responsible for Tree Preservation Orders (TPOs) and maintains a register of these. There is also a register of Ancient Woodlands (woodlands believed to have been in existence before 1600), compiled by the Hampshire County Council and English Nature.

C1.9 The policies also seek to promote tree and hedgerow planting through landscape schemes, including environmental improvements, and countryside and coastal management initiatives. This includes the replacement of trees of amenity value which have to be removed for safety reasons.

General (NFDLPFA 2001)

Policy DW-E1 General development criteria

Development shall be appropriate and sympathetic in scale, appearance, materials, form, siting and layout, and shall not cause unacceptable effects by reason of visual intrusion, overlooking, shading or other adverse impact on local amenities. Developers shall have regard to:

a the scale and siting of the proposal in relation to adjoining development, spaces, the character of the area and the wider landscape. This will involve consideration of height, massing and density, relationship to adjoining buildings and land uses and landscape features on and off site, and other potential impacts of the proposal on local amenities e.g. noise, light or other forms of pollution, including those arising from traffic generated by the development (see also Policy DW-E34, Section C6); and

b materials and built form in relation to the character of adjoining development, local vernacular and any historic features (see also Policies DW-E14 to DW-E25, Section C2).

Applicants for major schemes, and sites or proposals of particular environmental sensitivity, will be required to demonstrate by means of a written Design Statement including illustrative material the design principles that have informed their proposals, and their compliance with planning policies, supplementary planning guidance and Government advice.

C1.1 In accordance with the Hampshire County Structure Plan Review Policies E2 and E3 Policy UB3, and government advice in Planning Policy Guidance Note 1 (PPG 1) Revised, General Policy and Principles, this policy seeks to achieve high standards of design. *Written Design Statements will assist the local planning authority to understand the principles on which proposals are based, and the anticipated environmental impact of the scheme. The local planning authority will produce Supplementary Planning Guidance on the form and content of Design Statements in relation to the scale of development proposed and the sensitivity of the site.* Proposals which enhance their surroundings will be encouraged, particularly within the many parts of this District which are of high environmental quality and sensitivity.

Policy DW-E1A Density of Housing Development

Within the defined built-up areas (outside the defined Areas of Special Character), the average net density of residential development should be a minimum of 30

dwellings per hectare (dph) . Higher net densities (40-50 dph and above) should be achieved at locations where good pedestrian and public transport access to local and town centre facilities exists, or can be created. Sites in or close to town centres as defined on the Proposals Map will be expected to provide for densities of at least 50 dph.

Developments at these densities will be expected to:

- i reflect the principles of good urban design as set out in Policy DW-E1, ensuring the creation of a high quality living environment with no unacceptable impact on the established character of the area (including Conservation Areas in accordance with Policy DW-E19). Design Statements shall be submitted as required by Policy DW-E1;***
- ii on larger sites (e.g. over 0.5 hectares) provide for:***
 - a a range of house sizes and affordability (including affordable housing as required by Policies AH-1 and AH-2, Section B4); and***
 - b a variation of density across the site;***
- iii have regard to Policy DW-T9A, Section C9A regarding parking standards;***
- iv meet the open space requirements set out in Policies DW-R3, Section C10 and DW-E7 below.***

In accordance with Policy DW-E8, the density of residential development proposals in Areas of Special Character should reflect this special character.

C1.1A In applying this policy, the definition of “net housing density” as set out in Annex C to PPG3 will be used. PPG3 encourages more efficient use of land by increasing the density at which new housing is developed. Within the framework set out in the above policy, it will be necessary to consider the appropriate density for each particular site. The particular circumstances applying to Areas of Special Character are set out at paragraph C1.17 below.

C1.1B Sites considered to be “close to town centres” will be those within about 800 metres of the outer edges of the centres defined on the Proposals maps.

Infrastructure

Policy DW-E2 Infrastructure

Lighting, gas, electrical and telecommunications service installations shall be sited unobtrusively, while respecting operational efficiency, and shall not detract unacceptably from the character or appearance of the locality.

C1.2 Lighting columns, gas regulators, transformers, cables, electricity and telegraph poles and lines, pumping stations and other such infrastructure can all detract from the appearance of new or existing development. Wherever possible, power lines and other cables should be put underground. Routing of infrastructure, whether above or below ground, should not damage trees or other landscape or historic features.

Energy conservation

Policy DW-E3 Energy conservation

In the design and layout of new development, developers will be required encouraged to have regard to conserving energy by attention to:

- a orientation and exposure to sun and prevailing wind; and***
- b the use of shelterbelts and ground modelling to provide shelter; and***
- c design and construction features which will reduce energy demand in particular the use of insulating construction materials; and***
- d the use of energy sources for heating and power such as Combined Heat and Power schemes and solar and photovoltaic technologies.***

C1.3 In accordance with PPG 12, Development Plans and Regional Planning Guidance and Hampshire County Structure Plan Review Policy E4, this policy seeks to encourage

development proposals to incorporate means to reduce energy consumption. *To reduce demand for power from conventional sources, small scale Combined Heat and Power (CHP) schemes serving groups of existing or proposed dwellings or other developments will be encouraged where these can be fully integrated with the development they are intended to serve. The use of other technologies that generate heat and/or power from renewable sources for individual buildings will also be encouraged subject to normal environmental criteria. See also Policy DW-P2, Section C11.*

Landscape

Policy DW-E5 Requirement for landscape scheme

Development proposals shall include a landscape scheme covering the design and layout of external space where the local planning authority considers that:

- a due to the scale or nature of the development or sensitivity of the site, a landscape scheme is required to assist in mitigating the impact of development proposals on neighbours, ~~or~~ on the character of the area *or on the setting of a settlement*; and/or
- b the site contains natural features which it is important to *protect and retain*; and/or
- c a landscape scheme would contribute to the amenity of occupiers/users of the development and/or to public amenity; and/or
- d a landscape scheme would assist in achieving environmental improvements to the site/neighbourhood including those identified in this local plan (paras. C1.10 to C1.13 below and Part F); and/or
- e *a landscape scheme would assist in achieving a sustainable surface water drainage system*

Policy DW-E6 Content of landscape schemes

Landscape schemes shall:

- a incorporate any existing features of landscape and/or nature conservation value, *having regard to the need to maintain and enhance the distinctive character of the landscape and townscape*; and
- b have regard to public safety and the need to create *safe and accessible* environments; and
- c include measures to ensure both routine maintenance and long-term management; and
- d make provision for the planting of trees and hedgerows, including the replacement of those of amenity value which have to be removed for safety reasons (*see also Policies 6A and 6B below*); and
- e where possible include improvements to existing habitats, and/or creation of new areas of wildlife value *including ponds etc. associated with sustainable drainage schemes*; and
- f ensure the integration of roads, parking and footpaths and lighting with the development and landscape framework; and
- g *incorporate as necessary measures to contribute to sustainable drainage systems.*

C1.5 These policies apply to detailed planning applications, and to outline planning applications where the local planning authority considers it necessary because, for example, siting and access are to be considered. Supplementary Planning Guidance, Landscape Requirements for New Development, explains the information which should normally be submitted and the procedures to be followed.

C1.6 The design of the external environment is an essential component of the character and appearance of a development, integral with its design and layout. It is also crucial to the quality of environmental improvements and countryside and coastal management proposals.

Sensitive landscape design should be capable of producing environments which are not only attractive but safe, and minimise opportunities for criminal and antisocial behaviour.

