

# NOTICE OF MEETING

**Meeting:** PLANNING COMMITTEE

**Date and Time:** WEDNESDAY, 8 NOVEMBER 2023 AT 9.00 AM

**Place:** COUNCIL CHAMBER - APPLETREE COURT, BEAULIEU ROAD, LYNDHURST, SO43 7PA

**Enquiries to:** Email: [karen.wardle@nfdc.gov.uk](mailto:karen.wardle@nfdc.gov.uk)  
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## **PUBLIC PARTICIPATION:**

Members of the public may watch this meeting live on the [Council's website](#).

Members of the public are entitled to speak on individual items on the public agenda in accordance with the Council's public participation scheme. To register to speak please contact Planning Administration on Tel: 023 8028 5345 or E-mail: [PlanningCommitteeSpeakers@nfdc.gov.uk](mailto:PlanningCommitteeSpeakers@nfdc.gov.uk)

**Kate Ryan**  
Chief Executive

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This agenda can be viewed online (<https://democracy.newforest.gov.uk>).  
It can also be made available on audio tape, in Braille and large print.

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# AGENDA

**NOTE:** The Planning Committee will break for lunch around 1.00 p.m.

## **Apologies**

### **1. MINUTES**

To confirm the minutes of the meeting held on 11 October 2023 as a correct record.

### **2. DECLARATIONS OF INTEREST**

To note any declarations of interest made by members in connection with an agenda item. The nature of the interest must also be specified.

Members are asked to discuss any possible interests with Democratic Services prior to the meeting.

### 3. PLANNING APPLICATIONS FOR COMMITTEE DECISION

To determine the applications set out below:

(a) **SS16 Land North of, Station Road, Fordingbridge (Application 23/10316) (Pages 5 - 80)**

Application for full planning permission to provide 198 dwellings (including affordable housing provision), new pedestrian and cycle routes, landscaping, parking, public open space, Alternative Natural Recreational Greenspace, improvement of existing access, drainage and all other necessary on site infrastructure; and demolition of former outbuildings and agricultural buildings. (AMENDED REASON TO ADVERTISE)

**RECOMMENDED:**

Delegated Authority be given to the Head of Service to **GRANT PERMISSION** subject to the completion of a planning obligation entered into by way of a Section 106 Agreement to secure those matters set out in the report by the end of June 2024 and the imposition of conditions.

(b) **Land West of Hill Street, Calmore, Netley Marsh (Application 22/10854) (Pages 81 - 124)**

Construction of 60 dwellings; creation of two new accesses from Hill Street, parking, landscaping, open space (including ANRG) and associated works

**RECOMMENDED:**

Delegated Authority be given to the Service Manager Development Management to **GRANT PERMISSION** subject to the completion of a planning obligation entered into by way of a Section 106 Agreement and the imposition of the conditions set out in the report.

(c) **Units 2-4, Totton Retail Park, 62-96 Commercial Road, Totton (Application 23/10430) (Pages 125 - 136)**

Installation of a drive thru lane; additional hardstanding to extend service area to form a turning circle; external alterations; use as a coffee shop

**RECOMMENDED:**

Grant subject to conditions

(d) **Land adjacent to Cracknore Cottage, Cracknore Hard Lane, Marchwood (Application 23/10630) (Pages 137 - 150)**

Erection of new detached dwelling and associated landscaping works on land adjacent to Cracknore Cottage

**RECOMMENDED:**

Delegated Authority be given to the Service Manager Development Management to **GRANT PERMISSION** subject to the completion by the

Owner of the Land of a planning obligation entered into by way of a Section 106 Agreement to secure the relevant habitat mitigation / air quality contributions and the imposition of the conditions set out below.

**Please note, that the planning applications listed above may be considered in a different order at the meeting.**

#### **4. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT**

**Please note that all planning applications give due consideration to the following matters:**

##### Human Rights

In coming to this recommendation, consideration has been given to the rights set out in Article 8 (Right to respect for private and family life) and Article 1 of the First Protocol (Right to peaceful enjoyment of possessions) of the European Convention on Human Rights.

##### Equality

The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty *inter alia* when determining all planning applications. In particular the Committee must pay due regard to the need to:

- (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

#### **To: Councillors:**

Christine Ward (Chairman)  
Barry Rickman (Vice-Chairman)  
Hilary Brand  
Kate Crisell  
Philip Dowd  
Matthew Hartmann  
David Hawkins

#### **Councillors:**

Dave Penny  
Joe Reilly  
Janet Richards  
John Sleep  
Malcolm Wade  
Phil Woods

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Planning Committee 08 November 2023

**Application Number:** 23/10316 Full Planning Permission

**Site:** SS16 LAND NORTH OF, STATION ROAD,  
FORDINGBRIDGE SP6 1JW

**Development:** Application for full planning permission to provide 198 dwellings (including affordable housing provision), new pedestrian and cycle routes, landscaping, parking, public open space, Alternative Natural Recreational Greenspace, improvement of existing access, drainage and all other necessary on site infrastructure; and demolition of former outbuildings and agricultural buildings. (AMENDED REASON TO ADVERTISE)

**Applicant:** Cala Homes (Thames) Ltd

**Agent:**

**Target Date:** 05/07/2023

**Case Officer:** Stephen Belli

**Officer Recommendation:** Service Manager - Grant

**Reason for Referral to Committee:** Local Plan Strategic Site

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## 1 SUMMARY OF THE MAIN ISSUES

- 1) Principle of development including 5-year land supply and tilted balance
- 2) Affordable Housing and Housing Mix
- 3) Landscape impact including nationally protected landscapes
- 4) Site layout, number of dwellings overall, design of dwellings, and impact on the character and appearance of the area including matters relating to hard and soft landscaping and public open space areas including play.
- 5) Impact on setting of heritage assets
- 6) Ecology - on site impact on protected species, Biodiversity Net Gain (BNG), Recreational Habitat Mitigation and provision of Alternative Natural Recreational Greenspace (ANRG), phosphate impact on River Avon SAC (nutrient neutrality)
- 7) Flood risk, surface, and foul water drainage
- 8) Access and highway safety, trip generation and local road capacity, sustainable transport opportunities, car parking provision
- 9) Environmental health and protection considerations
- 10) Impact on residential amenities of neighbours and wider public
- 11) Minerals safeguarding and sustainable use of minerals on site

- 12) Education and school place planning
- 13) S106 contributions and Heads of Terms in the event of an approval
- 14) Planning Balance and Conclusions

## **2 SITE DESCRIPTION**

The site forms the whole of Strategic Site 16 which represents the most southerly of the three strategic development sites to the north and west of Fordingbridge. The site is separated at its north eastern tip by the former railway line bridge on Marl Lane from which pedestrian access can be gained to the southern edge of Site 17. A composite plan of all three strategic sites can be seen along with the specific policies for Site 16 by following the web link set out below (see pages 161-175).

[Local Plan 2016-2036 part 1: Planning strategy - New Forest District Council.](#)

The site measured from the access with the care home lies approximately 400 metres away from the centre of Fordingbridge High Street, and approximately 2 kms from the two local primary and secondary schools.

The site comprises an area of pasture land and scrub woodland approximately 17.4 hectares (43 acres) in area situated between Fordingbridge to the east and Ashford to the west. The site is bisected by the Allen Water watercourse which runs north to south across the site in a river valley. The western side of the site rises up from Allen Water (also known as the Allen Brook) to form a relatively level platform of agricultural pasture land. The land levels also rise up from the river valley to the east bordering Marl Lane.

There are a number of large trees within the site five of which are classed as veteran. A line of trees separates the site from Station Road to the south, and further trees run along the river valley. The site is covered by a blanket Tree Preservation Order as well as some individual TPOs on selected trees. Further trees are interspersed along the eastern boundary of the site formed by a public Bridleway no. 80 known as Marl Lane. To the west the site is bordered by the former railway line alongside which has been built a new small estate of houses known as Ashford Close. The railway line is not a designated public right of way, but it is in the ownership of the District Council and public access along its length is allowed. The former railway line forms a junction with Marl Lane at the site's north eastern tip. Marl Lane is used as a bridleway but also for vehicular access to a handful of properties built along the lane. Marl Lane terminates at the south eastern corner of the site with Station Road.

Access to the site is via an existing vehicular access directly from Station Road and indirectly from a private road access which serves Allenbrook Nursing and Residential Care Home situated in the south eastern corner of the site. The red line site boundary excludes the care home, its grounds and car park, but includes the vehicular and pedestrian access to it. The applicants own the whole of the site except for the care home access road. Formal notice has been served on the owners of the care home and discussions with the applicants have taken place both prior to the submission of the application and during its processing with those owners.

There is an unauthorised pedestrian access currently from the cul de sac hammerhead which serves Ashford Close. This is currently used to access the edge of the site and connecting to the former railway line via a fenced corridor erected by the landowner. There are however no public rights of way within the site and the route from Ashford Close into the former railway is not a public right of way. Those

persons using the corridor route are technically trespassing on private land albeit it seems with the owner's tacit consent.

With regard to protected landscapes Cranborne Chase Area of Outstanding Natural Beauty (AONB) lies approximately 2 kms to the west, whilst the New Forest National Park boundary lies approximately 1.6 kms to the east. There are no designated Listed buildings within the site, but the care home and its curtilage is considered to constitute a non-designated heritage asset (NDHA). Fordingbridge Conservation Area lies approximately 30 metres to the east.

The site is generally well screened from Station Road by the mature belt of trees along that boundary but is more open to view from Marl Lane where views of the open land on either side of the Allen Brook can be seen.

### **3 PROPOSED DEVELOPMENT**

This application is in detailed form with all details of access, site layout, appearance, landscaping and building scale included for consideration.

For reference, the applicants are now the owners of the site apart from an area of land in the south western corner of the site containing the care home and its curtilage and access. Directly to the north of the care home lie two former gardener's cottages and the remnants of the kitchen garden which served the old estate house prior to its conversion to a care home. These cottages share their access with the care home but are unaffected in access terms by the new residential development which is all served off a new spine road into the main site. The care home, its curtilage and the two dwellings to the north form an enclave within the Local Plan allocation site but are not included in the development and outside the application site.

The main vehicular access to the site utilises the existing access to the care home which is to be widened and improved with a new estate road junction directly onto Station Road just to the west of its junction with Marl Lane.

#### Amended plans

The application as originally submitted was for a total of 206 new dwellings comprised of single and two storey dwellings and two/three storey apartment blocks. Following discussions and a design workshop with NFDC officers and officers of the County Council, the application has been amended and the number of dwellings reduced to 198 in total. The original description of development has also been amended to include the demolition of former outbuildings formerly belonging to the Allenbrook Care Home. The changes also included some minor re-alignment of the red line boundary. The application as revised has been the subject of a full re-consultation exercise on 4 August 2023 as well as a press notice on 8 August.

The application includes a range of detailed reports covering all relevant matters. A previous Environmental Impact Assessment Screening application was made, and it was determined that the application did not require an Environmental Statement. Further details are set out in the Planning History section of the report.

The application shows the detailed site layout and design of the new houses and four apartment blocks. The housing mix now comprises 156 open market dwellings and 42 affordable dwellings (21% of the total). The housing mix is as follows with a description of the affordable housing units and issues in the relevant part of the report below -

- 16 x 1-bedroom flats
- 49 x 2-bedroom flats and houses
- 80 x 3-bedroom houses
- 53 x 4-bedroom houses.

The housing element of the site includes 4 no. four bed houses sited at the level plateau area to the west of Allen Brook. The individual pocket of four houses referred to is located directly to the north of Allenbrook Care Home comprising a small courtyard of development served by the new spine road and with no access to the care home. The housing on the main site is arranged and served by a main spine road that runs through the site from the south east to the north west off which are a series of cul de sacs. The original agricultural gated access from Station Road was to be retained as an emergency access under the original proposal but has deemed not to be necessary so has now been removed.

The site contains various areas of public open space, together with alternative natural recreational greenspace (ANRG) and play areas. These areas are predominantly on both sides of the Allen Brook and the land to the east of the Brook adjoining Marl Lane and the former railway line. This land is split as follows:

- ANRG 5.99 hectares (15 acres)
- Informal public open space of 3.09 hectares (8 acres)
- 0.15 hectares of play including two equipped areas of play and other 'doorstep play'

The proposal also includes various off-site works to provide for localised improvements to local roads and rights of way which are further described in the highway and sustainable transport section of this report. Within the site a new pedestrian path and cycleway which runs parallel to and connects at each end with Station Road will be provided through a new linear park. The applicant proposes to plant over 400 new trees throughout the site.

Prior to the submission of the application the applicants publicised their application asking for initial comments from the community as well as meeting with the Town Council. The applicant also entered into intensive discussions with officers taking advantage of the Council's pre application advice service.

#### **4 PLANNING HISTORY**

This application follows on from an earlier application for 240 dwellings in outline form with a new junction on Station Road close to an existing field gate access. That application (reference 20/10552) was withdrawn due to a variety of technical issues including vehicular access, design and layout, and the number of dwellings being raised.

Several applications relating to the agricultural use of the land, works in connection with the Allenbrook Care Home and adjoining dwellings which are not reproduced here as they are not relevant to the current application. The history below also shows what other applications have been dealt with or are still pending decisions relating to the other Fordingbridge strategic sites.

##### Site History

##### Site 16

**19/10006** Environmental impact Assessment Screening Request (Screening Opinion) SITE 16 LAND NORTH OF, STATION ROAD, FORDINGBRIDGE SP6 1JW  
EIA not required – decision made 11/02/2019



**20/10522** Development of 240 dwellings, a new access off Station Road, 10.7ha of public open space (SANG, formal open space and informal open space), associated private amenity space, off-street car parking and access roads." (Outline Application with details only of Access)

LAND NORTH OF, STATION ROAD, FORDINGBRIDGE SP6 1JW – Infinite Homes Ltd.

Application withdrawn 22/04/22

Other Fordingbridge Strategic Site applications

Site 17

**20/10052** Residential development and change of use of land to Alternative Natural Recreational Greenspace and all other necessary on-site infrastructure (Outline planning application all matters reserved except means of access only in relation to a new point of vehicular access into the site)

LAND TO WEST OF, WHITSBURY ROAD, FORDINGBRIDGE – Pennyfarthing Homes.

29/09/2022 – Committee resolution to approve (342 dwellings) subject to S106 being completed

**20/11469** Erection of 64 dwellings, change of use of land for Alternative Natural Recreational Greenspace, new accesses onto Whitsbury Road, and all necessary on-site infrastructure

LAND AT TINKERS CROSS, WHITSBURY ROAD, TINKERS CROSS, FORDINGBRIDGE SP6 1NQ– Pennyfarthing Homes

Planning permission granted 2 November 2022 – site under construction with completion due in Spring 2025.

Site 18

**20/10228** Construction of 63 dwellings, creation of new access, parking, landscaping, open space and associated works, following demolition of existing buildings - Land at BURGATE ACRES, SALISBURY ROAD, BURGATE, FORDINGBRIDGE SP6 1LX - Metis Homes  
Planning permission granted 14 April 2022 – site under construction with completion due end of 2024.

**21/11237** Hybrid planning application comprising: Outline planning application (all matters reserved except means of access only in relation to new points of vehicular access into the site) for residential development and change of use of land to Alternative Natural Recreational Greenspace, together with a community hub (to comprise a mix of some or all of; local food retail, local non-food retail, community use and business use) and all other necessary on-site infrastructure. Full planning application for the first phase of development comprising 112 dwellings, public open space, Alternative Natural Recreational Greenspace, surface water attenuation and all other necessary on site infrastructure

LAND AT BURGATE, FORDINGBRIDGE – Pennyfarthing Homes

11 January 2023 - Planning Committee (404 dwellings) resolved to grant subject to S106 Agreement.

**22/11268** Hybrid Application – (Outline) matters of access, layout and scale for approval with appearance and landscaping reserved. Development of land comprising the erection of 41 dwellings, demolition and removal of redundant agricultural structures, works to access, landscaping and provision of public open space/ANRG, and (Full) Conversion of an Existing Building to form 5 flats and a Community Use at Ground Floor Level (46 Dwellings Total)

SS 18 MIDDLE BURGATE HOUSE, SALISBURY ROAD, BURGATE, FORDINGBRIDGE SP6 1LX – Mr B Currie

Application currently awaiting amended plans

**23/10518** Construction of link road from Augustus Avenue to the A338, forming part of the SS18 allocated site, including landscaping, permanent and temporary drainage infrastructure and other associated infrastructure (enabling early delivery of the highways infrastructure of hybrid application reference 21/11237)

SS18 LAND NORTH OF AUGUSTUS AVENUE AND WEST OF THE A338 SALISBURY ROAD, NORTH OF BURGATE

Application approved 09/08/2023 – works due to commence Autumn 2023 with completion by end of 2024.

## **5 PLANNING POLICY AND GUIDANCE**

### **Core Strategy 2009 (Saved policy)**

CS7: Open spaces, sport, and recreation

### **Local Plan Part 2 2014 Sites and Development Management Development Plan Document (Saved Policies)**

DM1: Heritage and Conservation

DM2: Nature conservation, biodiversity, and geodiversity

DM4: Renewable and low carbon energy generation

DM5: Contaminated land

DM9: Green Infrastructure linkages

### **Local Plan Review 2016-2036 Part One: Planning Strategy**

STR1: Achieving Sustainable Development

STR2: Protection of the countryside, Cranborne Chase AONB & New Forest National Park

STR3: The Strategy for locating new development

STR4: The Settlement hierarchy

STR5: Meeting our housing needs

STR7: Strategic Transport Priorities

STR8: Community services, infrastructure, and facilities

STR9: Development within a mineral safeguard area

ENV1: Mitigating the impacts of development on International Nature Conservation sites

ENV3: Design quality and local distinctiveness

ENV4: Landscape character and quality

HOU1: Housing type, size, and choice

HOU2: Affordable Housing

CCC1: Safe and Healthy Communities

CCC2: Safe and Sustainable Travel

IMPL1: Developer contributions

IMPL2: Development standards

Strategic Site SS18: Land at Burgate, Fordingbridge

### **Supplementary Planning Guidance and other Documents**

- SPD Mitigation Strategy for European Sites 2021
- SPD Parking standards 2022
- SPD Housing design, density and character 2006
- SPD Fordingbridge Town Design Statement 2008
- Developer contributions towards air quality
- Ecology and Biodiversity Net Gain Interim Advice Note
- First Homes Advice Note 2022
- SPD Air quality in New Development 2022
- Waste Strategy 2022-2027

### **Relevant Legislation**

#### **Planning and Compulsory Purchase Act 2004**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise

#### **Listed Buildings and Conservation Areas Act 1990**

S66 duty - special regard to desirability of preserving the building or its setting etc.

S72 duty – special attention to the desirability of preserving or enhancing the character or appearance of the area

- Significance of the heritage asset
- Setting - wider rather than narrower meaning
- Substantial harm (complete loss) – exceptional circumstances
- Less than substantial harm – weighed against the public benefit

#### **Environment Act 2021**

Section 98 and Schedule 14 – Biodiversity Net Gain

#### **Habitat Regulations 2017**

63 – assessment of implications for European sites etc.

64 – considerations of overriding public interest

## **Relevant Government advice**

National Planning Policy Framework July 2023 (NPPF)

Planning Policy Guidance Note Housing Viability

National Design Guide 2021

## **6 PARISH / TOWN COUNCIL COMMENTS**

### **FORDINGBRIDGE TOWN COUNCIL**

**Amended plans** – (earlier comments can be viewed on line)

Fordingbridge Town Council recommend REFUSAL under PAR4, with the comment that Fordingbridge Town Council has considered and noted the changes to the application and remains of the same view, with our previous objections outlined below. Furthermore, the reduction in affordable housing makes the application even less attractive to local residents.

#### Development

- This planning application should not be considered in isolation. There are 6 other applications for large developments in Fordingbridge either already approved or in the process of gaining permission. The cumulative impact on the town will be huge, and severe.
- The density of housing is consistent with an urban development, not a rural market town close to a National Park.
- Proximity of new houses to existing houses in Ashford Close. There will be unacceptable overlooking and loss of privacy and light.

#### Highways

- Heavy construction traffic is not suitable for Fordingbridge High Street, nor is it suitable for the alternative residential roads.
- The road from Fordingbridge to the site is narrow and there is insufficient space for vehicles to pass safely in places. Increased traffic flows will exacerbate this. There are already many minor collisions along this road, but these are going unreported so would not be included in the official statistics.
- The expected trip numbers appear to be far lower than they should be, especially at peak times. There is also no accounting for the number of home deliveries  
according to *Whistl* 81% of UK households are signed up to subscription services. Fordingbridge Town Council would like to challenge the data used.
- The proposed access/egress to the new development comes straight out on a fast-flowing road and quickly approaches an already busy junction at Normandy Way. Plus, opposite the Normandy Way junction is the access point for an operational fire station. Increased traffic flow could impede and slow down the fire engines exit on emergency calls. Traffic light signalling may need to be considered to manage this.
- The Highways report is inadequate. If one compares it with the report for the earlier application on the site, it would appear that many of the problems within the town centre and residential roads identified have miraculously disappeared.
- There is insufficient information regarding the impact on Highway safety and capacity to demonstrate it will not be severe. This is mentioned on page 8 of the Highways report. 23/SBEL Public Transport

### Public transport

- There is no bus stop at the site. The nearest bus stop is 1km away.

### Green space

- Loss of green space and wildlife habitats.
- Lack of biodiversity enhancement.
- No formal open space provision on this site.

### Infrastructure

- Lack of facilities and services in the town to accommodate extra residents.
- The doctors and dentists are already at capacity. In addition, there is already a problem in recruiting new staff to vacant roles

### **Sandleheath Parish Council (adjoining Parish)**

- Concerns about pinch points on traffic routes through Fordingbridge and into Sandleheath
- Construction traffic is not suitable for the High Street
- Services re doctors, dentists and schools with no space to accommodate new residents
- Access points onto Marl Lane could cause conflict between pedestrians and car movements with limited visibility of pedestrians stepping out onto Marl Lane

**Amended plans** – No further comments received.

## **7 COUNCILLOR COMMENTS**

No comments received

## **8 CONSULTEE COMMENTS**

*The following comments in summary have been received. The full comments of each consultee can be found on the planning web site. Comments listed below have been reviewed and updated following the most recent amended plans submissions in August 2023.*

### Active Travel England

In relation to the above planning consultation, Active Travel England (ATE) has no comment to make as its statutory consultee remit applies only to qualifying consultations that were made valid by the local planning authority (LPA) on or after 1st June 2023. However, we have produced a standing advice note that may assist the LPA in assessing the application.

### Cranborne Chase AONB

- Further clarification needed on lighting scheme meeting zone E1 not E2 as stated
- Request condition on added lighting to dwellings such as security lighting
- Request design changes or blinds to rooflights
- Requests a payment towards recreation mitigation for AONB.

- Raises concerns regarding cumulative impact of strategic housing sites and amount of development in excess of Local Plan requirements

#### Hampshire and IOW Constabulary Crime prevention

- Easy access from public domain to some houses – defensible space needed
- Apartment block access from public domain must be prevented. Windows on ground floors must be protected by planting. Doors must only be accessible from private gardens to those apartment units.
- Communal garden paths to rear of dwellings should be avoided – gates should be lockable
- Additional lighting may be desirable to reduce crime

#### Hampshire County Council (HCC) Countryside Service

**Amended plans** – would prefer to see all links onto Marl Lane and Ashford Close be delivered as joint pedestrian/cycleways. Unless the following matters are all resolved the holding objection is maintained. We would like to see contributions towards future maintenance on Marl Lane from the point of access to Station Road, and future contribution towards public footpath maintenance in the area through increased usage, as well as change of a series of local stiles to accessible gates

#### HCC Education Authority

**Amended plans** – No objections subject to education contribution to provide improved school places at the Junior and Infants School – revised contribution now £1,061,000

#### HCC Fire Service

- Specific advice given on access to high rise buildings
- Road access to fire appliances must conform to Approved Document B of the Building Regs.
- Additional water supplies may be required
- Installation of automatic water fire suppression systems recommended

#### HCC Highway Authority

**Amended plans** – The Highway Authority confirms that the amended plans have now dealt with all the issues set out above and that there are no objections subject to conditions requiring a construction traffic management plan, details of vehicle cleaning to prevent mud and spoil entering the public highway and forward visibility at the site access. Off-site works and other financial contributions are set out in the section below relating to S106 Agreement.

#### HCC Local Lead Flood Authority (LLFA)

**Amended plans** – The applicants have submitted additional information which has dealt with the above. HCC LLFA have no objections subject to the development being carried out in accordance with the submitted drainage strategy.

#### HCC Minerals and Planning

No objection subject to mineral re-use on site and recording

## Natural England

Habitat regulations assessment required. Mitigation also required in respect to recreational usage of New Forest National Park, and with regard to phosphate impact. Agreed already that the Bickton scheme can provide suitable mitigation. We note and welcome the over provision of ANRG land. Recommends ANRG is delivered in a phased manner and managed and maintained in perpetuity. Recommends CIRIA guidance in design of SuDS basins and that a CEMP is conditioned to protect ecological interests during construction as well as an ecological mitigation and management plan. NE would like to be re-consulted when all the above information is available.

## New Forest National Park

Notes the significant uplift in quantum of development, NFDC will need to satisfy itself that this is acceptable in design and landscape terms and that there are no adverse impacts on National Park purposes and that such an increase will comply with its own policies. Refers to need to provide mitigation through sufficient green space on site. Considers no direct visual landscape impact or harm but notes concern of Cranborne Chase AONB in respect to lighting impact. Notes under provision of affordable housing which is not compliant with Local Plan policy.

## NPA Archaeologist

**Amended plans** – notes that no further physical evaluation of the site has been carried out. Whilst conditioning such work is an option would prefer that a geophysical survey is carried out prior to permission and the results taken into consideration. Dependant on results further trench evaluation may then be required which could lead to potential site layout changes and preservation of archaeology in situ. The site has a medium to high potential for encountering remains of later prehistoric (Bronze Age) burial and settlement remains with potential earlier remains given the site's position on elevated ground. Conditioning such work leaves little or no opportunity for preservation in situ or to influence the design stage.

**Further comments** – notes geophysical report and survey has now been carried out. Report has been considered and features of interest noted on the site. However, whilst a conditional approval will not allow for future changes to layout it is a matter for the Council to consider. If the Council are minded to approve the application conditions suggested to allow for further trenching work evaluation to be carried out and recording of any finds.

## New Forest District Council (NFDC) Building Control

- Infrastructure for electronic comms to include physical infrastructure and network connection for new dwellings should be included within the design
- Infrastructure for electric vehicle charging should be included within the site layout plans and supporting documentation

## NFDC Conservation

**Amended report and plans** – The development as currently proposed will have a significant, but less than substantial, harmful impact on the setting of Packham House, an NDHA of local architectural and historical interest, for the reasons set out above. As set out in the Heritage Impact Assessment there are no statutory provisions for NDHAs and therefore the primary consideration is Paragraph 203 of the NPPF which requires for a balancing judgement to be made when considering applications that affect NDHAs.

### NFDC Ecologist

Various comments made with regard to Habitat Regulations Assessment, biodiversity net gain, ecological management and mitigation, and protected species mitigation. Requests further information to address these points.

**Amended plans** – I have reviewed the additional information submitted and can confirm no objections now raised subject to a variety of conditions to cover all relevant matters.

### NFDC Environmental Protection

**Amended plans** – Environmental Protection (pollution) has been re-consulted following an update provided by the applicants on initial comments made. The update is clearly provided in the updated Air Quality Assessment (July 2023). The points clarified are agreed.

It is noted that the traffic figures have been amended with particular reference to Bridge Street, and therefore the air quality assessment has been updated, although no significant impact to local air quality is predicted due to the proposed development. Should traffic figures be subsequently amended, in agreement with Hampshire County Council, the applicant should ensure the potential impact on local air quality is reconsidered, and reassessed if required. It is agreed that the request to include the potential impact from traffic generated from a large development in Dorset (Alderholt) is not required as part of this application due to current planning status of the development in Alderholt.

Further details now received on impact on Allenbrook Care Home. The conclusions that there will be negligible impact on the care home is accepted.

No further objections received in connection with street and other lighting on the site.

### NFDC Open Spaces

Overall, no objections to amended scheme but further details are required to ensure the open spaces are well designed and welcoming and are also properly maintained into the future. Notes over provision of ANRG but that some areas are more inaccessible because of waterlogging. Play areas need detailed design to be submitted and agreed. All outstanding matters can be dealt with via planning conditions and suitable S106 clauses.

### NFDC Strategic Housing Manager

**Amended plans** - Notes proposal as submitted and amended is still below policy requirements both in terms of quantum and tenure mix. However, notes revised offer and is pleased to see the social rent element of the scheme has been introduced.

### NFDC Trees

**Amended plans** – See body of report - my concerns now taken into consideration with additional details submitted. No objections subject to conditions.

### NFDC Urban design and landscape

**Amended plans** – Have reviewed comments in light of the amended plans. Notes the reduction in the number of units but still some concern at the intensity of the development. This latest iteration is a compromise on many of the above points with



the designer having found improvements to the application across the site both in relation to the urban elements as well as to the general landscape and open space approach. Before we can offer comprehensive support for what aspires to be a very attractive project, some further details should be submitted to cover all aspects of landscape design, hard and soft landscaping and play areas. Overall, no objections to house designs however which will provide attractive elevational appearance and quality. The open spaces and play areas within the site need to match this quality. Agreed that all outstanding matters can be dealt with by conditions.

#### NFDC Waste management

**Amended plans** - Some concerns expressed regarding cul de sacs and refuse vehicle access, and bin collection points but happy to accept a condition being imposed to require the submission of further amendments and to be consulted at discharge of condition stage.

#### Wessex Water

No objections - Notes drainage strategy to deal with surface water split between infiltration and discharge to Allen Brook at an acceptable rate. (See further details in report below).

## 9 REPRESENTATIONS RECEIVED

159 letters of objection raising the following grounds, and 1 neutral letter.

Note – the actual number of households objecting is less than the headline number as there are some repeat objections following amended plans, and in some cases multiple objections from the same address. The objections are grouped into subject areas for convenience.

#### **Principle of development**

- Why greenfield which is contrary to new government advice. – brownfield first
- Levelling Up Bill changes emphasis to building in the right place – this is not this site.
- No employment so Fordingbridge becoming a dormitory settlement leading to more car traffic to Ringwood, Salisbury, Southampton and Bournemouth
- No need for yet another housing scheme which is destroying small town feel.
- Adverse impact on mental health with loss of green spaces
- Insufficient truly low-cost affordable housing
- Huge carbon footprint caused by this development
- Considerable period of local disruption noise, dust and construction traffic during build
- Local Plan says 140 so why allow 206. Insufficient reduction in numbers since previous application for 240 dwellings.
- Impact of all this traffic on New Forest landscape and wildlife more generally
- Adverse impact on local quality of life and mental health
- Shouldn't approve the application just to meet a housing target

## **Infrastructure**

- Can't get appointments now with doctors, dentists and vets. These should be put in place before new development is brought forward
- School places need to be brought forward to accommodate all new housing sites
- Insufficient shops and other local services to cope
- Potential additional flood risk
- Inadequate sewerage system in the town and current surcharges

## **Highway concerns**

- Impact of additional traffic on town centre and its buildings some of which are Listed
- Impact of traffic generation and lack of capacity in town centre
- Current poor nature of existing highways will be exacerbated.
- Heavy lorry traffic through town centre will make current situation much worse
- Will be exacerbated yet further with Alderholt development.
- Only one access point will be inadequate to serve the development – traffic should be spread out more with another access. Four junctions all converge on the chosen access point
- Access onto Marl Lane and junction onto Station Road for cyclists unacceptable. Then have to cross Normandy Way to get to Town Centre
- Increased use of Marl Lane unacceptable to existing residents
- Should not allow any further development until by pass is provided
- Concern about position of access points onto Marl Lane and loss of privacy/security
- Concern regarding lack of drainage on Marl Lane
- Danger to pedestrians using Station Road into town centre
- Impact of rat running through Normandy Close with speeding traffic
- Greater risk of accidents
- Bus services are inadequate to create sustainable travel alternatives

## **Wildlife and ecology impact**

- Development will destroy important wildlife corridor
- Proposal will remove wildlife haven
- Additional pollution into River Avon which is a protected waterway.
- Adverse impact on local beauty and character of the area
- Adverse impact on local biodiversity

- Disputes the developer's ecologist claims that there is no adverse impact
- Adverse impact on Sandle Manor Wood SINC and local owl population

#### **Impact on local landscape and character**

- Loss of green wedge between Fordingbridge and Ashford
- Impact on dark skies
- Impact on important trees on the site

#### **Design**

- Insufficient regard to carbon neutral requirement
- over reliance on fossil fuels for heating
- Development will be out of character
- Density too high – Local Plan says 140 so why are 206 dwellings proposed?

#### **Local amenity**

- Adjoining residents raise significant concerns regarding light and privacy loss as well as loss of outlook

Development may impact on foundations

## **10 PLANNING ASSESSMENT**

### **PRINCIPLE OF DEVELOPMENT**

#### **Introduction**

The key planning policy that covers this site is set out in SS16 taken from the adopted Local Plan 2016-2036 and is reproduced in full below. The supporting text for the policy is set out on pages 162-164 of the Local Plan and a concept masterplan showing the suggested distribution of land uses is shown on page 165, this plan being the starting point for consideration. This policy forms part of the Development Plan and is the starting point for consideration under Section 38 of the Act as set out above. The policy needs to be read in conjunction with all policies in the plan rather than in isolation.

#### ***Strategic Site 16: Land to the north of Station Road, Ashford***

- i. Land to the north of Station Road, Ashford as shown on the Policies Map is allocated for residential development of at least 140 homes and public open space, dependent on the form, size and mix of housing provided.*
- ii. The masterplanning objective for the site as illustrated in the Concept Master Plan are to create a well-designed new neighbourhood that:*
  - (a) Provides a valley corridor of natural recreational greenspace and habitat connecting to lower Station Road and, via the former railway public footpath and Marl Lane, to Strategic Site 17: Land at Whitsbury Road and to Strategic Site 18: Land at Burgate to form part of a linked network of green infrastructure around Fordingbridge, maintaining Ashford and Fordingbridge as distinct settlements.*

- (b) *Provides most of the new homes on the higher ground on the western side of the site with two points of vehicular access to the site from Station Road and a pedestrian/cycle access only from Ashford Close.*

iii. Site-specific Considerations to be addressed include:

- (a) *The developers of Strategic Site 16: Land to the north of Station Road, Strategic Site 17: Land at Whitsbury Road, and Strategic Site 18: Land at Burgate will be required to work cooperatively with each other and with Wessex Water to deliver a suitable foul sewer connection to the Fordingbridge treatment works.*
- (b) *Provision on the northern part of the site of land and facilities suitable for formal recreation.*
- (c) *The loss of healthy specimen trees to accommodate development or provide access should be minimised.*
- (d) *The preparation of a detailed site-specific Flood Risk Assessment (FRA) will be required which should demonstrate that there will be no inappropriate development within Flood Zone 3b.*

The principle of development here is established by the allocation in the Local Plan. In addition, the following land supply and government guidance needs to be taken into account.

The Council cannot at this point in time demonstrate a five-year supply of deliverable housing land and the Council's Planning Policy team is currently engaging with developers in order to produce an updated five-year housing land supply figure that takes into account last year's delivery of new homes along with the latest information about sites coming forward. The latest published figure of housing land supply is 3.07 years which remains well below the required 5 years.

In such circumstances, the NPPF (para 11d) indicates that the tilted balance is engaged, whereby in applying the presumption in favour of sustainable development even greater weight should be afforded in the overall planning balance to the provision of new market and affordable housing. The proposal is for a new residential development of 198 dwellings which will make a significant contribution to the housing land supply in the District. Recent Government statements relating to housing targets and greenfield land do not change or undermine the adopted Policy framework and the most recent NPPF.

The September 2023 NPPF Paragraph 11 states the following

**For decision-taking this means:**

*c) approving development proposals that accord with an up-to-date development plan without delay; or*

*d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

*i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*

*ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

The remainder of this report will now turn to other environmental and sustainable development factors to be taken into consideration.

### **AFFORDABLE HOUSING AND HOUSING MIX**

Local Plan Policies HOU1 and HOU2 seek to ensure that new residential development provides a mix and choice of homes by type, size, tenure and cost. Current evidence suggests that there is a need for a greater proportion of new stock to be smaller-to-medium-sized homes (particularly so in the affordable housing tenures). A supporting table within the Local Plan (Figure 6.1 - below) sets out the need for different house types within the District.

It is considered important that the mix of development reasonably reflects the identified objectively assessed housing need across the district. Based upon the indicative details provided, the proposal would provide a good number of flats and smaller dwellings which meets the aspirations of the local plan to provide smaller homes but still providing a slightly higher proportion of 3 bed family homes.

It is considered important that the mix of development reasonably reflects the identified objectively assessed housing need across the district. Based upon the details provided, the proposal would provide a good number (65 dwellings) of smaller (1 and 2 beds) dwellings, across all tenures, in the form of both flats and houses, which meets the aspirations of the local plan to provide smaller homes. The proposal would also provide larger family houses: 3-bed dwellings (80 units - across all tenures) and 4-bed dwellings (53 units) which is considered to be an acceptable housing mix taking into account the location and characteristics of the site. The proposal also unusually for a strategic allocation site provides 6 bungalows which paragraph 6.4 of the Local Plan sets out should be welcomed in principle.

With regard to Local Plan Policy HOU2 the policy requirement in this case is for 50% of the units to be affordable, and those units to have a split tenure mix with 70% being affordable homes for rent (with an equal split between social and affordable rent) with the remaining 30% of units to be intermediate/shared equity homes. (Shared ownership falls into this latter category). The Policy states that the viability of development will be taken into account in applying this policy as set out in Policy IMPL1: Developer Contributions.

Policy HOU2 therefore requires that this development should aim to provide 50% affordable housing (which would be 99 units in this scheme) with

- 70% of the total affordable dwellings being split equally between social and affordable rent; and
- 30% of the total affordable dwellings provided as shared equity or intermediate tenure.

Policy HOU1 further sets out a suggested mix for affordable rental and shared ownership based on further study carried out as part of the exercise to identify objectively assessed need.

	1-2 bed	3 bed	4+ bed
Affordable rental homes	60-70%	25-30%	5-10%
Affordable home ownership	55-65%	30-35%	5-10%
Market homes	30-40%	40-45%	20-25%

**Figure 6.1: Indicative need for different sizes and tenures of home**

To ensure that affordable homes address the requirements of the Local Plan local connection mechanisms will be sought for all tenures. Legal undertakings will also be required to ensure the homes for affordable rent and social rent, and where appropriate shared ownership are secured in perpetuity, and will be delivered by New Forest District Council (as a Registered Provider of Social Housing), or an approved Registered Provider partner.

### **Applicant's viability assessment**

As part of the applicants' viability assessment on their latest amended plans, they have provided the following mix of housing sizes across the three phases of development totalling 198 dwellings across all tenures:

- 16 x 1-bedroom flats
- 49 x 2-bedroom flats and houses
- 80 x 3-bedroom houses
- 53 x 4-bedroom houses.

Where developers cannot deliver the level of affordable housing set by policy, they need to submit a financial viability assessment (FVA) to demonstrate why they cannot make the development viable if the policy level of affordable housing is delivered.

The applicants in their submitted viability assessment confirm that the proposed development is not policy compliant principally due to the significant development costs of bringing the site forward.

### **Affordable Housing Offer**

The applicants first offer was therefore as set out below equates to an overall figure of 42 affordable dwellings which equates to 21% of the total number of dwellings.

The offer of 42 affordable based on their latest amended plans is set out as follows

0 Social rent

28 Affordable rent

- 10 x 1 bed flats
- 10 x 2 bed flats
- 2 x 2 bed homes
- 6 x 3 bed homes

14 Shared ownership

- 6x 1 bed flats
- 4 x 2 bed homes
- 4 x 3 bed homes

This offer fell far short of the Local Plan policy requirements both in terms of the total number of affordable units as well as the overall tenure mix but does show a percentage split of 66% to 33% in favour of rent to shared ownership which is nearly policy compliant albeit there is no social rent included as required.

The applicant's assessment has been passed to the Council's viability consultant Dixon Searle (DSP) for a full independent appraisal. On this occasion this has included a full Quantity Surveyor (Martin Warren Associates) assessment of infrastructure and build costs put forward by the developer. Dixon Searle has considered these costs together with suggested benchmark land values, sale of finished house receipts and profit levels sought and has produced a report advising the Council and a recommendation suggesting further discussions are held with a view to seeking an improved offer, whilst still noting the negative position even if reduced costs are agreed.

Dixon Searle's draft report indicated that notwithstanding the applicant's assertion that the development would result in an overall deficit of circa £5m after all development costs are taken into account, the QS report indicated potential cost savings.

On this basis officers entered into discussions with the applicants. The discussion centred on both the number of affordable units overall, and the tenure of those units. In particular the absence of any social rent units which NFDC Housing recently confirmed verbally to the Development Manager is the highest need in the District was a point of considerable concern for officers. It was made clear to the applicants that without a significant re-adjustment of the offer to include social rent units the current position would likely be unacceptable and hence a recommendation to refusal was possible.

### **Revised Affordable Housing offer**

Consequently, officers concentrated on improving the tenure mix to ensure that social rent was included in a revised AH offer. The applicants have now presented the Council with a revised offer that provides the same percentage of 21% (42 units) but crucially adjusts the mix to include 13 social rent dwellings.

The new offer has come from adjusting the number of affordable rent units which are now down from 28 to 15. Importantly the new mix also now includes five social rent houses with gardens which are more suitable as family homes for those on lower incomes.

The new mix is as follows -

#### **13 Social rent**

- 4 x 1 bed flats
- 4 x 2 bed flats
- 1 x 2 bed home
- 4 x 3 bed homes

#### **15 Affordable rent**

- 6 x 1 bed flats
- 6 x 2 bed flats
- 1 x 2 bed home
- 2 x 3 bed homes

## 14 Shared ownership

- 6 x 1 bed flats
- 4 x 2 bed homes
- 4x 3 bed homes

### Officer assessment of revised offer

In submitting the revised offer the applicants have sought to retain a mix of dwelling type and size, to ensure a suitable range is provided for both social rent and affordable rented units. The mix reflects the evidence from the District Council's Housing Register through the majority of the affordable units being provided in 1-2 bed units, coupled with the provision of three bed houses (including 4 x 3 bed social rented units) which will be important for families in the District who are in significant housing need and require larger family homes.

The applicants also point out that SS16 will be the first strategic site in Fordingbridge to offer social rented units.

### Dixon Searle Final Report and Summary

Officers have had regard to the Dixon Searle viability appraisal final response now received on 23 October and published on the Council's web site (see 23 October 2023), along with the Quantity Surveyor's report on development costs. The final advice from Dixon Searle is that the revised offer represents a good position for the Council to accept. They point out the uncertainty in the market and the applicants non disputed position that even if there is agreement on reduced build costs the final economic outcome for the applicants is still a negative one.

A possible outcome of further protracted discussions undertaken by officers could potentially result in more shared ownership properties rather than additional social or affordable rent or could even impact the number of affordable rent and/or social rented units that are currently proposed. At the present time in Fordingbridge the other strategic sites have delivered less homes for rent and a surplus of shared ownership units. The demand and crucially the need for more shared ownership in the local area over and above that offered here is therefore doubtful and it is considered does not outweigh the overall AH package currently offered.

Dixon Searle in coming to their views have had regard to various elements of the viability appraisal including land values, development costs, build costs, sales values, market uncertainty, developer profit levels, recent experience on other Fordingbridge strategic sites, tenure mix and the potential for further improvements in the latest affordable housing offer.

At para 4.1.13 they summarise the position now reached as follows -

*All in all, in DSP's view the position now reached following the productive further exploration by NFDC and the applicant team now represents what may be considered a fair and acceptable one in the circumstances; now providing social rented homes and at a significant level while maintaining the offered AH headline. Noting, again, that the headline offer has been put forward effectively against the viability figures that have been used to appropriately demonstrate that such a significant adjustment from policy is warranted in this case. With the inclusion of the social rent, this appears to leave the outcome broadly consistent with others where similar scheme characteristics and ingredients overall have been reviewed in this locality.*



### Further officer comments

The revised offer provides for 13 social rent units comprising a mix of flats and family homes to provide a good range of opportunity for those most in need. The overall tenure mix is now very close to the Local Plan policy proportion of 70% being rent and 30% being shared ownership and close to the rent split being 50/50 between social and affordable rent.

The applicants have also provided an updated Tenure Plan (17 October revision E) which illustrates the distribution of the proposed affordable housing within the site. The affordable housing is clustered in several modestly sized groups in the centre of the wider housing area. The tenure of each of the four flatted blocks will be for one specific tenure type and all are closely sited to their respective parking spaces. Through the reasonable proximity of market housing there are no significant concerns arising with the long-term social integration between people living in different tenured housing. Essentially, no affordable housing residents should be socially isolated due to their housing tenure or location within the site.

As such, on balance of considerations, officers are minded that it is prudent to accept the applicants proposed revised Affordable Housing offer. This takes into account the development viability of the site and the advice provided by Dixon Searle, the unknown state of the local and national economy in the time it may take to determine an Appeal in the event of a refusal, and the inclusion of a reasonable mix of social rented dwellings for the first time on one of the Fordingbridge Local Plan Strategic Allocation Sites.

Officers are also minded that the overall proposed housing mix – for market and affordable housing alike - provides a suitable palette of dwellings in terms of size, tenure and typology.

Therefore, subject to a s106 planning obligation appropriately securing the Affordable Housing in perpetuity and a suitable condition for approved plans, the proposal accords with Local Plan Policies HOU1 and HOU2.

### **LANDSCAPE IMPACT**

This site is allocated for development in the adopted Local Plan and the principle of development in this location has been accepted

#### Wider protected landscape impact

##### a) New Forest National Park (NFNPA)

There are two key characteristics relating to impact on the National Park. First the relationship of the site to the National Park and its intervisibility and impact of the development on setting. Secondly the impact of increased recreational use by new residents and on protected habitats. This latter impact is more widely discussed in the ecology section below.

The NPPF sets out the key statutory tests applicable to National Parks (and AONBs) echoed by Local Plan Policies STR1 and STR2 viz-

*Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas and should be given great weight in National Parks The scale and*

*extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.*

Regarding the first issue the National Park boundary is located approximately 1.6 kms (1 mile) to the east. The proposed development itself is not visibly harmful from within higher land in the National Park and in terms of any impact on the setting of the National Park there is very little discernible impact on character. The development includes the retention of a significant number of existing trees both along Station Road, Marl Lane and within the valley of the site. To complement this a total of over 400 new trees will be planted. This result of this significant amount of landscape protection and enhancement will successfully mitigate and reduce any harmful impact on protected landscapes it is considered.

The National Park Authority in their consultation response of 12 June 2023 are satisfied there are no 'direct visual links between the National Park and the proposed housing'. That said they raise issues in respect of lighting and other matters which are addressed below and further on in this report.

In terms of overall impact on National Park purposes officers are satisfied that there are no substantive reasons to consider any adverse impact on those statutory purposes through landscape or other concerns. The impact in landscape and setting terms has also been considered at the stage prior to Local Plan allocation as well as at this planning application stage. There is no firm evidence that the development of this strategic site in combination with others will have such a detrimental impact on the setting of the New Forest National Park to warrant a refusal.

b) Cranborne Chase Area of Outstanding Natural Beauty (AONB)

Turning to the AONB the impacts are as above with regard to intervisibility, proximity and setting, as well as suggested increased recreational impact. Added to this is the impact on the International Dark Skies Reserve. With regard to the former the AONB in their response of 16 May 2023 set out their general concerns regarding the cumulative impact of this site when seen in conjunction with other strategic sites in Fordingbridge in effect 'filling a gap' between the town and protected landscapes. That said it must be acknowledged that in allocating this site and the other two strategic sites in the Local Plan the Council took into account the overall landscape impact of all three strategic sites. The allocation remains therefore as a matter of principle. Officers remain of the view that the impact on the AONB landscape is marginal and not sufficient to recommend refusal.

Both the NFNPA and AONB Partnership refer to the quantum of development on site being in excess of that set out in the Local Plan, but it must be emphasised that the quoted figure is not a target but a minimum bearing in mind the need to take fully into account Government advice as also acknowledged in the Plan on making best use of land and allocated sites in meeting housing need. The AONB partnership case for a fundamental concern here is therefore weakened by this allocation of land. The landscape impact assessment does take into account protected landscapes and officers consider that there are no substantive reasons to base a reason for refusal that the scheme as presented does impact severely on those landscapes or their setting.

The AONB also raise issues in relation to impact from lighting and impact from increased recreational use of the AONB. Dealing with lighting first it is considered that the street lighting scheme as submitted is at a level which takes into account the protected landscapes and is set at a level to be commensurate with the need for public safety and the safety and well-being of those residents on the site. Wherever

possible lower lux levels and heights of lamp standards are used. The use of bollard lighting for the main southern cycleway also reduces any impact. Planning conditions can be imposed to restrict future street lighting or security lighting within the site as well as to deal with lighting from rooflights or dormer windows both elements of which can be dealt with by a withdrawal of permitted development rights.

With regards to the potential harmful recreational impact, no substantive evidence has been put forward to justify this view. The Council has a long-established policy based on scrutiny of the impact put forward on the New Forest National Park and applies habitat mitigation policies on new major housing developments within the Council's area on all developments over 50 dwellings as a result. This policy has been tested through the Local Plan process and in conjunction with Natural England and found to be sound. No such policy basis exists with regard to the AONB, and such a contribution fails to meet the statutory tests for S106 contributions. It is also the case that the significant amount of new ANRG and POS well in excess of the required amount will allow current and future residents to enjoy newly available areas for recreation and dog exercise in a more sustainable manner. This could result in reduced trips to the AONB from existing residents.

### Local landscape impact

In landscape terms this site represents part of an important spatial gap between Fordingbridge and Ashford. Within the site-specific allocation policy above the development must provide a valley corridor of natural recreational greenspace and habit connecting to lower Station Road and via the former railway to Marl Lane. The site-specific requirements also require formal open space to be provided within the site (i.e., some sort of playing pitch or Multi Use Games Area - MUGA). The concept masterplan attached to the policy shows the disposition of uses and landscape and the site proposals mirror those requirements. The current proposal in landscape terms is a significant improvement on the inappropriate development put forward previously which did have an adverse local landscape impact. The height of buildings and spread is now much improved with all development limited on the development edges to single or two storey in height. The only 2.5 storey buildings are provided within the main body of the site in an area which will have far less impact.

The applicants have submitted a detailed landscape and visual impact assessment which has been considered by the NFDC urban design and landscape team. Whilst there are no overall objections on landscape grounds the comments set out above do still require further details which can be dealt with by condition. The overall landscape framework of how the site fits together and the spread between developed areas, ANRG, informal open space and play areas is generally agreed subject to further details.

With regard to formal playing space a decision was taken previously both on this site and on Site 18 (Land at Burgate), to avoid formal playing pitches which tend to be laid out and floodlit and normally come with associated facilities such as a pavilion, car parking and flood lighting due to the potential adverse landscape impact. See POS section of report below

Taking on board the comments of the Town Council, the application site will however contain an informal close mown kick-about areas in the north western corner of the site near Marl Lane. This will benefit both the children of the new site and others who live adjoining Marl Lane, as well as the future development of 400 dwellings on Site 17 to the north west.

## Impact on Trees

The Council's Tree Officer makes the following detailed comments –

*There are a number of trees within and adjacent to this site, including several of notable large, mature and veteran trees. The majority of the site is protected by an Area Tree Preservation Order (TPO) TPO/0010/17, 2x linear groups adjacent to Station Road in the southwestern corner and small piece of woodland are protected by TPO/13/03. These trees contribute to the amenity of the area and are important local habitats for wildlife and are considered a constraint to development.*

*Further to my previous comments and discussions with the applicant an amended Barrell Tree Consultancy Arboricultural impact appraisal and method statement Ref: 22105-AA3-CA dated 14<sup>th</sup> July 2023 with the accompanying Tree Protection Plan Ref: 22105-4 has been submitted. My concerns/comments that I had previously made have now been addressed.*

*Within this document 243 individual and groups of trees which have been categorized to BS5837:2012 standards. I am broadly in agreement with the categorisations of the trees. The tree protection measures provided should ensure these trees are sufficiently protected for the duration of the construction.*

*I have also reviewed the additional information regarding the installation of the Railway Path Link (i-Transport document and plan Ref: ITB17592-008). There is a suitable gap within the off-site tree belt to create this access at this point. Some soil levels may need to be raised in the proximity of an onsite Oak tree however, which advice of the project arboriculturist this can be installed with impact on this tree managed to an acceptable level.*

*On this basis I have no objections on tree grounds subject to the conditions*

The site is characterised by a significant band of trees running along Station Road along the site's southern boundary. These trees are complemented by further large specimen trees scattered through the site with some 5 no. veteran trees (defined as a tree that is of interest biologically, culturally or aesthetically because of its age, size or condition). Added to this there is also significant tree planting within the valley corridor of the Allen Brook and further trees alongside Marl Lane and the former railway line.

The amended plans have taken into account the concerns raised by the Council's Tree Officer and changes have been made to better accommodate the veteran trees within the site as well as removing the emergency access onto Station Road to avoid any damage to trees in this area. In addition, the main road access into the site has had to take into account some large trees and a fine veteran tree within the road corridor with a particular need to add in extra precautions during the build of the road. The alignment of the road and the chicane near the entrance used to slow traffic speeds are acceptable to the Tree Officer as is the general layout of all new dwellings and line of new pathways in areas close to trees.

The application proposals as amended seeks to retain as many trees as possible within the site. The submitted tree schedule shows 243 trees and small groups within the site being retained, with approximately 50 trees due to be felled because of their poor condition or for other reasons. This will be mitigated by a tree planting proposal of over 400 new trees which will more than compensate for those trees that have to be removed. The applicants have a key desire also to ensure that as many houses as possible have a tree planted within their garden area. This has three significant benefits in terms of biodiversity enhancements, and visual assimilation of the house

building blocks into the wider landscape. All trees within the site that are to remain will continue to be covered by the TPOs amended as may be by the layout of any planning permission. The retained trees within public areas along with new planting will also be subject to future control through the TPO, or by way of planning conditions and the terms of future management of public spaces set out in the S106 Agreement. The Tree Officer's suggested conditions are set out after the recommendation below.

## **DESIGN, SITE LAYOUT, IMPACT ON LOCAL CHARACTER/ APPEARANCE OF AREA**

Policy ENV3 of the Local Plan states that development should contribute positively to local distinctiveness, quality of life and enhance the character and identity of the locality by creating buildings, streets, places and spaces that are functional, appropriate in appearance and attractive. New development should be accessible for those with different needs with realistic levels of car parking, and attractive and appropriate green spaces. The Local Plan includes a concept Masterplan on which any new developments that come forward should be based unless the developer can show any changes to that concept masterplan are improvements or equal in quality.

Added to this local policy the Government has now revised its NPPF in September 2023, and this together with the Governments National Design Guide provides further advice in achieving improved standards of design in layout and house types. (*National\_design\_guide.pdf* ([publishing.service.gov.uk](https://www.publishing.service.gov.uk)))

### a) Built Density

The Local Plan Site 16 policy states the site shall deliver a minimum of 140 dwellings. In this case the number of dwellings proposed is well in excess of that and set at 198 dwellings (reduced from 206 originally submitted). Whilst the Local Plan sets out a concept masterplan there is no policy impediment to any strategic site delivering more than the minimum provided other policies particularly in relation to design and development quality are fulfilled as required by ENV3. Set alongside Local Plan policies there is Government advice as set out in the National Planning Policy Framework (2023). In particular alongside other requirements such as Section 12 (achieving well designed places), there is the advice in section 5 and section 11 on delivering a sufficient supply of homes and making effective use of land including appropriate densities. The Government urges Planning Authorities to ensure that developments make optimal use of land and avoid homes being built at low densities (NPPF, Paragraph 125) particularly given that such land constitutes a finite resource, and where there is a stated shortfall in available housing land (NFDC has such a shortfall – 3.07 years against a target of 5 years supply).

In this case the density of the developable site when stripping out open space, non-residential land and roads equates to around 25 dwellings per hectare (dph) overall. This is significantly below what government policy aspires to as making best use of land, but such a density is considered justified here where there are significant environmental constraints and a need for large areas of open space and habitat mitigation land to satisfy other Local Plan policies. The minimum number set out in the Local Plan would have realised a density of 17 dph. The earlier withdrawn application showed a development density of around 30 dph but was rejected because of the potential harmful landscape impact on this sensitive site.

In summary, it is considered that the built density is foremost appropriate for the application site and the wider local landscape. Essentially, a suitable and robust balance has been found between optimising the number of dwellings on the site and a design which has an effective, sympathetic and visually attractive character.

b) Key constraints on design and layout and Local Plan concept masterplan

The key constraints with this development have been to accommodate the major tree belt along the southern boundary, not to build too close to large and other veteran trees to be retained, the relationship of the site's urban edge to landscape form and the settlement boundary set out in the Local Plan, and the relationship of this urban edge to open spaces through the valley. In addition, the relationship of the urban zone particularly to its near neighbours at Ashford Close and the nursing home are key considerations and constraints. The Local Plan includes a concept masterplan setting out the different indicative zones for urban and open landscape/play and ANRG.

The concept masterplan set out in the Local Plan is the starting point for consideration. The concept plan has been modified with this proposed layout particularly along the northern edge overlooking the valley. This edge has however been shown with a sensitive treatment of mostly lower single storey properties with additional new edge tree planting. This amendment is considered acceptable in landscape terms. Other changes to the concept masterplan have been included in the application proposal e.g., a reduction in the size of the small pocket group of four dwellings north of the nursing home so as to retain the sense of this being an important countryside edge.

Turning to impact on those neighbours most affected this is covered in more detail below but in general terms the concept masterplan does show new housing running right up to the boundary of Ashford Close. The applicants have adopted this approach but have ensured all housing is a reasonable distance away from the existing properties and have designed the street such that it will not form an unbroken 'cliff face' of new houses facing Ashford Close. This allows the existing properties to retain a reasonable distance for privacy and to see through gaps in the created street with an interspersed planting of trees in rear gardens helping to alleviate any impact. It is perhaps inevitable that the Ashford Close residents would experience a major change in their outlook but in design terms this has been managed in an acceptable manner. The properties facing Ashford Close are also all two storey and even taking into consideration the changes in ground levels this relationship in design terms is considered acceptable.

A narrow strip of land along the western boundary of the site was not originally included within the garden areas of Ashford Close when the estate was first approved and built. However, over time it appears that strip of land has been subsumed into the gardens of Ashford Close extending their gardens by some 5 metres. Residents have taken advantage of this higher piece of land which sits above their original garden level by creating an elevated garden section overlooking the current agricultural fields forming the application site. The applicants have pointed out that legally this land belongs to them, but they do not wish to now seek ownership and will instead allow the land to be retained by those properties on Ashford Close. The site will be bounded now with a new close boarded and trellis type fence which will provide mutual privacy between the old and the new. The residents will clearly lose their view of the open land but in planning terms residents do not have a right to a view.

One of the other key benefits of this application compared to the withdrawn application is the removal of the centralised vehicular access onto Station Road. The previous access had the unacceptable impact of removing many of the trees along Station Road to cater for necessary visibility splays. By removing this access and improving the existing access to the nursing home this has resulted in this very important tree corridor being retained apart from necessary removal of poor health trees. This retention helps to better assimilate the new development into the current

urban setting of Ashford and also provides space for a linear park alongside the road within which a new pedestrian path and cycleway will enable new and existing residents to avoid having to use the narrow and unattractive pavement which currently links Fordingbridge with Ashford.

The Council's urban design team have set out detailed comments to potentially assist the developer in bringing forward a set of plans on landscape design to be agreed at discharge of condition stage. That said the overall approach to layout and design is considered acceptable and the fine details can be dealt with later as is usual for strategic site developments.

c) Settlement boundary

The adopted Local Plan provides for a new settlement boundary taking into account all the three Fordingbridge Strategic Sites. That said the supporting text of the Policy in relation to both sites 16 and 18 states that the exact position of the settlement boundary will be agreed through the planning application process. The Local Plan and Concept Masterplan requires the retention of the clear open space and landscape gap in the valley between the development and land to the west of Marl Lane. The latest amended plans adhere to the settlement boundary as set out in the Local Plan which notwithstanding the concept masterplan did allow for a rounding off of the development along its eastern residential zone - noting the point above in the second paragraph of section (a).

d) Public open space design and layout

The Local Plan requires the following public open space based on the number of residents anticipated on the development site taking into account the housing mix –

• Number of occupants	565 persons
• Minimum ANRG land required	4.51 ha.
• Informal public open space land required	1.13 ha.
• Play space land required	0.14 ha.
• Formal public open space land required	0.71 ha.
• TOTAL POS required	6.49 ha.

(i) Informal public open space

The Local Plan requires an area of the site to be given over to informal public open space to cater for the needs of the residents and to form part of a new greenspace network available to new and existing residents to use and enjoy. The Council's policy requires for 198 dwellings 1.13 hectares of land. In this case the application proposes 3.09 hectares which is nearly three times the policy requirement. This space takes the form of walking areas, trees, grassland, paths and boardwalks, shallow drainage basins, and an informal kick about area for games. The scheme therefore is fully compliant, and conditions applied to any permission can require further details of these areas including any benches and bins etc. The final design of the open space can be confirmed by condition.

(ii) Play areas and doorstep play

Play facilities for this number of dwellings can be provided throughout the site taking the form of equipped play. The applicants are providing just over the required amount of play. This will be split primarily between a large locally equipped area of play (LEAP) in the north western corner of the site intended for use by older children who do not need direct surveillance or overlooking from the dwellings, together with a smaller local area of play (LAP) near the south eastern corner of the site for small

children with the necessary surveillance and direct overlooking from dwellings. This area will be provided with benches for parents. Added to this the applicants have been asked to provide small features within landscaped open space areas which can double as play on the way e.g., earth mounds, boulders, stepping stones and balance logs. The final design can be agreed by condition.

(iii) Alternative Natural Recreational Greenspace (ANRG)

The purpose and locational details of the ANRG land is set out below under Ecology. The applicants are providing 5.99 hectares of ANRG which is nearly 1.5 hectares more than required by policy. The final design and layout of ANRG can be agreed by condition. The ANRG design and layout takes into account the topography of the land either side of the Allen Brook and makes provision for part of this stream corridor being wet underfoot by providing boardwalks. The topography will need careful handling to avoid only having a stepped access. Working with the contours will be necessary to ensure the area is inclusive for those with differing needs. The land however can form the basis of a very attractive and useable area of dog exercise which can be used of course for those without dogs as well. The ANRG in particular fulfils the advice set out in the SPD guidance and can form the basis of an effective mitigation proposal. The space will be an attractive and valuable asset not just for those on the site but for existing residents. Whilst there may be some ad hoc access at present this is technically trespass so the development will bring this into wider public usage for the first time forming part of the green network created by all three strategic sites.

(iv) Formal public open space

Members are referred to the section above regarding local landscape impact for an explanation as to why there are no formal playing pitches provided on the site as required by Site 16 and Site 18 policy. It was considered that such facilities would be better sited at the Burgate School or on the existing town recreation grounds to the south. Instead of on site provision each of the Fordingbridge Strategic Sites has been required to contribute £1000 per new dwelling with those monies to be put towards playing pitch improvements in the town. To date this has recently resulted in a planning permission for a new all-weather multi-purpose full size artificial grass playing pitch and flood lights complete with car parking at the Burgate School. This facility is now under construction and the Council has already grant funded this project by £250,000 with the remainder coming from the Football Foundation. A further decision will be taken shortly on grant funding for the associated changing rooms and sports pavilion at the school which again has the benefit of a recent planning permission. Any further monies still available can be used for other sports provision facilities in the town. The Burgate School is within reasonable reach of this site through cycling or walking.

On the application site there will however be an informal close mown kick about areas in the north western corner of the site near Marl Lane. This will benefit both the residents of the new site and other residents adjoining Marl Lane, and the future development of 400 dwellings on Site 17 to the north west. A condition will be imposed requiring the land to be surveyed and if necessary improved and levelled to make it a suitable kick about area.

The S106 contribution of £198,000 coming from this development will provide further funding for suitable off-site enhancements of other formal playing pitches and associated facilities in the town without landscape harm. The collection of funding from other strategic site developments has already been used for grant funding for the Burgate artificial grass pitch and floodlights and may also be used for the new associated changing rooms and pavilion.



e) House designs

Building designs on the site vary from apartment blocks, two storey dwellings and single storey dwellings. Three of the four apartment blocks are two storey only providing a mix of 1 and 2 bed flats. One apartment block containing 8 flats is two and a half storeys with a second floor in the roofspace. There are a total of 13 basic house types and 4 apartment types. Individual variations on the house types also provide a variety of finishes and elevational treatments. The design is what could be described as 'arts and crafts' style which results in a traditional brick/render and tile finish with good quality casement and sash style windows, chimneys and decorative roof verges and porches. Overall, the house styles put forward are welcomed and provide a New Forest vernacular approach which will be locally distinctive, and which will meet with policy aspirations set out in the Local Plan whilst also fulfilling government advice set out in the NPPF and National Design Guide. The case officer presentation will provide slides of the house types and street scenes for Member consideration.

Overall, officers are pleased that the house types and design and finishes represent a good quality scheme representing a non-standardised approach. A condition will set out final drawings to be submitted for approval to include all meter boxes and vents etc. If any are to have solar panels or rooflights these can also be detailed at that point for final approval. Given the quality of the house types it is considered on this occasion important to withdraw permitted developments for future extensions and roof alterations in particular so that the Council can exercise some control over future extensions and alterations as well as ensuring that any single storey dwellings remain as such.

f) Energy and sustainability

Local Plan policy IMPL2 states that new development should meet or exceed the following standards and requirements to help minimise their environmental impact and/or to be adaptable to the future needs of occupiers over their lifetime -

- All dwellings to be wheelchair adaptable set out in the Building Regulations
- Higher standards of water use efficiency currently use of 110 litres per person per day
- Provision of high speed fibre broadband to all property thresholds.
- Provision of services to allow electric vehicle charging

Policy STR1 requires dwellings to be adaptable to future climate change.

To complement the good quality house designs the applicants have submitted an **Energy and Sustainability Statement**. The statement sets out to demonstrate that by following a fabric first approach and with the implementation of renewable technology, the development will reduce carbon emissions over the Building Regulations Part L 2021 baseline, which in itself presents a 31% reduction over previous regulatory standards.

The Statement refers to a fabric first approach which includes for extra insulation and measures to control future overheating of dwellings in summer and heat loss and energy efficiency measures in winter aligned with the latest Building Regulations. The orientation of dwellings and arrangements of glazing and cross ventilation has also been factored into the estate design.

In addition, the following measures are considered technically feasible for this development.

- Solar panels for electricity generation
- Air source heat pumps

The applicants however discount air source heat pumps as the potential increase in running costs compared with a gas and solar PV approach means that it is not a preferred option at this stage. The applicants do however consider solar panels are an option with the most significant potential for development. It has been provisionally assessed that all dwellings will be specified with solar PV systems, depending on the specific characteristics and orientation of the homes. The use of gas boilers will continue therefore (and is still allowed for under the Building Regulations) but the fabric first energy consumption measures will assist in reducing this impact and this will be beyond the levels required by Part L of the Building Regulations.

The details of any solar PV panels will need to be agreed as part of the detailed house plans to be submitted at condition stage. All homes will also be fitted with high speed broadband and will employ water saving appliances to bring it within the required Building Regulations limit. All homes will also have electric vehicle charging points fitted rather than just the cabling supplied as with other volume house builders.

The carbon reductions and use of renewable technologies will accord with Policies STR1 and IMPL2 of the New Forest District Council Local Plan 2016-2036, Part 1: Planning Strategy (Adopted July 2020).

g) Hard and soft landscaping

The amended plans show a range of details for hard and soft landscaping. These at the present time are not yet in a form which can be approved but do form the basis of a scheme which will represent a sufficiently high quality of landscape design to complement the house details. The applicants have however amended their overall landscape framework plan such that this can then form the basis of discharge of conditions with plans of a larger scale to cover all hard and soft landscaping.

To conclude on design matters officers are of the view that the scheme does fulfil local and national policy guidance on good design. Further work is required on hard and soft landscaping details, but as set out these matters can be dealt with by condition.

In summary, officers consider that the proposed design would function well, be visually attractive, sympathetic to the local context, appropriately optimise the potential of the site, establish a good sense of place and provide a safe, inclusive and healthy living environment for future residents.

h) Site levels

Final details of site levels are required which covers both the final finished road levels, slab level of the dwellings, and final level details for public open space areas including pathways, boardwalks and any stepped areas needed because of steep contours but with alternative non stepped route also to be accommodated.

As such, subject to suitable conditions, the proposal accords with Local Plan Policies ENV3 and ENV4, NPPF Paragraph 130 and the broad direction of the National Design Guide.

## **CONSERVATION AND HERITAGE IMPACT**

Members are referred to the detailed comments of the Conservation Officer which can be viewed on the web site dated 18 October 2022. The Conservation Officer concludes his comments thus –

*The development as currently proposed will have a significant, but less than substantial, harmful impact on the setting of Packham House, an NDHA of local architectural and historical interest..... Whilst it will be for the officer to make the balancing judgment on the application, it is my view the development as currently proposed results in significant harm to the interest of a non-designated heritage asset, and an opportunity to protect or enhance the setting and significance of the asset through the design of the development is lost.*

In this case there are no designated listed buildings within or bordering the site. The Allenbrook Care Home however is considered a non-designated heritage asset (NDHA). The other significant heritage asset close to the site is the Fordingbridge Conservation Area. Whilst the intervisibility of the residential development with the Conservation Area is very limited it is a material consideration and as such any wider setting issues should be assessed. The Conservation Area boundary lies some 30 metres from the south eastern corner of the site.

The following legislative background must be considered as part of the case officer's and Committee's assessment of this proposal.

### **Listed Buildings and Conservation Areas Act 1990**

S66 duty - special regard to desirability of preserving the building or it's setting etc.

S72 duty – special attention to the desirability of preserving or enhancing the character or appearance of the area

- Significance of the heritage asset
- Setting - wider rather than narrower meaning
- Substantial harm (complete loss) – exceptional circumstances
- Less than substantial harm – weighed against the public benefit

The advice set out in the NPPF in Section 16 must also be taken into consideration 'inter alia'

*Para 195 – 'Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset).....'*

*Para 202 – 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.....'*

#### **a) Listed Buildings**

There are other listed buildings beyond the site boundary particularly within the Town Conservation Area and one off Marl Lane (Oaklands Manor), but these buildings are at a sufficient distance removed from the development part of the site not to be directly affected or have their setting adversely impacted. The impact of the development when viewed against the setting of heritage assets will it is considered be imperceptible. Forres Sandle Manor School is also a Listed Building which lies some 365 metres to the west of the site. The intervening landscape and former

railway line as well as the extensive playing fields belonging to the school will make the impact on setting essentially imperceptible.

b) Fordingbridge Conservation Area

Regarding the designated Fordingbridge Conservation Area, it is clear that the urban development of the site will for the most part, not be visible from, or looking towards, the Conservation Area. The site access marginally expands the existing access but most of the trees either side will be retained and none of the new dwellings will be visible from this point. To that extent the way in which the Conservation Area is experienced in a wider sense will not be adversely harmed or impacted. Retaining all trees along Station Road will protect the approach to the Conservation Area it is considered. The Conservation Officer has made no objections to the slight impact of the development. His only concern relates to construction traffic potentially having an adverse impact on the structure and fabric of designated Listed Buildings which line the main town centre. Whilst the applicants have been required by the Highway Authority to undertake a road condition survey so as to repair any damage from construction traffic the same approach cannot be considered to be reasonable to consider potential damage to the fabric of buildings through vibration. It will be a matter for those property owners to carry out their own survey prior to development and to take civil action against the developers if they can prove damage is directly attributable to construction vehicles.

The Conservation Area also runs northwards roughly parallel and to the east of Marl Lane. There may be glimpses of the eastern edge of the development site but at distance of over 300 metres with open countryside and trees between the two edges. This will not therefore adversely affect the setting of the Conservation Area it is considered. Likewise, the glimpsed potential view of the four house courtyard to the north of the care home may be visible from the Conservation Area but again at a distance of over 170 metres. The layout and design of this small courtyard builds on the character of the existing cottages north of the care home and it is considered the change or impact on setting will be imperceptible. Setting in this sense does not just include the way in which the development is seen against the heritage assets and a crude measure of the distance between the development and the heritage asset, but also how they are *experienced* in their wider setting and character. In physical terms none of the heritage assets are affected by works directly to or in close proximity.

c) Non designated heritage assets – Packham House (now Allenbrook Care Home)

Turning to the impact on Packham House this building is a non-designated heritage asset (NDHA). As set out in the Heritage Impact Assessment there are no statutory provisions for NDHAs and therefore the primary consideration is Paragraph 203 of the NPPF which requires a balancing judgement to be made when considering applications that affect NDHAs. As part of this balanced assessment the impact on Packham House should be assessed against Policy ENV3 of the NFDC Local Plan, which requires all development to contribute positively to local distinctiveness and enhance the character and identity of a locality, and also against Policy DM1 of the which requires development proposals to conserve or enhance the significance of a heritage asset taking into account the impact on setting of the heritage asset. It should also be noted that Packham House unlike other designated heritage assets on Site 18 did not warrant a policy specific clause of protection.

There are three primary impacts on Packham House.

- First the removal of former agricultural outbuildings which belonged to this estate house and the partial removal of a later kitchen garden wall will have

some impact in diluting the history of the building and its setting. That history however has moved on since it was privately owned with the advent of the care home making all those structures redundant. The structures to be lost are of no great significance in themselves and notwithstanding any photographic survey do not place any considerable constraint on the pocket neighbourhood planned for this area. The setting of the house when viewed from the front will be largely unchanged apart from the new access road (see below).

- Secondly, the introduction of a small group of four dwellings into the area immediately to the north of the house does follow the suggestions made in the Local Plan with this part of the site being included in the development zone and within the settlement boundary. Given the initial Local Plan allocation this small parcel of development and the wider development in the southern part of the site will impact on the setting of the house changing it from a rural context to one which is part rural part urban. This was an inevitable consequence arising from the allocation. That said the pocket neighbourhood follows a farm courtyard style of development which does not jar with the design and setting of this former estate house. Neither does the main development which is some 40 to 60 metres away from the nearest dwelling have such an impact to warrant a refusal of permission particularly when balancing this harm against the public benefits (see below).
- Third, the other main impact on the setting of the building arises from the new access road which runs to the south. This new road however for the most part follows the alignment of the existing access road and for road safety and landscape reasons will also include a chicane reducing the road to single width to the south of the building. The roadworks will extend the existing road by around 40 metres to form the new estate road with a new minor T junction to access the nursing home car park. The road also retains the veteran and other important trees that lie to the south of the road. Whilst there will be some formalising of the parkland landscape in this area this is an inevitable consequence of achieving a two-way access road which can fulfil the requirements of the Highway Authority in providing a safe and acceptable means of access. A judgement had to be made in this case between trying to provide a centralised point of access on Station Road which would have involved significant tree loss, or an alternative using the existing access to the care home notwithstanding the harm to its setting. The balancing exercise is carried out below within the conclusions and summary of this report.

d) Archaeology

Archaeology and impact from development on archaeological features of importance is a material planning consideration. Saved Local Plan policy DM1 requires that any development that may affect archaeological remains should demonstrate the likely impact upon the remains and where appropriate include mitigation measures to reduce that impact. Any information gained as a result of the investigation should be publicly available.

The initial response of the National Park Archaeologist is set out above. The applicants have now carried out a further geophysical survey of the residential element of the development site. This has revealed a number of features under the surface taking the form of boundaries in particular rather than features of importance such as barrows or burial mounds. Survey work starts with a desktop study taking into account historic records and other information and then move on to a geophysical survey which is non-invasive. Dependant on those results there may be a need for further invasive trenches and recording of the information found. Some

of the later stages such as trenches and recording can be conditioned dependant on the likeliness of important finds.

The NPA Archaeologist has reviewed the latest submitted information and considers that whilst there are some potential features of interest below the surface of the site has not raised and in principle objection to permission being issued subject to conditions requiring further trench evaluation work to be carried out and the results of any finds recorded. In this regard therefore it is considered that due consideration has been given to the potential for harm to archaeological interests of importance but overall, a further evaluation and recording will be sufficient to comply with the Policy set out above and those contained within the NPPF.

Overall, with regard to heritage assets a balance must be taken to consider any harm set against wider public benefits. Subject to a condition to cover archaeological matters it is considered that the development does meet the tests set out in the legislation and the balance in this case is one of approval. The proposals it is considered comply with Local Plan policy DM1 and the guidance set out in the NPPF.

### **ECOLOGICAL CONSIDERATIONS – PROTECTED SPECIES AND AREAS.**

#### **a) Habitat Mitigation and impact on European designated nature conservation sites**

In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') the applicants have submitted a revised shadow Appropriate Assessment out as to whether granting permission would adversely affect the integrity of the New Forest and Solent Coast European sites, in view of that site's conservation objectives. The Assessment concludes that the proposed development would, in combination with other developments, have an adverse effect due to the recreational impacts on the European sites. The applicants have amended their shadow assessment following the comments made by Natural England. The Council has adopted that Assessment with further comments and have notified Natural England accordingly.