C1.7 In accordance with PPG 1, General Policy and Principles and Hampshire County Structure Plan Review Policies E6 and E13, these policies seek to achieve a high standard of landscape design. *This should include maintenance and enhancement of local landscape and townscape character as set out in Supplementary Planning Guidance New Forest District Landscape Character Assessment, and where possible enhancement of nature conservation interests. and to It should also ensure that it these can be maintained in the long term.* Developers and landowners will be encouraged to enter into management agreements to secure the long term future of landscaped areas, and of new and existing areas of nature conservation value created or affected by development proposals. *The policies seek to promote tree and hedgerow planting through landscape schemes, including environmental improvements, and countryside and coastal management initiatives. This includes the replacement of trees of amenity value which have to be removed for safety reasons. (See also policies 6A and 6B below). The policies also seek to retain and protect features which are of value in their own right and/or contribute to the quality of the local environment. Landscape features include trees, woodlands, hedgerows, ponds and streams.*

~~C1.8 The policies seek to retain and protect features which are of value in their own right and/or contribute to the quality of the local environment. Landscape features include trees, woodlands, hedgerows, ponds and streams. The local planning authority is committed to the protection of existing trees, woodland and, where possible, hedgerows of amenity, historic and nature conservation value, and will promote measures for their management. The District Council is responsible for Tree Preservation Orders (TPOs) and maintains a register of these. There is also a register of Ancient Woodlands (woodlands believed to have been in existence before 1600), compiled by the Hampshire County Council and English Nature.~~

~~C1.9 The policies also seek to promote tree and hedgerow planting through landscape schemes, including environmental improvements, and countryside and coastal management initiatives. This includes the replacement of trees of amenity value which have to be removed for safety reasons.~~

C1.8A In accordance with draft PPG 25, Development and Flood Risk, the local planning authority will require developers to demonstrate that they have considered the use of sustainable urban drainage systems (SUDS) – see also Policy DW-E41, Section C7. Landscape schemes have an important role in achieving sustainable surface water drainage schemes. Vegetation including features such as filter strips, swales and tree/shrub planting can break the force of rainfall and assist in retaining moisture within the soil for slower release into natural drainage systems. The use of permeable surfacing materials for paths, car parks and driveways can also assist in this process. Balancing ponds within development schemes assist in modifying the rate at which water is released into drainage systems, and should be an integral part of an attractive landscape and valuable wildlife habitat. These systems can also assist in controlling or preventing pollution arising from urban or agricultural surface water drainage.

Policy DW-E6A Trees

On development sites:

a existing trees and woodland that contribute to local amenity, the character of the area and/or are of nature conservation value should be retained. In exceptional circumstances (e.g. where it is imperative that a development takes a particular form, or for safety reasons or declining health of the trees/ woodland) felling and replacement planting that maintains local amenity, the character of the area and nature conservation interest may be acceptable; and
b additional trees and woodland should be planted as appropriate as part of the overall landscape scheme and in the creation of new areas of nature conservation value (see Policies DW-E5 and DW-E6).

Where a proposed development site contains or affects trees or woodland of amenity value, a fully detailed tree survey shall be submitted with the planning application. Where trees and woodland are to be retained on a development site, the local planning authority will attach conditions and require agreement on measures to protect them during construction works, and on a scheme for future management to ensure their retention in the longer term.

Retention of employment sites (NFDLP 1999)

Policy BU-B2 Retention of employment sites in built-up areas

Development which would result in the loss of employment sites to other uses will only be permitted where the site is not a key industrial site and:

a the proposed development would only result in the loss of less than 100 sq metres of floorspace or 0.05 hectares of land in employment use; or

b the existing use is detrimental to the character or amenities of the adjacent area, and:

i the local planning authority is satisfied that the site is not capable of being satisfactorily used for alternative employment use having regard to those considerations; and

ii overriding local benefits would result from the proposed development;

and the proposed use would not be likely to restrict the range of uses which can be carried out by businesses on employment sites in close proximity.

F3.12 This policy applies both to sites already in employment uses, and to sites allocated for such uses but not yet developed.

F3.13 In recent years, there has been pressure to allow existing employment sites to be used for other uses, particularly housing and retailing. However, it is important that there continues to be a wide range of sites and buildings available to meet the needs of businesses, and to retain the existing range of local job opportunities. New industrial estates do not necessarily meet the needs of firms seeking cheaper premises, outside storage space or special characteristics which are often a feature of older buildings.

F3.14 Given environmental constraints in this District, it would be very difficult to make new allocations to replace employment sites lost to other uses.

F3.15 **Key industrial sites** are those which are conveniently located and particularly suitable for new or established companies to develop or expand their businesses within the District. These key sites will include those at Newmans Copse, Hounslow (Policy TE-18, Section F24); the site of the former Marchwood Power Station (Policy MA-2, Section F19); the Ampress site, Lymington (Policy LP-12, Section F18); and east of Caird Avenue, New Milton (Policy NM-14, Section F21).

Retention of Employment Sites (NFDLPFA 2001)

Policy BU-CE2 Retention of employment sites in built-up areas outside of town centres

Development which would result in the loss of employment sites to other uses will only be permitted where the site is not a key industrial site and:

a the proposed development would only result in the loss of less than 100 sq metres of floorspace or 0.05 hectares of land in employment use; or

b the existing use is detrimental to the character or amenities of the adjacent area, and:

i the local planning authority is satisfied that the site is not capable of being satisfactorily used for alternative employment use having regard to those considerations; and

ii overriding local benefits would result from the proposed development; and the proposed use would not be likely to restrict the range of uses which can be carried out by businesses on employment sites in close proximity.

F4.13A This policy applies both to sites already in employment uses, and to sites allocated for such uses but not yet developed.

F4.14A In recent years, there has been pressure to allow existing employment sites to be used for other uses, particularly housing and retailing. However, it is important that there continues to be a wide range of sites and buildings available to meet the needs of businesses, and to retain the existing range of local job opportunities. New industrial estates do not necessarily meet the needs of firms seeking cheaper premises, outside storage space or special characteristics which are often a feature of older buildings.

F4.15A Given environmental constraints in this District, it would be very difficult to make new allocations to replace employment sites lost to other uses.

*F4.16A **Key industrial sites** are those which are conveniently located and particularly suitable for new or established companies to develop or expand their businesses within the District. These key sites will include those at Newmans Copse, Hounslow (Policy TE-18, Section F24); the site of the former Marchwood Power Station (Policy MA-2, Section F19); the Ampress site, Lymington (Policy LP-12, Section F18); east of Caird Avenue, New Milton (Policy NM-14, Section F21); and Christchurch Road, Ringwood (Policy RW-11, Section F22).*

Affordable Housing (NFDLP 1999)

Policy AH-1 Affordable Housing

In considering schemes for, or including, residential development, the Local Planning Authority will seek to negotiate with developers the inclusion of an element of affordable housing:

- a. In the defined built-up areas, on all suitable sites where:**
 - i) 15 or more dwellings are proposed; or**
 - ii) the site is 0.5 of a hectare or more, irrespective of the number of dwellings.**
- b. In the defined New Forest villages, on all suitable sites where:**
 - i) 2 or more additional dwellings are proposed.**
- c. On suitable sites permitted in accordance with policy CO-RB1 (Section E10) where:**
 - i) 2 or more additional dwellings are proposed.**

In considering whether or not the site falls within the threshold, the local planning authority will take account of the development potential of any adjoining land.

B4.17 In view of the significant need for affordable housing throughout New Forest District, together with the exceptional environmental constraints, it is considered appropriate to maximise the number of opportunities in the District (as permitted under Government Advice), for the negotiation of an element of affordable housing on sites that come forward for residential development. Accordingly, in the defined built-up areas the District Council adopts the minimum site threshold which is permitted under the advice in Circular 6/98: Planning and Affordable Housing.

B4.18 In rural areas with a population of 3000 or fewer, Circular 6/98 states that site thresholds for negotiation of an element of affordable housing should be based on assessments of local needs and the available supply of land for housing. No minimum threshold is specified.

B4.19 As set out in paragraph B4.10 above, the Housing Needs Survey revealed a significant need for affordable housing in the survey areas of Bransgore, Brockenhurst and Lyndhurst and Rural areas. This need exceeds the likely number of dwellings which may be built in these areas under the policies of this Local Plan. Opportunities for new housing development within the defined New Forest villages are limited by environmental constraints and the availability of land. In the rest of the New Forest, and the countryside outside the New Forest (including villages), planning policies do not permit new houses to be built. Therefore, where new dwellings may be permitted under the policies of this Local Plan, it is the Council's intention to negotiate an element of affordable housing on all sites which are capable of satisfactorily being developed to provide two or more additional dwellings.

Policy AH-2 Affordable Housing Negotiation

On all sites where an element of affordable housing is to be sought, the District Council's target is to negotiate 30% of dwellings on the site to be affordable dwellings which will address an identified local housing need.

As an alternative to on-site provision, the Local Planning Authority may allow a developer to make an equivalent contribution of serviced land on a different site.

Exceptionally, the District Council may be prepared to accept as an alternative a financial contribution sufficient to enable a Registered Social Landlord to provide the agreed number of affordable dwellings on another site either by new building or by buying into the existing stock.

A planning condition or legal agreement will be required to ensure that the affordable housing provided will only be occupied by households in need of affordable housing in the local plan area.

B4.20 'Affordable housing' will be considered as that which meets the identified housing need and which will be affordable to those on the New Forest Housing Register.

B4.21 Site specific policies (in Section F of this Plan) allocating land and sites for residential development, give an indicative target for affordable housing provision for each site based on policy AH-2. While the District Council's target is to negotiate 30% of dwellings on sites to be affordable dwellings, schemes that propose a higher provision will be particularly welcomed and encouraged.