To deflect recreational trips to protected areas and in accordance with Local Plan policy the applicants have put forward a range of on-site ANRG areas to provide areas of recreation for dog walkers including a range of pathways and boardwalks, and open areas, making use of the shallow SUDs basins and swales as well as a main off lead exercise area covering a substantial area both sides of the Allen Brook valley. The development will provide suitable fence enclosures if required to keep dogs in and prevent uncontrolled access onto Marl Lane and other roads within the residential part of the site as well as separating the ANRG from the informal kick about area and LEAP in the north western area.

The site will also form part of a wider strategic network of access including linkages with other parts of Site 17 within easy walking distance along Marl Lane which in turn links with the area provided for site 18 further afield. This is in total a substantial new green network of dog exercise and walking routes which will be available to the new residents and the existing residents of the town. Added to this, localised improvements to public rights of way adjoining the strategic sites will bring a further benefit protecting vulnerable areas within the National Park. In this regard the proposals fully comply with policy and are sufficient to offset the potential for harmful impact on protected areas within the New Forest National Park. At this point it should be noted that the Cranborne Chase AONB Partnership have raised similar impact issues, but the provision of financial contributions cannot be supported as there is no policy requirement to do so. In any event the points made above will deflect visits

away from the AONB it is considered.

Local Plan Policy also requires that all development involving additional dwellings makes a contribution towards New Forest Access Management and Visitor Management Costs (the New Forest People and Wildlife Ranger service). This can be secured through a Section 106 legal agreement.

Finally, of the above Access Management and Visitor Management costs there is an element which requires that all additional dwellings make a contribution towards monitoring the recreational impacts of development on the New Forest European sites. This contribution is currently sought at a flat rate of £68 per dwelling and included in the contribution noted above.

b) Phosphate neutrality and impact on River Avon SAC

In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment was carried out as to whether granting planning permission would adversely affect the integrity of the New Forest and Solent Coast European sites, in view of that site's conservation objectives having regard to phosphorous levels in the River Avon. However, Natural England has drawn attention to the fact that the submitted Appropriate Assessments (AA) rely on the delivery of the phosphate neutrality measures set out in the River Avon SAC – Phosphate Neutral Development Plan Interim Delivery Plan (Wood Environment & Infrastructure Solutions UK Limited – January 2019). The Interim Delivery Plan set out mitigation measures for new development up to the end of March 2020, and thereafter relied on the delivery of the Wessex Water River Avon Outcome Delivery Incentive (ODI), if fully in place. Natural England's view is that, as the initial Interim Delivery Plan period has now concluded, the submitted AAs should not simply be rolled forward, at least without a valid evidence-based justification that provides the required reasonable certainty for phosphate neutrality. They also note that circumstances are different from those of when the Interim Delivery Plan was first agreed because of external developments in caselaw, notably the Dutch case (Joined Cases C-293/17 and C-294/17 Coöperatie Mobilisation for the Environment UA and Others v College van gedeputeerde staten van Limburg and Others).

With regard to current proposals Natural England agrees with the competent authority that the plan or project for new residential development, without mitigation, has a likely significant effect on the River Avon Special Area of Conservation (SAC). The site is also listed as a Ramsar site and notified at a national level as the River Avon System and River Avon Valley Sites of Special Scientific Interest (SSSIs). Listed Wetlands of International Importance under the Ramsar Convention (Ramsar) sites are protected as a matter of Government policy. Natural England considers that impacts of phosphates on the Ramsar interest features are likely to be similar to the impacts on the SAC. As the Council cannot now rely on the Interim Delivery Plan to address phosphate levels in the River Avon, there needs to be a mitigation project to provide this development with a phosphate budget that will enable to be offset.

A new phosphate migration scheme which involves taking an established fish farm at Bickton out of production and revoking any Environment Agency licenses to operate has now been brought forward with the agreement of Natural England and the Environment Agency. A standalone Section 106 Agreement has now secured this new scheme. Developers can now purchase credits to offset phosphate impact. The number of credits available is sufficient to cater for all three strategic sites in the town.

As there is now a 'Project' the Council can use a Grampian style condition and grant planning permissions within those parts of the District, including Fordingbridge and Ashford, where phosphates is a material consideration in determining residential development. The applicant can use this new scheme to demonstrate Phosphate credits can be purchased and used to discharge the Grampian condition

c) Biodiversity and Protected Species

The Wildlife and Countryside Act 1981 protects wildlife on development sites and confirms it is an offence to injure, kill or disturb wildlife species and their nests or habitats.

Development Plan policy, Government advice and emerging legislation all require an enhancement to on-site biodiversity wherever possible.

In accordance with policy DM2: Nature conservation "*Development proposals will be expected to incorporate features to encourage biodiversity and retain and, where possible, enhance existing features of nature conservation value within the site.*"

The Council's Ecologist has advised on the need for specific conditions particularly in relation to bats, badgers, nesting birds, water vole, otter, great crested newt (GCN) and reptiles. The applicants have provided a detailed assessment of how such species can be protected during the course of development and mitigation proposals following that. Whilst some species such as GCN, dormice, otters and water voles do not appear to be currently on site the assessment provides for potential opportunities to enhance habitats for amphibians and water-based species. The Council's ecologist has considered that additional information and is now content that this matter can be dealt with by condition ensuring the development is carried out in accordance with the method statements and mitigation measures contained in their submitted report. Overall, however, there are no objections from the NFDC Ecologist regarding impact on protected species.

With regard to badgers, it will be necessary to apply for a badger mitigation license from Natural England as the development will affect a main badger sett and two outlying setts. The main sett will need to be closed but the outlying setts maintained and the creation of an artificial sett. A condition is set out below.

The application site contains a number of protected bat species. The loss of some trees and thereby bat roosts will need a license from Natural England. Under the Habitats Directive the Council in carrying out their function as LPA are required to consider the likelihood of a license being granted and have regard to the Habitats Directive three derogation tests as follows:

- The activity to be licensed must be for imperative reasons of overriding public interest or for public health and safety;
- There must be no satisfactory alternative; and
- Favourable conservation status of the species must be maintained.

The LPA are satisfied that the release of this important strategic housing site provides sufficient reasons of overriding public interest and that there are no satisfactory alternatives in this case. The Council's Ecologist is satisfied that the granting of a license to carry out the removal of some bat roosts will not undermine the favourable conservation status of the species affected particularly bearing in mind the number of retained trees and new tree planting to be carried out. A condition is set out below.



Finally, with regard to lighting proposed the Council's Ecologist is satisfied that the proposed lighting scheme with the use of backshields in sensitive areas and bollard lighting will be acceptable in relation to their impact on bats. Further advice should be sought on any changes. A condition will be imposed to require the lighting strategy as submitted to be carried out and that any additional house or security lights are specifically agreed prior to their placement on the dwellings.

d) Biodiversity Net Gain (BNG)

The 2021 Environment Act formally requires new developments to provide for biodiversity net gain for all housing developments (not just major schemes). Whilst secondary legislation is not yet in place it is considered that policy STR1 of the Development Plan can require a 10% improvement in biodiversity post development. This is compared to pre-development and that this improvement should be secured over a minimum 30-year time horizon which will then be subject to Secretary of State extension of that time period potentially subject to regulations. Accordingly, the Council's policy position is clear that new development requires a 10% improvement in biodiversity.

The submitted application is supported by the latest Natural England approved Biodiversity Metric Assessment'. The report sets out whether the proposals will be able to deliver measurable net gain in biodiversity through using a recognised biodiversity metric to calculate the value of the site before and after the development. The principle of additionality has been applied within the calculations. Essentially the report sets out the various proposed measures that will help to deliver Biodiversity Net Gain, which include those mitigation measures along with other enhancement measures.

The Council's Ecologist is satisfied that there is sufficient BNG within the site to address its own policy requirements seeking a 10% gain. This will be subject to further monitoring and management of the BNG over a 30-year period. A set of ecological conditions are suggested to deal with BNG matters including a landscape and ecological management plan (LEMP) setting out exactly how ecology will be managed over a minimum 30-year period. This will be a linked document taking in all landscaped areas outside gardens and including all existing and new trees.

A financial monitoring contribution to ensure long term performance of BNG based on the April 2022 Cabinet report will need to be included in the S106. For clarity the long-term management of the BNG is a matter likely to be addressed by a management company which will need to be set up for the management of this aspect as well as public open spaces. The applicants will need to fund this ongoing work usually through a service charge on the dwellings.

Other elements of BNG provided through individual bat and bird boxes and bee bricks either built into or attached to the new dwellings are itemised in the applicant's Construction Ecological Management Plan which is welcomed by the Ecologist, and which can be secured by condition.

The Council's Ecologist is satisfied that the questions posed in his earlier response have all be adequately addressed and now has no objections subject to conditions.

e) Air Quality mitigation

Policy ENV1 of the Local Plan Part 1 Strategy requires all new residential development to provide for air quality monitoring, management and mitigation. To ensure that impacts on international nature conservation sites are adequately mitigated, a financial contribution is required towards monitoring and, if necessary

(based on future monitoring outcomes), managing or mitigating air quality effects within the New Forest SPA, SAC and Ramsar site. There is potential for traffic-related nitrogen air pollution (including NO<sub>x</sub>, nitrogen deposition and ammonia) to affect the internationally important Annex 1 habitats for which the New Forest SAC was designated, and by extension those of the other International designations. Given the uncertainties in present data, a contribution is required to undertake ongoing monitoring of the effects of traffic emissions on sensitive locations. A monitoring strategy will be implemented to provide the earliest possible indication that the forms of nitrogen pollution discussed (including ammonia concentrations) are beginning to affect vegetation, so that, if necessary, measures can be taken to mitigate the impact and prevent an adverse effect on the integrity of the SAC habitats from occurring.

The applicant will be required to contribute towards a District wide monitoring programme as part of the S106 contributions in the event of a permission being granted. The current contribution is set at a rate of £91 per dwelling

## **FLOOD RISK, SURFACE WATER AND FOUL DRAINAGE**

### a) Flood risk

Local Plan policies CCC1 and the site-specific policies for Site 16 require that flood risk should be dealt with and that the development demonstrates that part of the site which is within flood zones 2 and 3b can be developed without exacerbating flood risk elsewhere. Flood risk on the site is from the Allen Brook which in turn discharges into Sweatfords Water which runs to the south east of the site. In addition, groundwater flooding occurs as a result of water rising up from the underlying rocks or from water flowing from springs.

Prior to the submission of their application the applicants conducted baseline monitoring through trial pits and undertook hydraulic and ground water modelling to establish the surface water drainage requirements. The proposed housing layout is all shown to be within the lowest risk area in Flood zone 1. The development has been subject to the sequential test diverting more vulnerable uses such as dwellings to those areas at lowest risk. Development within flood zone 3 needs to pass the exception test according to government advice on flood risk. However, the NFDC strategic flood risk assessment carried out previously indicates that residential development need not undertake the exception test.

The applicants undertook flood risk modelling at the site. This modelling confirmed that none of the new dwellings are at risk of flooding for up to and including the 1 in 1000 return period. This more recent modelling which includes cross sections of the Allen Brook valley is considered to be more up to date and supersedes both NFDC and Environment Agency modelling. The applicant's modelling also discovered that an existing culvert/weir structure was having an impact on localised flooding to small number of properties nearby. The drainage strategy indicates this structure to be removed. In addition, at the location where the cycle/pedestrian link is to be created onto Marl Lane the existing culvert will be extended to safely accommodate the footpath. The finished floor level of the properties will be set a minimum of 600mm above the 1 in 100-year flood level plus an allowance for climate change with variations across the site.

In the assessment of the submitted Drainage Strategy the rates of infiltration and their effect on groundwater were taken into consideration by the Hampshire Local Lead Flood Authority (LLFA). The concept of splitting the site into different catchments and a varied solution towards groundwater flooding has been put forward. Groundwater flooding in general has been considered by the LLFA.

The access point onto Station Road is shown within the higher flood zone 3. The proposed levels within the high-risk zone will match the existing levels to ensure that in the event of flooding no additional water is displaced.

Whilst the access road into the site is located within a higher flood zone the additional flood relief measures now shown will effectively reduce that flood risk impact and will not give rise to any significant risk that the access road will be impassable to emergency vehicles. The Environment Agency and Local Lead Flood Authority have considered the proposals as being safe and do not require any separate emergency access to be formed.

b) Surface water drainage including sustainable urban drainage (SuDS)

The Environment Agency flood maps and the Council's own strategic flood risk assessment (SFRA) identify that the majority of the site is at a very low to low risk of surface water flooding. However, there is a small area of medium and high risk immediately adjacent to the Allen Brook. No buildings or dwellings are located in the higher risk areas. The drainage strategy allows for soakaways to be placed in those parts of the site where infiltration is possible. The development includes a sustainable urban drainage strategy using SuDS with a series of six attenuation basins to take surface water flooding during peak rainfall events. Open swales will also convey water to the Allen Brook where infiltration (natural percolation into the ground) is not possible due to soil types and underlying strata. The Drainage Strategy splits the site into four separate catchments. Each catchment will employ a range of surface water control measures depending upon infiltration rates or lack of infiltration.

SuDS systems also need to show how they can add to biodiversity and be dual purpose and used as part of the public open space. In this regard the SuDS basins will all be shallow without steep sides and will be vegetated with suitable planting dependant on the individual circumstances of each basin. Some of the basins located in areas of the site where infiltration is poor will contain some water at peak events and convey water through a series of swales and underground holding tanks eventually to the Allen Brook, whilst others will rely on water draining into the ground through natural infiltration. The swales will hold surface water during storm events and peak rainfall flows but will drain naturally to the brook at an agreed run off rate. The inlet and outlet pipes of these basins can also be ugly engineered features but the details of these can be covered by conditions along with the exact final contours etc and vegetation.

Private driveways will be constructed with permeable paving, run off from roofs will be collected and drain into the Allen Brook, water butts will also be provided in private gardens for re-use and a hydrobrake system and underground cellular storage tank will be installed in the southern part of the site within the courtyard of the four dwellings to regulate and restrict flows into the Allen Brook at no more than greenfield run off rates. In addition, rainwater planters will provide treatment to the surface water and remove pollutants before they enter the water course (as will the swales). The access road will drain into two adjacent basins via a drainage kerb where flows will be attenuated and discharged at a controlled rate to the water course with one of these basins relying on natural infiltration.

The proposed surface water network will be managed privately through a management company with funding from the new residents through service charges. A SuDS management and maintenance plan has been produced to aid this process and ensure the systems are retained as fit for purpose into the future. Both the Environment Agency and the Local Lead Flood Authority have no objections to the

drainage strategy. The Strategy will be secured by condition.

c) Foul water drainage

The NFDC SFRA identifies that there have been 23 recorded incidents of sewer flooding in the postcode area SP6 1 caused in the main by sewers being combined with storm water and then discharging during storm events. NFDC have no record of previous sewer flooding events within the site boundary. There is a residual risk of failure of the surface water system. During extremely wet weather the capacity of the proposed surface water system may be inadequate even though it has been designed in accordance with current design standards. Under such conditions, sewers may surcharge, and surface water may escape from those manhole covers positioned below the hydraulic gradient.

In the event the capacity of the surface water system is exceeded, the excess surface water will flow overland following the channel line of the proposed roads and into the attenuation features and soft landscaping. There is a residual risk with the possibility of the failure of the proposed water mains serving the site. However, any flooding that would occur would be intercepted by the proposed surface water system and conveyed away from the properties on site. Infrastructure failure is therefore considered to be low risk at this site.

Wessex Water have been consulted on the application. They have provided the following comments

*The current Fordingbridge foul sewer network improvement strategy to accommodate additional foul flows generated by strategic development in Fordingbridge includes the construction of two underground foul attenuation tanks. The tanks will hold back flows during wet weather when the downstream system is full with combined foul and rainwater flows. The connections from the new developments will be for foul flows only.*

*The applicant proposes to connect the foul sewage generated by the new development through a series of gravity sewers (with a small area requiring pumping due to topography) to the existing 150mm public foul sewer in Station Road (MH SU14142202 at 9.54 l/s). This strategy is as expected. Wessex Water will plan the downstream attenuation tank to match the rate of construction. It is noted that the applicant will either offer the on-site infrastructure for adoption to Wessex Water or a New Appointee Variation (NAV).*

Wessex Water have planned works in their next capital programme to install both tanks. The tank on site 17 is due to commence construction and be commissioned by 2024 with the second tank on land to the south of Site 16 to follow. This system will then ensure that there are no further sewage surcharges during storm events. Following on from this Wessex Water will also be carrying out further improvements at the Sewage Treatment Works in the next few years.

To conclude this section of the report in consideration of the above officers note that the Environment Agency, Hampshire local lead flood authority and Wessex Water are all content with the proposals and that there is no overriding flood risk associated with the development subject to the drainage strategy being implemented. Neither will the development exacerbate any flood risk outside the site boundary.

## **HIGHWAY SAFETY, ACCESS, PARKING, AND SUSTAINABLE TRANSPORT**

The Hampshire Highway Authority have been consulted on the application and they have confirmed that they have no objections subject to conditions notwithstanding the concerns raised by members of the public and the Town Council. They raised no major objections to the original plans subject to clarification on a number of issues which are set out below. Their comments received on 19 September 2023 are in response to the amended plans and further details.

### a) Traffic generation and local network

As part of their consideration of any major application of this nature the Highway Authority undertake an analysis of the off-site impact on the local network. This has been a major point of concern for local residents and Fordingbridge Town Council. Officers have referred the Highway Authority to the letters of objection received to date, so these have been taken into consideration in formulating their views.

The applicants have undertaken the necessary traffic counts (post Covid in June, October and November 2022 – with the County Council confirming they were content with the survey and base line survey parameters chosen of existing traffic flows and have taken all existing and committed developments into account in modelling future traffic flows through the town on a variety of routes and using different junctions. They have taken into consideration also the approval recently of the new link road which will connect site 17 and site 18 between Whitsbury Road and the A338 Salisbury to Ringwood Road effectively by-passing the town centre. The following extract of the Highway Authority consultation is relevant here. Site 16 will be able to access that link road by using the main distributor road through Parsonage Park not as a rat run as suggested by objectors but in using a 6 metre wide road which is capable of accommodating any additional traffic flows.

*In the previous highway response, the Highway Authority requested the applicant confirm various information including the traffic flows and traffic distribution/assignment between the junctions of Station Road/West Street and Shaftesbury Street/ Provost Street used in the traffic models, so the traffic impact to the town centre junctions can be robustly assessed. The applicant has since submitted a technical note which includes the updated junction modelling works using the revised trip distribution and assignments as requested by the Highway Authority. Having reviewed the revised junction modelling work, the Highway Authority is satisfied that with the proposed development, the town centre highway network would be operating within the capacity.*

### b) Access to the site

The new improved access into the site has been the subject of detailed discussions at pre application stage following the withdrawal of the previous application proposing a centralised access onto Station Road. The Highway Authority in their initial response to the current application asked for further information relating to forward visibility at the site entrance, priority working, and a site swept path analysis showing how larger vehicles can use the access safely.

The Highway Authority raises no ‘in principle’ objection to the application and has had regard to the amended and further details submitted and have confirmed they have no objections to forward visibility at the site entrance and this is maintained through conditions. With regard to priority working this relates to the main access road being reduced in width near the entrance and the details of how this works in practice. The Highway Authority make further suggestions, and this can be covered by a condition requiring final details to be submitted and agreed.

With regard to larger vehicle access the Highway Authority suggest further minor modifications but confirm this can be dealt with via a Section 278 Agreement which is a separate legal agreement required under the Highways Act between the developer and the County Council where a new junction onto the County maintained highway is proposed.

Regard as also been taken to the Council's Waste Strategy and the ability of refuse vehicles to enter the site and collect from all the dwellings. The site layout indicates a number of turning areas capable of accommodating refuse vehicles. For those parts of the site where cul de sacs arrangements do not allow for vehicles to enter and turn there are proposed bin collection points. All properties will be able to store wheeled bins within their rear garden areas and for the apartment blocks separate bin storage facilities are provided. The Councils Waste Manager suggests that further amendments are needed to the submitted waste strategy plan but agrees this can be dealt with by condition.

c) Development layout and car parking

**Site layout** - As set out above the internal estate road will comprise one main spine road between 5.5m and 6m wide with a pavement either side off which will lead a number of narrower cul de sac type roads with shared surfaces and private driveways. The main access into the site will be to adoptable highway authority standards but the developers intend to manage the internal roads through a privately funded management company funded by service charges payable by residents on the site. It is not a legal requirement that the roads be publicly adopted but it is still necessary to ensure that all roads are reasonably safe for all users. The fact that the roads are not publicly adopted will not prevent non- residents from entering the site of course.

Other strategic sites in Fordingbridge such as the Metis Homes development at Burgate have taken a similar approach. Non adoption also allows the developer to provide a road layout which potentially has better visual character for example by changing surfacing materials so that there is not a tarmacadam finish throughout. Similarly, some cul de sacs are not provided with pavements and create home zone type shared arrangements which does have the effect of slowing traffic speeds. At various potential conflict points such as internal junctions the plans show rumble strips which will slow traffic. Likewise on narrower roads rumble strips will be employed to demonstrate to vehicular traffic they need to take extra care with pedestrian safety as these roads are shared surfaces. These principles of road design are embodied in the latest design guides on estate roads (. The emphasis here is in reducing traffic speeds rather than making roads wider and straighter which does the opposite.

The Highway Authority in their latest response note the internal roads are not to be adopted and have no objections to the layout as submitted subject to some minor changes on car parking spaces and the location of drainage ponds. These are matters that can be resolved by condition with consultation to include the LLFA and Highway Authority to agree final details. It should also be noted that the road layout is capable of being accessed by refuse vehicles with various points throughout the site noted as bin collection areas. Most cul de sacs have turning areas incorporated to allow refuse vehicles to access and turn.

**Car parking** – the developer has provided overall more than the requisite number of car parking spaces to cater for the new dwellings. Car parking is split between surface parking, garages and car barns (car ports without doors). The Highway Authority have confirmed that on-site parking is a matter for the Council to determine

having regard to their adopted SPD on parking. The SPD requires 473 spaces. It has been agreed that one bed units can provide one space per unit instead of 1.4 spaces as set out in the Parking SPD. Similarly, whilst there is a shortfall with on plot spaces to serve 3-bedroom units (39 spaces spread over 80 three bed units) this is off-set by 40 visitor spaces spread throughout the site. Overall, this provides 9 spaces more than required by the SPD.

Car parking spaces are all sized as are garages and car barns to accommodate larger SUV type vehicles, as is now required. Some concerns have been expressed regarding the use of garages for domestic storage rather than car parking and the potential then for overspill onto estate roads and grass verges, but this is recognised in the SPD and the Council must accept that there is no control over this. All the main estate roads are capable of accommodating parked cars and visitor parking if required. The presence of parked cars can also act as a traffic calming element.

There is, however, an element of control that can be exercised to prevent garages being converted to additional living accommodation and preventing car barns from having doors installed. These measures will ensure all car barns are used for parking and garages will have the potential for car parking even if the householder chooses to use them for storage. It will also be necessary to prevent ad hoc parking on grass verges and open spaces and this can be controlled through physical measures such as strategically placed bollards, ditches or boundary or grass bunds. These details can be covered by conditions.

d) Off-site highway improvements and sustainable transport

The application proposes the following off site highway improvements -

- Improvements to Station Road/Shafesbury Road, Barton Road
- Ashford Close bus stop provision (there is an informal stop already present, but the plans now provide for a formalised bus stop and signage)
- Additional crossing improvements in the town centre have also been requested by the Highway Authority with a contribution of £5,000 to facilitate an improved to crossing facilities at the roundabout on the B3078 has been agreed with the applicant.

These proposals are agreed by the Highway Authority subject to further information which can form part of the S278 agreement which can be itemised in the S106 The applicant has agreed to the following works to improve local links and the use of transport routes on foot and cycle.

- Improvement to junction of Marl Lane and Station Road and re-surfacing
- Pedestrian and cycleway links to Marl Lane
- Cycle way link to former railway line
- Contribution to conversion of stiles to more accessible gates in the local area with a contribution to the County Countryside unit of £15,000
- Travel plan and contributions to encourage sustainable travel options.
- New cycleway and path through the site avoiding use of the narrow pavement on Station Road
- New cycle parking provision within the development site for each new dwelling.

Re-surfacing of Marl Lane along its length with the application site has been considered but is not required as part of this application as confirmed by the Highway Authority.

In addition, the applicant has agreed to provide electric charging points to all dwellings and with apartment buildings sharing communal charging points located within their car parking courtyards to facilitate use of electric vehicles. CALA Homes intend to provide the charging points as part of their construction.

Members are at this point also referred to the nearby strategic Site 17 and further afield to Site 18. Both those sites also include a range of improvements to bridleway and footpaths within and adjoining the sites as well as new cycleway and footpaths. These new and improved routes will assist with green travel options linking with Site 16 and give new walking and cycling routes to the local schools.

The applicants have submitted a Framework Travel Plan which is essentially a mechanism the developer brings forward to encourage new residents to use more sustainable travel options such as walking, public transport and cycling. This is linked with the off-site improvement works on adjoining rights of way to encourage walking and cycling as opposed to private motor vehicles. The location of the site does lie within 10 minutes' walk from the town centre and within a 20 minute walk of the Primary School. These are routes that currently exist, but it should be noted these routes will be added to by the sustainable transport improvements noted above. All new residents will be provided with a Travel Pack with information on walking and cycling and a sustainable travel voucher to enable the purchase of cycle equipment for each new dwelling or bus vouchers. In addition, car sharing opportunities will be promoted and information on journey planning using public transport. A Travel Plan is usually submitted in final form to the County Council with fees paid through the S106 to ensure its implementation and monitoring and the employment of a travel plan co-ordinator.

e) Construction traffic management

The Highway Authority have considered the need for management of construction traffic entering and leaving the site. The applicants have provided a Framework Construction Management Plan (3 August 2023) which sets this out and covers such areas as routes to site through the town, hours for delivery, carrying out of a road condition survey on the main access road through the town, on site compound and working arrangements, and traffic estimates of the number of delivery vehicles. The Highway Authority have had regard to this Plan and consider it can form the basis for a more detailed plan which can be dealt with via condition. Such a condition would require the Plan to be submitted and agreed prior to commencement of works on site it is suggested. The Plan also covers dust and noise management through construction activity and this respect may overlap with the Construction Environment Management Plan required by the NFDC Environmental Protection Team.

The Construction Plan anticipates the development of around 40-50 dwellings per year with overall construction expected to last 48-56 months. The development would start with set up works and grounds works, and this would generate a maximum of 40 light vehicles (20 in and 20 out) and 10 HGVs (5 in and 5 out). Following this the works to construct the dwellings are estimated to generate a daily flow of HGVs of 10 in and 10 out, and light vehicles (cars and vans) of around 30 in and 30 out spread across the day. It is usual practice to try and avoid deliveries during peak traffic times such as school pick up and drop off. All these details can be firmed up and agreed by condition as part of a Construction Traffic Management Plan and Construction Environmental and Ecological Management Plan.

The Highway Authority in principle do not object to the Framework Plan presented subject to final details being agreed later. The key point is that the Highway Authority consider the existing network has sufficient capacity to cater for the construction traffic. The other key point to note is that there should not be any construction traffic



of heavy lorries arriving from the west Sandheath direction which could add to the existing difficulties pedestrians currently face on the narrow pavement along this stretch of road. All HGVs will be routed to and from the A338 Ringwood to Salisbury Road through the town centre. This is the most direct route and avoids vehicles using residential streets and roads.

## **ENVIRONMENTAL HEALTH AND PROTECTION ISSUES**

The Council's environmental protection team have been consulted and the following sets out in more detail those matters for consideration.

### a) Air quality

Planning policies and SPD guidance set out above require development to comply with objectives and limitations in relation to air quality as well as taking opportunities to reduce traffic and use non-polluting vehicles.

The submitted air quality assessment models the potential impact on local air quality from the developmental. The impacts are assessed in terms of the potential impact from vehicle emissions from the operation of the proposed development(s) (nitrogen dioxide and particulate matter) and construction operations (dust / particulate matter) on site and on the local road network. The air quality assessment considers a number of developmental and phasing scenarios and takes into account the cumulative impact from other proposed development sites in the vicinity of Fordingbridge.

The Council's EHO has carefully assessed air quality impact arising from additional motor vehicles but considers there to be no reasons not to grant planning permission subject to conditions covering a dust management plan during construction phase (to be included as part of the CEMP referred to above).

### b) Noise pre and post construction

The Council has assessed the impact of the development in regard to noise and dust pollution. Noise impact has been evaluated from the development in isolation and also the cumulative impact of all committed development in the Fordingbridge area. A number of receptors were used to measure and model potential noise from additional traffic in particular throughout the town. Noise will be created in two ways, first by construction works, and secondly through increased operational noise once occupation has taken place.

In addition, the impact of construction and post construction noise has been considered in relation to the Allenbrook Care Home (reference made here to the objections from that property noted in the public comments section above).

The EHO is satisfied that construction noise can be mitigated through a construction environmental management plan (CEMP) governing noise limitations. As for the wider impact on noise in the area and on the care home the EHO considers these increases will be negligible and not significant.

### c) Contaminated land

A Ground Investigation report has been submitted with the application. No remedial actions are required for the site; however, a number of disused barns were located in the central southern portion of the site which have been identified as potentially containing harmful materials within the fabric of the buildings/structures. Therefore, an asbestos and hydrocarbon survey is required to be undertaken and a proposed

condition ensures that any asbestos and hydrocarbon contamination is identified and remediated to ensure the proposed dwellings and gardens are safe and suitable for use.

d) Lighting impact

The applicants have provided details of lighting on the site which takes the form predominantly of street lighting and low level bollard lighting for some pathways and cycleways. The lighting scheme is designed to provide for adequate lighting of all residential areas and the main footway and cycleways without causing undue harm to public health or the International Dark Skies Reserve.

The lighting design has been designed in accordance with the ILP Guidance Note 01/20 which is the guide on reducing obtrusive light.

The design is in accordance with the requirements for Environmental Zone 1/2 which includes National Parks. The following mitigation measures have also been introduced to reduce the amount of obtrusive light produced and the impact on human receptors:

- Use of backshields where required to reduce backspill
- Liaison with the Ecologist to keep priority areas unlit or very dark including badger setts, bat roosts and veteran trees.
- Use of luminaries with minimal (if not zero) direct upward light contribution
- Careful aiming, positioning and selection of luminaries
- Suitable levels of dimming
- Use of the lowest intensity LED modules feasible.

The details of lighting are considered to be acceptable in terms of human health, ecology and Dark Skies subject to restrictions on house welcome and security lights the details of both of which need to be agreed prior to their placement on dwellings.

### **IMPACT ON LOCAL RESIDENTIAL AMENITIES**

There are a significant number of objections from local residents relating to the attractiveness of the site and its benefit for local residents notwithstanding there is no legal right of access at present. The development will have some negative impacts for local residents who use the rights of way bordering the site and who enjoy the rural views of the application site. However, these impacts are considered to be limited. The views from Marl Lane will change but without exception the rural corridor and landscape seen from Marl Lane will be retained. From this vantage point longer range views will change with the introduction of lower height bungalows and two storey dwellings but the principle of such change was inevitable once the site was allocated for development.

The other locations where the site can be seen from public vantage points will be along Station Road, and from the former railway line. With regard to Station Road most of the trees along this boundary will be retained and supplemented so the impact is limited. Similarly, the current open views from the former railway line will be affected close to only by 8 no. houses which back onto the line. The key benefit of this site forming a green wedge between Fordingbridge and Ashford will be eroded but only in line with the expectations set out in the Local Plan with development adhering to the approved settlement boundary and significant areas of green space being retained as is required by site specific policies.

The development will impact on the general amenity of existing residents who border the site along its western boundary with Ashford Close, and near to its eastern boundary with two properties to the north of Allenbrook and around ten properties which front onto or have their rear gardens facing Marl Lane. General impact regarding noise both during and after construction are dealt with in the section above. Loss of view or of value for an existing property is not a planning consideration.

The following section of the report deals with the impact through the proximity of any new development on day and sunlight and any subsequent loss of privacy caused by direct or oblique overlooking, noise and disturbance.

Dealing first with the two properties that lie to the north of the care home. These two properties are served by a private drive leading past the care home. These properties will not have any passing traffic or construction traffic on the private access lane in front of them. Overlooking will also be limited to the end property in the new proposed courtyard of 4 dwellings in this location with oblique overlooking of the two garden areas. Plot 7 has an elevated deck area adjoining the existing dwelling to the south, but a suitable screen trellis type fence can be erected on this decked area to prevent overlooking. These two properties enjoy some separation from the main estate development supplemented by a green open space area such that the relationship of the nearest dwellings front to front are over 40 metres. This is an acceptable relationship.

Marl Lane Cottage on the eastern boundary of the site enjoys a large garden. This property will be surrounded on the development site by open space so will have new residents and others walking past its extended garden boundary, but this will not be such as to warrant any significant concern. Likewise, the one pathway that was due to exit the site onto Marl Lane in close proximity to this dwelling has now been moved southwards to avoid any undue privacy impact. There is also a line of houses on Allenwater Drive which back onto Marl Lane and who may experience some noise from the public open space and 'kick about' area located in the north eastern corner of the site but the main equipped play area in this part of the site is further away at around 90 metres+ so the level of amenity loss is not significant it is considered.

Turning to the eastern boundary of the site Ashford Close comprises a small residential estate of 24 no. dwellings granted permission in the early 1960s. Sixteen of these dwellings have their rear gardens facing the new development, including an infill house at the southern end of this line of semi-detached dwellings. Three of these dwellings face the eastern corner of the new development but the other thirteen back directly onto a new street of development with a back to back relationship. When the Ashford Close houses were first built, they all had a significant tree belt along their eastern boundary bordering the application field. It is also apparent on looking at the original estate plans that these houses had a short garden of around 10 metres. Over the years the trees along this boundary have been removed and the gardens extended to form an elevated sitting area overlooking the field. This has resulted in the gardens being extended in most cases by some 4-5 metres in length. The application plan shows this extended area within its ownership but outside the red line application site. The applicants have indicated they do not wish to challenge these garden extensions but that legally the land is in their ownership. The applicants are content to allow the status quo to remain.

With regard to the visual impact of the new development the back-to-back distance of these properties will be at least 24 metres but in most cases of the order of 28-30 metres. A rule of thumb used nationally is that there should be a minimum of 21 metres back-to-back to avoid harmful overlooking. In this case the distances now proposed exceed that. The objectors also point to the increased level of the field in

relation to their properties. There is a difference in floor levels of around 2.0-2.5 metres from the Ashford Close house ground floor level to the garden level of the new houses. This means that overlooking at first floor level of the new dwellings is towards the eaves level of Ashford Close properties such that the new properties will look down on the existing dwellings with a higher ridge height of around 3 metres. That said the houses proposed are all 2 storey rather than 3 storey and will be at a distance of over 24+ metres away.

The applicants also intend to plant garden trees within most new plots and place a new 1.8m high boundary fence marking the new common boundary between existing and proposed gardens. The design of this new street is also broken up with individual detached and semi-detached properties with varying roof lines and gaps through the buildings. In this regard the impact on privacy and general amenity is at an acceptable level., The existing residents will lose their outlook over the field, but this is not a material planning consideration. The three dwellings at the northern end of Ashford Close are less affected with only one dwelling siding on with a distance of 10 metres from the common boundary to the side wall, with only a bathroom window overlooking, and a low level block of four car barns which has no detrimental impact. The impact on these three properties is considered acceptable and there is no significant overlooking arising. The opposite side of Ashford Close may see glimpses of the proposed new development from their front windows but there is no loss of amenity.

In terms of sun light and day light impact on the eastern facing Ashford Close residents, whilst there may be some loss of early morning sun to their gardens and rear facing windows, it is not considered that the proximity of the new dwellings will be significantly detrimental to the lighting of habitable rooms which is the key consideration. The Ashford Close properties all face due east but will not lose their late morning and afternoon sun from the south, with late afternoon and evening sun already shaded by their own house. Given the distances and relationship of the new properties to the existing it is considered that on balance the amenity loss and any loss of early morning sun would be clearly insufficient to warrant a refusal of planning permission.

The one exception to the above is in the case of the relationship of no. 22 Ashford Close to a proposed new car barn building situated some 3 metres from the common boundary and at a higher level than their main garden area. The developer has been asked to amend his plan to pull the car barn further away to give a distance of 7 metres and to subsequently move the three affected plots northwards by 2 metres to accommodate this change. An amended plan has now been received agreeing to this modification which now provides a more neighbourly position for the new car barn building. The subsequent moving of the three plots northwards is only a marginal shift and will not impact significantly on the amenities of nos. 22 or 24 it is considered.

To conclude it is considered that the impact of the new development on the amenity of the occupiers of existing dwellings in the area is not sufficiently significant in terms of light and privacy or being so un-neighbourly as to warrant a refusal of permission, notwithstanding the understandable concerns raised by these property owners which are summarised above. The Case Officer has taken the opportunity to visit most of the Ashford Close properties and assess the development from within their private gardens and is satisfied the impact on residential amenity is acceptable.

The wider amenity impact on those residents and the general public who currently enjoy open views from selected public vantage points is not material or significant either it is considered.

## **MINERALS SAFEGUARDING**

Policies STR1 and STR9 both advocate sustainable development, and the re-use of minerals that might be found on the site will be part of that requirement. The County Council's response confirms it would be uneconomic to excavate all minerals on site prior to development of the housing site but they do suggest a condition requiring a scheme to be drawn up to show how any minerals found can be re-used which could limit the amount of material brought in or removed from the site thereby benefiting construction traffic movement figures.

## **EDUCATION AND SCHOOL PLACE PLANNING**

Hampshire County Council Children's Services have been consulted on the application. They confirm that the development will generate a total of 55 additional primary age children and 38 secondary age children. The development is served by the Fordingbridge Infant and Junior School and the Burgate Sixth Form Academy. The County Council have prepared a Schools Places Plan within which it estimates and sets out a rationale for arriving at costs of expansion based on previous projects. In this case it is calculated based on the plan and the number of new pupils that a financial contribution of £1,061,000 is required towards the expansion of the primary school. No contribution is being sought for the Burgate school as the school takes children from out of the County catchment area. Officers consider this contribution is in accordance with CIL regulations and can be required as being necessary, reasonable and directly related to the development.