B4.22 The target of 30% of dwellings to be affordable dwellings is considered a realistic target of what should be achievable through negotiation on all sites. The level of need throughout the District would justify a higher target. However, the target given in Policy AH-2 reflects the level of social housing funding which is likely to be available to implement schemes within a reasonable timescale. Constraints on social housing funding, together with the short period remaining for this Local Plan, may mean that some affordable housing provided for by these policies is built beyond the Plan period.

B4.23 In most cases the Local Planning Authority will require the affordable housing provision to be made on site. It will only consider off-site provision or a financial contribution acceptable if it is satisfied that arrangements can be made to ensure that the proposal would actually result in the provision of an equivalent number of affordable dwellings, that would not otherwise be provided in the area, within a reasonable and identified time scale.

B4.24 In addition to policies AH-1 and AH-2 above, policies NF-H8 (Section D2) and CO-H7 (Section E2), enable the provision of affordable housing as an exception to normal policies of this Plan. On exception sites all dwellings are required to be affordable dwellings that meet the needs of local people in housing need.

B4.25 The District Council will produce Supplementary Guidance relating to the implementation of the affordable housing policies of this Plan.

Affordable Housing (NFDLPFA 2001)**Policy AH-1 Affordable Housing in defined built-up areas (excluding Sandleheath)**

In considering schemes for, or including, residential development in the built-up areas (excluding Sandleheath), the Local Planning Authority will seek to negotiate with developers the inclusion of an element of affordable housing on all suitable sites where:

15 or more dwellings are proposed; or

the site is 0.5 of a hectare or more, irrespective of the number of dwellings.

If Government Guidance is revised to allow local planning authorities to negotiate an element of affordable housing on sites smaller than the thresholds set out above, the new minimum thresholds permissible under revised Government Guidance will be applied.

In considering whether or not the site falls within the threshold, the local planning authority will take account of the development potential of any adjoining land.

Where an element of affordable housing is to be sought, the District Council's target is to negotiate 35% of dwellings on the site to be affordable dwellings which will address an identified local housing need.

Provision of affordable housing to meet the requirements of this policy should normally be met in their entirety on site.

As a second preference to on-site provision, the Local Planning Authority may allow a developer to make an equivalent contribution of serviced land with planning permission (allowing provision of the agreed number, size and type of affordable dwellings) on a different site. Such land shall be sufficient to accommodate the equivalent of 45% of the number of dwellings being provided on the development site.

In exceptional circumstances, the District Council may be prepared to accept as an alternative a financial contribution sufficient to enable a Registered Social Landlord to provide the agreed number, size and type of affordable dwellings on another site either by new building or by buying into the existing stock. This financial contribution shall be sufficient to provide for affordable dwellings off-site equivalent to 45% of the number of dwellings being provided on the development site.

A planning condition or legal agreement will be required to ensure that the affordable housing provided will only be occupied by households in need of affordable housing in New Forest District.

Policy AH-2 Affordable Housing in the New Forest, the countryside outside the New Forest and Sandleheath

In considering schemes for, or including, residential development (excluding replacement dwellings) in the New Forest, the countryside outside the New Forest and Sandleheath, the Local Planning Authority will seek to negotiate with developers the inclusion of an element of affordable housing on all suitable sites.

Where an element of affordable housing is to be sought, the District Council's target is to negotiate 50% of dwellings on the site to be affordable dwellings which will address an identified local housing need. In the case of single dwellings, an equivalent contribution will be sought.

Provision of affordable housing should normally be met in their entirety on site, unless the development is too small in scale to make this practical (e.g. if the development is for a single dwellings).

Where the proposed development is for less than 3 dwellings or in other exceptional circumstances, the Local Planning Authority may be prepared to accept either;

(a) an equivalent contribution of serviced land with planning permission on a different site, sufficient to accommodate the equivalent of 50% of the number of dwellings (of the agreed size and type) being provided on the development site.

Or

(b) a financial contribution sufficient to enable a Registered Social Landlord to provide the agreed number, size and type of affordable dwellings on another site either by new building or by buying into the existing stock. This financial contribution shall be sufficient to provide for affordable dwellings off-site equivalent to 50% of the number of dwellings being provided on the development site.

A planning condition or legal agreement will be required to ensure that the affordable housing provided will only be occupied by households in need of affordable housing in New Forest District.

In the New Forest, all other new dwellings (except replacement dwellings permitted under policy NF-H4) will be subject to a 'local occupier' condition.

B4.14A In view of the significant need for affordable housing throughout New Forest District, and taking account of the exceptional environmental constraints, it is considered appropriate to maximise the number of opportunities in the District (as permitted under Government Advice), for the negotiation of an element of affordable housing on sites that come forward for residential development. Accordingly, in the defined built-up areas the District Council adopts the minimum site threshold which is currently permitted under the advice in Circular 6/98: Planning and Affordable Housing. However, the present thresholds set in the Government Guidance restrict the number of opportunities to address the lack of affordable housing in the District. In view of the severity of housing need within the District and the lack of opportunities to address that need, the lowest site thresholds permissible under Government Guidance will be applied in New Forest District from their date of publication.

B4.15A In settlements in rural areas with a population of 3000 or fewer (as defined by S.I. 1997/625), Circular 6/98 states that site thresholds for negotiation of an element of affordable housing should be based on assessments of local needs and the available supply of land for housing. This justifies the lower site thresholds proposed within the New Forest (including the defined settlements) and in the countryside outside the New Forest; and in Sandleheath, which although defined as a built-up area, has been designated as a small settlement for these purposes. Further, the Rural White Paper "Our Countryside: The Future" published in November 2000 recognised the shortage of affordable housing in many rural areas. It states, "Local authorities should negotiate an appropriate element of affordable housing and there is no reason why, in small villages if there is evidence of need and subject to financial viability, they should not seek to match every new market house with an affordable home."

B4.16A Opportunities for new housing development within the defined New Forest villages are limited by environmental constraints and the availability of land. In the rest of the New Forest, and the countryside outside the New Forest (including villages), planning policies do not normally permit new houses to be built. Where new dwellings may be permitted under the policies of this Local Plan, it is the Council's intention to negotiate an element of affordable housing on all sites which are capable of satisfactorily being developed to provide additional dwellings.

B4.17A While the District Council's target is to negotiate 35% of dwellings on sites to be affordable dwellings, schemes that propose a higher provision will be particularly welcomed and encouraged. The higher target figure where off-site contributions are accepted (45% of the

dwellings on the development site) reflects the overall higher number of dwellings provided between the two sites [i.e. the higher contribution relates to: 35% of (Y x 135%) where Y is the number of dwellings on the development site]. This is necessary so that off-site provision is not relatively a more attractive proposition.

B4.18A The target of 35% of dwellings to be affordable dwellings on sites in built-up areas is considered a realistic target of what should be achievable through negotiation on all sites. The level of need throughout the District would justify a higher target. Housing Need and Market Assessment 2001 identified an annual need for 1966 additional affordable dwellings, in addition to the 170 currently provided each year in the District. This compares with an expected total house building rate of 340 dwellings per annum over the remainder of the local plan period (April 2000-March 2011). The targets given in Policies AH-1 and AH-2 reflect the level of social housing funding which is likely to be available to implement schemes within a reasonable timescale, rather than housing need.

B4.19A The higher target of 50% in the New Forest, countryside outside the New Forest and Sandleheath is justified on account of the very limited development opportunities in these areas.

B4.20A Within the New Forest it is important that the limited land available for residential development is directed towards meeting the housing needs of the local community. Policy NF1 of the Hampshire County Structure Plan (Review) directs development within the New Forest towards that which will help maintain the social and economic well-being of New Forest communities. A 'local occupier' condition is introduced to ensure that all new housing within the New Forest, including that built without public subsidy, is directed towards the housing needs of the New Forest community. A household that meets the 'local occupier' condition to be applied within the New Forest is defined as one where at least one adult member of the household occupying the dwelling:

- has lived in New Forest District for at least 7 consecutive years (at some point during their lifetime), or*
- is in a permanent job in the New Forest, or*
- works elsewhere in New Forest District and has done so for at least the last 7 years, or*
- has children or parents that currently live in the New Forest and have done so for more than 7 years.*

B4.21A In addition to policies AH-1 and AH-2 above, policies NF-H8 (Section D2) and CO-H7 (Section E2), enable the provision of affordable housing as an exception to normal policies of this Plan. On exception sites all dwellings are required to be affordable dwellings that meet the needs of local people in housing need.

B4.22A The District Council will produce Supplementary Guidance relating to the implementation of the affordable housing policies of this Plan.