## **S106 HEADS OF TERMS AND FINANCIAL CONTRIBUTIONS**

Following assessment of this application and taking into consideration the requirements as set out in the Local Plan and Infrastructure Development Plan the following are the proposed Heads of Terms for a Section 106 Agreement. The Agreement will need to be completed prior to the issue of any planning permission and would seek to deliver the following benefits with contributions based on current rates as at 1 April 2023 and index linked:

Whilst some of the County Council costs are yet to be established it is estimated that the total S106 contributions will be approximately £1.6m

**Affordable Housing** – provision of 42 affordable dwellings including future monitoring costs

**Air quality monitoring contribution** of £103 per dwelling = £20,394

**ANRG, POS and play spaces provision and maintenance** and long-term management/maintenance plan, monitoring costs and requirement – potentially privately managed. Structure of management company. Failure safeguards. If managed by public body, then maintenance contributions TBC.

**Biodiversity net gain (BNG)** long term management/maintenance plan setting up of management company and provisions to safeguard against failure and setting up monitoring arrangements. Monitoring charges. 30-year minimum time span for BNG on site. BNG to cover whole of development site with all trees and soft and hard landscaping maintained for minimum period of 30 years.

**County Council charges and monitoring fees** £TBC

## District Council Monitoring Charges

Recreational Habitat Mitigation commencement	£808	TOTAL £24,746
Recreational Habitat Mitigation physical inspections	£11,608	
Public open space monitoring	£6542	
Biodiversity Net Gain monitoring	£4980	
Affordable housing check	£808	

**Drainage - on-site drainage** – management company to look after on-site drainage including SuDS basins and any underground equipment within POS areas if not publicly adopted

**Education** - financial contribution of £1,061,000 towards expansion of Fordingbridge Junior and Infants School payable to Hampshire County Council

**Formal open space (playing pitches and infrastructure)** contribution towards off-site formal open space and new playing facilities for the town to be confirmed. £1000 per dwelling = £198,000.

**Fordingbridge Parish footpath improvements contribution** sum of £15,000 based on the improvement of local stiles to change to gates.

**Former railway line** - contribution of £5,000 to provide a short link between the site boundary and the former railway line. This contribution will be made to NFDC as landowners.

**Habitat mitigation non infrastructure contributions** based on latest mix of housing across site of £172,181

**Marl Lane contribution** towards localised improvement onto Station Road to be costed and confirmed with County Council to carry out the work.

**Marl Lane future maintenance** sum based on 30 metres improved length = £10,800

**Off-site highway works and highway contribution** sum of £5,000 to improve town centre crossing point at mini roundabout and cycleway/pedestrian access, Station Road /Shaftesbury Street/Barton Road improvements, Ashford Close bus stop improvement, Station Road junction improvement and all associated highway works– under S278

**Travel Plan - Full** with monitoring, set up and approval fees so as to encourage more sustainable forms of transport other than the private motor car. £TBC by County Council.

### **Community Infrastructure Levy**

As part of the development, subject to any relief being granted the following amount Community Infrastructure Levy will be payable: \*Affordable housing can reduce the headline rate of CIL payable and this will be calculated later.

Type	Proposed Floor space (sq/m)	Existing Floor space (sq/m)	Net Floor space (sq/m)	Chargeable Floors pace (sq/m)	Rate	Total
Dwelling houses (market)	19580.77		19580.77	19580.77	£80/sqm	£2,138,822.57 *
Affordable Housing	3436.3		3436.3	3436.3		£0.00 *

Subtotal:	£2,138,822.57
Relief:	£0.00
Total Payable:	£2,138,822.57

## **RESPONSE TO TOWN COUNCIL AND LOCAL OBJECTIONS**

Having considered all matters in detail the following is a response to comments received from the Town Council and interested parties: This includes an assessment of every letter of objection from residents. This report takes all those matters raised into account fully.

- Matters of principle** – The development should be permitted in accordance with the Development Plan. The site is allocated in the Local Plan for housing and public open space. The proposed housing lies within the settlement boundary and as such is in the urban area as defined in the Local Plan. The Government's tilted balance also applies given the Council's land supply for housing is below the 5-year supply required and currently stands at just over 3 years supply. There are no substantive grounds to reject the application from technical consultees. Recent Government Ministerial Statements do not undermine or in any way change the allocated status of the site and do not change the legislative requirement that development is approved in accordance with the Development Plan unless other material considerations indicate otherwise. There are significant public benefits arising from the delivery of 198 houses 42 of which will be affordable including social rent units, together with the economic benefits that flow from that including short term construction employment and longer term additional local spend on services. The increased number of houses above the minimum number shown in the Local Plan is not a ground for refusal unless it can be demonstrated that the design quality of the scheme is unacceptable or that there are technical objections of which there are none which is not the case here. Comments also made about lack of employment land and town becoming a dormitory. The Local Plan in this respect did not allocate additional employment land and whilst the local comment is acknowledged this is not material grounds to object to the current application. Comments made regarding lack of local shopping are noted but it is considered that the development will support the local economy through additional custom and potentially encourage new shops and services to open.
- Cumulative development** - the Town Council state the application should not be considered in isolation. However, there is no mechanism in the Local Plan to prevent each application coming forward separately and being

considered on its own merits. There is no requirement set out in the Local Plan to stagger the development of allocated sites. In terms of cumulative impact, the report above makes clear that officers have considered the cumulative highway and landscape impacts. The cumulative impact of the three Fordingbridge Strategic Sites was assessed at Local Plan allocation stage. In addition, the cumulative impact on landscape, highway and environmental protection/human health matters has been taken into consideration by officers of this Council and the County Highway Authority in this report and in the reports on other strategic sites. The impact on infrastructure is commented on below. The impact on ecology has been considered on a site by site basis and on habitat mitigation and phosphate impact on a cumulative basis.

- **Infrastructure concerns** – The Council can only impose a Section 106 Agreement and seek financial and other contribution requirements on those matters that meet the Community infrastructure Levy tests and the tests set out under Section 106 of the Planning Act. In this case those matters that can be covered relate to affordable housing, highway improvements, sustainable transport improvements, education enhancements, District and County Council monitoring of the development, maintenance of public open spaces, play and ANRG areas, formal playing pitch contribution, air quality, and habitat mitigation. Contributions towards doctor, dentist or veterinary services are not allowed for within the above and are subject to other market and Government budgetary regimes. In total the developer will be expected to contribute around £1.8 million towards infrastructure costs and public benefits. This figure is not counting the Community Infrastructure Levy (CIL) of approximately £2.1m. Comment has also been made about the difficulties of recruiting new staff to medical and other roles in the town. This is a social issue rather than a planning related issue.
- **Highway concerns** – There are no objections from the Highway Authority on the basis of traffic generation, capacity of the town centre and local roads, design of the site layout and junction into the site, and sustainable transport matters. The proposal contains new sustainable cycle and walking routes. The impact of traffic on the town centre will be lessened given the approval recently in full for the new link road which will take traffic from Sites 17 and 18 as well as existing traffic from other peripheral estates such as Parsonage Park, and Augustus Park. Construction of the new link road is due to start on site this Autumn with a completion by the end of 2024 which is likely to be in advance of the main construction period associated with Site 16. Comment made regarding the Alderholt development are noted but the recent development for 1700 homes was refused permission by Dorset Council. Furthermore, such expansion of Alderholt does not form part of any adopted Local Plan policy (from the preceding East Dorset and Christchurch Councils), nor was it considered a Council (Dorset Council) ‘preferred housing site’ by the draft Dorset Local Plan, consulted on in 2021.
- **Wildlife and ecology impact** – there are no objections from the Council’s Ecologist in respect to the impact on protected species. Biodiversity net gain of 10% is included post development with a range of enhanced habitats throughout the site. All trees worthy of retention are retained and 400 new trees are to be planted. A 30-year maintenance programme for wildlife and trees in all public areas will be secured. All public access areas and play areas will be maintained in perpetuity. In contrast to the previously withdrawn application the Station Road tree frontage of the site will be retained and enhanced with houses set back beyond a new linear park and cycleway avoiding the use of Station Road. There are no impacts either in nutrient



neutrality terms given the availability now of a new phosphate credit purchase scheme. There are no objections from Natural England.

- **Flood risk and drainage**– There are no objections from the County Council flood risk team or the Environment Agency subject to implementation of the submitted drainage strategies. There are no objections either from the Water Authority in relation to foul drainage matters. The applicants have put forward a package of measures to deal with all types of flood risk on the site some of which will also have biodiversity measures built in to ensure that the local water course is not subject to any harmful run off from roads and parking areas which could include oil and other hydrocarbons.
- **Impact on local landscape and character** – There are no landscape-based objections from the New Forest National Park or Cranborne Chase AONB Partnership in respect of impact on protected landscapes. There are no objections on landscape grounds either from the Council’s Urban Design and Landscape team subject to further details on open spaces being submitted and agreed through suitable conditions. The green wedge between Fordingbridge and Ashford is maintained in accordance with the requirements of the Development Plan Concept Master Plan for site SS17 and will be enhanced. The impact on dark skies can be regulated by condition with an acceptable and subdued lighting strategy put forward taking the protected Dark Skies Reserve into account.
- **Heritage impacts** – there are no significant adverse impacts on the setting of Listed Buildings or the Fordingbridge Conservation Area arising out of this application. There is less than substantial harm to one non-designated heritage asset near to the site with a planning balance in favour of development given the overall public benefits. There is no impediment to granting permission subject to conditions based on the advice of the Council’s archaeological consultant.
- **Design, site layout, number of units and density** –The layout and house designs indicates a good quality development that respects the character of Fordingbridge and Ashford and fulfils the tests set out in the Development Plan i.e., the development is functional, appropriate and attractive. Essentially, the design and layout put forward meets with the Council’s aspirations for a high-quality scheme. The urban element of the scheme is complemented by a significant new public landscape of open spaces, play areas and ANRG dog walking opportunities with the quantum of such land far in excess of that required. Whilst the number of dwellings is higher than the minimum number set out in the Local Plan the resulting housing density on the developable land is of the order of 25 dwellings per hectare spread across 8.2 hectares which is significantly below government advice on best use of land which would result in at least 30 dwellings per hectare. A higher density scheme for 240 units was put forward previously but was rejected on environmental grounds. The current scheme is considered by officers to be a significant improvement in design terms over the previous application. Crucially to require only the minimum number of units would have resulted in a built density of less than 20 dph which would not fulfil latest guidance on making best use of land bearing in mind environmental considerations. It could also have resulted in less affordable housing.
- **Residential amenity issues** – There are a limited number of residents impacted to a modest extent by the development. The impact on those residents is adjudged to be acceptable in terms of light and privacy. There are no significant impacts arising from the proximity of new development.

Loss of view or outlook is not a planning consideration. The existing residents will also benefit from new publicly available areas of open space and recreation opportunities within a site that is currently private land and not available to the public.

- **Environmental health considerations** – there are no outstanding objections from the Council’s environmental protection team. Issues in relation to noise, dust and air quality can be conditioned and adequately controlled such that they do not adversely impact on local residents.

## 11 OTHER MATTERS

### Crime prevention

The report above sets out comments from the Hampshire Crime Prevention Officer. Some of the comments suggest new secure fencing, removal of public access routes and prickly planting near to ground floor windows amongst other items. These matters have been taken into consideration and the layout assessed for overall safety but not all measures are considered necessary or acceptable without adversely impacting on design quality. The site will contain adequate lighting and there is considered to be adequate mutual surveillance of dwellings and play areas. With lighting a balance must be struck between protecting wildlife, Dark Skies and retaining the unlit nature of the open spaces between Fordingbridge and Ashford.

### Community engagement

The Government advises that all major developments should be the subject of a pre application community engagement exercise. Prior to the submission of the application the applicants carried out a community engagement event with the public, sent leaflets inviting comments to adjoining and other local residents, and met with the Town Council. Their Statement of Community Involvement submission (see web site 20 March 2023) and Design and Access Statement demonstrates how they took on board the comments made through a web based and in person public exhibition and amended their plans. The applicants have also been in discussion with the Allenbrook Care Home and other local residents directly throughout the application process.

## 12 PLANNING BALANCE AND CONCLUSIONS

This site is allocated for development within the adopted New Forest Local Plan (Strategic Site 16) and will make an important contribution to the district’s housing supply

The proposal has received a significant number of local objections in respect of the principle of development, which the allocation of the site in the Local Plan makes non-material. Other objections submitted are not supported by the technical advice of consultees such as the Highway Authority, Natural England, Environment Agency, and Local Flood Risk Authority. No substantive alternative evidence has been submitted to set aside the views of statutory consultees. The development of part of this allocated site will undoubtedly change and have an urbanising impact on the local character, but this must be balanced against the allocation of the site and the need to deliver new housing including an element of affordable housing.

The tilted balance as set out in the NPPF does apply in this case as the Council cannot demonstrate a 5-year supply of housing land. The tilted balance sets out a presumption in favour of sustainable development and that greater weight should be

afforded to the delivery of new housing unless other harmful impacts outweigh that presumption. The development will make a significant contribution to the established open market and affordable housing need. As such, in this case officers consider the balance is in favour of permission.

The development will deliver 42 dwellings for affordable housing with a range of apartments and family homes including homes for social rent for those on lower incomes. The inclusion of a suitable mix of affordable housing weighs significantly in favour of an approval of permission.

The development will have an impact on the setting of one non designated heritage asset at Packham House (now Allenbrook Care Home), but this must be balanced against the reduced impact now demonstrated in the latest submissions, the mitigation measures to reduce site infrastructure impact, and the considerable public benefits both in economic and social terms. The proposal has minimal impact on designated heritage assets and in particular the setting of Fordingbridge Conservation and local Listed Buildings in the vicinity of the site, and the balance here is considered one of approval.

The ecological impact of the development including that relating to habitat mitigation and protected species has been carefully considered by officers and statutory consultees. The impact on ecological matters of importance is assessed that subject to conditions the development will not result in harm to protected species or areas. The proposal indeed brings forward opportunities for greater protection and further public appreciation of fauna and flora within the site.

The Council has carried out an Appropriate Assessment under the Habitat Regulations (as amended) at this stage and concluded that the impact of additional phosphorous entering the River Avon will cause harm but that a scheme of mitigation can be brought forward to neutralise such harm. Subject to appropriate licensing from Natural England there are no adverse impacts on badgers or bats within the application site.

The development has evolved since its submission and whilst the earlier scheme was not considered to be acceptable for a number of reasons the amended scheme supported by an updated Design and Access Statement (3 August 2023) and the other submitted plans weighs in favour of a permission. In particular, the high quality of the design and site layout coupled with extensive new tree planting and future maintenance of this landscape weighs significantly in favour of a permission.

The development has no significant impact on the setting of protected landscapes i.e., the New Forest National Park and Cranborne Chase AONB and any landscape harm has been mitigated through the measures set out in the application.

The Council has had careful regard to the submitted plans and reports and their details and conclusions have been amended following discussions with officers and these amendments have been the subject of a further round of consultations and consideration of any comments made by statutory and other consultees and interested 3<sup>rd</sup>. parties. All local objections have been read and taken fully into consideration in reaching this recommendation.

The Council has carefully considered the impact on local residential amenities both in relation to those adjoining the site and to the wider public. The report sets out mitigating measures to reduce harm and impact and this weighs in favour of a permission.

Overall given there are no technical objections to the proposal coupled with the substantial public benefits including those centred on the release of much needed open market and affordable housing, the opening up of private land of over 8 hectares (20 acres) to public beneficial use, and the sustainable development as set out in this report the proposal is considered to be generally in line with local and national policy and guidance. Essentially, the proposal is considered to comprise sustainable development in line with Local Plan Policy STR1.

As such, the proposal is recommended for approval subject to conditions and the applicant first entering into a Section 106 agreement to deliver the benefits as set out above. The S106 contributions set out achieve significant public benefits on a range of other localised improvements including open space, sports provision, walking and cycling, off site highway improvements and educational expansion of Fordingbridge Junior and Infants School.

Therefore, taking all matters into account including the concerns expressed by local objectors and Fordingbridge Town Council the planning balance in this case is one of approval as set out in the recommendation below.

### 13 RECOMMENDATION

Delegated Authority be given to the Head of Service to

**GRANT PERMISSION** subject to:

- (i) the completion of a planning obligation entered into by way of a Section 106 Agreement to secure those matters set out in above in this report; such agreement to be completed by end of June 2024.
- (ii) the imposition of the conditions set out below and any additional / amended conditions deemed necessary by the Development Manager/Service Head, having regard to the continuing Section 106 discussions.

#### Proposed Conditions:

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

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

2. The development permitted shall be carried out in accordance with the following approved plans:

Drawing Name	Revision	Drawing Title
<b>Scott Worsfold Drawing List</b>		
		<b>Layouts</b>
21-1119 LP01	<b>C</b>	Location Plan
21-1119 SL01	<b>L</b>	Site Layout 01 (Coloured Layout 1:1000)

21-1119 SL02	L	Site Layout 02 (1:500) - Block Plan
21-1119 SL03	L	Site Layout 03 (1:1000)
21-1119 TN01	E	Tenure plan
21-1119 SS05	B	Key Site Section
21 1119 SLO1	H	Parking typology
		<b>Documents</b>
21-1119 DAS Addendum	E	Design & Access Statement Addendum
21-1119 DAS	C	Design & Access Statement
16 October 2023	L	Accommodation Schedule
		<b>Flats</b>
FB-A e	C	Flat Block A - Elevations
FB-A p	C	Flat Block A - Plans
FB-B e	C	Flat Block B - Elevations
FB-B p	C	Flat Block B - Plans
FB-C e	C	Flat Block C - Elevations
FB-C p	C	Flat Block C - Plans
FB-D e	C	Flat Block D - Elevations
FB-D p	D	Flat Block D - Plans
		<b>House Types</b>
HT-02A.e1	B	House Type 02A Front elevation
HT-02A.e2	B	House Type 02A Elevations
HT-02A.p	B	House Type 02A Plans
HT-02B.e1	B	House Type 02B Front elevation
HT-02B.e2	B	House Type 02B Elevations
HT-02B.p	B	House Type 02B Plans
HT-02C.e1	B	House Type 02C Front elevation
HT-02C.e2	B	House Type 02C Elevations
HT-02C.p	B	House Type 02C Plans
HT-02D.e1	B	House Type 02D Front elevation
HT-02D.e2	B	House Type 02D Elevations
HT-02D.p	B	House Type 02D Plans
HT-02E.e1	B	House Type 02E Front elevation
HT-02E.e2	B	House Type 02E Elevations
HT-02E.p	B	House Type 02E Plans
HT-03A.e1	B	House Type 03A Front elevation
HT-03A.e2	B	House Type 03A Elevations
HT-03A.p	A	House Type 03A Plans
HT-03C.e1	B	House Type 03C Front elevation
HT-03C.e2	B	House Type 03C Elevations
HT-03C.p	B	House Type 03C Plans
HT-03D.e1	A	House Type 03D Front elevation

HT-03D.e2	<b>B</b>	House Type 03D Elevations
HT-03D.p	<b>A</b>	House Type 03D Plans
HT-03E.e1	<b>B</b>	House Type 03E Front elevation
HT-03E.e2	<b>C</b>	House Type 03E Elevations
HT-03E.p	<b>A</b>	House Type 03E Plans
HT-05A.e1	<b>B</b>	House Type 05A Front elevation
HT-05A.e2	<b>B</b>	House Type 05A Elevations
HT-05A.p	<b>A</b>	House Type 05A Plans
HT-05B.e1	<b>B</b>	House Type 05B Front elevation
HT-05B.e2	<b>C</b>	House Type 05B Elevations
HT-05B.p	<b>B</b>	House Type 05B Plans
HT-05C.e1	<b>B</b>	House Type 05C Front elevation
HT-05C.e2	<b>B</b>	House Type 05C Elevations
HT-05C.p	<b>D</b>	House Type 05C Plans
HT-06A.e1	<b>C</b>	House Type 06A Front elevation
HT-06A.e2	<b>C</b>	House Type 06A Elevations
HT-06A.p	<b>B</b>	House Type 06A Plans
HT-06B.e1	<b>A</b>	House Type 06B Front elevation
HT-06B.e2	<b>B</b>	House Type 06B Elevations
HT-06B.p	<b>B</b>	House Type 06B Plans
HT-06C.e1	<b>B</b>	House Type 06C Front elevation
HT-06C.e2	<b>B</b>	House Type 06C Elevations
HT-06C.p	<b>B</b>	House Type 06C Plans
HT-07A.e1	<b>B</b>	House Type 07A Front elevation
HT-07A.e2	<b>B</b>	House Type 07A Elevations
HT-07A.p	<b>C</b>	House Type 07A Plans
HT-07B.e1	<b>A</b>	House Type 07B Front elevation
HT-07B.e2	<b>B</b>	House Type 07B Elevations
HT-07B.p	<b>B</b>	House Type 07B Plans
HT-07C.e1	<b>B</b>	House Type 07C Front elevation
HT-07C.e2	<b>B</b>	House Type 07C Elevations
HT-07C.p	<b>B</b>	House Type 07C Plans
HT-08A.e1	<b>B</b>	House Type 08A Front elevation
HT-08A.e2	<b>B</b>	House Type 08A Elevations
HT-08A.p	<b>B</b>	House Type 08A Plans
HT-08B.e1	<b>C</b>	House Type 08B Front elevation
HT-08B.e2	<b>B</b>	House Type 08B Elevations
HT-08B.p	<b>C</b>	House Type 08B Plans
HT-08C.e1	<b>B</b>	House Type 08C Front elevation
HT-08C.e2	<b>B</b>	House Type 08C Elevations
HT-08C.p	<b>C</b>	House Type 08C Plans
HT-08D.e1	<b>A</b>	House Type 08D Front elevation

HT-08D.e2	<b>A</b>	House Type 08D Elevations
HT-08D.p	<b>B</b>	House Type 08D Plans
HT-08E.e1	<b>B</b>	House Type 08E Front elevation
HT-08E.e2	<b>B</b>	House Type 08E Elevations
HT-08E.p	<b>C</b>	House Type 08E Plans
HT-09A.e1	<b>B</b>	House Type 09A Front elevation
HT-09A.e2	<b>B</b>	House Type 09A Elevations
HT-09A.p	<b>B</b>	House Type 09A Plans
HT-09B.e1	<b>B</b>	House Type 09B Front elevation
HT-09B.e2	<b>B</b>	House Type 09B Elevations
HT-09B.p	<b>C</b>	House Type 09B Plans
HT-12A.e1	<b>B</b>	House Type 12A Front elevation
HT-12A.e2	<b>C</b>	House Type 12A Elevations
HT-12A.e3	<b>C</b>	House Type 12A Elevations
HT-12A.p	<b>B</b>	House Type 12A Plans
HT-12B.e1	<b>B</b>	House Type 12B Front elevation
HT-12B.e2	<b>C</b>	House Type 12B Elevations
HT-12B.p	<b>B</b>	House Type 12B Plans
HT-13A.e1	<b>B</b>	House Type 13A Front elevation
HT-13A.e2	<b>B</b>	House Type 13A Elevations
HT-13A.p	<b>C</b>	House Type 13A Plans
HT-13B.e1	<b>B</b>	House Type 13B Front elevation
HT-13B.e2	<b>B</b>	House Type 13B Elevations
HT-13B.p	<b>B</b>	House Type 13B Plans
HT-13C.e1	<b>D</b>	House Type 13C Front elevation
HT-13C.e2	<b>D</b>	House Type 13C Elevations
HT-13C.p	<b>D</b>	House Type 13C Plans
HT-14A.e1	<b>B</b>	House Type 14A Front elevation
HT-14A.e2	<b>B</b>	House Type 14A Elevations
HT-14A.p	<b>B</b>	House Type 14A Plans
HT-14B.e1	<b>B</b>	House Type 14B Front elevation
HT-14B.e2	<b>B</b>	House Type 14B Elevations
HT-14B.p	<b>B</b>	House Type 14B Plans
HT-14C.e1	<b>B</b>	House Type 14C Front elevation
HT-14C.e2	<b>C</b>	House Type 14C Elevations
HT-14C.p	<b>C</b>	House Type 14C Plans
HT-15.e1	<b>C</b>	House Type 15 Front elevation
HT-15.e2	<b>C</b>	House Type 15 Elevations
HT-15.p	<b>C</b>	House Type 15 Plans
HT-16A.e1	<b>C</b>	House Type 16A Front elevation
HT-16A.e2	<b>C</b>	House Type 16A Elevations
HT-16A.p	<b>C</b>	House Type 16A Plans

HT-16B.e1	<b>A</b>	House Type 16B Front elevation
HT-16B.e2	<b>B</b>	House Type 16B Elevations
HT-16B.p	<b>A</b>	House Type 16B Plans
HT-17A.e1	<b>B</b>	House Type 17A Front elevation
HT-17A.e2	<b>C</b>	House Type 17A Elevations
HT-17A.p	<b>B</b>	House Type 17A Plans
HT-17B.e1	<b>B</b>	House Type 17B Front elevation
HT-17B.e2	<b>C</b>	House Type 17B Elevations
HT-17B.p	<b>C</b>	House Type 17B Plans
HT-17C.e1	<b>B</b>	House Type 17C Front elevation
HT-17C.e2	<b>C</b>	House Type 17C Elevations
HT-17C.p	<b>B</b>	House Type 17C Plans
		<b>Plot Drawings</b>
P 3-5.e1	<b>C</b>	Plot 3-5 Front elevation
P 3-5.e2	<b>D</b>	Plot 3-5 Elevations
P 3-5.p	<b>B</b>	Plot 3-5 Plans
P 49-50.e1	<b>A</b>	Plot 49-50 Front elevation
P 49-50.e2	<b>A</b>	Plot 49-50 Elevations
P 49-50.p	<b>A</b>	Plot 49-50 Plans
P 72-73.e1	<b>B</b>	Plot 72-73 Front elevation
P 72-73.e2	<b>B</b>	Plot 72-73 Elevations
P 72-73.p	<b>A</b>	Plot 72-73 Plans
P 76-77.e1	<b>B</b>	Plot 76-77 Elevations
P 76-77.e2	<b>B</b>	Plot 76-77 Front elevation
P 76-77.p	<b>A</b>	Plot 76-77 Plans
P 121-123.e1	<b>B</b>	Plot 121-123 Front elevation
P 121-123.e2	<b>B</b>	Plot 121-123 Elevations
P 121-123.p	<b>B</b>	Plot 121-123 Plans
Court.p1	<b>D</b>	Courtyard plans (1 of 2)
Court.p2	<b>D</b>	Courtyard plans (2 of 2)
Court.e1	<b>D</b>	Courtyard elevations (1 of 4)
Court.e2	<b>D</b>	Courtyard elevations (2 of 4)
Court.e3	<b>D</b>	Courtyard elevations (3 of 4)
Court.e4	<b>D</b>	Courtyard elevations (4 of 4)
		<b>Ancillary Building</b>
CB01.pe	<b>B</b>	Car Barn Type 1 - plans & elevations
CB02.pe	<b>B</b>	Car Barn Type 2 - plans & elevations
CB03.pe	<b>B</b>	Car Barn Type 3 - plans & elevations
CB04.pe	<b>B</b>	Car Barn Type 4 - plans & elevations
CB05.pe	<b>B</b>	Car Barn Type 5 - plans & elevations
CB06.pe	<b>B</b>	Car Barn Type 6 - plans & elevations



G01.pe	A	Garage Type 1 - plans & elevations
G01A.pe	A	Garage Type 1A - plans & elevations
G02.pe	A	Garage Type 2 - plans & elevations
G02A.pe	A	Garage Type 2A - plans & elevations
G03.pe	A	Garage Type 3 - plans & elevations
G03A.pe	A	Garage Type 3A - plans & elevations
G03B.pe	A	Garage Type 3B - plans & elevations
G04.pe	B	Garage Type 4 - plans & elevations
G05.pe	B	Garage Type 5 - plans & elevations
BS01.pe	B	Bike Store 1 - plans & elevations (Flat A)
BS02.pe	B	Bike Store 1 - plans & elevations (Flat D)

I-Transport drawing list		
ITB17592-GA-001	C	Proposed Site Access Arrangement
ITB17592-GA-004	F	Proposed Site Access Arrangement and Long Section
ITB17592-GA-006	C	Proposed Station Road Connection
ITB17592-GA-008	C	Proposed Marl Lane Improvement Scheme
ITB17592-GA-019	A	EV Charging Facilities
ZAPTEC EV UNIT SPEC		EV Charging unit
ITB17592-GA-021	A	Marl Lane Pedestrian / Cycle / Service Vehicle Access

Mayer Brown drawing list		
CHFORDINGBRIDGE.23/20-1		Proposed Surface and Foul Water Drainage Strategy
CHFORDINGBRIDGE.23/20-2		Proposed Surface and Foul Water Drainage Strategy
CHFORDINGBRIDGE.23/13		Catchment Plan
CHFORDINGBRIDGE.2/LIGHT-01		Street Lighting Proposals

Tyler Grange drawing list		
15034 P27	F	Landscape Framework Plan
15034/P23	G	Public Open Space
15034/P29	E	Boundary Plan
499 S SW FND	A	Demolition Plan

Reason: To ensure satisfactory provision of the development and to comply with policies set out in the New Forest Local Plan Part 2 (2014) and New Forest Local Plan Part 1 (2020)

### 3. **Site Levels**

Prior to the commencement of any part of the development, details of all intended land and site levels, including finished floor levels for all buildings, existing and proposed levels of public open space areas (including ANRG and all drainage basins and swales), and the existing and proposed site contours, shall be submitted to and agreed in writing by the Local Planning Authority. Development shall only proceed in accordance with the approved details.

Reason: To ensure that the development takes appropriate account of, and is responsive to, existing changes in levels across the site.

### 4. **Phasing of development**

Prior to the commencement of any part of the development including any site clearance and demolition works, a detailed phasing plan, including all on and off-site works, plot construction programme, all highway and drainage infrastructure works, green infrastructure works, landscaping, public open spaces, recreation facilities, and all on and off-site foul and surface water drainage works, shall be agreed in writing with the Local Planning Authority (LPA).

The phasing plan as so agreed shall be implemented in full unless any written variation has been agreed beforehand in writing with the LPA.

Reason: To ensure the development is fully completed in an acceptable timetable and in accordance with the approved plans hereby permitted

### 5. **Final details of road infrastructure works**

Prior to the commencement of development, the final details of levels and the design and surface materials for all new road infrastructure works and access roads within the site (including foot & cycle paths, pedestrian and cycle crossing points) shall be submitted for approval by the LPA. No dwellings shall be occupied until the approved details have been fully implemented in accordance with the agreed phasing plan.

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

### 6. **Construction Traffic Management Plan**

No development hereby permitted shall commence, including site clearance or other demolition works until a Construction Traffic Management Plan, to include details of provision to be made for the following

- on site contractor's parking, and mess facilities
- construction traffic access,
- site exiting construction vehicle and road cleaning procedures,
- the turning and parking of delivery vehicles within the confines of the site,
- lorry and delivery vehicle routeing to and from the site
- delivery times for construction materials including soil and hardcore
- a programme of works including phasing

has been submitted to and approved in writing by the LPA. The approved details shall be implemented before the development hereby permitted is commenced and retained throughout the duration of construction.

Reason: In the interests of highway safety.

**7. Access visibility**

Prior to occupation the visibility and forward visibility at the site access onto Station Road as set out in the approved plans shall be provided. All such visibility shall be maintained thereafter with no vegetation over 600mm within such splays.

Reason: In the interests of highway safety.

**8. Car & Cycle Parking**

Prior to the commencement of development above dwelling slab level full details of all car parking arrangements including garages and car barns, and all cycle storage shall be submitted to and agreed in writing with the LPA. The details shall include the means of ensuring that off plot spaces are allocated to particular units. All car parking spaces, garages, car barns, as well as a timber shed to be provided for each non flatted dwelling for cycle storage shall be completed and made available for use prior to the occupation of the dwelling to which those parking facilities relate and shall be retained as such thereafter.

Reason: To ensure sufficient car parking and cycle parking is provided on a phased basis prior to occupancy of individual units.

**9. Electric charging points**

Prior to the occupation of any individual dwelling facilities to enable the charging of electric vehicles to serve that dwelling shall be put in place as shown on the approved plans.

Reason: In the interests of sustainability and to ensure that opportunities for the provision of electrical charging points are maximised in line with Local Plan IMPL2 policy expectations.

**10. Waste Collection Strategy**

Prior to the occupation of any dwelling a waste collection strategy shall be submitted to and agreed in writing with the LPA. The Strategy shall indicate how wheeled bins are to be stored on the site and the details, location and size of any bin collections areas. The development shall be carried out in full accordance with the approved details. The development shall be carried out and completed in a phased manner prior to the occupancy of individual units.

Reason: To ensure a satisfactory form of development compliant with Local Plan policy ENV3

11. **High Speed Fibre Broadband**

Prior to the occupation of each dwelling in the development hereby approved, the necessary infrastructure required to enable high speed fibre broadband connections shall be provided within the site up to property thresholds, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of sustainable development, in accordance with local and national planning policy.

12. **Landscape and ecological management and maintenance plan (LEMP)**

Prior to occupation of any dwelling a long term landscape and ecological management and maintenance plan taking into account any final approved landscaping and biodiversity management plans shall be submitted to and agreed in writing with the LPA. The Plan shall cover all soft landscaping, ANRG, POS, drainage basins and other areas outside of any domestic garden on the site, including all management measures associated with ecological assets on the site. The management and maintenance of these areas and assets shall be carried out in accordance with the plan so approved.

Reason: In the interests of the protection of landscape and ecological assets on site and their continued protection and enhancement in accordance with Local Plan policies STR1, ENV3 and DM2

13. **Biodiversity net gain monitoring and management plan (BNG)**

Prior to commencement of development above slab level a Biodiversity Net Gain Monitoring and Management Plan covering a period of 30 years from commencement of each development phase has been submitted for approval to the local planning authority. The Biodiversity Net Gain Monitoring and Management Plan shall include:

- Methods for delivering BNG;
- Responsibilities for delivering BNG – during and after construction;
- Description of the habitats to be managed;
- Ecological trends and constraints on site that might influence management;
- Clear timed and measurable objectives in the short, medium and long-term for BNG - Detail objectives for all habitats (target condition) and define key indicators to measure success;
- Define appropriate management options and actions for achieving aims and objectives;
- A commitment to adaptive management in response to monitoring to secure the intended biodiversity outcomes;
- Preparation of a work schedule;
- Details for a formal review process when objectives are not fully reached;
- Key milestones for reviewing the monitoring;
- Establish a standard format for collection of monitoring data to make it repeatable and consistent;
- Identify and define set monitoring points (representing the key habitats on site) where photographs can be taken as part of monitoring to record the status of habitats on site.

The monitoring and associated reports shall be undertaken and provided to the LPA as a minimum in years 2, 5, 10, 20 and 30 from commencement of each separate development phase.

No occupancy of any dwelling shall take place until the Plan has been agreed in writing by the LPA.

Reason: To ensure the development delivers and maintains a minimum 10% uplift in the site's biodiversity value in accordance with the policies of the New Forest District Local Plan Review 2016-2036.

14. **Works to be in accordance with Ecological assessment**

The development shall be undertaken in accordance with the recommendations of the Ecological Assessment (HDA, 2023 including any amendments and addendums submitted dated July 2023) and associated appendices including:

- i. Appendix C: Bat Survey Report;
- ii. Appendix D: Dormouse Survey Report; 3
- iii. Appendix E: Water Vole and Otter Survey Report;
- iv. Appendix F: Badger Survey Report;
- v. Appendix G: Breeding Bird Assessment;
- vi. Appendix H: Reptile Survey Report (NOTE: Including the reptile method statement provided in Section 5); and
- vii. Appendix I: Great Crested Newt HSI and eDNA Survey Report.

There shall be no variation to the approved details unless first agreed in writing with the Local Planning Authority or Natural England. The implemented measures shall be maintained thereafter in accordance with the approved details.

Reason: To mitigate the impact of the development on the ecology of the site and to provide biodiversity enhancements in accordance with the NPPF and the submitted Ecological Assessment in accordance with Local Plan Part 2 Policy DM2.

15. **Wildlife enhancements**

Prior to commencement of development above slab level of all of the dwellings a detailed scheme (to include the submission of the LPA's checklist proforma) for the placement of bird and bat boxes and swallow and bee bricks for each dwelling and apartment block, as well as any other wildlife enhancement schemes such as hedgehog highways shall be submitted to and agreed in writing with the LPA. The provision shall be in accordance with the CALA 'Urban Wildlife Strategy' as referred to in the Ecological Assessment (HDA, 2023 including any amendments and addendums submitted dated July 2023). The details as may be agreed shall be completed for each house and apartment block prior to occupation and maintained as such thereafter.

Reason: To ensure that biodiversity enhancement measures are delivered throughout the development; and to ensure that a key aspect of sustainability is delivered in accordance with Local Plan policies DM2 and ENV 3.

## 16. External and house lighting details

The development shall be carried out in accordance with the lighting plan 01 rev P5, the outdoor lighting report submitted on 3 August 2023.

All external lighting shall be installed in accordance with the specifications and locations set out in the approved details and shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority. There shall be no additional house lighting including welcome or security lights unless prior written approval has been first granted to the details and lux levels of such lighting from the Local Planning Authority.

Any lighting installed within the development shall not exceed the following maximum values of vertical illuminance at the facade of any residential premises in accordance with Environmental Zone E1: 2 lux pre-curfew (07:00-23:00hrs) and 1 lux post-curfew (23:00- 07:00hrs) in accordance with Guidance Notes for the Reduction of Obtrusive Light (GN01:2021) by the Institute of Lighting Professionals (ILP).

Reason: In the interests of the protection of important wildlife species in accordance with Local Plan Part 2 Policy DM2, and to ensure that the development does not have a deleterious impact on the International Dark Skies Reserve.

## 17. Phosphate mitigation and water efficiency

The development hereby approved shall not be occupied unless

- A water efficiency calculation in accordance with the Government's National Calculation Methodology for assessing water efficiency in new dwellings has been undertaken which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to, and approved in writing by, the local planning authority; all measures necessary to meet the agreed waste water efficiency calculation must be installed before first occupation and retained thereafter;
- proposals for the mitigation or offsetting of the impact of phosphorus arising from the development on the River Avon Special Area of Conservation (SAC), including mechanisms to secure the timely implementation of the proposed approach, have been submitted to and approved in writing by the local planning authority. Such proposals must:
  - (a) Provide for mitigation in accordance with the Council's Phosphorus Mitigation Strategy (or any amendment to or replacement for this document in force at the time), or for other mitigation which achieves a phosphorous neutral impact from the development;
  - (b) Provide details of the manner in which the proposed mitigation is to be secured. Details to be submitted shall include arrangements for the ongoing monitoring of any such proposals which form part of the proposed mitigation measures.

The development shall be carried out in accordance with and subject to the approved proposals.

Reason: The impacts of the proposed development must be mitigated before any development is carried out in order to ensure that there will be no adverse impacts on the River Avon Special Area of Conservation (SAC) (adding, when it is in place and as applicable), in accordance with the Council's Phosphorus Mitigation Strategy / the Avon Nutrient Management Plan.

**18. Pre commencement meeting with tree officer**

Prior to the commencement of works (including site clearance, demolition and construction works) 3 working days' notice shall be given to the Local Planning Authority Tree Officer to attend the pre-commencement site meeting as specified within the submitted Barrell Tree Consultancy Manual for Managing Trees on Development Sites V3.0 SGN 1: Monitoring tree protection.

Reason: To safeguard trees and natural features which are important to the visual amenities and ecological value of the area.

**19. Tree protection method statement for old railway line works**

No development, demolition or site clearance works shall take place in the vicinity of the proposed cycleway connection to the former railway line until the following information has been submitted to and agreed to in writing with the Local Planning Authority:

- A method statement and engineering drawings for the installation of new pedestrian path to the old Railway path.

Development shall only take place in accordance with these approved details.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area.

**20. Tree and hedgerow protection**

The trees and hedgerows on the site which are shown to be retained on the approved plans shall be protected during all site clearance, demolition and building works in accordance with the measures set out in the submitted Barrell Tree Consultancy Arboricultural impact appraisal and method statement Ref: 22105-AA3-CA dated 14<sup>th</sup> July 2023 with the accompanying Tree Protection Plan Ref: 22105-4

Reason: To safeguard trees and natural features which are important to the visual amenities of the area.

**21. Inspection of cellular confinement system**

On completion of the installation of the Cellular Confinement System as set out in the submitted Barrell Tree Consultancy Arboricultural impact appraisal and method statement Ref: 22105-AA3-CA dated 14<sup>th</sup> July 2023 with the accompanying Tree Protection Plan Ref: 22105-4, photographic evidence demonstrating that the works have been completed in accordance with the submitted Barrell Tree Consultancy Manual for Managing Trees on Development Sites V3.0 shall be submitted to the Local Planning Authority Tree Officer.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area.

## 22. Final hard and soft landscaping details and landscape framework

Within three months of the commencement of development, the following outstanding details of hard and soft landscaping of the site shall be submitted for approval in writing by the Local Planning Authority. This scheme shall include:

- a) a detailed landscape framework plan covering the whole site and larger scale hard and soft landscaping plans and details to cover sections of the site.
- b) tree planting details including species, size, protection, staking methods, irrigation, mulching and any other details.
- c) details of all soft landscape planting including plant species, size and numbers
- d) a specification for the protection and establishment of all new planting (e.g., temporary fences, rabbit guards, mulching);
- e) details for hard surfacing (where not a part of the highway) and the materials to be used to include details of all bridges and boardwalks
- f) details of fences, walls, piers, bollards and all other means of enclosure including typical elevations showing any decorative brickwork, soldier courses etc.
- g) details of all street and open space furniture (railings, bollards, seats, bins,), and all bin collection points
- h) a method statement and programme for hard and soft landscaping implementation
- i) at least two interpretation boards relating to the ANRG and ecological interest
- j) details of all service routes and any necessary tree protection measures or root barrier systems
- k) existing and proposed levels for all pathways, cycleways and boardwalks including details of any stepped sections
- l) .All external works for domestic and public spaces (hard and soft landscape) shall be carried out in accordance with the approved plans and details in accordance with the phasing plan condition set out above and maintained thereafter as planted/built and subject to changes or additions only if and as shown in the landscape management plan and maintenance plan or as agreed in writing with the Local Planning Authority.

No occupancy of any dwelling shall take place until the above details have been agreed in writing by the LPA.

Reason: To ensure that the development takes place in an appropriate and to comply with Policy ENV3 and the site-specific Policy in the local plan

## 23. Landscaping inspection and maintenance

Following the planting of new trees and soft landscaping on site and as may be agreed in any final landscaping proposals in line with the conditions of this planning permission, notice shall be given to the Local Planning Authority Tree Officer or other authorised officer on a rolling 12 month basis from commencement, or at the end of the development whichever is the sooner, to inspect the trees and other landscaping that have been planted.



If it is found that the planting is not in accordance with the agreed landscaping proposals including any necessary maintenance, further works and/or replacement planting shall be undertaken in the first available planting season following the inspection. All domestic garden trees shall be maintained for a minimum period of 5 years from planting or re-planting and all trees and soft landscaping within public areas shall be maintained for a minimum of 30 years from planting or re-planting. If any planted areas fail or trees and/or shrubs die or become damaged or diseased within the maintenance periods referred to, they shall be replaced with the same species (unless a written variation has been agreed beforehand with the LPA) in the next available planting season.

Reason: To ensure the development is fully completed in full accordance with any agreed landscaping scheme and maintained thereafter to comply with Local Plan Policies DM2, STR1, and ENV3

**24. Long term management of public areas and facilities**

Prior to occupation detailed proposals for the management and future maintenance of all public open space, highways, footways, cycleways, flood detention and SuDs basins and swales, play areas and equipment, street and open space furniture, and ANRG areas within the site should these not be formally adopted by the Council, or Town Council shall be submitted to and agreed in writing with the LPA.

All such areas shall be managed in perpetuity for open access to the public and maintained as such thereafter in accordance with any agreed management plan and as required by the allied Section 106 Agreement attached to this permission.

Reason: To ensure that such areas are properly managed and maintained as public open spaces and ecological assets in the public interest

**25. Details of play equipment and associated facilities**

Prior to any works taking place above slab level of any of the dwellings hereby approved a detailed specification of the detailed site layout (including any changes of levels) and design of all new play equipment and street furniture to be provided within the proposed LEAP and LAP and any other play on the way facilities within the site including any facilities such as benches and bins, shall be submitted for approval with the LPA.

In addition, details of the intended informal all-purpose recreational space in the north western part of the site including any necessary ground remedial works and a management and maintenance regime for that area shall be submitted for approval with the Local Planning Authority

The play details and associated facilities as may be agreed shall be provided and made available for use prior to the first dwelling being occupied, or in line with a phasing plan of provision to be agreed as part of this condition.

All play equipment and street furniture, and other facilities in connection with the use of the play areas, ANRG and other areas of POS shall be kept available for the public use in perpetuity and maintained in accordance with any provisions set out in other conditions or as part of any Section 106 Agreement accompanying the application.

Reason: In the interests of the proper provision, design and retention of play facilities and other public open space areas to serve the development in accordance with saved Core Strategy policy CS7 and Local Plan Policies ENV 3 and ENV13

**26. Minerals safeguarding**

Prior to the commencement of any part of the development, excluding site clearance, enabling and demolition works, a method statement covering the following matters shall be submitted to and agreed in writing with the Local Planning Authority.

- i) a method for ensuring that minerals that can be viably recovered during the development operations are recovered and put to beneficial use; and,
- ii) a method to record the quantity of recovered mineral (re-use on-site or off-site) and to report this data to the MPA upon completion of the development.

The development shall be carried out in accordance with the method statement so agreed.

The trees and hedges on the site which are shown to be retained on the approved plans shall be protected during all site clearance, demolition and building works in accordance with the measures set out in the submitted arboricultural statement.

Reason: To ensure that any minerals found on the site can be re-used

**27. Final drainage details**

Prior to the commencement of development, final detailed drawings of all SuDS retention basins, swales and attenuation tanks together with any headwalls and outflow details including existing and proposed contours, long and short cross sections, shall be submitted for approval to the LPA. The drainage details so approved shall be completed in accordance with the details as may be agreed and in any event prior to the first occupation of any dwelling on the site or in accordance with the detailed phasing plan above.

Reason: To ensure that the design of such basins is appropriate and acceptable in the interests of the visual appearance of the development so as to comply with Local Plan policy ENV 3

**28. Works in accordance with drainage strategy and FRA**

The development shall be carried out in accordance with the submitted MB Flood Risk Assessment and Drainage Strategy dated July 2023 and completed on a phased basis in accordance with the phasing condition as set out above.

Details for the long-term maintenance arrangements for the surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings. The submitted details shall include maintenance schedules for each drainage feature type and confirmation of ownership

Reason: To ensure that an adequate and satisfactory drainage system and flood risk measures are in place to serve the development.

29. **Construction environmental and ecological management plans (CEMP and CEcMP)**

No development shall take place, including any works of demolition and site clearance, until a combined CEMP and CEcMP has been submitted to, and approved in writing by, the Local Planning Authority. Thereafter the approved Plans shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:

Construction Environmental Management Plan

- a) An indicative programme for carrying out of the works;
- b) Details of the arrangements for public engagement / consultation both prior to and continued liaison during the construction works;
- c) Measures to minimise the noise (including vibration) generated by the construction process to include hours and days for work, proposed construction methods, plant and machinery to be used, and noise mitigation methods to be employed
- d) Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination;
- e) Loading and unloading of plant and materials, including permitted times for deliveries;
- f) Storage of plant and materials used in constructing the development;
- g) The erection and maintenance of security hoarding including decorative displays and
- h) Facilities for public viewing, where appropriate;
- i) Measures to control the emission of dust and dirt during construction;
- j) A scheme for recycling / disposing of waste resulting from demolition and construction works i.e., no burning permitted.

Construction Ecological Management Plan

Works shall be carried out in accordance with the methodology and details set out in the HDA report and include the following to be submitted for approval if not already detailed in the HDA report

- i. Method for ensuring no wildlife is trapped during construction works
- ii. Protective fencing and other arrangements during construction
- iii. Delivery of toolbox talks to all operatives
- iv. Storage of topsoil and other materials including tree protection measures
- v. Detail measures to avoid and mitigate construction impacts on species and retained habitats
- vi. Sensitive lighting during construction on sensitive ecological receptors e.g. roosts, bat flight lines, retained vegetation etc.

Reason: To comply with Local Plan policies STR1 and ENV3 and in the interests of the protection of ecological assets on site and their continued protection and enhancement in accordance with Local Plan policies STR1, ENV3 and DM2

**30. Noise assessment and mitigation measures**

Prior to the commencement of the development above dwelling slab level, a scheme to demonstrate that the internal noise levels within the residential units will conform to the Indoor ambient noise levels for dwellings guideline values specified within Table 4 under section 7.7.2 of BS 8233:2014 and shall be complied by a competent acoustician on sound insulation and noise reduction for buildings and shall be submitted to and approved in writing by the Local Planning Authority. The scheme should take into account the correct number of air changes required for noise affected rooms.

The works specified in the approved scheme shall then be carried out in accordance with the approved details prior to occupation of the premises and be retained thereafter.

Reason: In the interests of the health and living conditions of residents on the site in accordance with Local Plan policy CCC1

**31. Construction: Hours of Operation**

Unless otherwise approved in writing by the Local Planning Authority, all works and ancillary operations in connection with the construction of the development, including the use of any equipment or deliveries to the site, shall be carried out only between 0800 hours and 1830 hours on Mondays to Fridays and between 0800 hours and 1300 hours on Saturdays and at no time on Sundays, Bank Holidays or Public Holidays, unless in the case of any emergency works that may be required urgently.

Reason: To safeguard residential amenities.

**32. Removal of contaminants**

Prior to any demolition, site clearance, removal of floor slab and foundation excavations associated with the disused barn type structures on site a Method Statement shall be submitted for approval to the LPA with regards to asbestos, hydrocarbons and any other ground contamination in the central southern portion of the site. In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority together with a proposed remediation and removal plan.

The approved details shall be implemented throughout the duration of construction in that development phase, unless otherwise agreed in writing by the Local Planning Authority

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled water, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy CS5 of the Local Plan for the New Forest District Council outside the National Park (Core Strategy) and Policy DM5 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

### 33. **Archaeology**

A) No demolition/development shall take place/commence until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition at an agreed place of record of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under section (A).

The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under section (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To ensure that any archaeological survey results, site evaluations and finds are properly recorded

### 34. **Heritage**

Prior to any demolition of buildings to the north of Allenbrook Care and Nursing Home or any works to the new vehicular access serving the site, a photographic survey of the setting of the Home and the former associated buildings including any buildings or other structures to be demolished shall be submitted to the Local Planning Authority for record purposes.

Reason: To ensure a photographic record of this non designated heritage asset and its setting is made for historical recording purposes.

### 35. **Materials and final drawings for dwellings**

Prior to the commencement of any works above slab level of any of the dwellings hereby permitted a full final elevation and floor plan for each dwelling type including all materials (manufacturer names, type and colour) to be used on all dwellings, garages and car barns i.e. facing bricks, wall renders, weatherboarding, tile hanging including finish and colours, joinery details, roofing materials, eaves boards, ridge tiles, solar and photovoltaic panels or other renewable energy measures including the finish colour of the EV charging box to be used on individual plots, together with the materials and colour of rainwater goods, soil and vent pipes, meter boxes including their intended finish, shall be submitted to and agreed in writing with the LPA. The development shall be completed in accordance with the details as may be agreed.

Reason: In the interests of the appearance and character of the development and to comply with New Forest Local Plan policy ENV3

**36. Window and door details**

Prior to the commencement of any works above slab level of any of the dwellings hereby permitted the material and colours of all new windows with typical reveal and cill details, external doors, garage doors, and rooflights (including flashings to be used with flush fitting preferred) shall be submitted to and agreed in writing with the LPA together with the details of opening of windows with all windows to be sash or balanced casement rather than top hung except for fanlights. The development shall be completed in accordance with the details as may be agreed.

Reason: In the interests of the appearance and character of the development and to comply with New Forest Local Plan policy ENV3

**37. Maintenance of car parking spaces, garages and car ports**

Notwithstanding the provisions of the Town and Country General Permitted Development Order 1995 as amended, or any new re-enactment, the garages and car barns hereby approved (whether integral or as outbuildings/extensions to the dwelling) shall not be converted into additional living accommodation but shall be kept available for the parking of private motor vehicles. All car barns shall be retained in perpetuity as open structures and shall not be fitted with external doors other than those shown on the approved plans.

Reason: To ensure a reasonable and adequate level of parking is retained for the dwellings hereby permitted and to prevent ad hoc parking on pavements, cycle/footways and verges in the interests of highway safety for both pedestrians and vehicles.

**38. No further access to former railway line**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any order revoking or re-enacting that order, no access, vehicular or pedestrian, other than that shown on the approved plan, or as may be agreed in connection with the other conditions of this permission, shall be formed onto the former railway line running along the north western boundary of the site.

Reason: In the interests of the environmental protection and character of the area and in accordance with Policies ENV3, ENV4 and CCC2 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

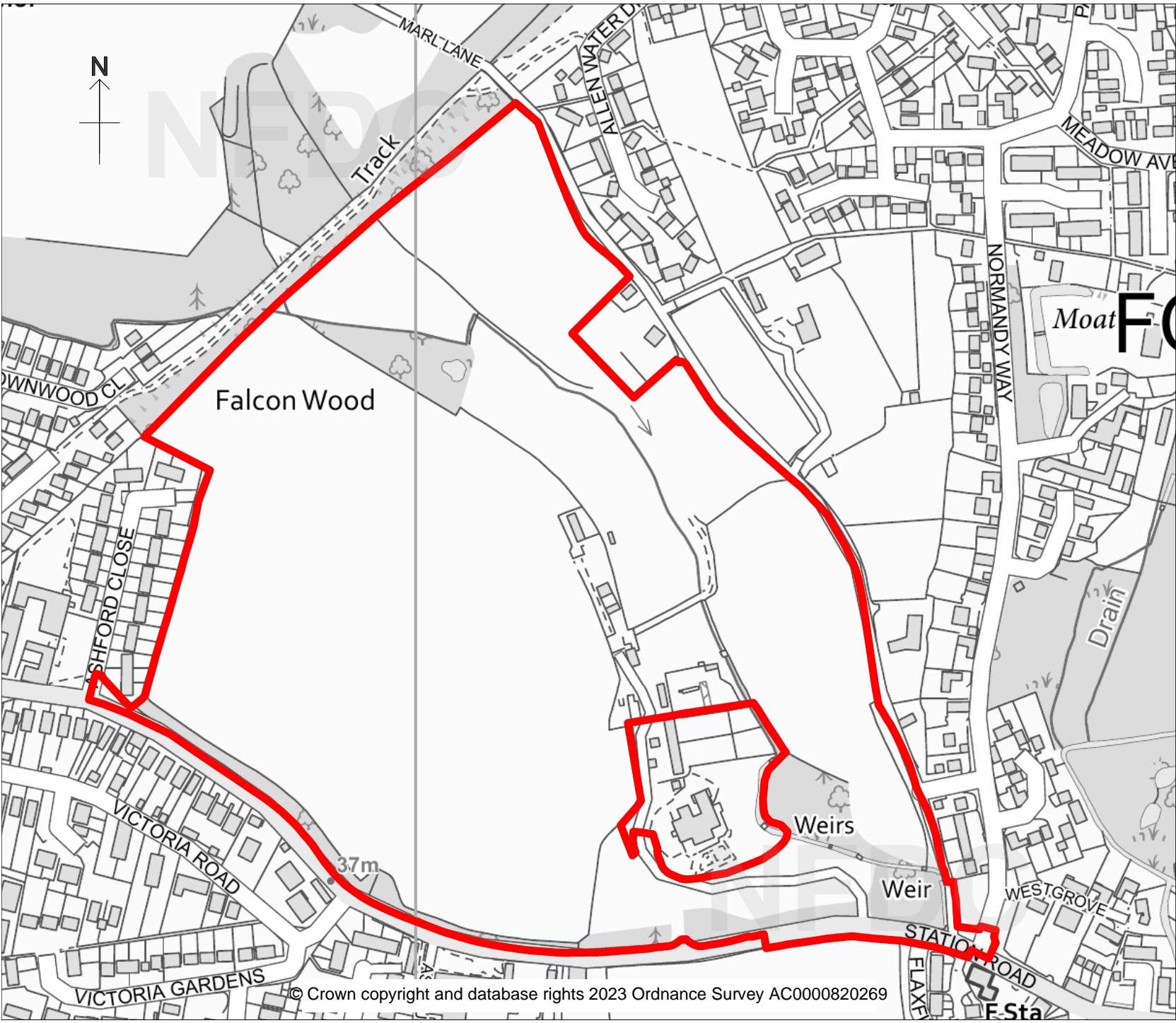
**39. Removal of pd rights on dwellings**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any revocation, amendment or re-enactment of that Order) no extension (or alterations) otherwise approved by Classes AA, A, B or C of Part 1 of Schedule 2 to the Order, garage or other

outbuilding otherwise approved by Class E of Part 1 of Schedule 2 to the Order, or means of enclosure otherwise approved by Class A of Part 2 of Schedule 2 to the Order shall be erected or carried out without express planning permission first having been granted.

Reason: In view of the high quality design and layout of the development the Local Planning Authority would wish to ensure that any future development proposals do not adversely affect the visual character and appearance of the dwellings and amenities of the area and the amenities of neighbouring properties, contrary to Policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park.

**Further Information:**  
Stephen Belli



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**New Forest**  
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**PLANNING COMMITTEE**

**November 2023**

SS16  
Land North of Station Road  
Fordingbridge  
23/19316

Scale 1:3500

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Planning Committee 08 November 2023

**Application Number:** 22/10854 Full Planning Permission  
**Site:** LAND WEST OF HILL STREET, CALMORE,  
NETLEY MARSH (PROPOSED LEGAL AGREEMENT)  
**Development:** Construction of 60 dwellings; creation of two new accesses  
from Hill Street, parking, landscaping, open space (including  
ANRG) and associated works  
**Applicant:** Bargate Homes Ltd and VIVID Housing Ltd  
**Agent:** Pegasus Group  
**Target Date:** 26/10/2022  
**Case Officer:** James Gilfillan  
**Officer Recommendation:** Service Manager - Grant  
**Reason for Referral  
to Committee:** Local Plan Strategic Site

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## 1 THE MAIN ISSUES

The issues are:

- A. The Principle of the Development
- B. Housing Mix and Affordable Housing
- C. Environmental Matters
  - i) Ecology and Protected Species
  - ii) Recreational Activity Impact on New Forest and Solent Habitats
  - iii) Nitrate Neutrality and Impact on the Solent Special Protection Area (SPA) and Special Area of Conservation (SAC).
  - iv) Recreational Activity Impact on Sites of IMportance for Nature Conservation (SINC)
- D. Highways, Access, Vehicular Parking and Storage
- E. Built Design and Density, Landscape, Trees and Design of the ANRG
- F. Flood Risk and Drainage
- G. Heritage Assets
- H. Residential Amenity
- I. Public Open Space and Recreation
- J. Other Matters

## 2 SITE DESCRIPTION

The application site is made up of agricultural fields located to the north of Salisbury Road to the north of Totton, close to the north east edge of the District, in Netley Marsh Parish. It is a small portion of the Strategic Allocation SS1 'Land to the North of Totton', that covers a much larger area of land either side of the A36 Salisbury Road which extends south to the existing built-up areas of Calmore.

The site is enclosed by the roads of Salisbury Road and Hill Street to the south and east, a private residential property, The Hollies, to the north, Green Lane Farm and Bridleway to the west. It is grassed and used for animal grazing. There is a small barn structure close to Hill Street, approximately halfway along the length of the

sites frontage to that road, where vehicle access is currently possible from Hill Street.

The land slopes gradually up to the north. There are mature trees and hedgerows along boundaries, many of the trees are protected by Preservation orders. A drainage ditch crosses the site flowing from west to east and is predicted to flood an area of the site eitherside of its route.

There are residential properties located sporadically along Hill Street. There is a Listed building, The Thatched Cottage, close to the north edge of the application site.

Beyond Hill Street to the east are fields and Testwood Lakes, an area of public open space, providing areas for nature conservation and recreation. A portion of the Testwood Lakes site is designated as a Site of Interest for Nature Conservation (SINC) and there is a gated pedestrian access from Hill Street, opposite the existing vehicle access to the application site, linking to paths throughout the Testwood Lakes site.

The area has a rural character owing to the dominance of agricultural uses, mature trees and very low density of the existing built form. However, the site falls within the defined built up area, as defined in the Local Plan which extended to accommodate the allocated strategic mixed-use site.

### **3 PROPOSED DEVELOPMENT**

"Construction of 60 dwellings; creation of two new accesses from Hill Street, parking, landscaping, open space (including ANRG) and associated works."

The full application proposes to demolish existing agricultural buildings and structures and erect 60 dwellings on the site, laid out in two distinct parcels on the north and south side of the site. Two new vehicular accesses from Hill Street would serve the parcels respectively. An area of green infrastructure, comprising open space, play space and drainage attenuation pond would be located between the two development parcels. Paths for pedestrians and cyclists would cross this space, linking the two development parcels to routes off site.

The scheme consists of a mix of house types and sizes, comprising terraced, semi-detached and detached houses, flats and maisonettes.

- 2x1-bed flats
- 13x2-bed flats
- 11x2-bed houses
- 25x3-bed house
- 9x4-bed houses

An electricity substation and water pumping station have also been included in the design and layout of the scheme. Off site highway works are also proposed.

### **4 PLANNING HISTORY**

Proposal	Decision Date	Decision Description	Status
21/10379 80 residential dwellings with associated alternative natural recreational greenspace (ANRG), public open space, landscaping, means of access and ancillary infrastructure (Screening Opinion) Strategic Site SS1	04/06/2021	EIA not required	Decided

### **Land North of the Hollies, Hill Street.**

22/10747. Development of 9 dwellings; open car ports, access, hard and soft landscaping and associated works

Under  
Consideration

### **Land North of Salisbury Road. (Bloor Homes)**

23/10268 Reserved Matters Application for the approval of appearance, landscaping, layout, and scale for 271 dwellings.

Under  
consideration

20/10997 Outline planning application with all matters reserved, except means of access to the highway network (junction arrangements) and associated highway improvements, for the demolition of existing buildings and the residential (C3) development of the site with up to 280 dwellings.

16/01/23

Grant subject to S.106 and Conditions Decided.

## **5 PLANNING POLICY AND GUIDANCE**

### **Local Plan 2016-2036 Part 1: Planning Strategy**

Strategic Site 1: Land to the north of Totton

Policy STR1: Achieving Sustainable Development

Policy STR2: Protection of the countryside, Cranborne Chase Area of Outstanding Natural Beauty and the adjoining New Forest National Park

Policy STR3: The strategy for locating new development

Policy STR4: The settlement hierarchy

Policy STR5: Meeting our housing needs

Policy STR8: Community services, Infrastructure and facilities

Policy ENV1: Mitigating the impacts of development on International Nature Conservation sites

Policy ENV3: Design quality and local distinctiveness

Policy ENV4: Landscape character and quality

Policy HOU1: Housing type, size, tenure and choice

Policy HOU2: Affordable housing

Policy IMPL1: Developer Contributions

Policy IMPL2: Development standards

Policy CCC1: Safe and healthy communities

Policy CCC2: Safe and sustainable travel

### **Local Plan Part 2: Sites and Development Management 2014**

DM1: Heritage and Conservation

DM2: Nature conservation, biodiversity and geodiversity

DM9: Green Infrastructure linkages

### **Local Plan Part 1: Core Strategy 2009 (Saved Policy)**

CS7: Open spaces, sport and recreation

### **Supplementary Planning Guidance And Documents**

SPD - Air Quality in New Development. Adopted June 2022

SPD - Design of Waste Management Facilities in New Development

SPD - Housing Design, Density and Character

SPD - Mitigation Strategy for European Sites

SPD - Parking Standards

### **Relevant Legislation**

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 66 General duty as respects listed buildings in exercise of planning functions.

### **Relevant Advice**

NPPF 2023

Planning Practice Guidance (website based resource)

Tree Preservation Order: 38/03/T 9

## **6 PARISH / TOWN COUNCIL COMMENTS**

**Netley Marsh Parish Council:** Object due to the impact of the proposed accesses on the character and appearance of Hill Street, access should be via adjoining land from Salisbury Road and Hill Street is inappropriate for construction traffic. Also raise concern regarding the impact on Testwood Lakes a well used and valuable nature and recreation area.

**Totton and Eling Town Council:** Object to the impact of traffic generated by the development on highway safety along Hill Street and the demand on services and facilities in the local area.

## **7 COUNCILLOR COMMENTS**

**Cllr Tim Cook (Netley Marsh PC):** Objects to the proposal due to the harmful impact on the character of Hill Street by construction vehicles and alterations proposed.

## **8 CONSULTEE COMMENTS**

Comments have been received from the following consultees:

### **New Forest District Council.**

**Conservation Officer:** The scheme would erode the rural setting of two designated heritage assets, The Thatched Cottage and its Granary on Hill Street, amounting to Less than Substantial Harm. The preservation of heritage assets is a statutory requirement and great weight should be given to their preservation. The Less than Substantial Harm should be weighed against the public benefits of the scheme. The scheme would also have an impact on Non-designated heritage assets at Myrtle Cottage, Broadclyst Cottage and an old agricultural building at the Laurels, that harm should be considered in the planning balance. **Objection.**

**Ecologist:** The site is close to sensitive protected sites in the New Forest and Solent, the scheme would give rise to likely significant effects arising from recreational activities and the erosion of air and water quality with the potential to have an adverse impact on their integrity Mitigation is available and should be secured. the scheme has identified an acceptable approach to delivering 10% BNG on site. An Environmental Mitigation and Management Plan has been provided. Conditions advocated. **No Objection.**

**Environmental Health (Pollution):** Noise - Accept conclusion of noise assessment that properties at the edge adjacent to Salisbury Road would require acoustic mitigation measures. CEMP condition advocated. Lighting condition advocated. **No Objection**

**Environmental Health Contaminated Land:** The site is not identified as being contaminated however advocates a condition is imposed should unexpected contamination be identified. **No Objection.**

**Open Space Officer:** Raises comments about the design and layout of the open spaces, the overlap between Public Open Space, Play and ANRG. Also comments on detailed aspects of the landscape design future management and integration with drainage scheme.

**Strategic Housing:** Support the scheme for delivering 35% affordable housing in an appropriate tenure mix but seeks a higher proportion of the provision to be 1-bed units.

**Tree Officer:** Two arboricultural reports support the application, one for on site trees and one for off site trees. Both fairly assess the quality of existing trees. The scheme proposes adequate replacement planting to offset the small number of trees to be removed. Specialist construction has been advocated for two sections of path that would avoid impact on rootzones. the layout and arrangement of the development would preserve the trees around the site and would not introduce any unsustainable building-tree relationships. Conditions are suggested. **No Objection.**

**Urban Design:** Whilst not meeting the low density intention of the local plan concept masterplan evolution, the proposed layout with large central greenspace is supported, however concerns are raised regarding the response of the proposed scheme to its context and failure to achieve a transition to the rural edges of the site. Building forms and elevations are not satisfactory, especially blocks of flats in the southern parcel, landscape design is not detailed enough to rely on a condition. **Objection** (this pre-dates amended plans).

#### **Hampshire County Council.**

**Archaeologist:** The scheme is supported by a desk based assessment, a geophysical survey and a trenched evaluation. The evaluation report captures the outcomes of this assessment and no further action is required. **No Objection**

**Countryside Services:** Identifies the development would lead to increased use and pressure on the Green Lane Bridleway adjoining the site, the lane needs improvement to be able to accommodate this demand and the proportionate financial contribution offered should be secured. **No Objection**

**Education:** As part of the strategic site the scheme would contribute to the cumulative impact of the entire allocation on the provision of education services locally. A proportionate financial contribution towards the provision of additional school places for primary years has been agreed and should be secured. **No Objection**

**Highways:** Safe and sufficient access has been provided to the application site. Alterations to Hill Street will improve passing opportunities and the safety of the lane satisfactorily for the vehicle movements generated by the development. Off site highway improvements to support sustainable forms of travel have been identified and should be secured. The scheme would not give rise to a material impact on the operation of the junction between Hill Street and the A36. The scheme would contribute to the cumulative harm caused by the entire allocation to the capacity of the junction of the A36/A326 southbound slip road, a proportionate financial contribution should be secured. Access for adjoining land to be serviced from Hill Street should be preserved by way of appropriate S.106 obligation. **No Objection.**

**Lead Local Flood Risk Authority:** Sufficient survey assessment and modelling of the identified flood risk has been undertaken and sufficient drainage attenuation and flood resilience secured to ensure the site and the development is safe. Conditions are proposed. **No Objection.**

**Minerals and Waste Planning: No Objection**

### **Others**

**Natural England:** The scheme is likely to give rise to significant effects on designated sites in the New Forest and Solent, arising from recreational activity, degradation of air and water quality. Mitigation can avoid adverse impacts and should be secured. BNG and Environmental Mitigation should be secured, including details of a lighting strategy. The impact of additional use of Testwood Lakes nature reserve is recognised, but adequate solutions are identified by the supporting Ecological Appraisal. A condition seeking to ensure the surface water drainage scheme protects from a deterioration in water quality is requested. **No Objection**

**Hampshire & Isle of Wight Wildlife Trust:** Raise concerns that the supporting ecological appraisal has not fully assessed the potential impact on locally designated sites of interest for nature conservation and in particular the scheme will cause harm to nature conservation on their Testwood Lakes site. **Objection**

## **9 REPRESENTATIONS RECEIVED**

The following is a summary of the representations received.

- Impact on the character and appearance of the area, especially creating new accesses
- Impact on highway and pedestrian safety, including cyclists and horse riders, especially as Hill Street does not have pavements
- Period of construction would compromise wildlife and nature conservation
- Not enough new planting being included in the scheme
- Loss of privacy
- Impact of additional visits to Testwood Lakes
- New housing is required
- Access to Testwood Lakes should be facilitated to reduce vehicle trips

For: 0

Against: 9

## **10 PLANNING ASSESSMENT**

### **A. Principle of Development**

The site falls within the built up area as defined by the proposals map. It is part of a larger site allocated for residential led development by Strategic Site policy SS1 (Land North of Totton), set out in full below:

#### **Strategic Site 1: Land to the north of Totton**

- Land to the north of Totton, as shown on the Policies Map is allocated for residential-led mixed use development and open space and will comprise the following:**
  - **At least 1,000 homes, dependent on the form, size and mix of housing provided.**

- A commercial core west of Pauletts Lane including around five hectares of land for business and employment uses.
- A community focal point in a prominent location including ground floor premises suitable for community use.
- Contributions to educational provision to include two hectares of land to be reserved for a primary school.
- On-site provision of formal public open space.

ii. The masterplanning objectives for the site as illustrated in the Concept Master Plan are to create a well-designed and integrated extension to Totton whilst maintaining the rural character of Hill Street and Pauletts Lane and a countryside edge to the New Forest National Park. Development will be required to:

- a. Create an integrated network of natural green spaces to frame development, using and enhancing important tree belts, hedgerows and woodland blocks (including Bog Plantation, Hatton's Plantation and Kilnyard Copse), and by making a positive feature of water courses, to connect new greenspace to existing footpaths and rights of way to Loperwood, Sharveshill Plantation, Wade Hill Drove and Testwood Lakes.
- b. Set development behind the ridgeline on the northern and northwestern edges to maintain an open landscape and an appropriate westbound transition from urban Southampton to the countryside edge of the New Forest National Park.
- c. Provide traffic calming and crossing points for the A36 (Salisbury Road) and creating a choice of vehicular routes including an alternative route west of Pauletts Lane between the A36 and Loperwood suitable for two-way traffic including buses, and an eastwest pedestrian and cycle route across Pauletts Lane.

iii. Site-specific Considerations to be addressed include:

- a. The need for an agreed comprehensive development framework for the whole allocation to ensure the effective coordination between multiple land interests to deliver an integrated, whole-site approach to the provision of access, community facilities, open space and natural recreational greenspace for habitat mitigation.
- b. Design and other appropriate measures to mitigate potential noise and air quality impacts from the M27/A31, A36 and the A326.
- c. To assess the need for, and to provide where necessary, enhancements to the A326 and A36 junctions to provide safe vehicular access for the development.
- d. The Grade II listed building Broadmoor Cottage, Pauletts Lane should be retained within an appropriate setting so that its significance can be appreciated.
- e. The preparation of a detailed site-specific Flood Risk Assessment (FRA) will be required which would demonstrate that there will be no inappropriate development within Flood Zone 3b.

The application site is a relatively small part of the overall area subject to this policy. The concept masterplan supporting the policy in the Local Plan presents a very broad approach to the layout of development and open space across the wider site. That masterplan does not place the commercial core, employment land, community uses and land for education services on the land subject to this application. The lack of provision of such other uses by this application does not weigh against it.

When prepared the policy (criterion iii (a)) recognised a need for the multiple land ownership interests to come together and prepare a comprehensive development framework for the entire allocation in order to ensure delivery of an integrated, whole site, approach to the provision of routes across it, the mix of uses and facilities and spread of green space. It has not been possible to secure such a development framework, however this should not and can not preclude consideration of applications, assessment on their merits and discharge of the duty of the Local Planning Authority to determine planning applications made to it.

In this case, the site is somewhat isolated from the wider strategic site due to its position on the eastern edge of the allocation and the presence of Salisbury Road, but has the benefit of principles established by the outline permission granted on the land to the north and west (Bloor Homes 20/10997).

The provision of 60 homes on this site contributes positively to the target of delivering at least 1000 homes from the entire allocation. Being within the defined built up area and on land allocated for housing led development, the principle of the development is acceptable and accords with policies STR3, STR4 and STR5, making a positive contribution to the successful implementation of the development plans approach to meeting its identified housing needs.

#### Principle of development benefits

The scheme would have significant benefits associated with it. The Council can not currently demonstrate it has a 5year supply of housing land available, it is therefore imperative that the sites allocated for housing are brought forward in order to ensure the supply of housing meets identified need in terms of annual delivery rates and overall supply.

In such circumstances, the NPPF (para 11d) indicates that the tilted balance is engaged, whereby in applying the presumption in favour of sustainable development even greater weight should be afforded in the overall planning balance to the provision of new market and affordable housing. The proposal is for a new residential development of 60 dwellings which would make a significant contribution to the housing land supply in the District of approximately two months supply. For reference, detailed consideration of the proposed Housing Mix and Affordable Housing offer is set out in the next section of the Planning Assessment.

Furthermore successful implementation of the Local Plan, by ensuring allocated sites deliver, significantly reduces the pressure to accept less desirable and less sustainable countryside locations and windfall sites subject to non-residential designations that are not planned for. Significant weight is afforded to this benefit. The scheme would have significant economic benefits during construction, involving extensive employment in a wide range of sectors across the construction industry. Construction workers bring spend into local shops and services, as in due course would residents of the scheme, as well as their use of services at home such as hairdressers, gardeners and decorators.



The scheme would have environmental benefits of delivering development on an allocated site in a sustainable location where local services and facilities can be accessed by modes of transport other than the private car. It would deliver modern housing built to the most up to date building regulations, providing energy efficiency and high levels of insulation.

The scheme would deliver social benefits of providing housing, in a mix of housing types and sizes, creating a mixed and balanced community as well as giving a wide choice. Furthermore it would provide a policy compliant level of 35% of the housing as affordable housing, with the appropriate mix of Shared Ownership, Affordable and Social Rent.

These benefits contribute positively to the delivery of a sustainable development as required by the NPPF and towards complying with policy STR1 of the development plan. Further consideration of details below will assess compliance with relevant policies and other material considerations.

**Environmental Impact Assessment (EIA)**

The proposed scheme was subject to a request from the applicant for the Council to adopt a Screening Opinion of the EIA regulations 2017. In concluding that the scheme was not EIA development it was considered that the scheme is a schedule 2 (10) Infrastructure Project. However, it does not cross any of the thresholds for such a form of development. It is not in a sensitive area, but is close to habitats in the New Forest and Solent.

The proposed scheme is a small element of a much larger allocation of approximately 1000 homes. As such, the in-combination effects require consideration. At that time, based on the location of the site subject to the screening request and other permissions and applications before the Local Planning Authority, it is considered that the scheme would not give rise to such impacts alone or in combination to constitute EIA development. Identified and predictable impacts can be mitigated through existing district wide mitigation strategies secured by S.106 and CIL contributions, site specific solutions secured by conditions and the design and layout of the scheme.

**B Housing mix and provision of affordable housing.**

Local Plan Policies HOU1 and HOU2 seek to ensure that new residential development provides a mix and choice of homes by type, size, tenure and cost. Current evidence suggests that there is a need for a greater proportion of new stock to be smaller-to-medium-sized homes (particularly so in the affordable housing tenures). A supporting table within the Local Plan (Figure 6.1 - below) sets out the need for different house types within the District.