Transport (NFDLP 1999)

Access and parking requirements for new development

Policy DW-T7 Access requirements

Development must have or provide satisfactory means of access for motor vehicles (including service vehicles and buses where appropriate), cyclists and pedestrians, having regard to the nature of the development, its location and the adopted standards of the highway authority.

Policy DW-T8 Safety and traffic management considerations

Development shall not cause or demonstrably increase danger to road users or conflict with existing or proposed schemes for traffic management.

Policy DW-T9 Parking provision in association with development

Development shall make appropriate provision for on-site parking to the satisfaction of the local planning authority, having regard to adopted parking standards, the location of the site, Policies DW-T8, DW-T11, DW-T12, DW-T13 and other material considerations. Provision for motor vehicles in excess of the adopted standards will not be permitted.

Policy DW-T10 Off-site highway contributions

Where development necessitates improvements to transport infrastructure off-site, developers will be required to contribute to the costs of those improvements (see also Policy DW-F1, Section C14). Contributions shall be directly related in scale and in kind to the proposed development.

C9.39 These policies seek to ensure that developers have regard to:

(i) national guidance, e.g: DoT Circular 4/88, The Control of Development on Trunk Roads, DoT Circular 6/91, Development in the Vicinity of Trunk Roads, and Design Bulletin 32, Residential Roads and Footpaths;

(ii) Policies T2, T5, T10 and T12 of the Hampshire County Structure Plan; and

(iii) the standards of the highway authority, including those set out in Hampshire County Council's document Movement and Access in Residential Areas.

C9.40 Developers should also have regard to the needs of those with impaired mobility (see Policy DW-E13, Section C1).

C9.41 The Council's adopted parking standards are set out in Supplementary Planning Guidance. These standards are currently subject to a county-wide review. Pending this review, which will be reflected in a future statutory review of this Plan, reliance will be placed upon existing adopted standards. In implementing those standards, the local planning authority will have regard to guidance set out in PPG6, PPG13 and RPG9 and by SERPLAN. The local planning authority seeks to avoid congestion or hazard to road users arising from off-site parking. However, the authority also seeks to avoid excessive provision of parking for motor vehicles likely to encourage use of the car in preference to other modes of transport.

C9.42 Where an otherwise acceptable development is likely to impose additional burdens on existing transport infrastructure, in accordance with DoE Circular 1/97, Planning Obligations, the developer will be required to contribute to improvements off-site that will enable the additional travel needs to be accommodated. This will normally be achieved by means of a legal agreement involving the highway authority. (In relation to trunk roads see also DoT Circular 6/91, Development in the Vicinity of Trunk Roads).

C9.43 All major development proposals will need to be accompanied by a transport impact study, giving details of the modes of transport likely to be used. This should include the potential of these trips to be made by public transport (see also Policy DW-T6). Reference should also be made to the environmental impact of the traffic generated by the development.

C9.44 Car and commercial vehicle parking can be a major determinant of the environmental quality of towns and villages. Policies DW-T7, DW-T8 and DW-T9 may require appropriate amounts of parking space to be provided in association with new buildings and land uses. In this way the immediate surroundings of a development can be protected from excessive on-street parking. In town centres, however, there may be alternatives to on-site provision, which are provided for in Policies DW-T11 to DW-T13.

C9.45 A comprehensive car parking study undertaken for the District Council in 1992 produced forecasts of demand to the year 2001 for the District's seven main centres (Fordingbridge, Hythe, Lymington, Lyndhurst, New Milton, Ringwood and Totton) and recommended action to meet predicted shortfalls in all except Ringwood and Totton where provision is expected to be adequate for the plan period.

C9.46 The forecasts for the plan period allow for a proportion of town centre parking demand to be diverted by new superstores on the outskirts of Hythe, Totton and New Milton. The effect of the new superstores on parking demand is being monitored.

C9.47 It is possible that in some locations on the fringes of central areas, demand for parking space on-street will lead to pressure for controls to safeguard residents' parking. The District Council will keep the situation under review and promote residents' parking schemes if necessary.

C9.48 The District Council provides a limited amount of cycle parking in shopping centres. Opportunities to increase this provision in suitable locations will be sought.

Transport (NFDLPFA 2001)

Policy DW-T6A Location of new development

Development of a type likely to attract large numbers of trips will only be permitted in locations which are readily accessible to the proposed catchment population by an appropriate combination of public transport, cycling and walking. This includes smaller developments, such as village halls, which attract large numbers of trips in relation to their size.

C9.45A *Developments such as offices, shopping and places of entertainment by their nature attract large numbers of people in comparison to their floorspace. They should be accessible by a variety of modes to the population likely to visit them. This applies both to local facilities in rural areas and to larger developments.*

Access

Policy DW-T6B Access, safety and traffic management requirements

Development must have or provide satisfactory means of access for motor vehicles (including service vehicles and buses where appropriate), cyclists and pedestrians, having regard to the nature of the development, its location and the adopted policies and standards of Hampshire County Council as strategic planning and transport authority. Development shall not cause or demonstrably increase danger to road users or conflict with existing or proposed schemes for traffic management. Where development necessitates improvements to transport infrastructure or services off-site, developers will be required to contribute to the costs of those improvements (see also Policy DW-F1, Section C14). Contributions shall be directly related in scale and in kind to the proposed development.

C9.46A *This policy seeks to ensure that developers have regard to:*

- i. national guidance, e.g: DoT Circular 4/88, The Control of Development on Trunk Roads, DoT Circular 6/91, Development in the Vicinity of Trunk Roads, Design Bulletin 32, Residential Roads and Footpaths and its companion guide Places, Streets and Movement; and*
- ii. Policies T2, T4, T5 and T6 of the Hampshire County Structure Plan (Review) ; and*
- iii. the standards of the transport authority, including those set out in Hampshire County Council's document Movement and Access in Residential Areas (under review 2001).*

C9.47A *Developers should also have regard to the needs of those with impaired mobility (see Policy DW-E13, Section C1).*

C9.48A *Where an otherwise acceptable development is likely to impose additional burdens on existing transport networks, in accordance with DoE Circular 1/97, Planning Obligations, the developer will be required to contribute to improvements off-site that will enable the additional travel needs to be accommodated. This will normally be achieved by means of a legal agreement*

involving the highway authority. (In relation to trunk roads see also DoT Circular 6/91, Development in the Vicinity of Trunk Roads).

Parking

C9.49A The availability of parking space has considerable influence, both directly and indirectly, on travel behaviour. Accordingly, government guidance (PPG13 and PPG3) seeks to limit, and in appropriate circumstances reduce, the amount of car parking space provided at new developments. On the other hand, minimum requirements may be imposed for the provision of on-site cycle parking facilities, and adequate car parking space for disabled people will also be required notwithstanding reductions in general car parking provision .

C9.50A PPG13 sets out national upper limits to car parking ratios for non-residential developments over a given size (for example, office developments over 2,500 sq m gross floorspace should be limited to 1 space per 30 sq m). Limits for smaller developments (which will form the great majority of developments in this District) are to be set locally. The limits adopted by the District Council through supplementary planning guidance ("Parking Standards") in 1999 are being reviewed following a countywide review process undertaken during 2001.

C9.51A Both Government guidance and the Hampshire Local Transport Plan recognise that the potential for reducing car travel through parking policy is greatest in urban areas; and that at the same time excessive restrictions would run the risk of damaging town centre vitality and viability. The 2001 countywide review has involved the development of an accessibility model to support the adoption of more restrictive on-site parking limits for town centres and other locations which are relatively accessible by public transport and cycle and on foot.

C9.52A Government guidance advises against imposing any minimum requirement for on-site parking space as a general rule. However PPG13 does allow for appropriate amounts of on-site parking space to be required in exceptional circumstances such as those where failure to provide such facilities on-site would have significant road safety implications which cannot be resolved through the introduction or enforcement of on-street parking controls. In a number of locations in this District, similar exceptional circumstances arise where the overspill of parked cars from a development site could lead to significant damage to the amenity and character of the area, in particular where such vehicles are parked on roadside verges and other grassed areas.

Policy DW-T9A New car parking provision on development sites and elsewhere

The provision of additional car parking space in the District will be controlled in accordance with upper limits for each class of development. Provision beyond these limits will not be permitted.

Development will be required to provide parking facilities for bicycles and car parking space to serve disabled people, in both cases in accordance with minimum standards.

Development will not be permitted which, as a result of failing to meet expected car parking demand on site, is likely to lead to the parking of additional vehicles on nearby roads or other land, resulting in:

- i. a significant road safety hazard, or***
- ii. significant environmental damage, having regard to the character of the surrounding area.***

Such consequences may however be avoided in some circumstances to the satisfaction of the local planning authority by means of an undertaking by the developer to contribute either financially or otherwise towards one or more of the following as appropriate:

- a the provision of additional or improved public car parking, including provision in accordance with a proposal of this Plan;***

- b*** **measures to improve the accessibility of the application site by walking, cycling and/or public transport;**
- c*** **measures which directly prevent the relevant safety hazard or environmental damage.**

Public car parking provided or improved under sub-paragraph (a) above should be of good quality, secure and suitably located in relation to the proposed development (normally within reasonable walking distance). These and other measures undertaken under sub-paragraphs (a), (b) and (c) should be likely to be implemented within a reasonable time.

Proposals for new private car parks not directly associated with development will be similarly assessed in the light of this policy.

C9.53A *A comprehensive car parking study undertaken for the District Council in 1992 produced forecasts of demand to the year 2001 for the District's seven main centres (Fordingbridge, Hythe, Lymington, Lyndhurst, New Milton, Ringwood and Totton) and recommended action to meet predicted shortfalls in all except Hythe, Ringwood and Totton where provision was expected to be adequate for this period.*

C9.54A *A district-wide review of car parking policy and management currently under way will provide guidance on the need for public parking space beyond 2001.*

C9.55A *It is possible that in some locations on the fringes of central areas, demand for parking space on-street will lead to pressure for controls to safeguard residents' parking. The District Council will keep the situation under review and promote residents' parking schemes if necessary.*

C9.56A *Measures to improve the accessibility of a proposed development by other modes may include improvements to the footpath and cycleway network such as those which appear in the following section of this Plan; cycle parking; and/or improvements to public transport infrastructure. At an appropriate time, the District Council will prepare supplementary planning guidance setting out criteria for such considerations.*

C9.57A *This policy is intended to facilitate the funding of infrastructure which would encourage trips to the town centre to be made by means other than the car, thus reducing the need for car parking. The local plan contains a number of proposals for cycle routes, and contributions might also be made towards the provision of cycle parking and/ or new public transport infrastructure. Opportunities for implementation of this policy are initially likely to be relatively few. It should be noted that essential servicing requirements will still need to be met.*

Footpaths, cycleways and bridleways (NFDLP 1999)

Policy DW-T15 Safeguarding proposed footpaths and cycleways

The following footpath and cycleway routes, for which proposals may or may not come forward during the plan period, will be safeguarded:

Lymington and Boldre

.26The Quay - Bridge Road (footpath)

Policy DW-T17 Contributions to footpaths, cycleways and bridleways

Where necessary in order to provide satisfactory access from, to or through a development, developers will be required to provide, or contribute towards the cost of, new footpaths, cycleways and bridleways including those identified on the proposals map and in Policies DW-T14 and DW-T15, and improvements to existing routes. Such provision or financial contribution shall be directly related in scale and in kind to the proposed development.

Policy DW-T18 Improvements to footpaths, cycleways and bridleways

Proposals to improve and extend the footpath, cycleway and bridleway network should:

- a be integrated with existing routes; and**
- b not adversely affect residential amenities; and**
- c not adversely affect nature conservation interests; and**
- d take into account the needs of agriculture; and**
- e be located and designed to reduce opportunities for criminal behaviour; and**
- f where practicable have regard to the needs of those with impaired mobility; and**
- g have regard to the needs of other users of the route and vehicular traffic; and**
- h include clear signing indicating purpose.**

C9.55 Footpaths (including footways alongside roads) and cycleways provide important access routes in built-up areas. Walking, cycling and horse riding are also popular recreational activities in the District, in particular within the New Forest, where they can impose pressures in the form of wear and tear on pathways and vegetation, and disturbance to wildlife. The above policies seek to achieve and retain an attractive and coherent network of footpaths, cycleways and bridleways in the built-up areas and the countryside, including riverside and coastal areas. Particular attention has been given to:

- i town and village centres;
- ii routes to public transport nodes, places of work, schools and colleges, leisure facilities and open spaces; and
- iii the countryside around the towns and larger villages, where they can enhance opportunities for recreation, and particularly if they can assist in relieving pressures on the New Forest.

C9.56 In the detailed layout and design of the proposed routes, particular attention will be given to the needs of vulnerable groups, including children, the elderly and those with impaired mobility, and to the impact on occupants and users of land and premises affected by the routes. The routes illustrated on the proposals maps may be modified as a result of detailed consideration. The timing of provision will depend on the availability of funding and any necessary statutory procedures.

C9.57 Some of the proposed new footpaths at Totton, Lymington, Holbury and Hythe will provide alternatives and connecting routes to the Test Way and Solent Way. The District Council is keen to see improvements to the route of the Solent Way to bring sections of it nearer to the coast, and will support efforts by the County Council to achieve this.

C9.58 Consideration is being given to extending the recently completed Southampton - Rushington - Ashurst cycle route to Lyndhurst. The proposal would assist both journeys to work and recreational journeys. Further evaluation and assessment of the impact of the proposal upon the New Forest Site of Special Scientific Interest, Special Protection Area, Ramsar site and candidate Special Area of Conservation will be necessary before it can be determined that the the proposal can be progressed for implementation. Similar considerations will apply to other cycle routes proposed within the New Forest SSSI, including a possible cycle route from Lyndhurst to Brockenhurst along the A337.

C9.59 The local planning authority will encourage improvements in provision for cyclists within the existing road network wherever possible.

C9.60 There may be potential for some of the existing and proposed recreational footpaths and cycleways to be used as, or upgraded to form, bridleways and the District Council will

encourage the creation of bridleway routes in appropriate locations. The District Council will give particular encouragement to proposals which:

- i form part of an agreed management plan designed to control recreational pressures on the Forest;
- ii provide attractive alternatives to routes through the open Forest;
- iii assist in reducing conflict between vehicular traffic and horse-riders; and
- iv provide additional opportunities for horse riding within built-up areas.

C9.61 Where public access might conflict with nature conservation interests, this will be dealt with where possible by management measures (for example waymarked footpaths, careful design and landscaping of routes, wardening, etc.). In the event that such conflict proves irreconcilable, nature conservation will be given priority. In routing new footpaths and cycleways in the countryside, it will also be important to avoid conflict with agricultural uses of the land.

C9.62 While increasing a public presence in otherwise unsupervised areas can deter crime, pedestrian and cycle routes can also provide potential for criminal activity. The District Council will seek to maximise public safety and deter crime through design, lighting appropriate to the character of the area and routing. In general, public access ways should be wide, clear of hiding places and well lit, and should follow a direct route. Where possible, they should also be overlooked to encourage surveillance. Public access ways giving unrestricted access to the rear of residential or other properties should in general be avoided.

Footpaths, cycleways and bridleways (NFDLPFA 2001)

Policy DW-T15A Safeguarding proposed footpaths and cycleways

The following footpath and cycleway routes, for which proposals may or may not come forward during the plan period, will be safeguarded:

Lymington

.26 The Quay – Bridge Road (footpath)

Policy DW-T17 Contributions to footpaths, cycleways and bridleways

Where necessary in order to provide satisfactory access from, to or through a development, developers will be required to provide, or contribute towards the cost of, new footpaths, cycleways and bridleways including those identified on the proposals map and in Policies DW-T14A and DW-T15A, and improvements to existing routes. Such provision or financial contribution shall be directly related in scale and in kind to the proposed development.

Policy DW-T18 Improvements to footpaths, cycleways and bridleways

Proposals to improve and extend the footpath, cycleway and bridleway network should:

- a be integrated with existing routes; and***
- b not adversely affect residential amenities; and***
- c not adversely affect nature conservation interests; and***
- d take into account the needs of agriculture; and***
- e be located and designed to minimise opportunities for criminal behaviour; and***
- f where practicable have regard to the needs of those with impaired mobility;***
- and***
- g have regard to the needs of other users of the route and vehicular traffic; and***
- h include clear signing indicating purpose.***

C9.58A Footpaths (including footways alongside roads) and cycleways provide important access routes especially in built-up areas. Walking, cycling and horse riding are also popular recreational activities in the District, in particular within the New Forest, where they can impose

pressures in the form of wear and tear on pathways and vegetation, and disturbance to wildlife. The above policies seek to achieve and retain an attractive and coherent network of footpaths, cycleways, on-road cycle routes and bridleways in the built-up areas and the countryside, including riverside and coastal areas. They include selected proposals of the Area Transport Strategies including the New Forest Cycle Plan and the Totton and Waterside Transport Strategy (where there is reasonable certainty about the feasibility of a safe route). Particular attention has been given to:

- i. town and village centres; and
- ii. routes to public transport nodes, places of work, schools and colleges, leisure facilities and open spaces; and
- iii. the countryside around the towns and larger villages, where they can enhance opportunities for recreation, and particularly if they can assist in relieving pressures on the New Forest; and
- iv. Policy T16 of the Hampshire County Structure Plan (Review) which refers to the development of a Southampton area cycle network.