	<b>1-2 bed</b>	<b>3-bed</b>	<b>4+ bed</b>
Affordable rental homes	60-70%	25-30%	5-10%
Affordable home ownership	55-65%	30-35%	5-10%
Market homes	30-40%	40-45%	20-25%

*Figure 6.1: Indicative need for different sizes and tenures of home*

- The scheme makes provision for a mix of house sizes and types that would follow the range advocated by local plan figure 6.1 supporting policy HOU1. Positively it provides for a mix of house types, terraced, semi-detached,

detached, flats and maisonettes. This supports a wide range of choices and costs within the market and housing needs.

Adopted policy HOU2 sets the targets for delivery of affordable housing Totton. In accordance with HOU2 i) the scheme is required to deliver 35% affordable housing, which the scheme does, by making 21 units available for affordable tenures. The provision is split 70:30 between 'affordable' (affordable rent and social rent) rent and affordable home ownership. The affordable rental properties would be split 50:50 between affordable and social rent in accordance with HOU2 criterion iii) and that provision is split 70:30 between rent and affordable ownership. This would be secured by a S.106 legal agreement.

Figure 6.1 supporting HOU1 also seeks to set out the combination of tenure and unit size. Whilst the Council's Strategic Housing team would prefer to see a higher number of 1 bed units, the table included in the development plan combines need for 1 and 2 bed units as a single category, therefore it would not be possible to require a higher percentage of 1-bed units specifically

The following table sets out the proposed housing mix.

<b>Tenure</b>	<b>1-bed</b>	<b>2-bed</b>	<b>3-bed</b>	<b>4-bed</b>
Affordable Rent	2	5	0	1
Social Rent	0	7	0	0
Affordable Home Ownership	0	4	2	0
Market	0	12	19	8

The tenure and size mix is sufficiently close to the broad principles of the identified housing needs that it would not undermine the benefit of providing affordable housing, nor would it result in the scheme being unacceptable.

As such, the scheme would deliver social benefits of providing housing, in a mix of housing types and sizes, creating a mixed and balanced community as well as giving a wide choice. Furthermore, it would provide a policy compliant level of 35% of the housing as affordable housing, with the appropriate mix of Shared Ownership, Affordable and Social Rent.

Therefore, subject to a s106 planning obligation securing the proposed affordable housing in perpetuity, the proposal accords with Local Plan Policies HOU1 and HOU2.

### **C. Environmental Issues**

#### **Ecology and Protected Species**

There are no protected or sensitive habitats on the site, which is predominately improved and semi-improved grassland. There are areas of dense scrub, species poor hedgerows and mature trees. There is also a slow flowing drainage ditch crossing the southern portion of the site.

Based on records of the presence of species within 2km of the site and the nature of the habitats identified on the site, the supporting Ecological Appraisal indicates that

the site has the potential to support Newts, Reptiles, Dormice, breeding birds and bats. The Council's Ecologist accepts that the survey and analysis captures all necessary ecological designations close to the site with the potential for to be effected.

There are no species present on site that would restrict the design, layout or principle of the development, but further surveys and implementation of mitigation measures identified in an Environmental Mitigation and Management Plan are required. This plan includes proposals to add bat tubes and bricks, log piles, dormice nest boxes, integrated swift bricks, insect hotels and hedgehog highways between gardens and open spaces. A suitably worded condition is imposed to ensure these measures are delivered.

Concerns are raised that bats inhabiting the area could be disturbed by inappropriate lighting, a detailed lighting strategy to minimise night time glare is secured by condition.

As described in the assessment of Landscape, all of the important mature trees would be retained, the existing ditch across the site and the majority of hedgerows around the boundaries would be retained, preserving their contribution to supporting biodiversity and the ecological baseline. A landscape strategy has been provided in support of the scheme, revised to address comments from the Environment Design Officer. The Environmental Mitigation and Management Plan also identifies a range of species to reinforce the hedgerows, water tolerant species to take advantage of SUDS features and wildflowers to enhance semi-improved grasslands on the site, that will need to be incorporated by the final landscape design. The NFDC Ecologist is content with these proposals and reliance on conditions to ensure delivery. A condition securing a schedule of provision to assist with monitoring is also included.

### Biodiversity Net Gain

The application is supported by a Biodiversity Metric Assessment'. The report sets out that the proposals will be able to deliver measurable net gain in biodiversity through using a recognised biodiversity metric to calculate the value of the site before and after the development. The principle of additionality has been applied within the calculations. Essentially the report sets out the various proposed measures that will help to deliver Biodiversity Net Gain, which include those mitigation measures along with other enhancement measures.

The Council's Ecologist is satisfied that there is sufficient BNG within the site to address its own policy requirements seeking a 10% gain. This will be subject to further monitoring and management of the BNG over a 30-year period. A set of ecological conditions are suggested to deal with BNG matters including a landscape and ecological management plan (LEMP) setting out exactly how ecology will be managed over a minimum 30-year period. This will be a linked document taking in all landscaped areas outside gardens and including all existing and new trees.

A financial contribution towards monitoring long term performance of BNG will be included in the S106 legal agreement. Long-term management of the BNG is a matter likely to be addressed by a management company which will need to be set up for the management of this aspect as well as public open spaces and drainage infrastructure.

The NFDC Ecologist is satisfied that the BNG metric reasonably reflects what is achievable on site. However, as the final landscape scheme will be subject to agreement by way of a condition, a further condition demonstrating that 10% BNG is still achieved would be reasonable.

### Recreational activity impact on New Forest and Solent Habitats

Policy ENV1 of the Local Plan requires developments proposing more than 50 dwellings to make provision for ANRG on site as part of the proposed scheme. The policy expects 8Ha of ANRG to be provided per 1000 residents.

In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment has been carried out as to whether granting permission would adversely affect the integrity of the New Forest and Solent Coast European sites, in view of that site's conservation objectives. The Assessment concludes that the proposed development would, in combination with other developments, have an adverse effect due to the recreational impacts on the European sites.

Such adverse impacts would be avoided by provision of 1.3ha of Alternative Natural Recreational Greenspace (ANRG) on the site as part of the design and layout of the scheme, in accordance with ENV1 and the design requirements of the Mitigation Strategy SPD.

Based on the Housing Mix (see Section B of the Planning Assessment), the proposed 60 homes generate a need for at least 1.3ha of ANRG. The proposed scheme delivers on-site ANRG, compliant with the policy requirements. There is a qualitative aspect to the design of the ANRG, this is discussed below in consideration of Landscape design. In principle the scheme can provide a sufficient quantity of ANRG to meet the policy requirements.

Furthermore, the applicant will enter into a Section 106 legal agreement to secure a habitat mitigation contribution in accordance with the Council's Mitigation Strategy towards the costs of providing Access Management and Monitoring.

The applicant will also agree to provide the financial contribution towards protecting Solent sites from recreational pressure, in accordance with the Bird Aware Solent strategy which will also be secured through a Section 106 legal agreement.

### Nitrate neutrality and impact on the Solent SPA and SACs

In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment has been carried out as to whether granting permission which includes an element of new residential overnight accommodation would adversely affect the integrity of the New Forest and Solent Coast European sites, in view of that site's conservation objectives having regard to nitrogen levels in the River Solent catchment. The Assessment concludes that the proposed development would, in combination with other developments, have an adverse effect due to the impacts of additional nitrate loading on the River Solent catchment unless nitrate neutrality can be achieved, or adequate and effective mitigation is in place prior to any new dwelling being occupied.

These adverse impacts would be avoided if the planning permission were to be conditional upon the approval of proposals for the mitigation of that impact, such measures to be implemented prior to occupation of the new residential accommodation. These measures to include undertaking a water efficiency calculation together with a mitigation package to addressing the additional nutrient load imposed on protected European Sites by the development.

A Grampian style condition has been agreed with the applicant and is attached to this consent.

## Recreational Activity on Sites of Interest for Nature Conservation (SINC)

The site is close to the SINC at Testwood Lakes, a local nature conservation designation. This area of habitat does not share the same protection as the European Designated sites across the New Forest National Park and Solent. The operator of the open space at Testwood Lakes, Hampshire and Isle of Wight Wildlife Trust (HIWWT) and members of the public have raised concerns about the potential for impact on nature conservation. The site at Testwood Lakes provides two roles, providing for a range of recreational activities, formal and informal on lakes and walks throughout the open space, as well as improved ecological habitats and nature conservation education.

As a result of increased use over recent years, additional pressure has been placed on management of the site and greater occurrence of anti-social behaviour and damage has been reported. The HIWWT are concerned that residential development on the application site will result in increased trips to Testwood Lakes due to the presence of an existing footpath access from Hill Street opposite the application site.

Those existing paths pass through areas of the site where the priority is supporting Nature Conservation and recreation activities are not encouraged.

The ecological appraisal supporting the application assesses the potential for impacts to occur, identifying that the recreation opportunities are limited and visitors are directed to the southern part of the site, with the north area restricted for school education and bird watching. The appraisal concludes the ANRG and Public Open Space provided by the application scheme would provide an attractive source of informal recreation for residents of the scheme, which would also become a network of spaces with that provided on adjoining development sites in due course.

It is likely that the unacceptable behaviour of the minority of visitors to Testwood Lakes causes the damage raised in representations received, such behaviour and damage is difficult to plan for, mitigate or allege would occur as a result of this development.

There is nothing about the proposed development that would place unreasonable restrictions on the operation of Testwood Lakes Nature Reserve, nor have a significant adverse effect that in accordance with the 'agent of change' mitigation would be required before the development has been completed.

As an area of Public Open Space it would be inappropriate to prevent access from the application site to Testwood Lakes via the existing footpath from Hill Street, this would result in additional vehicle trips to the main entrance from Brunel Road and would be counter to the concept master plan for SS1 actively promoting the opportunity.

The experience of problems has not been surveyed, or analysed for consideration of mitigation and renewed management of the Testwood site to demonstrate that the scheme would give rise to unacceptable impacts to nature conservation to justify departing from the approach captured by the development plan and ensuring a network of green infrastructure to support the wellbeing of residents making use of designated open space.

Subject to conditions and obligations secured by a S.106 agreement, the scheme would mitigate impacts on sensitive protected habitats off-site in the New Forest and Solent. On site ecology can be preserved and enhanced. The scheme would comply with Policies ENV1 and DM2 contributing to the delivery of a sustainable development in

accordance with policy STR1.

#### **D. Highway Design, Access, Vehicular Parking and Storage**

Access to the site is currently restricted to a single point along Hill Street and a gate in the north boundary from The Hollies which is a private residential property adjoining the site. Both would be blocked to vehicle traffic by the proposed scheme.

The site has frontage to both Hill Street and Salisbury Road. The frontage to Salisbury Road is relatively short and any attempts to form a vehicular access directly from it could likely conflict with the bus stop and the existing Hill Street, Green Lane and Pauletts Lane junctions.

The concept masterplan suggests several development parcels along Hill Street, that could only take access from Hill Street. Furthermore, an access from Salisbury Road could likely only be able to serve the southern development parcel. The principle of the approach to taking access to the site from Hill Street is entirely appropriate. For reference, the Concept Masterplan does not set out any indicative primary access points for the residential land parcels north of the A36 Salisbury Road.

The scheme proposes to form two new vehicular accesses from Hill Street to serve the two proposed development parcels. Both accesses can be formed with minimal impact on the hedgeline and trees along Hill Street, whilst providing adequate visibility in both directions along Hill Street. Highway safety would be maintained as the hedgeline is set sufficiently far back from the edge of the existing carriageway that it would not need removal to achieve the required visibility.

Recognising that Hill Street is narrow and does not readily allow larger vehicles to pass, the scheme proposes works within the adopted highway to improve carriageway width as far as the southern access and form three passing positions further up the road to the north as far as the north access. This can be achieved within the extent of the adopted highway. This is considered to be a benefit to existing users and meets the needs of the development whilst ensuring the rural landscape character is preserved.

Within the site, it has been demonstrated to the satisfaction of Hampshire County Council Highways Officers that sufficient visibility and manoeuvring space is achieved to preserve highway and pedestrian safety. Swept path tracking plans for a variety of larger vehicles such as emergency vehicles, refuse wagons and home shopping vans have been provided demonstrating these vehicles can safely navigate the layout of the site, turn on site and enter and exit in a forward gear. Tracking plans demonstrate that a refuse vehicle can pass a van on Hill Street have also been provided. A condition can be used to ensure these enhancements are delivered in a timely manner.

In supporting the scheme the Hampshire County Council Officer has accepted that Road Safety Audits have been undertaken for internal and additional highway works satisfactorily addressing their comments at this stage. All works subject to a S.278 'Works in the Highway' assessment would require a stage 2 Road Safety Audit, securing the safety of the detailed design.

The additional vehicle movements that the scheme would generate would not have a detrimental impact on the capacity or safety of the junction between Hill Street and Salisbury Road. Trip distribution and growth scenarios have been modelled and accepted by Hampshire County Council Highway Officers and demonstrate sufficient capacity in the surrounding roads and junctions to accommodate flows.

The scheme is predicted to give rise to an increase of 33 two way AM peak hour trips and 34 two way PM peak hour trips. Based on the design of the scheme with its two accesses, the majority of these trips would be on the southern section of Hill Street only, where the improvements in carriageway width and passing would be secured

It should also be noted that the consented Bloor Homes scheme (20/10997) introduces a roundabout junction on Salisbury Road and proposes to change the speed limit along Salisbury Road. Coupled with pedestrian refuges and crossings of Salisbury Road the perception of Salisbury Road as a high-speed road could be reduced. All of which could reduce speeds past the junction between Hill Street and Salisbury Road, potentially improving highway accessibility and safety in the area.

The scheme would contribute to the overall growth in vehicle movements generated by the wider allocation, to the extent that harm would be caused to the free flow of traffic and safety of the junction between the A326 and A36. A proportionate financial contribution of £90,000 is proposed to be secured to contribute to a project designed to signalise the junction to preserve safety and efficient flow of vehicles through this junction.

The scheme proposes a north-south route through the green space on site for pedestrians and cyclists that would minimise the need for residents and visitors to walk along Hill Street, this would also be available to existing residents and their visitors, and will in time connect to off-site routes through the remainder of the strategic site allocation that will provide safe routes to Totton and facilities in Calmore local centre, as well as safe and attractive routes for informal recreation and dog walking.

Off-site works to improve facilities for pedestrians and cyclists in the area and to support access to bus facilities have been proposed. A shared pedestrian and cycleway would exit the southern corner of the site and extend alongside Salisbury Road to access the existing eastbound bus stop. An uncontrolled crossing with a refuge would provide improved access to the west bound bus stop and link to an improved pedestrian cycleway following Salisbury Road towards the Calmore roundabout, the link to the new ALDI and the football club. The works on the south side of Salisbury Road and the access to the bus stop match those already secured by the 'Bloor Homes' scheme (20/10997).

However these improvements are required to make this scheme acceptable in planning terms so will be secured appropriately through a S.106 planning obligation. These offsite improvements will contribute positively to supporting active travel and sustainable modes of travel.

The Hampshire Highways Officer advocates an obligation is secured by the S.106 legal agreement ensuring vehicular and pedestrian access for development of the adjoining land to the west of the site is made available.

In addition the scheme is required to make a proportionate financial contribution of £27,000.00 towards making improvements to the surface treatment of Green Lane bridleway that lies immediately adjacent to the west edge of the site and extends around the north of The Hollies to the north. This improvement is required due to the additional pressure placed on it by the new residents living on this and adjoining sites. It would make the route more accessible to existing users and residents of this and adjoining developments within the strategic allocation site. A direct link on to the bridleway would be provided that would allow pedestrians and cyclists to access new open space on adjoining developments

Representations received have raised concerns regarding the impact of construction vehicles on the safety and character of Hill Street. A suitable condition securing a Construction Management Plan is therefore attached in order to ensure the impact of delivery and construction vehicles on highway safety along Hill Street is minimised. The applicant has already shared initial details with Officers, proposing that all construction vehicles should enter the southern access and service a compound in the centre of the site. That access point would benefit from the increase width of Hill Street from its junction with Salisbury Road. Suitable conditions could secure these opening up works to be an early phase of implementation.

Due to the size of the two development parcels, the layout has not resulted in long sections of straight roads, or roads that aren't fronted by residential properties, as such motorists would not be encouraged to speed. Shared surface designs would be included at the end of cul-de-sacs where the volume of traffic and speeds would be very low.

### Vehicular Parking

A mix of on plot and courtyard parking would be provided to meet the parking needs of the development.

The scheme requires 133 spaces to be in accordance with the adopted parking standards SPD Table 1 (Residential Car Parking Standards) , recognising the combination of on plot, allocated spaces and unallocated courtyard spaces. The scheme provides those 133 spaces, however the on site provision and distribution does not accurately meet the ratios required by the SPD. There being a combined shortfall of 7.5 spaces for 15 of the 3bed houses. Those 3bed houses being provided with 2 parking spaces in contrast to the 2.5 spaces required by the SPD.

Sufficient communal parking spaces are provided in the two proposed parking courtyards for the number and size of the properties they will serve. However in order to provide each property with access to an Electric Vehicle Charging point it is intended to allocate one space to each property. The nine x 2-bed flats on the southern edge of the site would have access to 14 parking spaces. Nine of which would be allocated for EV charging, leaving five communal spaces. Similarly the six houses and two flats in the north east corner, would have use of 13 parking spaces. Eight would be allocated with EV charging leaving five shared spaces.

Ten visitor parking spaces have been provided on street and in parking courtyards throughout the site.

Notwithstanding the parking shortfall on the 3-bed dwelling element the overall arrangement is considered to be acceptable and is a consequence of the 2.5 space per dwelling average provision for 3-bed units and a desire to support more sustainable forms of travel.

### Storage

All houses have been provided with a bike store or garage large enough to store bikes. The flatted blocks have communal stores incorporated into their design, thereby ensuring support for active sustainable travel and reducing reliance on the private car.

Bin storage is shown on the proposed plans. The houses would have storage space in rear gardens, where access to the gardens is across driveways. A service strip between parking spaces in which to move a wheeled bin has also been included, thereby minimising potential conflict between neighbours.



The flats have communal storage built in to the design and layout of the buildings, ensuring the larger sized bins required for the volume of waste generated from the combined flats do not dominate the public realm or conflict with parking and manoeuvring space. Tracking plans demonstrate refuse wagons can service those bins stores.

The scheme has carefully balanced the need to provide appropriate and safe access whilst preserving the character and appearance of Hill Street. Being able to widen the road and provide passing bays, without significant impact on the landscape verges is a significant benefit to highway safety of all users. Similarly whilst the vehicular access points will require the loss of some hedgerow, that is limited to the openings themselves and the distinctive landscape edge to the road would not be lost to provide visibility splays. Subject to suitable conditions and a legal agreement, the scheme would preserve highway safety and secure benefits for cyclists and pedestrians and would contribute to delivering safe and sustainable travel in accordance with policy CCC2 and the accessibility expectations of SS1.

### **E. Built Design and Density, Landscape, Trees and Design of the ANRG**

The site is currently open fields largely used as paddock grazing. There are some small stable like stores and structures proposed for demolition to facilitate the proposed development. They are not of any historic or visual significance to justify retention or to resist their loss.

Local Plan Policy Strategic Site 1 (Land to the north of Totton) sets out the aim of the policy is:

"to create a well-designed and integrated extension to Totton whilst maintaining the rural character of Hill Street".

Local Plan Policy ENV3 (Design quality and local distinctiveness) sets out that all development should achieve high quality design that contributes positively to local distinctiveness, quality of life and enhances the character and identity of the locality by creating buildings, streets, places and spaces that are functional, appropriate and attractive. New development will be required to address specific design criteria (i) to (vii).

Local Plan Policy ENV4 (Landscape character and quality) sets out that where development is proposed there is a requirement to retain and/or enhance the following landscape features and characteristics through sensitive design, mitigation and enhancement measures, to successfully integrate new development into the local landscape context, addressing supporting design criteria (i) to (vi).

At this time the site is visually slightly dislocated from Totton as intervening parcels of SS1 have not brought forward or secured planning permission.

However, as the site forms part of the wider allocation there is no fundamental reason to resist its development on this basis, nor is it expected to be dislocated in the long term.

### **Site Layout and Housing Design.**

The Concept Masterplan in the Local Plan for SS1 indicatively identifies this parcel as being appropriate for built form development. That plan assumed a wide degree of comprehensiveness between different parcels, and indicatively considered a greater extent of built form could be delivered on the application site.

The scheme proposes to contain the built form in two distinct development parcels separated by a large area of greenspace between them. This results in a notably less imposing impact on the character of Hill Street compared to the indicative approach of the Concept Masterplan. The principle of this is supported by the Council's Environment Design Officer.

In order to maintain the landscape edge of Hill Street and its rural character, the development does not front any built form or individual driveways directly onto Hill Street. A terrace of four houses and a pair of maisonettes are positioned close to Hill Street in the north east corner of the site. These will be behind the existing hedgerow so retain that strong landscape character along Hill Street.

Houses would be orientated to engage with the roads on entering the site ensuring the appropriate arrangement of interaction, enclosure and surveillance of the streets, without impacting on the character of Hill Street.

Due to the size of the site, the roads through it are relatively short, and as such the layout is quite organic.

There is a variety of dwelling types; flats, terraces, semi-detached and detached houses and this ensures a variety in plot form and appearance.

Where appropriate views along roads are terminated by built form, to enclose the vista. However, those roads that approach the central greenspace allow the green space to fill the vista to give a sense of openness within the scheme.

Detached houses are arranged around the edge of the greenspace, on both its north and south side, presenting a low-density townscape, with individual plots, framed and fronted by landscape setting. This would ensure an appropriate interaction with the open space for passive surveillance, but without dominating the character of the open space and achieve transition to increased built densities beyond.

In a similar fashion, the development along the north-west edge of the site, where it engages with the treed corridor along Green Lane, would reduce in the scale and intensity of built form, with detached houses, wider gaps between properties and landscape setting.

In the southern parcel the density would be higher due to the inclusion of three storey blocks of flats and pairs of maisonettes. The buildings have been successfully redesigned in response to consultation responses to incorporate the additional accommodation within the roof forms and a vertical emphasis and design hierarchy. The single flat plan depth ensures those buildings are attractive and in scale with the houses making up the majority of the site and would not present a bulky built form that would be out of character with the setting.

In all cases, properties have front gardens and whilst cars will be visible in streetscenes, they are very much obscured on drives between properties and do not sit prominently between the footway and front elevations. These front gardens are large enough to make a positive contribution to the character and appearance of the site, but too small to be used for parking.

Garages and carports are used throughout to create enclosure to link some buildings to maintain frontage to streets. Similarly walls enclose rear gardens and parking areas to provide a more attractive and robust edge to the development.

Whilst there is a suite of house types repeated throughout the layout, many of the houses have been specifically amended to incorporate features to ensure they are visually attractive within their setting. Most notable are those houses at corners, where additional bay windows or the position of front doors and articulation on building footprints, has been specifically designed to engage with and enhance streetscenes and the public realm, responding to criticism raised by the NFDC Environment Design Officer. These changes will ensure delivery of an attractive place to be and positive environment for residents and their visitors.

There is a consistency in the architectural style and materials throughout the site. The elevational designs for the affordable units are considered to be indistinguishable in the wider streetscene and within the site.

The design of many of the proposed houses respond positively to the Forest Cottage style houses that are characteristic of Hill Street. The proposal incorporates similar roof forms, with chimneys materials, detailing and proportions.

Whilst the principle of a terrace of houses, as designed in the north east corner, plots 5-8 and the two maisonettes, units 9 and 10, could be acceptable, concerns of the Environment Design Officer have not been readily addressed by revised plans. Addition of chimneys to this terrace adds a positive detail, but it is the plan depth and size of the gable that compromises the design. The block of maisonettes has smaller scale roof form, with rear gable, and shallower side gables, in part obscuring the deeper gable of the adjoining terrace. This outstanding matter is not considered to fundamentally undermine the acceptability of the design and layout of the scheme.

Three of the detached properties facing on to the central greenspace replicate a barn like form, with low eaves, cropped gables, timber materials and pseudo barn doors. These houses are detached and positioned where they are more prominent from the open space and would be an acceptable alternative reflecting the largely rural setting of the area.

The layout retains sufficient space for tree planting in streets, parking courtyards and rear gardens. Due to the extent of tree coverage around the edges of the site and opportunity throughout the central greenspace for additional trees to bolster existing setting, there does not need to be rows of new trees planted in rear gardens that could conflict with residential amenity and compromise retention.

The electricity substation proposed for the southern plot would reflect the design and appearance of the garages proposed, so as to sit comfortably in the streetscene. the sewage pump station would be contained within a wall enclosure and positioned close to the west edge of the site, where it would contribute to limiting the extent of built form that would be readily visible from Salisbury Road across the adjoining land, dominating the boundary.

### Built Density

The Local Plan Strategic Site 1 Policy states the site shall deliver a minimum of 1000 dwellings. Whilst the Local Plan sets out a concept masterplan there is no policy impediment to any strategic site delivering more than the minimum provided other polices particularly in relation to design and development quality are fulfilled as required by ENV3.

Set alongside Local Plan policies there is Government advice as set out in the National Planning Policy Framework (2023). In particular alongside other requirements such as Section 12 (achieving well designed places), there is the advice in section 5 and section 11 on delivering a sufficient supply of homes and

making effective use of land including appropriate densities.

The Government urges Planning Authorities to ensure that developments make optimal use of land and avoid homes being built at low densities (NPPF, Paragraph 125) particularly given that such land constitutes a finite resource, and where there is a stated shortfall in available housing land. NFDC has such a shortfall – 3.07 years against a target of 5 years supply. The NPPF seeks to significantly boost the supply of new homes and encourages Councils, at para.124, to make efficient use of land available for development, taking in to account need for different types of housing, local market conditions and viability, the desirability of maintaining an area's prevailing character and the importance of securing well designed, attractive and healthy places.

In this case the density of the developable site when excluding open space, non-residential land and roads equates to around 22 dwellings per hectare (dph) overall. This built density is below what government policy aspires to as making best use of land but is considered justified here where the application site is located on the edge of the allocation site and alongside Hill Street which, as outlined, has a notable sylvan character.

This scheme should be considered to provide a well designed and attractive and healthy place to live, that would preserve the character of Hill Street, carefully manage the change desired by allocation of the site for development, deliver a viable development that secures policy compliant level of affordable housing and a wide choice of housing. It would therefore make efficient use of the site. This weighs significantly in favour of the scheme.

The layout, design and appearance of the scheme has evolved as far as the applicant is willing in response to criticisms of the original design, improving streetscenes, the design of individual corner houses, the flats and landscape setting. The character of Hill Street would be retained and the scheme would deliver a well designed attractive place to live all of which would outweigh the remaining minor concerns about plots 5-8. Overall the scheme would comply with design criteria of policy SS1, ENV3 and contribute to a sustainable development in accordance with STR1.

#### Landscape impact and Trees

Due to the historic use as grazing paddocks the notable landscape features are around the edge of the site, predominately along Hill Street and Green Lane bridleway. The centre of the site is open improved grassland paddocks and there is no evidence of hedgerows being present on site historically defining field boundaries. There is a ditch crossing the southern part of the site, falling in an eastern direction towards the ditch along Hill Street.

A Tree Preservation Order protects a number of these trees. All of the important mature trees around the site would be retained and preserved by the development, maintaining sufficient space to preserve their contribution to the landscape quality and rural character of the area.

The scheme is supported by an Arboricultural appraisal. The NFDC Arboricultural Officer agrees with the classification and assessment of the quality and status of the trees on site. That appraisal identifies that 2 of the 40 identified trees on site would need to be removed to facilitate the improved pedestrian access to the bus stop. Categorized as 'C' the Arboricultural Officer accepts their removal and recognises that the new tree planting shown would significantly outweigh the loss.

The appraisal also considers the potential impact of works proposed along Hill Street and Salisbury Road on trees off the site. One category C Hazel tree is proposed for removal where works to provide a pedestrian crossing of Hill Street is proposed. Whilst noting works in the highway could be undertaken by the Highway Authority without recourse to the considerations of the Planning Authority, the Arboricultural Officer is content that subject to securing appropriate construction techniques by condition, where works fall within rootzones, no unacceptable harm would be caused to the trees by those works.

The soft edge to Hill Street consisting of trees and hedgerows would be largely preserved. The two new accesses would require removal of sections of hedgerow and a low quality group of trees. However sporadic access drives and field gates are a feature of the area and the extent of hedgerow removal would not fundamentally undermine the character of Hill Street.

The approach taken to the layout of the development with the large central greenspace materially minimises the erosion of the rural character. Rather than viewing built form along the length of Hill Street, the size of the gap between the two development parcels preserves the far reaching views across much of the site to Hattons Plantation and the line of trees following Green Lane bridleway and the perception of spaciousness and depth to the site

It is acknowledged that whilst the new access points would open views of new built form, rather than open fields or the minimal existing built form, a balance has to be struck between meeting the expectations of allocating the land for housing, the benefits of delivering that housing and the positive consequences of laying the development out as described above.

A further benefit of the proposed site layout is the contribution to the character of Hill Street that new trees planted in the greenspace would have. Rather than being obscured by the new built form, they would be visible from Hill Street and present an attractive setting for the development.

The ANRG allows the opportunity for large growing tree specimens to be planted, including Oak, Beech, Lime and Pine trees. Trees throughout the built form, street trees and garden trees would include Acer, Alder, Birch, Rowan. These would enhance the site and setting of the development. Two trees are proposed for removal and the scheme proposes 112 new trees throughout the greenspace, streets and rear gardens.

The larger three storey blocks of flats are proposed adjacent to Salisbury Road, this would have a greater impact on views of the site and the existing landscape setting of the road, that the finer grain and smaller sized of properties along Hill Street. It would still be possible to retain the boundary and off site landscape, along with the trees on the opposite side of Salisbury Road would limit the impact of the change.

It is an inevitable consequence of the allocation of the site and surrounding land that the character of Salisbury Road will change, most notably as a result of the roundabout access proposed to the adjacent site. It is considered that the position of the flats would not unduly urbanise the road, and the dominance of landscape along the roadside would remain a predominant feature.

The ditch across the southern part of the site, is a relatively minor part of the site's landscape appearance, however it would be enhanced by being restored and brought in to use as part of the drainage strategy and would be an attractive feature of the proposed landscape.

## ANRG Design

Sufficient space is provided for provision of the quantitative aspect of ANRG. It does however have a qualitative requirement.

Whilst new trees would be planted within the ANRG, the principal appearance would be of an open field, with a variety of path options. The layout of the site with the central greenspace provides the dimension requirements of a main space with a radius of 60m. Adjoining openspace on either side of the site, the ANRG would not be enclosed by built form on all sides, enhancing the sense of openness. Footpaths would provide opportunities for a circular walk on site, with direct links into the residential areas, as well as off site paths, most notably Green Lane Bridleway that would be enhanced as a result of this application and provide links to open space on adjoining developments, enhancing the length of circular walks, key to diverting pressure from sensitive new forest habitats.

Due to the comparatively modest size of the scheme, it is not required to form any secondary ANRG spaces. However as described it would be possible in time to link to other ANRG that is expected to come forward on other development parcels north of Salisbury Road within Strategic Site 1 without crossing any roads.

The detailed design and future maintenance and management of the ANRG would be subject to a S.106 obligation requiring details and arrangements for a management company to be formed, an approach taken to all strategic Sites and would resolve comments of the NFDC Open Space Officer.

Subject to conditions the scheme preserves the health and wellbeing of existing important landscape features and due to its layout would strike a successful balance between implementing the local plan whilst maintaining the rural character of Hill Street. It would provide sufficient ANRG space, laid out and landscaped to positively integrate with the scheme and surrounding landscape to the benefit of residents and the protection of sensitive habitats in the New Forest. The scheme complies with requirements of policy STR1, ENV1, ENV3 and ENV4.

## Flood Risk and Drainage

There is a ditch crossing the southern portion of the site, this provides drainage from the site, flowing in an eastern direction off site towards Testwood Lake and the river Test beyond. The site is not included in the Environment Agency's existing flood risk areas, taking into account climate change there is an risk of fluvial flooding to occur on site over the lifetime of the development.

The ditch is also a source for surface water flooding during high rainfall events. That flood risk follows the route of the ditch, crossing the site towards Green Lane Farm. There is also a pipe across the southern portion of the site taking highway storm water. That pipe has collapsed and requires replacement as that degraded state contributes to the surface water flood experienced on site.

In order to support the drainage needs of the development, the existing ditches, culverts and highway pipe would be cleaned and replaced, enhancing flood resilience of the area, secured as part of a condition relating to the overall site drainage strategy.

On site ground conditions have not been fully analysed for percolation rates, however high water tables have been identified during geological surveys, and as such designing a scheme of soakaway tanks have not been pursued.

Instead the surface water drainage solution proposes to make use of the existing drainage ditch to dispose of surface water, considered to be an equally viable sustainable solution to drainage. In order to maintain existing greenfield run off rates, surface water would be captured and stored in an attenuation lagoon in the central greenspace, or held back by interceptors. Water flows out of this lagoon and the drainage network would be controlled to avoid inundation of the existing watercourse. The calculations that have been provided to demonstrate that the capacity of the lagoon will be sufficient has been made to the satisfaction of the Hampshire County Council Flood Risk Officers.

Due to the existing risk of fluvial flood risk, a small area of the existing ground levels on the southern side of the ditch would be raised to protect the houses from flood risk. This ground raising has been compensated for by an equivalent area of land being available to flood on the north side of the ditch. This is entirely reasonable and would direct any flood events away from the residential properties, a more vulnerable use, and preserve natural flooding to occur. Conditions will be imposed to ensure works are complete and finished floor levels achieved to maintain flood resilience.

Whilst surface water run-off from residential roofs and roads has low pollution risks, in accordance with the concerns raised by Natural England, the drainage scheme would include pollution control measures as a result of percolation through gravel and geo-textile sub-base and natural settlement and absorption by vegetation in the attenuation lagoon, thereby ensuring water quality is preserved in accordance with guidance.

A scheme of management and maintenance of the drainage network on site would be secured as part of the S.106 legal agreement obligation securing operation of a management company for all of the open spaces and infrastructure on the site.

The measures described would adequately manage on site drainage and flood risk, minimising the likelihood of any impacts down stream and by way of improvements to the existing highway drain crossing the site from the Salisbury Road, would reduce flood risks. This could contribute to the delivery of a sustainable development and accord with Local Plan policy CCC1 and sustainable drainage expectations of the NPPF.

### **G. Heritage Assets**

There are no designated or non-designated Heritage Assets on the site. Nor does it fall within, adjacent to or the setting of a Conservation Area. The consultation response from the NFDC Conservation Officer considered that less than substantial harm would be caused to designated heritage assets.

The Listed Buildings and Conservation Area Act 1990 requires Local Planning Authorities (LPA's) to have special regard to the desirability of preserving a Listed Building or its setting or any features of special architectural or historic interest which it possesses. The NPPF para.199 requires LPA's to place great weight on the conservation of heritage assets. Local Plan Policy DM1 places a similar onus on the preservation of all heritage assets, i.e. should harm be identified, the more important the asset, the greater the weight against the development should be.

There are designated and non-designated heritage assets in the area that are potentially affected by the Policy SS1 specifically identifies presence of a listed building within the allocation, to the south of this site on Pauletts Lane. However this and others in the wider area are too far away to be related to the site or affected by its development.

The heritage assets that are close enough to the application site to be considered in line with local and national guidance are outside the allocated site on the eastern side of Hill Street.

The designated heritage assets are Grade II listed buildings at:

- The Thatch, a residential property,
- The Granary, an outbuilding at the same property; and
- Little Testwood House an office building to the south east of the site on Salisbury Road.

It is considered that the integrity, fabric, special qualities and setting of the latter would not be affected by the proposals due to the separation distance, intervening open space and mature landscape therein.

The Thatch and Granary reside on the same plot, in excess of 75m from the application site, set back from Hill Street in mature grounds and beyond several existing properties along Hill Street. The application is supported by a Heritage Asset Statement that assesses its significance, evolution of its relationship with the surroundings and the application site.

The integrity of the built form and fabric of the Thatch and Granary listed buildings would not be affected by the proposals, as would their existing plot and relationship together. The relationship of the proposals with the Listed Buildings would be limited to the introduction of built form along Hill Street and the minor change in the experience of passing along that road to arrive at the Listed Buildings. .

The relationship of the Listed Building to the agricultural activities in the area has long since been separated and there is no visual connection between the Listed Building and the proposed houses, in which they would be viewed together. The minor increase in built form visible from Hill Street in front of the Listed Buildings would it is considered not unduly dominate the street scene to harm its setting thereby preserving its significance.

In contrast with the conclusion of the NFDC Conservation Officer, it is presented here that there would be no harm to designated heritage assets and the scheme would preserve their significance.

The Heritage Asset Statement considers other buildings along Hill Street to be non-designated heritage assets (NDHA). Those with a direct relationship to the application site are:

- Myrtle cottage;
- Agricultural outbuilding at the Laurels
- Broadclyst Cottage.

These buildings are much closer to the development site, located opposite the site and the houses proposed for the north corner. Their relationship with the site is much as that of the Listed Building, benefiting from the rural setting, the change to which would be more readily perceived due to the proximity and visual relationship.

However, that impact would it is considered be minor harm and has more relevance to the change in character of the area in principle than their heritage value. There would be no change to the landscape edge of the road north of the proposed northern access, the important trees at the front of The Hollies would be unaffected and the design of the proposed houses opposite would respect that of these NDHA's



One further property along Hill Street close to the application site, Pippins, is also considered to be a NDHA. However, it is located almost 200m east of Hill Street, in its own setting of fields and mature trees. As with those further along Hill Street the impact would be to the overall character of the area, rather than the significance of the heritage asset.

There is high desirability for preserving the setting, special architectural features and historic interest of the listed buildings close to the site. By avoiding any impact on those features the significance of the designated heritage assets close to the site would be preserved as required by S.66 of the Listed Building Act, the NPPF and DM1. In accordance with para 203 of the NPPF the very minor impact on the significance of the NDHA's should be taken into account. However a balanced judgement should have suitable regard to the scale of the harm and the significance of the asset. In this case the harm is very minor so should only make a very minor contribution against the scheme.

The potential for the site to contain archaeological features or remains has been extensively considered by desk top surveys, site samples and trenched investigations, all undertaken to the satisfaction of the Council's Archaeologist. The conclusions of which do not require any further intervention.

#### **H. Residential Amenity**

There are few residential properties in the area, mainly located sporadically on the opposite side of Hill Street. In addition there are two properties within the wider SS1 allocation that neighbour the site at Green Farm to the west and The Hollies to the north.

There would be no direct shading, dominance or loss of outlook of the existing residential properties along Hill Street due to the separation distances and layout of the scheme in relation to those properties.

The privacy of residents of Hill Street would be preserved except for Pippins Lodge, that would be visible from houses within the north development parcel. Plots 29 and 30 would have views towards the roadside garden, however the angle of the views and distance of 22 and 30m to the boundary would largely preserve their privacy, however the scheme provides space for a scale of new trees that would further minimise the potential impact.