C9.59A In the detailed layout and design of the proposed routes, particular attention will be given to the needs of vulnerable groups, including children, the elderly and those with impaired mobility, and to the impact on occupants and users of land and premises affected by the routes. The routes illustrated on the proposals maps may be modified as a result of detailed consideration. The timing of provision will depend on the availability of funding and any necessary statutory procedures. Route 2 of the National Cycle Network, running across the New Forest from Hythe to Christchurch, has not been included, since preliminary work on the detailed alignment of the route suggests that in three locations (Beaulieu Road, Brockenhurst and Wilverley) there may be difficulty in finding an acceptable alignment.

C9.60A Some of the proposed new footpaths at Totton, Lymington, Holbury and Hythe will provide alternatives and connecting routes to the Test Way and Solent Way. The District Council is keen to see improvements to the route of the Solent Way to bring sections of it nearer to the coast, and will support efforts by the County Council to achieve this.

C9.61A Consideration is being given to extending the recently completed Southampton – Rushington – Ashurst cycle route to Lyndhurst. The proposal would assist both journeys to work and recreational journeys. Further evaluation and assessment of the impact of the proposal upon the New Forest Site of Special Scientific Interest, Special Protection Area, Ramsar site and candidate Special Area of Conservation will be necessary before it can be determined that the proposal can be progressed for implementation.

C9.62A The local planning authority will also seek further opportunities for improvements to the pedestrian and cycle route networks, following the criteria outlined above. In particular, improvements will be sought in provision for cyclists within the existing road network wherever possible.

C9.63A There may be potential for some of the existing and proposed recreational footpaths and cycleways to be used as, or upgraded to form, bridleways and the District Council will encourage the creation of bridleway routes in appropriate locations. The District Council will give particular encouragement to proposals which:

- i. form part of an agreed management plan designed to control recreational pressures on the Forest; and
- ii. provide attractive alternatives to routes through the open Forest; and
- iii. assist in reducing conflict between vehicular traffic and horse-riders; and
- iv. provide additional opportunities for horse riding within built-up areas.

C9.64A *Where public access might conflict with nature conservation interests, this will be dealt with where possible by management measures (for example waymarked footpaths, careful design and landscaping of routes, wardening, etc.). In the event that such conflict proves irreconcilable, nature conservation will be given priority. In routing new footpaths and cycleways in the countryside, it will also be important to avoid conflict with agricultural uses of the land.*

C9.65A *While increasing a public presence in otherwise unsupervised areas can deter crime, pedestrian and cycle routes can also provide potential for criminal activity. The District Council will seek to maximise public safety and deter crime through design, lighting appropriate to the character of the area and routing. In general, public access ways should be wide, clear of hiding places and well lit, and should follow a direct route. Where possible, they should also be overlooked to encourage surveillance. Public access ways giving unrestricted access to the rear of residential or other properties should in general be avoided.*

Contaminated land (NFDLP 1999)

Policy DW-E39 Contaminated land

Where development is proposed on a site that is known or suspected to be contaminated, the applicant will be required to carry out a site assessment in order to establish the nature and extent of the contamination. The acceptability of the proposal will then be determined taking into account other local plan policies and the following criteria:

- a the nature and extent of the contamination; and**
- b the sensitivity of the proposed use to the contamination, and the environmental implications of the development; and**
- c proposed remedial measures.**

C6.11 The District Council seeks to ensure that development on contaminated land does not prejudice the health and safety of residents and/or workforce, or nature conservation or other environmental interests (e.g. by causing leaching of contaminants to adjoining land or watercourses or groundwater resources).

C6.12 Contaminated land comprises mainly ex-industrial or landfill sites, and also includes ex-sewage works, gas works and military sites. The District contains a number of sites which may be contaminated. Continuing to landfill ex-mineral workings with waste means that there could be more. The District Council does not keep a register of such sites, but can offer limited advice on the basis of local knowledge. The onus rests with developers to establish whether or not land is contaminated. The Environment Agency offers advice to developers on the implications for the water environment of developing such sites, and appropriate safeguards.

Archaeology (NFDLP 1999)

Policy DW-E24 Archaeological field assessment

If there is evidence that archaeological remains exist on a site whose extent and importance are unknown, the District Council will require developers to arrange for an archaeological field assessment to be carried out before the planning application can be determined including a desk top assessment and trial trenching where necessary. Wherever possible such remains shall be preserved in situ.

C2.41 Archaeological remains are a finite and non-renewable resource, and in many cases are highly fragile and vulnerable to damage and destruction. It is important to ensure that they are not needlessly destroyed. Only a small number of archaeological sites are protected as Scheduled Ancient Monuments under the Ancient Monuments and Archaeological Areas Act 1979. The majority of sites have no statutory protection, and must rely on sympathetic planning and management policies for their survival and protection (see PPG 16, Archaeology and Planning).

C2.42 In determining applications involving archaeological sites or ancient monuments, and assessing their importance, the local planning authority will seek advice from the appropriate local and national organisations, and will have regard to Hampshire County Council's Sites and Monuments Record. The authority is required to consult English Heritage on proposals likely to affect Scheduled Ancient Monuments.

C2.43 If preservation in situ is not possible or feasible, archaeological investigation and recording may be an acceptable alternative. The local planning authority will normally secure provision for this through conditions, an obligation under Section 106 of the Town and Country Planning Act 1990, or similar powers.

C2.44 Where permission is granted for development involving an archaeological site or monument, the local planning authority may require a management agreement to ensure the preservation and maintenance of the features of archaeological importance. Advice and assistance on management and maintenance is available from this authority and Hampshire County Council.

C2.45 Prospective developers are advised to discuss their proposals with the local planning authority and the County Archaeological Officer at the earliest possible stage.

Archaeology (NFDLPFA 2001)

Policy DW-E24 Archaeological field assessment

If there is evidence that archaeological remains exist on a site whose extent and importance are unknown, the District Council will require developers to arrange for an archaeological field assessment to be carried out before the planning application can be determined including a desk top assessment and trial trenching where necessary. Wherever possible such remains shall be preserved in situ.

C2.41 Archaeological remains are a finite and non-renewable resource, and in many cases are highly fragile and vulnerable to damage and destruction. It is important to ensure that they are not needlessly destroyed. Only a small number of archaeological sites are protected as Scheduled Ancient Monuments under the Ancient Monuments and Archaeological Areas Act 1979. The majority of sites have no statutory protection, and must rely on sympathetic planning and management policies for their survival and protection (see PPG 16, Archaeology and Planning).

C2.42 In determining applications involving archaeological sites or ancient monuments, and assessing their importance, the local planning authority will seek advice from the appropriate local and national organisations, and will have regard to Hampshire County Council's Sites and Monuments Record *and Hampshire County Structure Plan Policy E14*. The authority is required to consult English Heritage on proposals likely to affect Scheduled Ancient Monuments.

C2.43 If preservation in situ is not possible or feasible, archaeological investigation and recording may be an acceptable alternative. The local planning authority will normally secure provision for this through conditions, an obligation under Section 106 of the Town and Country Planning Act 1990, or similar powers.

C2.44 Where permission is granted for development involving an archaeological site or monument, the local planning authority may require a management agreement to ensure the preservation and maintenance of the features of archaeological importance. Advice and assistance on management and maintenance is available from this authority and Hampshire County Council.

C2.45 Prospective developers are advised to discuss their proposals with the local planning authority and the County Archaeological Officer at the earliest possible stage.

Nature Conservation (NFDLP 1999)

Policy DW-E31 Nature conservation sites

Development will not be permitted which would have an adverse effect on sites of nature conservation value as follows:

- a Ramsar sites or sites identified under European Communities Directives, including Special Areas of Conservation (SACs) and Special Protection Areas (SPAs); or
- b Sites of Special Scientific Interest (SSSIs); or
- c National Nature Reserves (NNRs); or
- d Local Nature Reserves (LNR)s.

This includes development on land adjoining such areas, or which could otherwise have an adverse effect on them.

Proposals will be assessed in accordance with the relative status of the designation (i.e. whether it is internationally, nationally or locally designated).