The amenity of the occupiers of Green Farm, to the west, would be preserved, as none of the proposed houses would be located close enough to have an impact.

The house to the north known as The Hollies has its principal elevation facing the application site. The scheme proposes five houses backing on to this boundary, however only 3 are likely to have an impact on the amenity of the neighbour. The houses are set far enough from the boundary to avoid any shading or dominance detrimental to residential amenity. Rear gardens in excess of 10m, coupled with additional planting along the boundary and the size and layout of the rear garden for The Hollies would ensure privacy of the occupiers is preserved.

Within the site, the layout secures sufficient sized gardens and back-to-back distances to preserve the amenity between residents and a normal arrangement of mutual overlooking would occur between neighbouring properties.

The houses would all be provided with gardens capable of meeting their private amenity needs. Some of the flats would be provided with their own gardens. The

two blocks of flats would not be readily served by shared grounds but would have Juliet balconies making a very positive contribution to the internal amenity of the flats and close access to the open space on site.

The properties on the southern parcel, have the potential to suffer disturbance from the noise of vehicles travelling along the A36 Salisbury Road. The blocks of flats have been located in that position to provide a degree of screening for the rest of the houses. A noise assessment has been provided to support the scheme which indicates the properties in the flats should have acoustic mitigation incorporated into the fabric of the building and especially the windows. The Councils Environmental Health Officer has considered this impact and accepts the findings and suggests a condition to ensure mitigation is secured to ensure appropriate internal amenity.

The Environmental Health Officer requests a condition is imposed securing details of external lighting to ensure it would not undermine the amenity of residents. Such a condition is not merited for this residential scheme that does not require intense or extensive lighting, out of the ordinary for such a scheme.

As such, subject to suitable conditions, the proposal accords with Local Plan Policy ENV3 criterion (ii).

### **I. Public Open Space and Recreation**

The scheme is required to make provision of public open space to meet the needs of the future site residents in line with Local Plan requirements. In addition to the ANRG, provision is made for on-site provision of informal open space, play provision and off-site formal recreation.

The housing mix requires a total of 0.56ha of public open space. Based on the requirements of saved Local Plan Policy CS7 "Open spaces, sport and recreation" the need consists of:

- Play Space - 0.03ha
- Informal Open Space - 0.32ha
- Formal Open Space - 0.2ha

The scheme accommodates the quantitative requirements for play and informal open space on site. The informal open space is distributed throughout the site, not just part of the central greenspace, thereby contributing to an attractive setting and routes through the residential areas. Two areas of play have been identified within the central greenspace. These should be suitably equipped to cater for the needs of different age groups and managed slightly differently with respect to their interaction with the wider ANRG space. A condition would be imposed seeking play strategy details and will overcome comments raised by the NFDC Open Spaces Officer.

These open spaces would be accessible to the wider public, who would benefit from the network of paths through this and adjoining sites, the open space and play provision on provided in the area that will result in an attractive place for informal recreation on the doorstep of residents positively enhancing the residential environment and minimise the desire for regular trips to the sensitive habitats in the New Forest.

The central greenspace includes a drainage attenuation lagoon. This is not expected to have water in it all the time and the banks around the edge would not be so severe to prevent access and use as informal recreation space, however it is not relied upon to achieve the quantitative requirements of open space. It could provide an attractive feature within the landscape and an opportunity for a diverse mix of wildlife and plant due to the wetter ground conditions it is likely to give rise to.

The concept masterplan encourages development of this site to make provision to allow residents access to Testwood Lakes Nature Reserve, an area of public open space to the east of the site. The proposed scheme does not rely on that site to meet its open space needs. There is an access for pedestrians to Testwood Lakes from Hill Street opposite the existing vehicular access to the application site. That access from the application site would be narrowed for pedestrian use and would allow residents to access the paths and facilities in Testwood Lakes on foot. Designated as an area of Public Open Space by the development plan it is entirely appropriate to support use of this existing facility for informal recreation uses by all residents.

Concerns raised by representations received regarding the impact of anti-social behaviour on the nature conservation and recreation objectives of Testwood Lakes are acknowledged but are an existing social problem and there is no evidence to suggest residents of the scheme would specifically give rise to increases in their occurrence.

Whilst the operator, Hampshire & Isle of Wight Wildlife Trust, would prefer to manage visits through the existing vehicle access and car park off Brunel Road, it would be somewhat perverse to prevent pedestrian access from the scheme to an existing pedestrian route and direct residents to drive to an access 1 mile away.

The scheme is required to provide 0.2ha of formal open space. In this case policy SS1 requires provision of formal facilities within the allocated site. Whilst this site is not large enough on its own to be able to make comprehensive provision, it can make a proportionate financial contribution towards the provision of a multi-use games area and a cricket pitch, identified as appropriate by para.9.47 of the Local Plan and Infrastructure Delivery Plan, this would be secured by a S.106 legal agreement.

Along with the contribution towards improving the adjacent Green Lane bridleway, the recreation and amenity needs of residents would be met by the design and layout of the scheme. Conditions and legal agreement obligations can ensure appropriate quality of landscape, path construction and play equipment is secured, maintained and monitored. The combination of the spaces and facilities provided will contribute to the delivery of an attractive place to live and recreate that meets the policy requirements, the amenity and wellbeing of residents, preserves sensitive New Forest habitats and delivery of a sustainable development.

As such, subject to suitable conditions and a planning obligation, the proposal provides suitable on-site public open space and makes suitable off-site contributions towards off-site formal provision in line with the requirements of Local Plan Policy SS1 criterion (i) fourth bullet point and Local Plan Policy CS7.

## **J. Other matters**

### **New Forest Habitats Air Quality**

To ensure that impacts on international nature conservation sites are adequately mitigated, a financial contribution is required towards monitoring and, if necessary (based on future monitoring outcomes) managing or mitigating air quality effects within the New Forest SPA, SAC and Ramsar site. There is potential for traffic-related nitrogen air pollution (including NO<sub>x</sub>, nitrogen deposition and ammonia) to affect the internationally important Annex 1 habitats for which the New Forest SAC was designated, and by extension those of the other International designations.

Given the uncertainties in present data, a contribution to be secured through a S.106 agreement is required to undertake ongoing monitoring of the effects of traffic emissions on sensitive locations. A monitoring strategy will be implemented to provide the earliest possible indication that the forms of nitrogen pollution discussed (including ammonia concentrations) are beginning to affect vegetation, so that, if necessary, measures can be taken to mitigate the impact and prevent an adverse effect on the integrity of the SAC habitats from occurring.

#### Land Contamination

Due to the historic use of the site for agriculture there is a small risk of the ground being contaminated. A precautionary condition managing identification of unexpected contamination during construction has been proposed by the NFDC Environmental Health Officer and is attached accordingly.

#### Education

As part of the wider SS1 allocation, the scheme would give rise to numbers of school age children that could not be accommodated in existing schools, despite the capacity identified across the wider Totton network of schools. A proportionate financial contribution of £247,571.00 would be secured by a S.106 legal Agreement, to be used to provide additional primary age school places. There is sufficient capacity in Secondary age schools, that no impact requiring mitigation would occur.

#### Minerals Safeguarding

Hampshire County Council as Minerals Planning Authority do not believe the site to be underlain by viable mineral resources and therefore have no objection.

#### Air Quality and Pollution

The scheme is supported by an Air Quality assessment. That report concludes the air quality in the area can safely support residential development without risk to human health, nor would the transport generated by the development and cumulatively with adjoining developments represent a risk in the future. The scheme will make provision to support sustainable forms of travel and installation of electric vehicle charging equipment to minimise any further impact on air quality.

A dust management plan as part of a Construction Management Plan would avoid excessive short term impacts during construction, a condition could be used to secure such a plan and is merited due to the size of the scheme likely to result in new residents being on site before all dust generating construction has been completed, it would also protect existing residents from such nuisance.

#### Developer Contributions

As part of the development, the following will be secured via a Section 106 agreement:

Heads of terms

Air Quality Monitoring contribution: £6,180

#### Recreational Habitat Mitigation:

- Infrastructure Habitat Mitigation Provision of 1.3ha of publicly accessible ANRG, with future transfer to Management Co. provision of management plan.  
Phased delivery of ANRG
- Non-Infrastructure Habitat Mitigation (Access Management and Monitoring):  
£49,678
- Bird Aware Solent: £45,892

#### Highways:

- Provision of £90,000 towards A326/A31 southbound off slip junction capacity improvement project.
- Provision of off site highway, bus stop and crossing improvements
- Provision of £27,000 towards Green Lane Bridleway improvement project
- Ensure vehicular access to adjoining land for development is not prevented

#### Education:

- Provision of £247,571 towards Primary age school infrastructure

#### Monitoring Charges:

- Recreational Habitat Mitigation Commencement Checks: £808.00
- Affordable Housing Monitoring: £808.00
- Recreational Habitat Mitigation on site monitoring: £11,608
- Biodiversity Net Gain on site monitoring: £4,980
- Public Open space on site monitoring: £6,542

#### Affordable Housing:

- Secure 21 units in the proposed housing and tenure mix.  
Secure phased provision.

#### Recreation

- Secure informal open space provision of 0.32ha
- Secure on site play area provision of 0.03ha
- Phased provision prior to occupation of penultimate dwelling and transfer to management company
- Provision of £23,880 towards formal public open space towards the provision and maintenance of offsite sports facilities to include one or more of the following:  
MUGA Sports pitches in wider SS1;  
Cricket pitch within locality of Totton;  
Other off site sports facilities within the vicinity of the development;

As part of the development, subject to any relief being granted the following amount Community Infrastructure Levy will be payable:

Type	Proposed Floorspace (sq/m)	Existing Floorspace (sq/m)	Net Floorspace (sq/m)	Chargeable Floorspace (sq/m)	Rate	Total
Dwelling houses	4574.9	0	4574.9	4574.9	£80/sqm	£499,719.65 *
Social Housing	1792	0	1792	1792	£80/sqm	£195,741.46 *
			0	0		£0.00 *

Subtotal:	£695,461.11
Relief:	£183,059.69
Total Payable:	£499,719.65

## 11 CONCLUSION / PLANNING BALANCE

The site is allocated for mixed use development by Policy SS1 of the Local Plan Part 1: Planning Strategy. The principle of development is therefore in accordance with strategic policies STR3, STR4 and STR5.

The proposal has received local objections that are not supported by the technical advice of consultees such as the Highway Authority, Natural England and Lead Local Flood Risk Authority. No substantive alternative evidence has been submitted to set aside the views of statutory consultees. The development of part of this allocated site will undoubtedly change and have an urbanising impact on the local character, but this must be balanced against the allocation of the site and the need to deliver new housing including an element of affordable housing.

It would make a positive contribution towards successful implementation of the development plan and meeting the housing needs of the District. The mix of house types, styles and especially the policy compliant 35% provision of affordable housing, accords with Local Plan policies HOU1 and HOU2, is a significant benefit and should be given great weight in favour of the scheme.

The design, layout and appearance of the scheme would positively integrate with the landscape setting, preserve residential amenity, highway safety and designated heritage assets.

Minor harm would arise to two non-designated heritage assets, however such a minor impact should attract very little weight against the scheme in the overall planning balance.

The Council has carried out an Appropriate Assessment under the Habitat Regulations (as amended) at this stage and concluded that the impact of additional Nitrogen entering the Solent will cause harm but that a scheme of mitigation can be brought forward to neutralise such harm. Furthermore an Appropriate Assessment of the recreational impacts demonstrates harm would occur to protected habitats in the New Forest and Solent, but that mitigation is delivered on site and by obligations in the S.106 legal agreement. Protect important landscape features on and around the site, support ecology and deliver bio-diversity net gain.

The scheme has economic, environmental and social benefits that, along with compliance with the development plan, would secure a sustainable development. The Council cannot demonstrate it has a 5 year supply of land for housing therefore the NPPF directs a presumption in favour of sustainable development. There are no significant impacts that demonstrably outweigh the identified benefits and therefore this sustainable development is recommended for approval.

## 12 RECOMMENDATION

Delegated Authority be given to the Service Manager Development Management to **GRANT PERMISSION** subject to:

- i) the completion of a planning obligation entered into by way of a Section 106 Agreement to secure:

Air Quality Monitoring contribution: £6,180

Recreational Habitat Mitigation:

- Infrastructure Habitat Mitigation Provision of 1.3ha of publicly accessible ANRG, with future transfer to Management Co. provision of management plan.
- Phased delivery of ANRG
- Non-Infrastructure Habitat Mitigation (Access Management and Monitoring): £49,678
- Bird Aware Solent: £45,892

Highways:

- Provision of £90,000 towards A326/A31 southbound off slip junction capacity improvement project.
- Provision of off site highway, bus stop and crossing improvements
- Provision of £27,000 towards Green Lane Bridleway improvement project
- Ensure vehicular access to adjoining land for development is not prevented

Education:

- Provision of £247,571 towards Primary age school infrastructure

Monitoring Charges:

- Recreational Habitat Mitigation Commencement Checks: £808.00
- Affordable Housing Monitoring: £808.00
- Recreational Habitat Mitigation on site monitoring: £11,608
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- Public Open space on site monitoring: £6,542

Affordable Housing:

- Secure 21 units in the proposed housing and tenure mix.
- Secure phased provision.

Recreation

- Secure informal open space provision of 0.32ha
- Secure on site play area provision of 0.03ha
- Phased provision prior to occupation of penultimate dwelling and transfer to management company
- Provision of £23,880 towards formal public open space towards the provision and maintenance of offsite sports facilities to include one or more of the following:
  - MUGA Sports pitches in wider SS1;
  - Cricket pitch within locality of Totton;
- Other off site sports facilities within the vicinity of the development;

- ii) the imposition of the conditions set out below.

**Proposed Conditions:**

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

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

2. The development permitted shall be carried out in accordance with the following approved plans:

Site Location Plan	Ref: 21.014.001 P2 rec'd 27/06/23
Topographical Survey	HGP 21.014.002 P1
Proposed Layout – Roof	Ref: 21.014.100 P6
Proposed Ground Layout	Ref: 21.014.101 P9 rec'd 28/07/23
Proposed Boundary Finishes	Ref: 21.014.105 P5
North Parcel – Block Plan	Ref: 21.014.110 P5
North Parcel – Streetscenes	Ref: 21.014.111 P3
North Parcel – Streetscenes	Ref: 21.014.112 P3
South Parcel - Block Plan	Ref: 21.014.113 P5
South Parcel – Streetscenes	Ref: 21.014.114 P4
South Parcel – Streetscenes	Ref: 21.014.115 P4
Maisonette Block 1 Affordable	Ref: 21.014.500 P2
Apartment Block 1 Affordable	Ref: 21.014.501 P8
Apartment Block 2 Affordable	Ref: 21.014.502 P8
House Type 1 Affordable	Ref: 21.014.503 P2
House Type 1 Affordable Handed	Ref: 21.014.504 P2
House Type 2 Affordable	Ref: 21.014.505 P2
House Type 2 Affordable Handed	Ref: 21.014.506 P1
House Type 3 Affordable	Ref: 21.014.507 P4
Maisonette Block 2 Private	Ref: 21.014.508 P7
Maisonette Block 2 Private Handed	Ref: 21.014.509 P7



House Type 1 Private	Ref: 21.014.510 P4
House Type 1 Private Handed	21.014.511 P4
House Type 2 Private	21.014.512 P4
House Type 2 Private Handed	Ref: 21.014.513 P5
House Type 2 Private Bay Variation	Ref: 21.014.514 P4
House Type 2 Private Bay Variation Handed	Ref: 21.014.515 P4
House Type 3 Private	Ref: 21.014.516 P4
House Type 3 Private Handed	Ref: 21.014.517 P4
House Type 3 Private Bay Variation	Ref: 21.014.518 P4
House Type 3 Private Bay Variation Handed	Ref: 21.014.519 P4
House Type 3 Private Side Garden	Ref: 21.014.520 P4
House Type 3 Private Side Garden Handed	Ref: 21.014.521 P4
House Type 4 Private	Ref: 21.014.522 P4
House Type 4 Private Handed	Ref: 21.014.523 P4
House Type 5 Private	Ref: 21.014.524 P4
House Type 5 Private Handed	Ref: 21.014.525 P4
House Type 6 Private	Ref: 21.014.526 P4
House Type 6 Private Handed	Ref: 21.014.527 P4
House Type 7 Private	Ref: 21.014.528 P5
Garages	Ref: 21.014.215 P6
Outbuildings and Garages	Ref: 21.014.216 P5
Materials Palette Character Area 1	Ref: 21.014.250 P3
Materials Palette Character Area 2	Ref: 21.014.251 P4
Materials Palette Character Area 3	Ref: 21.014.252 P3
Engineering Layout, Road Dimensions, Visibility Splays	Ref: 6717-MJA-SWXX-DR-C-001 P5

Proposed Road & House FFLs	Ref:6717-MJA-SW-XX-DR-C-002 P6
Drainage Strategy Layout	Ref :6717-MJA-SW-XX-DR-C-003 P11
Refuse Vehicle Tracking Layout	Ref: 6717-MJA-SW-XX-DR-C-500 P6
Fire Appliance Vehicle Tracking Layout	Ref: 6717-MJA-SW-XX-DR-C-501 P6
Estate Car Tracking Layout	Ref: 6717-MJA-SW-XX-DR-C-502 P6
Internal Visibility Splays	Ref: 6717-MJA-SW-XX-DR-C-510 P3
Existing Services Coordination Drawing	Ref: 18716-HYD-XX-XX-FR-Y-3000 P03
Tree Protection Plan	Ref: 21042-11
Tree Protection Plan (off-site works, S278)	Ref: 21042-10
Landscape Strategy Plan	Ref: DD481L01 G
ANRG-POS Plan	Ref: DD481L02 I
Pond Section	Ref: DD481L04 A

Reason: To ensure satisfactory provision of the development.

### 3. Phasing

Prior to the commencement of development on site a plan and strategy for the phased delivery of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. It shall demonstrate how the scheme will be delivered and proportionate delivery of ANRG and POS will be provided to match the needs of occupation. The approved strategy shall then be implemented unless with prior written consent to any variation.

Reason: In order to ensure timely and appropriate delivery of the development and to ensure it meets the recreation and habitat mitigation needs and in accordance with Policies STR1 & ENV1 of the New Forest District Local Plan Part 1: Planning Strategy 2020 and CS7 of the New Forest District Core Strategy 2009.

### 4. CMP

Prior to the commencement of development on site a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The CMP shall include, but not limited to, the following details:

- Development contacts, roles and responsibilities
- Public communication strategy, including a complaints procedure.
- Dust Management Plan (DMP) including suppression, mitigation and avoidance measures to control dust.
- Noise reduction measures, including use of acoustic screens and enclosures, the type of equipment to be used and their hours of operation.
- Use of fences and barriers to protect adjacent land, properties, footpaths and highways.
- Details of parking and traffic management measures, site compound, delivery routes and storage areas.
- Measures to control light spill and glare from any floodlighting and security lighting installed.
- Pest control

The approved details shall be implemented before the development hereby permitted is commenced and retained throughout the duration of construction. The development shall only be carried out in accordance with the CMP so approved.

Reason: In the interests of highway, pedestrian safety and residents amenity and to reflect the phased requirements of condition No.3 of this permission and in accordance with CCC1 of the New Forest District Local Plan Part 1: Planning Strategy 2020.

#### 5. **Southern access and Hill St widening first works.**

The first works to be undertaken pursuant to this planning permission shall be to form the southern access from the adopted highway as shown on the plans hereby approved. No foundation excavations shall be undertaken on site until the carriageway widening on Hill Street, up to the junction with the southern access, shown on the approved plans has been completed.

Reason. In order to ensure safe access for construction vehicles and avoid conflict with existing users of Hill Street in the interests of highway safety and amenity and in accordance with policy CCC1 of the New Forest District Local Plan Part 1: Planning Strategy 2023.

#### 6. **Pre commencement tree meeting**

Prior to the commencement of works (including site clearance, demolition and construction works related to S.278 offsite highway works) 3 working days notice shall be given to the Local Planning Authority Tree Officer to attend the pre-commencement site meeting as specified within the submitted Barrell Tree Consultancy Manual for Managing Trees on Development Sites V3.0 SGN 1: Monitoring tree protection

Reason: To safeguard trees and natural features which are important to the visual amenities and ecological value of the area and in accordance with policies ENV3, ENV4 of the New Forest District Local Plan Part 1: Planning Strategy and DM2 of the New Forest District Local Plan Part 2: Sites and DM policies 2014.

**7. Details of noise mitigation prior to commencement of construction of flats**

Prior to the commencement of construction of the first block of flats (plots 35-47) details of the measures to achieve appropriate internal sound and ventilation amenity in accordance with the Noise assessment ref:R8915-1 rev 4 received 29/06/23 shall be submitted to and approved in writing by the Local Planning Authority. The agreed details shall then be implemented during construction of the relevant building and complete before first occupation of the relevant flat. Where necessary the measures shall be maintained and retained.

Reason: In the interests of achieving appropriate internal amenity for residents and in accordance with policy CCC1 of the New forest District Local Plan Part 1: Planning Strategy 2020.

**8. Secure details of play equipment before DPC**

Prior to the commencement of development above damp proof course, the details and layout of the play equipment, street furniture and surface treatment of the areas shown for play on the plans hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The details shall demonstrate compliance with EN1176, include a schedule of maintenance and timetable of delivery. The approved details shall then be implemented in accordance with the agreed time table and thereafter retained for public use and maintained in accordance with the maintenance schedule.

Reason: In order to provide appropriate play opportunities and in accordance with policy CS7 of the New Forest District Core Strategy 2009 and ENV3 of the New Forest District Local Plan Part 1: planning strategy 2020.

**9. Scheme of on site lighting for ecology and character**

Prior to the commencement of development above damp proof course, a "site wide sensitive lighting design strategy for biodiversity" in line with BCT / ILP Guidance Note 08/18 'Bats and artificial lighting in the UK' for all areas to be lit shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- 1) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important commuting routes used to access key areas of their territory, for example, for foraging;
- 2) Identify and take account dedicated bat roost features provided by the development; and
- 3) show how and where external lighting will be installed (through the provision of appropriate lighting contour (lux) plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places and that dark corridors will be maintained.

All external lighting shall be installed in accordance with the specifications and locations set out in the agreed strategy, and these shall be retained and maintained thereafter to preserve the strategy.

Reason: In the interests of visual amenity and supporting ecology in the area in accordance with policy ENV3 of the New Forest District Local Plan Part 1: Planning Strategy 2020 and DM2 of the New Forest District Local Plan Part 2: Sites and DM policies 2014.

#### 10. **Water Efficiency and Nutrient Neutrality**

The development hereby permitted shall not be occupied until:

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

A mitigation package addressing the additional nutrient input arising from the development has been submitted to, and approved in writing by, the Local Planning Authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European Sites by the development when fully occupied and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites; and

The mitigation package shall include a timetable for implementation and measures for retention and maintenance of that mitigation package, which shall thereafter be implemented.

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

## 11. **Unexpected contamination**

If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the [Local] Planning Authority in writing, until an investigation and risk assessment has been undertaken in accordance with Environment Agency's technical Land Contamination Risk Management (LCRM) guidance. Where remediation is necessary a remediation scheme must be prepared to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the [Local] Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CCC1 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park.

## 12. **Detailed Landscape**

Secure detailed landscape scheme, implementation, management and maintenance

Before development commences above damp proof course a scheme for landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall be in broad accordance with the Landscape Strategy shown on plan ref:DD418 rev G received 27/06/23 and incorporate the ecological mitigation and enhancement measures proposed by the Environmental Mitigation and Management Plan Ref:784-B026661 received 04/09/23 and include:

- (a) the existing trees and shrubs which have been agreed to be retained;
- (b) a specification for new planting (species, size, spacing and location);
- (c) areas for hard surfacing, construction details and the materials to be used;
- (d) other means of enclosure, street furniture, bins, bollards, benches, the design of the bridge across the drainage ditch and drainage basin in/outlet headwalls;
- (e) a method and programme for its implementation and the means to provide for its future maintenance.

Occupation shall not occur until the scheme has been approved, which shall then be implemented in accordance with the implementation scheme and shall thereafter be retained and maintained in accordance with the approved maintenance schedule.

Reason: To ensure appropriate and timely provision of hard and soft landscape and in accordance with Policies ENV3 and ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

**13. EV Charging**

Before first occupation of the dwelling(s) hereby approved, a scheme for the provision of infrastructure and facilities to enable the installation of charging points for electric vehicles to serve the new dwellings shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be provided before the approved dwellings has been occupied and shall thereafter be retained in accordance with the approved details.

Reason: In the interests of sustainability and to ensure that provision is made for electrical charging points in accordance with Policy IMPL2 of the Local Plan Part 1 Planning Strategy for the New Forest (outside of the National Park).

**14. Details of road, path, cycleway design/junctions**

Prior to the commencement of development on site, details of the construction, design and junctions between routes, of all roads, driveways, cycleways and footways, including any traffic calming measures, signage and surface line painting on the site shall be submitted to and approved in writing by the Local Planning Authority.

The approved details shall then be implemented and thereafter maintained in accordance with a schedule of a maintenance that shall be submitted to and approved in writing prior to first occupation.

Reason: In the interests of ensuring an appropriate design, ensure appropriate connectivity and future maintenance and in accordance with policies ENV3 and CCC2 of the New Forest District Local Plan Part 1: Planning Strategy 2020.

**15. North access prior to first occupation.**

No property in the north parcel as shown on the approved plans shall be occupied until the vehicular access serving that parcel from Hill Street has been completed in accordance with the approved plans.

Reason: In order to ensure sufficient and safe vehicular access is provided.

**16. Parking, drives, garages, carports.**

No dwelling shall be occupied until its respective access, driveway, garage, carport or courtyard parking has been provided as shown on the approved plans. Garages shall be retained for the parking of vehicles and no doors shall be added to carports.

Reason: In the interests of ensuring sufficient parking in accordance with CCC2 of the New Forest District Local Plan Part 1: Planning Strategy 2020 and the Parking Standards SPD 2022.

**17. Bike stores, rear garden access and communal bike storage.**

No dwelling shall be occupied until its respective bike store and access to that store, as shown on the approved plans, has been provided. The communal bike stores for the flats, as shown on the approved plans shall install 'Sheffield style' racks to the required number of spaces, prior to first occupation of respective block of flats. The communal stores shall thereafter be retained.

Reason: In the interests of supporting sustainable forms of travel and in accordance with CCC2 of the New Forest District Local Plan Part 1: Planning Strategy 2020.

**18. Bin stores for flats prior to occupation.**

No flat in plot numbers 39-47 as shown on the approved plans shall be occupied until the communal bin store shown in Apartment block 2 is available for use. The store shall be retained for the storage of waste thereafter.

Reason: In the interests of efficient waste collection, appearance of the site and pedestrian safety in accordance with policy ENV3 of the New Forest District Local Plan Part 1: Planning Strategy 2020.

**19. Surface water drainage.**

Concurrent with implementation of the scheme hereby approved, the surface water drainage scheme as shown in the MJA Consulting Flood Risk Assessment and Development Drainage Strategy ref:CP/22/0223/6717 received 22nd Aug 2023 and the Pluvial Modelling Report received 11th May 2023, shall be implemented and available to serve the north parcel of the development prior to first occupation of the dwellings on that parcel and to serve the south parcel prior to first occupation of the dwellings in that parcel.

The flood compensation area shown on the drainage plan, enhancement of the drainage ditch and replacement of the highways drain as shown in the report and plans shall be completed prior first occupation of the site.

A maintenance and management schedule for the approved drainage strategy shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development hereby approved and thereafter implemented, in accordance with the timetable enclosed therein.

Reason: In order to ensure sufficient and appropriate sustainable drainage for the site and area and in accordance with policies STR1, CCC2 of the New Forest District Local Plan Part 1: Planning Strategy 2020 and the NPPF.



20. **Ensure minimum finished floor levels**

The finished floor levels of the dwellings hereby approved shall be in accordance with that shown on the MJA Consulting Drainage Strategy Layout plan ref:6717-MJA-SW-XX-DR-003-C rev P11 received 22/08/23.

Reason: In order to protect the properties from the risk of flooding over the life of the development and in accordance with policy CCC1 of the New Forest District Local Plan Part 1: Planning Strategy 2020.

21. **Implement EMMP**

The recommendations and conclusions of the Environmental Mitigation and Management Plan ref:784-B026661 received 04/09/23 shall be implemented and followed throughout implementation of the development hereby approved. No dwelling shall be occupied until a plan and schedule showing the location of the installation of the enhancement features proposed by chapter 7 of the EMMP has been submitted and approved in writing. The plan and schedule shall then be implemented as agreed in advance of each respective dwelling being occupied. The installed features shall thereafter be retained.

Reason: In the interests of supporting ecology and mitigating the effect of development and in accordance with STR1 of the New Forest District Local Plan Part 1: Planning Strategy 2020 and DM2 of the New Forest District Local Plan Part 2: Sites and DM policies 2014.

22. **Boundaries as per approved plans.**

Boundary enclosure of individual plots shall be completed as indicated on the approved plans prior to occupation of the relevant dwelling.

Reason: In the interest of visual amenities and residential privacy and in accordance with policy ENV3 of the New Forest District Local Plan Part 1: Planning Strategy 2020.

23. **Materials and details as per materials palette character area plans.**

Prior to the commencement of construction of a dwelling in each character area, precise details of the proposed external facing materials to be used in the construction of the dwellings in the character area shall be submitted to and approved in writing. The approved materials shall then be used in accordance with the details shown on the respective Material Palette Character Area plans.

Reason: In the interests of ensuring delivery of important design details and the appearance of the scheme and area and in accordance with policy ENV3 of the New Forest District Local Plan Part 1: Planning Strategy 2020.

**24. Arboricultural method statement**

The trees/hedges on the site which are shown to be retained on the approved plans shall be protected during all site clearance, demolition and building works in accordance with the measures set out in the submitted Barrell Tree Consultancy Arboricultural assessment & method statement received 27th June 2023 ref: 21042-AA6-PB and Tree Protection Plan Ref: 21042-11.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area in accordance with policies ENV3 and ENV4 of the New Forest District Local Plan Part 1: Planning Strategy 2020.

**25. Off Site Arb works**

Prior to the commencement of off site highway works as shown on MJA Consulting plan 'Hill Street General arrangement' ref:617-MJA-SW-XX-DR-C-602 rev P3 received 03/07/23 a method statement and engineering drawings for all highway construction works within the rootzones of trees shall be submitted to and approved in writing by the Local Planning Authority.

The approved details shall then be implemented during the construction of those works.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area and in accordance with policies ENV3 and ENV4 of the New Forest District Local Plan Part 1: Planning Strategy 2020.

**26. Provide pedestrian cycleway links.**

Prior to occupation of the penultimate dwelling hereby approved, the pedestrian and cycleway links to the boundaries with Green Lane bridleway, Salisbury Road and Hill Street, as shown on the approved plans, shall be provided. The paths shall remain open for public use (except in case of maintenance).

Reason: In the interests of permeability, good design, active travel and safe access to public open space and in accordance with policies ENV1, ENV3, CCC2 and SS1 of the New Forest District Local Plan Part 1: Planning Strategy 2020.

**27. Biodiversity Net Gain.**

Prior to commencement of development above slab level a revised Biodiversity Net Gain scheme and metric calculation, and a Monitoring and Management Plan covering a period of 30 years from commencement of development has been submitted for approval to the local planning authority. The Biodiversity Net Gain Monitoring and Management Plan shall include:

- Methods for delivering BNG;
- Responsibilities for delivering BNG – during and after construction;
- Description of the habitats to be managed;

- Ecological trends and constraints on site that might influence management;
- Clear timed and measurable objectives in the short, medium and long-term for BNG - Detail objectives for all habitats (target condition) and define key indicators to measure success;
- Define appropriate management options and actions for achieving aims and objectives;
- A commitment to adaptive management in response to monitoring to secure the intended biodiversity outcomes;
- Preparation of a work schedule;
- Details for a formal review process when objectives are not fully reached;
- Key milestones for reviewing the monitoring;
- Establish a standard format for collection of monitoring data to make it repeatable and consistent;
- Identify and define set monitoring points (representing the key habitats on site) where photographs can be taken as part of monitoring to record the status of habitats on site.

The monitoring and associated reports shall be undertaken and provided to the LPA as a minimum in years 2, 5, 10, 20 and 30 from commencement of each separate development phase.

No occupancy of any dwelling shall take place until the Plan has been agreed in writing by the LPA.

Reason: In order to ensure the detailed landscape scheme ensures the development delivers and maintains a minimum 10% uplift in the site's biodiversity value in accordance with the policies STR1, of the New Forest District Local Plan Part 1: Planning Strategy 2020, DM2 of the New Forest District Local Plan Part 2: Sites and DM policies 2014 and the Interim Ecology and biodiversity Net Gain advice note 2022.

## 28. **Provide a schedule of ecology mitigation**

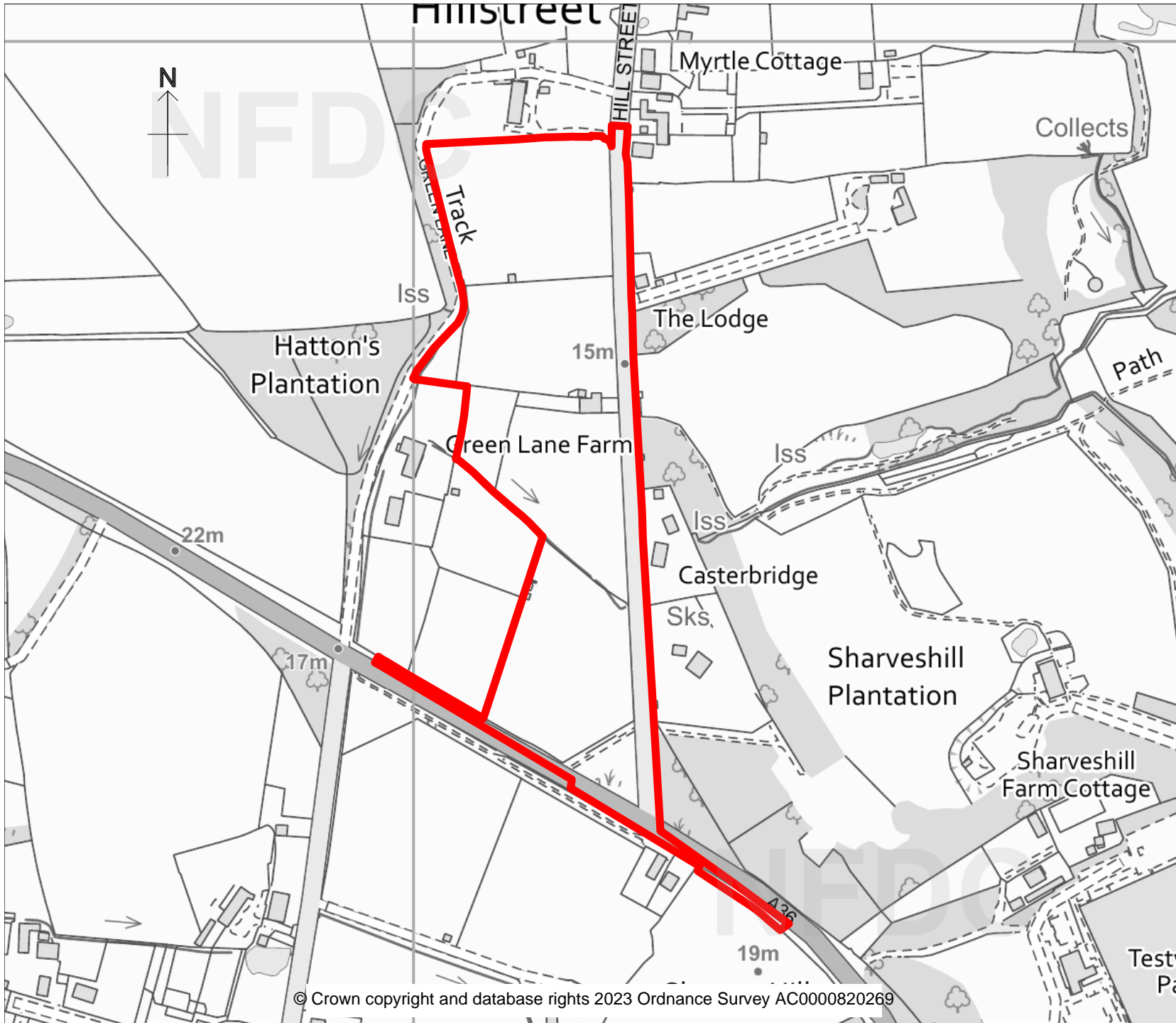
Prior to the commencement of development above damp proof course, a schedule of the position, layout and location of all ecological enhancements proposed on plot, as indicated by the Ecological Mitigation and Management Plan ref: B026661 received 04/09/23 shall be submitted to the Local Planning Authority.

Reason: For monitoring delivery of ecological mitigation and enhancements and in accordance with DM2 of the New Forest District Local Plan Part 2: Sites and DM policies 2014.

### **Further Information:**

James Gilfillan

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# New Forest

DISTRICT COUNCIL

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David Norris  
Service Manager  
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New Forest District Council  
Appletree Court  
Lyndhurst  
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## PLANNING COMMITTEE

November 2023

Land West of Hill Street  
Calmore  
Netley Marsh  
22/10854

Scale 1:3500

N.B. If printing this plan from the internet, it will not be to scale.

Planning Committee 08 November 2023

**Application Number:** 23/10430 Full Planning Permission  
**Site:** UNITS 2-4, TOTTON RETAIL PARK, 62-96 COMMERCIAL ROAD, TOTTON SO40 3AG  
**Development:** Installation of a drive thru lane; additional hardstanding to extend service area to form a turning circle; external alterations; use as a coffee shop  
**Applicant:** Metric GP Income Plus Limited  
C/O London Metric Property PLC  
**Agent:** Mr Gray  
**Target Date:** 19/06/2023  
**Case Officer:** Sophie Tagg  
**Officer Recommendation:** Grant Subject to Conditions  
**Reason for Referral to Committee:** Contrary Town Council View

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## 1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Principle of the proposed development
- 2) Design, site layout and impact on local character and appearance
- 3) Highway safety, access and parking
- 4) Residential amenity
- 5) Ecology

## 2 SITE DESCRIPTION

The application relates to two existing adjacent units in Totton Retail Park, which is located within the Primary Shopping Area of Totton Town Centre.

The application site is located south of Commercial Road, east of Asda Superstore and west of Totton Railway station, with the River Test approximately 0.5km due east of the site. The surrounding area is predominantly residential with some light industrial units to the east.