Policy DW-E32 Sites of Importance for Nature Conservation

Development will not be permitted which would have an adverse effect on Sites of Importance for Nature Conservation (SINCs) unless the local planning authority is satisfied that the need for the development outweighs the adverse impact and that adequate measures are taken to mitigate the adverse effects of development.

C4.1 In the Hampshire County Structure Plan, Policies C1, C3, C9, C10, C11 and MW3 refer to nature conservation. Government guidance is in Planning Policy Guidance Note 9 (PPG 9), Nature Conservation.

C4.2 Explanations and lists of all the designations identified in Policy DW-E31 and Policy DW-E32 are given in Appendix G4. The features of nature conservation value on these sites are generally irreplaceable. Their loss or impairment would represent a significant and permanent diminution in the quality of the environment. Within the limitations of its statutory powers, the local planning authority has a duty to ensure their protection and maintenance, and the local plan accordingly seeks to protect them from damaging development.

C4.3 In considering all development proposals under these policies, regard will be had to measures that may be proposed to provide replacement habitats in substitution of those lost, measures to enhance the nature conservation interest of retained areas and measures to create additional areas of nature conservation value.

C4.4 This District contains an exceptional concentration of sites of nature conservation value. In terms of areas forming part of the **national** network of areas of importance for nature conservation, there are 25 designated Sites of Special Scientific Interest (SSSIs) covering some 44% of the District. Of these the largest is the New Forest SSSI (28,947 hectares) - see Appendix G4. Some 85% of the coast lies within designated SSSIs. There are NNRs at the Beaulieu Estuary (the North Solent NNR), Martin Down and Kingston Great Common. Proposals for development in, or likely to affect SSSIs will be subject to special scrutiny. Development likely to destroy or otherwise have an adverse effect on them will not be permitted unless the local planning authority is satisfied that the need for the development is sufficiently great to outweigh the value of the site in itself and national policies to safeguard such sites. Particular regard will be paid to the national importance of NNRs.

C4.5 A number of these SSSIs are of **international** as well as national importance. The New Forest SSSI is classified as a Special Protection Area (SPA) and listed as a Ramsar site, and is a candidate Special Area of Conservation (SAC). Much of the Avon Valley SSSI is within a classified SPA and listed Ramsar site, and the River Avon SSSI is a candidate SAC. The SSSIs

bordering the Solent and Southampton Water are also within a classified SPA and listed Ramsar site; candidate maritime and lagoons SACs also include many of these and areas off-shore in the Solent. These areas are subject to The Conservation (Natural Habitats, & c.) Regulations 1994 (the Habitats Regulations). PPG9, Nature Conservation states that for the purpose of considering development proposals, potential SPAs and candidate SACs should be treated in the same way as classified SPAs and designated SACs. Proposals which are likely to affect a candidate SAC, proposed or classified SPA or proposed or listed Ramsar site will be subject to the most rigorous examination. Where a candidate or designated SAC hosts a priority species as defined in the Habitats Regulations, and there is no alternative site, the only justifications for permitting development will be those relating to human health, public safety, or beneficial consequences of primary importance to the environment. (See PPG 9 Annex C). In other candidate or designated SACs, proposed or classified SPAs and proposed or listed Ramsar sites, development will not be permitted unless the authority is satisfied that:

- i there are imperative reasons of over-riding public interest, and
- ii there is no alternative solution.

C4.6 There are also substantial **locally designated** areas of nature conservation importance in the District. LNRs have been designated at Calshot, Boldre Foreshore and the Lymington-Keyhaven marshes. In addition, there are numerous SINC (listed in Appendix G4). There can be some overlap between LNRs and SSSIs, in which case national guidance on the protection of SSSIs prevails. Development within, or which adversely affects LNRs or SINC will not be permitted unless it can be demonstrated that the need for it outweighs the nature conservation value of the site. The local planning authority will give consideration to designating further LNRs (under Sections 15 and 21 of the National Parks and Access to the Countryside Act 1949) if appropriate, and in exceptional cases, public ownership may be considered.

C4.7 Further survey work is necessary to complete and maintain an inventory of natural habitats. In the course of this work, further SINC may be identified. These will be defined in consultation with the relevant bodies and the landowner, for incorporation into the local plan at its next review. The SINC boundaries shown on the proposals maps in this plan are those which existed at April 1997 as modified through the local plan inquiry process.

C4.8 As well as the sites listed in Policy DW-E33, there are many other areas of local nature conservation interest within the District. These include some woodlands, small ponds and certain types of meadow. Although of interest in themselves, these are features which could if necessary be re-created. The local planning authority will seek to retain and protect them from developments which could adversely affect them and where possible will encourage their enhancement, for example through management schemes. Where they cannot be retained, the authority will require their replacement.

C4.9 In accordance with PPG 9, the local planning authority will also encourage the creation of new areas of nature conservation value, for example as part of landscape schemes in new development and environmental improvements, and in schemes involving the reclamation or restoration of derelict land or mineral workings. Policy DW-E6, Section C1 requires landscape schemes where possible to improve existing habitats and create new areas of wildlife value.

C4.10 All sites of nature conservation value are vulnerable to pressures from various forms of human activity, including development, recreational uses, pollution and land management practices such as agricultural activity. As well as proposals on the sites themselves, pressures can arise from nearby activities or development, which can have adverse effects, eg. by causing disturbance, intrusion or pollution. Damage can also arise from more distant sources, eg. by air or waterborne pollution.

C4.11 Changes in land management can be equally destructive of wildlife habitats. Voluntary management agreements between landowners and conservation bodies can provide some protection in this respect, and compensation for loss of income may be payable in certain

cases. The District Council will encourage management proposals in appropriate circumstances which will enable public access, quiet recreational pursuits and the provision of facilities for education or interpretation. In some instances these may beneficially be combined with sustainable agricultural practices, for which agri-environmental grant aid may be available. Particular encouragement will be given to the management of landscape features which are of major importance for wild flora and fauna, e.g. those included in SINC's, and river corridors, hedgerows and woodlands which because of their linear form provide routes for migration and genetic exchange.

C4.12 A special policy applies to the designated areas of nature conservation value at the Avon Valley Lakes (see Policy AV-1, Section E11).

Nature Conservation (NFDLPFA 2001)

Policy DW-E31A Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and Ramsar sites

Development which is likely to have a significant effect on a European site, proposed European site or a Ramsar site (either individually or in combination with other plans or projects) will be subject to the most rigorous examination, in accordance with the Conservation (Natural Habitats & c) Regulations 1994. Where it cannot be ascertained that the development (either individually or in combination with other plans or projects) will not adversely affect the integrity of the site it will not be permitted unless:

- i there is no alternative solution; and***
- ii there are imperative reasons of over-riding public interest for the development.***

Where a site hosts a priority natural habitat type and/or priority species, development on or likely to affect it will not be permitted unless it is imperative for human health or public safety or for benefits of primary importance for the environment.

Policy DW-E31B Sites of Special Scientific Interest (SSSIs)

Development likely to have an adverse effect on a Site of Special Scientific Interest will be subject to special scrutiny. Where such development could have an adverse effect on the site it will not be permitted unless the reasons for the development clearly outweigh the harm to the special nature conservation value of the site.

Where development is permitted that is likely to have an adverse effect, the local authority will use conditions and/or planning obligations to minimise the damage and to provide compensatory and site management measures where appropriate. In considering applications for development the local authority will take reasonable steps to further the conservation and enhancement of the features for which the site is of special interest.

Policy DW-E32A Sites of Importance for Nature Conservation (SINC's)

Development likely to have an adverse effect on a Site of Importance for Nature Conservation will not be permitted unless the reasons for the development clearly outweigh the harm to the nature conservation value of the site. Where such development is permitted, the local planning authority will use conditions and/or planning obligations to minimise the damage and to provide compensatory and site management measures where appropriate.

C4.1A In the Hampshire County Structure Plan Review, Policies E10 to E13 and MW3 refer to nature conservation. Government guidance is in Planning Policy Guidance Note 9 (PPG 9), Nature Conservation and in PPG 12, Development Plans .

C4.2A This District contains an exceptional concentration of sites of nature conservation value which include a substantial array of habitats and species of national, international and local interest. Approximately 52% of the land area of the District is covered by the designations identified in Policies DW-E31A, DW-E31B and DW-E32A. These also comprise a significant proportion of the areas of nature conservation interest in Hampshire as a whole.

C4.3A Explanations and lists of all the designations identified in Policy DW-E31 and Policy DW-E32 are given in Appendix G4. The features of nature conservation value on these sites are generally irreplaceable. Their loss or impairment would represent a significant and permanent diminution in the quality of the environment and the biodiversity of the District and the County. Within the limitations of its statutory powers, the local planning authority has a duty to ensure their protection and maintenance, and the local plan accordingly seeks to protect them from damaging development.

C4.4A In considering all development proposals where these policies are relevant, regard will be had to measures that may be proposed to provide replacement habitats in substitution of those lost, measures to enhance the nature conservation interest of retained areas and measures to create additional areas of nature conservation value (see also Policy DW-E6, Section C1). The Local Planning Authority will also have regard to the provisions of the Hampshire Biodiversity Action Plan, and the need to protect and enhance the habitats and species it identifies as being of particular significance.

Sites of national importance

C4.5A In terms of areas forming part of the **national** network of areas of importance for nature conservation, there are 25 designated Sites of Special Scientific Interest (SSSIs) covering some 44% of the District. Of these the largest is the New Forest SSSI (28,947 hectares) - see Appendix G4. Some 85% of the coast lies within designated SSSIs. There are also National Nature Reserves (NNRs) at the Beaulieu Estuary (the North Solent NNR), Martin Down and Kingston Great Common; these are protected as SSSIs. Proposals for development in, or likely to affect SSSIs will be subject to special scrutiny. Particular regard will be paid to the national importance of NNRs.

Sites of international importance

C4.6A A substantial proportion of the SSSIs in this District are of **international** as well as national importance. The New Forest SSSI is classified as a Special Protection Area (SPA), listed as a Ramsar site, and is a candidate Special Area of Conservation (SAC). Much of the Avon Valley SSSI is within a classified SPA and listed Ramsar site, and the River Avon SSSI is a candidate SAC. The SSSIs bordering the Solent and Southampton Water are also within a classified SPA and listed Ramsar site; the Solent Maritime and Solent Lagoons candidate SACs also include many of these and areas off-shore in the Solent. These areas are subject to The Conservation (Natural Habitats & c.) Regulations 1994 (the Habitats Regulations) and the Conservation (Natural Habitats & c.) Amendment Regulations 2000. PPG9, Nature Conservation states that for the purpose of considering development proposals, potential SPAs and candidate SACs should be treated in the same way as classified SPAs and designated SACs.

Sites of local importance

C4.7A There are also substantial **locally designated** areas of nature conservation importance in the District. There are numerous SINCs (listed in Appendix G4 of this local plan). In addition, there are Local Nature Reserves (LNRs) at Calshot, Boldre Foreshore and the Lymington-Keyhaven Marshes. There is considerable overlap between these LNRs and SSSIs, and in these areas national guidance on the protection of SSSIs prevails. The local planning authority will give consideration to designating further LNRs (under Sections 15 and 21 of the National Parks and Access to the Countryside Act 1949) if appropriate, and in exceptional cases, public ownership may be considered.

C4.8A Further survey work is necessary to complete and maintain an inventory of natural habitats. In the course of this work, further SINCs may be identified. These will be defined in

consultation with the relevant bodies and the landowner, for incorporation into the local plan at its next review. The SINC boundaries shown on the proposals maps in this plan are those which existed at April 1997 as modified through the local plan inquiry process.

Developers Obligations (NFDLP 1999)

Policy DW-F1 Developers' obligations

Development proposals shall make provision for the infrastructure necessary to secure that the development is acceptable in land-use planning and transport terms and in the context of local plan objectives. In some circumstances, financial contributions for the provision of infrastructure off-site will be sought.

C14.1 Government guidance on developers' obligations is in Circular 1/97, Planning Obligations. It includes criteria against which to test the reasonableness of a planning obligation. The Hampshire County Structure Plan notes the circumstances in which contributions may be sought for public open space (Policy R6) and transport infrastructure (Policy T10).

C14.2 It is important that new development does not impose excessive demands on existing physical and social infrastructure such as roads, drainage systems, public open space and community facilities. It is also important that where possible, it assists in achieving the planning objectives of this local plan, for example the provision of affordable housing, a coherent footpath and cycleway network and improvements to the environment. The test of reasonableness of seeking a planning obligation from an applicant for planning permission is set out in Circular 1/97. Accordingly, where appropriate, the local planning authority may seek the following contributions in connection with development proposals:

- i off-site highway and other transport infrastructure improvements, including provision for public transport where appropriate (as specified in Policy DW-T10, Section C9);
- ii car parking (as specified in Policy DW-T11, Section C9);
- iii footpaths and cycleways (as specified in Policy DW-T17, Section C9);
- iv surface water drainage infrastructure (as specified in Policy DW-E42, Section C7);
- v public open space (as specified in Policy DW-R3, Section C10);
- vi community facilities (as specified in Policy BU-P2, Section F8);
- vii environmental improvements (as specified in Policy DW-E5, Section C1, and in policies for the defined built-up areas in Part F);
- viii affordable housing (as specified in Policies AH-1, AH-2, Section B4, NF-H2, Section D3, and CO-RB1, Section E10);
- ix other local needs as appropriate to the development.

C14.3 Clearly, not every development will have to provide all these forms of infrastructure; requirements will vary depending on the scale, type and location of the proposal, and the particular needs of the development concerned. Developers contributions will not normally be used to make up existing deficiencies in physical or social infrastructure, although Hampshire County Structure Plan Policy R6 indicates that in areas of acknowledged open space deficiency, the local planning authority may negotiate a higher provision of open space to offset the deficiency.

C14.4 In accordance with Circular 1/97, it may be necessary for developers to enter into planning obligations under Section 106 of the Town and Country Planning Act 1990 and/or obligations under other legislation, for example, Section 278 of the Highways Act 1980, prior to the granting of planning permission, to ensure the implementation of the infrastructure necessary

to support their proposals. Developers are strongly advised to ascertain the level of contributions required before agreeing to purchase any site; this can then be reflected in the price paid.

Developers Obligations (NFDLPFA 2001)

Policy DW-F1 Developers' obligations

Development proposals shall make provision for the infrastructure necessary to secure that the development is acceptable in land-use planning and transport terms and in the context of local plan objectives. In some circumstances, financial contributions for the provision of infrastructure off-site will be sought.

C14.1 Government guidance on developers' obligations is in Circular 1/97, Planning Obligations. It includes criteria against which to test the reasonableness of a planning obligation. The Hampshire County Structure Plan *Review* notes the circumstances in which contributions may be sought for public open space (Policy ~~R6~~ R2) and transport infrastructure (Policy ~~T40~~ T5).

C14.2 It is important that new development does not impose excessive demands on existing physical and social infrastructure such as roads, drainage systems, public open space and community facilities. It is also important that where possible, it assists in achieving the planning objectives of this local plan, for example the provision of affordable housing, a coherent footpath and cycleway network and improvements to the environment. The test of reasonableness of seeking a planning obligation from an applicant for planning permission is set out in Circular 1/97. Accordingly, where appropriate, the local planning authority may seek the following contributions in connection with development proposals:

- i off-site highway and other transport infrastructure improvements, including provision for public transport where appropriate (as specified in Policy DW-T10, Section C9);
- ii car parking (as specified in Policy ~~DW-T14~~ DW-T9A, Section C9);
- iii footpaths and cycleways (as specified in Policy DW-T17, Section C9);
- iv surface water drainage infrastructure (as specified in Policy DW-E42, Section C7);
- v public open space (as specified in Policy DW-R3, Section C10);
- vi community *and* education facilities (as specified in Policy ~~BU-P2~~ BU-LC7, Section F85A);
- vii environmental improvements (as specified in Policy DW-E5, Section C1, and in policies for the defined built-up areas in Part F);
- viii affordable housing (as specified in Policies AH-1, AH-2, Section B4, NF-H2, Section D3, and CO-RB1, Section E10 *and site specific policies*);
- ix other local needs as appropriate to the development.

C14.3 Clearly, not every development will have to provide all these forms of infrastructure; requirements will vary depending on the scale, type and location of the proposal, and the particular needs of the development concerned. Developers contributions will not normally be used to make up existing deficiencies in physical or social infrastructure, although Hampshire County Structure Plan *Review* Policy ~~R6~~ R2 indicates that in areas of acknowledged open space deficiency, the local planning authority may negotiate a higher provision of open space to offset the deficiency.

C14.4 In accordance with Circular 1/97, it may be necessary for developers to enter into planning obligations under Section 106 of the Town and Country Planning Act 1990 and/or obligations under other legislation, for example, Section 278 of the Highways Act 1980, prior to the granting of planning permission, to ensure the implementation of the infrastructure necessary to support their proposals. Developers are strongly advised to ascertain the level of contributions required before agreeing to purchase any site; this can then be reflected in the price paid.