The site at present occupies a prominent area on the main road through the town and currently comprises a large retail building split into a number of users, set in a tarmac white lined area with some planting beds within and on the peripheral boundaries. There are some residential properties immediately to the west and south-east of the site.

There are three existing units on the site comprising the retail foodstore Lidl (Unit 1) which will be retained, Argos (Unit 2) and Jollyes Pet Store (Unit 3).

The vehicular access point is from Commercial Road, where there is an internal access road leading round to the car park and entrance to the Units. There is a Tyre and Autocare centre situated to the east which also shares the access point from Commercial Road. The retail units which are the subject of this application are serviced by the service delivery at the northern end near Commercial Road, which is accessed through the car park. There is another service area at the southern end of the units serving Lidl, which is accessed to the south.

There is an additional pedestrian only access point available to the north of the site with direct access onto Commercial Road and bus stop. There is a zebra style crossing point within the retail park to this access.

The existing building comprises profiled metal cladding at high level and facing brick at low level with entrance canopies. The unit occupying Lidl has recently been altered, with the entrance canopies and doors removed, the addition of new entrance doors and increased glazing to the shopfronts.

### **3 PROPOSED DEVELOPMENT**

The application proposes to alter the existing arrangements of two of the Units on the site (labelled on the existing site plan as Units 2 and 3) - namely Jollyes within Unit 3 and Argos within Unit 2.

The proposal involves the following works:

- Addition of a drive thru lane within the existing northern service area with soft landscaping proposed along the boundary with Commercial Road
- Service Area to the north to be relocated further back within the site with the addition of a turning circle to serve the two units. The access to the Service Area would be via the drive thru arrangement. The soft landscaping in the north-western corner of the site would be removed and a refuse area is proposed.
- External alterations to the two units to match the alterations made to the Lidl store which includes brick piers, additional glazing and composite cladding, the removal of the curved entrance canopies to the units, the addition of the drive by collection counter inserted into the north-eastern corner of the building, new signage (which would be subject to separate advertisement application) and 2no new pedestrian access doors into the north-west elevation of the building.
- Customer car park, hardstanding and pedestrian footpath into the site from Commercial Road to be reorganised and altered, altering the location of the zebra style crossing point within the northern part of the site. There would be a net loss of five parking spaces overall to accommodate a wider pedestrian walkway. The customer car park vehicular circulation movement would be altered with a one way system introduced.
- Height restriction barrier to prevent large vehicles entering the drive thru and the addition of an order point.
- 7 tactile crossing points and dropped kerbs proposed at these points, on the triangular island and Commercial Road central refuge to both sides of the highway pavement- 2 areas of tactile paving would be outside the application site.

The LPA have been advised that there has been pre-application discussions between the Applicant and Hampshire County Council Highways team, where it was agreed that a Transport Statement would be required to support the planning application which was inclusive of further details regarding:

- Average service time to inform drive-thru queues;
- Swept path analysis of the drive thru lane;

- A 5-year accident review;
- Trip Rates, trip generation and trip types; and
- An assessment of accessibility by walking and cycling.

#### 4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
23/10364 Install six rapid electric vehicle charging stations within the car park of Totton Retail Park. Eight existing parking spaces will become EV charging bays, along with associated equipment. Two of the six EV charging bays are to be fully accessible.	04/08/2023	Refused	Appeal Received
21/11479 Amalgamation of Units 1 & 2 to allow expansion of existing Class E(a) foodstore into a single larger unit, with associated external alterations and new plant.	12/01/2022	Granted Subject to Conditions	Decided
19/11322 External alterations to the existing retail units and external customer car park	20/07/2020	Granted Subject to Conditions	Decided
06/88794 Extension to existing mezzanine floor	21/11/2006	Granted Subject to Conditions	Decided
06/88430 Mezzanine floors; fire exit	12/09/2006	Granted Subject to Conditions	Decided
98/NFDC/63477 External alterations/service yard & parking/fencing/l'scpg	01/06/1998	Granted Subject to Conditions	Decided
97/NFDC/61334 Alts to access/form service yard/parking/external alts :	12/11/1997	Granted Subject to Conditions	Decided
95/NFDC/57194 Alterations to form sub-division of existing unit	08/09/1995	Granted	Decided
NFDC/84/27684 Retail warehouse, greenhouse and tyre fitting centre with construction of parking facilities and access (existing buildings to be demolished).	16/08/1985	Granted Subject to Conditions	Decided

#### 5 PLANNING POLICY AND GUIDANCE

##### **Local Plan 2016-2036 Part 1: Planning Strategy**

Policy CCC2: Safe and sustainable travel  
 Policy ECON1: Employment land and development  
 Policy ECON5: Retail development and other main town centre uses  
 Policy ECON6: Primary, secondary and local shopping frontages  
 Policy ENV3: Design quality and local distinctiveness  
 Policy ENV4: Landscape character and quality  
 Policy IMPL2: Development standards  
 Policy STR1: Achieving Sustainable Development  
 Policy STR6: Sustainable economic growth

##### **Local Plan Part 2: Sites and Development Management 2014**

DM14: Primary Shopping Frontage

TOT15: Totton town centre opportunity sites  
TOT17: Environmental and transport improvements in Totton town centre

### **Supplementary Planning Guidance And Documents**

SPD - Parking Standards  
SPG - Totton Town Centre - Urban Design Framework

## **6 PARISH / TOWN COUNCIL COMMENTS**

**Totton & Eling Town Council:** recommend REFUSAL

### *Comments on original plans*

The additional jobs created would be a positive for the town. However, there is an established Costa Coffee in very close proximity and nearby McDonalds drive thru. Whilst it is appreciated this is an existing retail park, given its location, within an existing parking area, this isn't an ideal setting for a drive thru. It is felt the site is appropriate in its current form; this proposed addition would be over-intensification of the site. With regards to the HGV turning circle, it was felt this may not be an adequate turning space for large lorries; furthermore, this would impact upon nearby existing residential properties. The main areas of concern would be the increase in traffic movements and potential traffic queues, safety of pedestrians accessing the car park and potential impact on nearby residents in terms of noise and pollution.

### *Comments on amended plans*

The inclusion of the tactile paving and restrictive height barrier are welcomed but the amendments do not address the fundamental problems raised in our previous consultation response. With regards to the deliveries, if these were to be undertaken outside of store opening times this could impact on the enjoyment of nearby residential properties. The main areas of concern remain the increase in traffic movements and potential traffic queues, safety of pedestrians accessing the car park and potential impact on nearby residents in terms of noise and pollution.

## **7 COUNCILLOR COMMENTS**

No comments received

## **8 CONSULTEE COMMENTS**

Comments have been received from the following consultees:

### **Environmental Health (Pollution)**

No objection to the opening hours of the unit from 06:00 to 23:00 hours based on the information detailed within the Dragonfly Noise Impact Assessment Report which indicates that recommended guideline internal noise levels in the nearest sensitive receptor can be met based on the assessment criteria detailed in the Assessment.

No objection to the proposed servicing hours 08.00 – 19.00 hours

Subject to condition relating to the following:

The combined noise rating level (L<sub>Ar,Tr</sub>) of plant and equipment on the site shall not exceed the background level 41dB (LA<sub>90</sub>) (between the hours of 23.00 – 07.00) at 3.5m from any reflective surface in accordance with BS4142:2014+A1:2019



### **Environmental Health (Contaminated Land)**

No concern with this application.

### **HCC Countryside Services**

Totton and Eling Footpath 17 to the south is unaffected by the proposals. We therefore have no objection.

### **HCC Highways**

No objection subject to conditions relating to the following:

1. The detailed design of the proposed pedestrian crossing including the specification needs to be approved in writing by the Local Planning Authority; and the proposed pedestrian crossing should be constructed and completed prior to first use of the proposed development.
2. A Service Management Plan is required which allows the deliveries and servicing to take place during opening hours of drive thru.

## **9 REPRESENTATIONS RECEIVED**

10 letters of objections received from local residents:

- Impact on highway safety, particularly the entrance from Commercial Road and within the car park
- Increased traffic congestion
- Increased noise disturbance, dust and fumes
- No need for another coffee shop or drive thru
- The proposal would lead to increased antisocial behaviour
- Loss of the trees within the service delivery area - help with noise reduction.

## **10 PLANNING ASSESSMENT**

### Principle of Development

The site is located within the Primary Shopping Area and does not result in the loss of any existing units and can therefore be considered accordant with the provisions of Local Plan policies ECON1, ECON5 & ECON6. In particular, Policy ECON6 (Primary, secondary and local shopping frontages) seeks to avoid unacceptable change(s) in the retail character of the shopping frontage as a whole and to avoid the loss of occupied retail shops (or service uses) that provide for everyday community needs. The proposed Unit 4 will be occupied by a coffee shop which will serve customers via the drive thru lane proposed and also provide seating inside the unit.

The site also forms one of the areas subject to Policy TOT15: Totton town centre opportunity sites, in which Totton Retail Park Servicing Area is recognised as a development opportunity for retail/office/entertainment use.

It is of note that the existing building when originally given consent (under planning reference NFDC/84/27684) was one single retail warehouse building, later subdivided into smaller retail units.

### Design, site layout and impact on local character and appearance of area

The proposed alterations to the external façade of the Units would provide a more cohesive building, with the external alterations matching the adjoining Lidl store in appearance. The additional glazing would provide more natural surveillance from within the units and improve the building's appearance, reducing its warehouse type character.

The proposed addition of the drive thru lane would result in a material change to the character of the site. However, it is proposed to be located on an existing area of hardstanding that is currently used for servicing and deliveries. There would be the introduction of a barrier, an order point and raised kerbs and paving to define the drive thru lane. But alongside this additional paraphernalia associated within the drive thru, there is also a submitted landscaping plan which proposes additional soft landscaping along the site's northern edge that will improve the site's appearance when viewed from Commercial Road and from within the site. A condition is recommended to ensure that the planting is as per the landscaping plan submitted. The pedestrian crossing within the site would be moved further to the east, with the addition of a dog leg to the pedestrian pathway from Commercial Road and the loss of 2no parking spaces to increase the pedestrian hardstanding in front of Unit 4. The boundary treatment to the north around the service area is not clear from the plans, and therefore further details have been requested via a planning condition to ensure that this is appropriate.

Overall, whilst intensifying the use in this location, it is considered the proposals would not adversely affect the existing character of the immediate or wider surrounding area to warrant refusal of the application.

#### Highway safety, access and parking

The site comprises a busy area with multiple traffic movements in and out of the car park as well as service deliveries. The revised car parking arrangement, with a one way system, is considered to be a safer arrangement, and the net loss of 5 spaces is considered to be acceptable to accommodate the proposed alterations to the car park and pedestrian pathways. On the basis of the parking accumulation survey data submitted within the submitted Transport Statement - which notes that during the peak use of the site there would typically be an accumulation of 77 parked vehicles (thereby leaving plenty of capacity) - it is considered that the existing level of car parking provision across the wider car park would be sufficient for the operational demands of the drive-thru redevelopment.

The Transport Statement that has been submitted within the application describes that the average waiting times at the drive-thru lane would be 31 seconds at the order point and 129 seconds at collection point. The Highway Authority consider this estimation is too optimistic. However, even when using a longer waiting time of 3 minutes 30 seconds for a more robust assessment, the queuing at the drive thru lane would be 3 cars at most. As there is space for 4 cars to queue at the drive thru lane, it is therefore not considered that the proposed development would be likely to result in queuing back onto the parking area. Additionally, a height restriction barrier is proposed at the entrance to the drive thru, at the request of the Highway Authority to ensure that the lane is not utilised by large vehicles.

Vehicle swept path tracking for a private car has been provided and is considered acceptable by the Highway Authority.

Having regard to the servicing arrangements to the 2 units, the Applicant indicates that there will be a maximum of 1 HGV per day to the Units and this will be undertaken between the hours of 08:00am and 07:00pm as existing, which are the hours of use set by a condition that was imposed under an earlier 1997 planning permission, with no use to take place outside of those times. The HGVs would use the turning circle proposed to ensure that they are able to enter and exit the site in a forward gear. Tracking for delivery/servicing has been provided for a maximum 16.5t articulated vehicle. The tracking is considered to be broadly acceptable, although it is noted that the access manoeuvre would infringe upon the drive-thru lane and collection point. A condition is therefore recommended, requiring that a Service

Management Plan be agreed to ensure the acceptable operation of service deliveries, given that the servicing will be undertaken during operational hours.

The Highway Authority have raised no objection to the plans, which have been amended to accommodate their request for tactile paving to be introduced to the triangular island and the central refuge on Commercial Road (outside of the application site) , which is considered necessary to improve walking and cycling access to the proposed development. Because the Highway Authority require works to be undertaken that are outside of the application site, there will be a need for a Grampian style condition, precluding commencement of development / occupation until relevant details have been agreed and the approved off-site works have been implemented. All proposed crossing points will need to be audited by a Stage 1 Road Safety Audit by a Hampshire Council approved Road Safety Audit Auditor. There will be a need for the Applicant to enter into a Section 278 Agreement with the Local Highway Authority, as the works relate to direct highway improvements.

The servicing arrangements for the Lidl store would remain as is from the southern end of the building.

Paragraph 111 of the National Planning Policy Framework (NPPF) states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Officers are satisfied that the proposals would not be of severe detriment to the operation and safety of the local highway network.

The comments from the Town Council and local residents are noted regarding highway safety, increased traffic movements and congestion. However, given that the Highway Authority have raised no objection to the development, it is considered that there is no reason to refuse the application on highway safety grounds.

#### Residential amenity

The application site is bounded on the north and western sides by existing residential development. There is existing vegetation on the northern boundary within the northern corner which will be removed, and a Noise Impact Assessment has assessed the impact on nearby residents on this basis. The proposal seeks to limit the hours of operation of the drive thru and coffee shop to between the hours of 06:00hrs and 23:00hrs, which is considered to be acceptable based on the Noise Impact Assessment submitted by the Applicant. This Assessment confirms that recommended guidelines on internal noise levels at the nearest sensitive receptor can be met based on relevant criteria. The conclusions of the Noise Impact Assessment are accepted by the Council's Environmental Health Officer.

The applicants are willing to accept a restriction on deliveries to between the hours of 08:00am to 07:00pm on any day. As set out above, this would be as per the existing arrangements, and it is anticipated that only 1no HGV would use the service area per day.

The Council's Environmental Health officer has assessed the proposals and raises no objection, subject to conditions in respect of the timing of deliveries, the submission of a Construction Environmental Management Plan (CEMP) and noise levels as per the Noise Impact Assessment - i.e. that the combined noise rating level (L<sub>Ar</sub>,Tr) of plant and equipment on the site shall not exceed the background level 41dB (LA<sub>90</sub>) (between the hours of 23.00 – 07.00) at 3.5m from any reflective surface in accordance with BS4142:2014+A1:2019.

In these respects, it is considered that subject to the imposition of conditions, the proposed development would not result in undue impacts in respect of the amenity of adjoining residential occupiers.

### Ecology

The application relates to the use of the existing retail commercial buildings, and a proportionate view should be taken for applications with regard to the need for any biodiversity enhancement on site. In this case, the nature and extent of the proposals are such as not to warrant any specific enhancements.

## **11 CONCLUSION / PLANNING BALANCE**

The proposal constitutes an appropriate and sustainable form of development that will preserve an existing town centre shopping use without detriment to the character of the surrounding area or to the amenity of adjoining residents. In these respects, the proposal is considered accordant with local plan policy and national planning policy guidance, subject to the conditions suggested.

## **12 RECOMMENDATION**

### **Grant Subject to Conditions**

#### **Proposed Conditions:**

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

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

2. The development permitted shall be carried out in accordance with the following approved plans:

11501 E101 Rev A  
11501 E102 Rev A  
11501 L001 Rev A  
11501 P002 Rev D  
11501 P003 Rev A  
11501 P004 Rev A  
5174.01 Rev A  
11501 P001 Rev

Reason: To ensure satisfactory provision of the development.

3. No deliveries or collections associated with the units / the approved development shall take place other than between the hours of 08:00am to 07:00pm on any day.

Reason: In the interests of amenity and in accordance with the provisions of policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the New Forest National Park.

4. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the completion of building works. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size or species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the appearance and setting of the development is satisfactory and to comply with Policies ENV3 and ENV4 of the Local Plan Review 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

5. Within one month of the commencement of development, details of the treatment of the boundaries of the site, as shown on the approved site plan, shall be submitted to the Local Planning Authority for its written approval. The means of enclosure shall thereafter be implemented in full accordance with the details thus approved before the drive thru facility hereby approved is first brought into use.

Reason: To ensure that the development takes place in an appropriate way, in accordance with Policy ENV3 of the Local Plan Review 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park

6. The combined noise rating level (L<sub>A</sub>,Tr) of plant and equipment on the site shall not exceed the background level 41dB (L<sub>A</sub>90) (between the hours of 23.00 – 07.00) at 3.5m from any reflective surface in accordance with BS4142:2014+A1:2019.

Reason: In the interests of amenity and in accordance with the provisions of policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the New Forest National Park.

7. No activity shall take place on the site in connection with the approved use of the Units and the drive thru other than between the hours of 06:00hrs and 23:00hrs Monday-Sunday.

Reason: In the interests of amenity and in accordance with the provisions of policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the New Forest National Park.

8. No development shall take place until the detailed scheme of proposed highway improvements, including the specification of the tactile paving at the pedestrian crossing points, as shown on the revised plan 11501 P002 Rev D, have been submitted to and agreed in writing by the Local Planning Authority in consultation with the Local Highway Authority. The drive thru shall not start to operate unless and until the approved highway improvements have been constructed and completed in accordance with the approved specification.

Reason: In the interests of highway safety.

9. Prior to the commencement of development, a Service Management Transport Plan for the drive thru lane and the servicing and deliveries to the site, including details of the provision and operation of the turning circle, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented and continue to operate at all times in full accordance with the approved details.

Reason: In the interests of highway safety.

10. Unless otherwise approved in writing by the Local Planning Authority, all works and ancillary operations in connection with the construction of the development, including the use of any equipment or deliveries to the site, shall be carried out only between 0800 hours and 1800 hours on Mondays to Fridays and between 0800 hours and 1300 hours on Saturdays and at no time on Sundays, Bank Holidays or Public Holidays.

Reason: To protect the amenity of nearby residents.

11. Prior to construction (including demolition) commencing on the site, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following details:

- Development contacts, roles and responsibilities
- Public communication strategy, including a complaints procedure.
- Noise reduction measures, including use of acoustic screens and enclosures, the type of equipment to be used and their hours of operation.
- Use of fences and barriers to protect adjacent land, properties, footpaths and highways.
- Details of parking and traffic management measures.
- Measures to control light spill and glare from any floodlighting and security lighting installed.
- Pest control

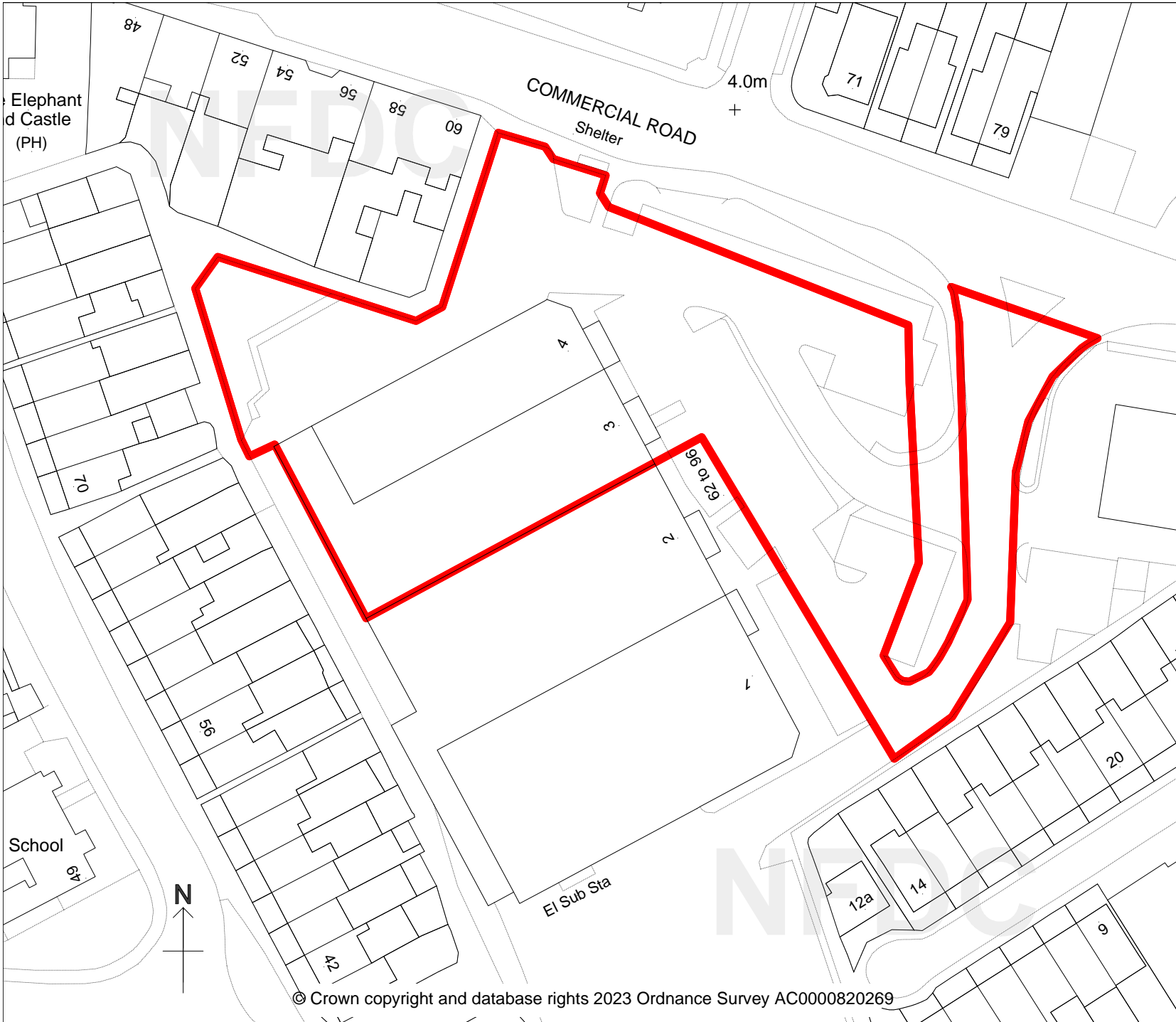
The approved details shall be implemented before the development hereby permitted is commenced and retained throughout the duration of construction. The development shall only be carried out in accordance with the CEMP so approved.

Reason: In order that the Local Planning Authority can properly consider the effect of the works on residential amenity [and highway safety] and in accordance with Policy ENV3 of the Local Plan Part 1 Planning Strategy.

**Further Information:**

Sophie Tagg

Telephone: 023 8028 5439



# New Forest

DISTRICT COUNCIL

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David Norris  
 Service Manager  
 Development Management  
 New Forest District Council  
 Appletree Court  
 Lyndhurst  
 SO43 7PA

## PLANNING COMMITTEE

November 2023

Units 2-4  
 Totton Retail Park  
 62-96 Commercial Road  
 23/10430

Scale 1:750

N.B. If printing this plan from the internet, it will not be to scale.



Planning Committee 08 November 2023

**Application Number:** 23/10630 Full Planning Permission  
**Site:** LAND ADJACENT TO CRACKNORE COTTAGE,  
CRACKNORE HARD LANE, MARCHWOOD SO40 4UT  
**Development:** Erection of new detached dwelling and associated  
landscaping works on land adjacent to Cracknore Cottage  
**Applicant:** Mr Bailey  
**Agent:** Tony Holt Design  
**Target Date:** 20/10/2023  
**Case Officer:** Sophie Tagg  
**Officer Recommendation:** Service Manager - Grant  
**Reason for Referral to Committee:** Parish Council Contrary View

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## 1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Principle of Development
- 2) Design, site layout and impact on local character and appearance of area
- 3) Residential amenity
- 4) Highway safety, access and parking
- 5) Ecology and habitat mitigation

This application is to be considered by Committee because the recommendation is contrary to the view of Marchwood Parish Council.

## 2 SITE DESCRIPTION

The application site fronts onto Cracknore Hard Lane, with the McMullen army barracks being situated to the rear. The site is positioned between a link-detached property known as 'Cracknore Cottage' and a pair of semi-detached houses, the nearest of which is known as 'Antares', which is located immediately to the south-east of the application site.

The plot is accessed directly from the road and has a low level wall and vegetation to the front boundary. The land currently comprises part of the garden area of Cracknore Cottage, and consists of an area of hardstanding, a grassed area and a small pond. A 1.8m high fence extends between the front of Cracknore Cottage and the side boundary with 'Antares', enclosing a generous sized garden to the side and rear of Cracknore Cottage. There is an existing shed which is 3.2 metres in height to the ridge and 2.2 metres in height to the eaves in the rear garden area which is set along the south-eastern boundary with Antares.

Cracknore Hard Lane has a verdant character with extensive vegetation between the lane and Normandy Way to the south. There is a mix of house types - semi-detached and detached properties along the northern side of the road, with gaps of varying sizes between existing dwellings. Generally the properties are

spaced fairly close together along the building line with the exception of the application site, where the gap between Cracknore Cottage and Antares is notably wider.

Cracknore Cottage has a driveway to the front serving the property, with two access points onto the driveway. Other verge areas in front of surrounding properties show signs of vehicular parking along the highway. There is an access to the army barracks further along the lane to the south-east of the site.

### 3 PROPOSED DEVELOPMENT

Permission is sought for a detached 3-bed two-storey dwelling with associated parking for 2 vehicles to the site frontage. The existing vehicular access would be widened to serve the new property. Cracknore Cottage would be accessed from the second access point currently serving the property.

### 4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
79/NFDC/13051 Alterations and extension to kitchen, dining room and addition of a tool shed	05/06/1979	Granted	Decided

### 5 PLANNING POLICY AND GUIDANCE

#### Local Plan 2016-2036 Part 1: Planning Strategy

Policy STR1: Achieving Sustainable Development

Policy STR3: The strategy for locating new development

Policy STR5: Meeting our housing needs

Policy ENV1: Mitigating the impacts of development on International Nature Conservation sites

Policy ENV3: Design quality and local distinctiveness

Policy HOU1: Housing type, size, tenure and choice

Policy IMPL1: Developer Contributions

Policy IMPL2: Development standards

#### Local Plan Part 2: Sites and Development Management 2014

DM3: Mitigation of impacts on European nature conservation sites

#### Supplementary Planning Guidance And Documents

SPD - Parking Standards

### 6 PARISH / TOWN COUNCIL COMMENTS

**Marchwood Parish Council:** Recommend refusal. Members agreed that the proposed dwelling would be out of keeping in the street scene; they felt the development would look cramped in the space, resulting in a street scene that was overcrowded. It was further agreed that the concerns raised by the neighbouring residents should be raised regarding any potential subsidence the excavation of the site could create. It was also agreed that adequate parking had not been provided and any street parking would be detrimental in an already busy road.

### 7 COUNCILLOR COMMENTS

No comments received

## 8 CONSULTEE COMMENTS

### Ecology

- Appropriate Assessment required
- Risk of ecological impacts is low and have no objections to the proposals.
- The application does not include any ecological enhancement or other measures to demonstrate a biodiversity net gain in line with national and local policy. I would recommend that a biodiversity enhancement plan is secured via condition. Further details for what could be delivered are provided in the NFDC Interim Ecology and Biodiversity Net Gain Advice Note available here: Ecology and Biodiversity Net Gain - New Forest District Council.

## 9 REPRESENTATIONS RECEIVED

The following is a summary of the representations received:

1 Comment in support of the application:

- Well-designed home making efficient use of underutilised space promoting responsible land use and managing urban sprawl, reducing environmental impact; smaller house will provide affordable housing options

5 Comments objecting to the application:

- Insufficient parking
- Additional development will create highway safety issues with increased on-street parking and no pavement in close proximity
- Loss of verge would be unsympathetic to environment and context
- Digging of new foundations could result in damage or disturbance to existing foundations
- Potential subsidence issues as there was an old cottage and piggery previously on site and builders were unable to dig footings
- Disturbance of build to neighbouring residents
- Plot is too tight
- House is too large and out of context where dwellings are reasonably spread out
- Short width between the new dwelling and 'Antares' suspect to fire spread - no fire hydrant in road
- Difficulties to undertake property maintenance and ensuring guttering does not extend into 'Antares'
- Close proximity of new dwelling to side walkway is a safety issue
- Side facing landing window - impact upon privacy into bedroom and bathroom of 'Antares'
- Loss of light to upstairs bedroom and bathroom and downstairs kitchen, toilet and washroom of 'Antares'
- Loss of large pond within garden- ecology survey should be carried out
- Errors between plans and the Design Statement
- Reduce price of property 'Antares' adjacent

## 10 PLANNING ASSESSMENT

### Principle of Development

The application site lies within Marchwood's built-up area, where there is a presumption in favour of new housing. However, the benefits of the proposal in terms of new housing provision must be weighed against the potential harm caused, which is examined in the following sections.

It needs to be noted that the Council cannot currently demonstrate a five-year supply of deliverable housing land. In such circumstances, the National Planning Policy Framework (para 11d) indicates that the tilted balance is engaged, whereby in applying the presumption in favour of sustainable development, even greater weight should be accorded in the overall planning balance to the provision of new housing. The current proposal is for a modest level of housing provision and a balance will need to be applied, having regard to any identifiable harm.

#### Design, site layout and impact on local character and appearance of area

Policy ENV3 of the Local Plan stipulates that new development will be required to be well-designed to respect the character, identity and context of the area's towns. Moreover, the policy states that new development will be required to create buildings, streets and spaces which are sympathetic to the environment and their context in terms of layout, landscape, scale, height, appearance and density and in relationship to adjoining buildings, spaces and landscape features.

Policy ENV4 of the Local Plan seeks to ensure that all new development is appropriate and sympathetic to its setting and landscape. Specifically, it needs to be considered whether the design, materials, layout, vehicular access, parking and turning arrangements proposed would preserve or enhance the quality of the area, including making allowance for meaningful landscaping.

The design of the property is reflective of a number of features found within the character of the area, including a parallel pitched roof form to the front of the property which would be of the same height to the ridge as Cracknore Cottage. The proposed materials, which would include the use of facing brick and slate roof tiles, are considered to be appropriate materials within the local context. As such, it is felt the scale and appearance of the proposed dwelling would be sympathetic to the character and appearance of the area.

The gap between Cracknore Cottage and Antares is atypical of the existing streetscene, where the houses are spaced closer together or are attached. Because of the size of this gap, it is considered that the plot is large enough to be able to accommodate an additional dwelling without harming the character of Cracknore Hard Lane.

The level of information submitted with the application and streetscene plan in respect of the relative heights of the proposed and adjacent dwellings show that the proposed dwelling would sit harmoniously between existing properties. Taking account of the relative size of gaps, it is considered that the new dwelling would complement and blend well with the existing streetscene. A site levels condition is recommended to ensure that the slab level in relation to adjacent land and the external levels would be satisfactory. It is recognised that the existing gaps would be reduced, but given that there would still be 1.9 metres between the new dwelling and Cracknore Cottage and 1.9 metres between the new dwelling and Antares, it is considered that the development would not appear cramped or out of keeping with the streetscene. The National Planning Policy Framework (NPPF) sets out a requirement to promote the effective use of land in meeting the need for homes. It is considered that this proposal meets this requirement.

Existing soft landscaping to the front of the site and lying adjacent to the highway would be replaced by parking. The parking plan submitted shows the location of the two parking spaces, with areas of soft landscaping to either side. There are examples of front gardens being hardsurfaced within the streetscene. In the context of the surrounding area, the proposal is considered acceptable. A landscaping

condition is recommended so that the areas of hardstanding and soft landscaping can be agreed.

The concerns raised by the Parish Council and local objectors regarding potential subsidence have been noted. However, this is not a relevant planning consideration and would be addressed when assessing the construction implications under the Building Regulations.

Overall, it is considered that the development of this infill plot would not have a materially detrimental impact on the streetscene or local character, the dwelling would be set on an appropriately sized plot, and the concerns raised by the Parish Council and local objectors on grounds of overdevelopment could not be substantiated and do not warrant a refusal recommendation.

### Residential amenity

Policy ENV3 of the Local Plan requires the impact of development proposals upon the amenity of existing and future occupiers to be taken into consideration, in relation to residential amenity. It therefore needs to be considered whether the relationship of the development would be acceptable in respect of loss of privacy, loss of light and overbearing impact; and also whether the proposed development would provide sufficient private amenity areas for occupiers of the existing and proposed dwellings.

Both the Parish Council and objectors have expressed a number of concerns including: possible overlooking, overshadowing, loss of privacy and implications for maintenance arrangements.

The impact on both the amenity of the existing dwellings and new residents has been fully assessed. It should be noted that concerns relating to access to neighbours' land and property for maintenance purposes would be a civil matter.

The new dwelling would be positioned just over 1 metre away from the boundary with Antares. The main two-storey element of the proposed house would be set broadly in line with the adjacent dwellings, but with a small part at the back overlapping with the existing shed to be removed. The dwelling would be a noticeable change when viewed from the garden of Antares. However, given its positioning, it is considered that it would not be so overbearing as to warrant a refusal of planning permission. It is recognised that the proposed dwelling would extend further back into the plot than the rear facade of Antares, and so would be clearly appreciated from the rear garden of Antares. However, the rearmost projecting element of the proposed dwelling would only be single-storey in height. This single-storey element would be set 1 metre off the boundary and would be just 2.9 metres in height. By comparison, the existing shed located on the boundary is 3.2 metres in height. The new dwelling would be positioned to the north-west of Antares and therefore would not cast a shadow in its direction. It is noted that there is a secondary higher level window to a bedroom on the side elevation of Antares. However, the main window serving this bedroom is located to the front, and therefore it is considered that there would not be a detrimental loss of light to this upstairs bedroom. The outlook from the master bedroom within the new dwelling would be directed towards the barracks at the rear. The proposed first floor side facing window to the stairwell facing Antares is annotated on the plans as to be obscure glazed. A condition can reasonably be imposed requiring the window to be obscure glazed, which would effectively secure the amenity of Antares from harmful overlooking impacts. Overall, the impact on Antares is considered to be acceptable and would not justify a refusal.

In terms of the relationship with Cracknore Cottage, the new dwelling would cast a shadow at times in the direction of Cracknore Cottage. However, this would be transitional and due to the gap / relative position of the properties, this would not result in a level of harm that would justify refusal of the application. There are first floor side windows to Cracknore Cottage which serve a bathroom and a landing area. Whilst there would be some impact upon the light and outlook of these rooms, it is felt the impact would be within acceptable limits due to the fact that they are not main living areas. The side elevation of Cracknore Cottage also has some ground floor openings, but these are not main windows serving main living areas either, and so again the impact is considered acceptable. In terms of privacy issues, the first floor side-facing windows to the proposed bathrooms facing towards that property are not currently annotated on the plans as to be obscure glazed. Given the use of the rooms as bathrooms, a condition can reasonably be imposed requiring the use of obscure glazing (with opening restrictions) to these rooms. This will effectively secure the amenity of Cracknore Cottage from overlooking from the windows.

It is acknowledged that the proposal would result in a change in the existing circumstances of the neighbouring properties. However, based on the assessment above, the impacts are considered acceptable.

#### Highway safety, access and parking

The application has been assessed against Policy CCC2 of the Local Plan, which seeks to ensure that there is sufficient car and cycle parking and the provision of infrastructure to support the use of electric car charging. Additionally, Policy IMPL2 relating to development standards places a requirement on new developments to make provision to enable the convenient installation of charging points for electric vehicles, details of which can be secured by condition.

Two off-street parking spaces are proposed. The parking standards SPD recommends 2.5 spaces. The road is fairly narrow, but it is noted that there are no on-street parking restrictions nearby, with cars parking on verge areas along the highway, and in this context the level of parking is considered acceptable. The suitable surfacing of the driveway can be controlled by the proposed landscaping condition. In addition, a condition is recommended to secure cycle storage.

The widened access would be similar to many others in the streetscene and is considered acceptable. The amount of additional movements generated by 1 x 3-bed dwelling is not considered to be significant. It is considered that the access would be appropriate to serve the proposed development, with adequate visibility splays being available.

Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Officers are satisfied that the proposals would not be of severe detriment to the operation and safety of the local highway network. Overall, it is considered that the proposal would not result in severe harm to public highway safety, and sufficient car parking would be provided to serve the development.

#### Ecology

Following the adoption of the Local Plan 2016-2036 Part 1 in July 2020, the Council has sought to secure environmental net gain / ecological enhancements, where it is proportionate to do so, as a requirement of planning permission for most forms of new development, in accordance with Policies STR1 and DM2. There have not been any ecological enhancement measures incorporated within the proposed

development plans. However, an appropriately worded condition will be applied to require that proportionate in-built ecological enhancements are provided to secure biodiversity enhancements in line with the expectations of the Local Plan.

### **Habitat Mitigation and off-site recreational impact**

#### **a) Recreational Impacts**

The site lies in close proximity to the New Forest SAC, SPA and Ramsar site and the Solent and Southampton Water SPA, Ramsar site and Solent Maritime SAC. The proposals would result in additional residential dwellings. There is a likely cumulative impact on the New Forest European Sites from recreational disturbance. In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment has been carried out as to whether granting planning permission would adversely affect the integrity of the New Forest SAC, SPA and Ramsar site, and the Solent and Southampton Water SPA, Ramsar site and Solent Maritime SAC, in view of those sites' conservation objectives. The Assessment concludes that the proposed development would, in combination with other developments, have an adverse effect due to the recreational impacts on the European sites, but that the adverse impacts would be avoided if the planning permission were to be conditional upon the approval of proposals for the mitigation of that impact in accordance with the Council's Mitigation Strategy or mitigation to at least an equivalent effect. The Agent has confirmed that the contributions towards the Council's mitigation package will be paid via a S106 Legal Agreement.

#### **b) Air quality monitoring**

Since July 2020 the Council is required to ensure that impacts on international nature conservation sites are adequately mitigated in respect of traffic-related nitrogen air pollution (including NO<sub>x</sub>, nitrogen deposition and ammonia). Given the uncertainties in present data, a contribution is required to undertake ongoing monitoring of the effects of traffic emissions on sensitive locations. A monitoring strategy will be implemented to provide the earliest possible indication that the forms of nitrogen pollution discussed (including ammonia concentrations) are beginning to affect vegetation, so that, if necessary, measures can be taken to mitigate the impact and prevent an adverse effect on the integrity of the SAC habitats from occurring. A financial contribution is required towards monitoring and, if necessary (based on future monitoring outcomes), managing or mitigating air quality effects within the New Forest SPA, SAC and Ramsar site. The Agent has confirmed that the contributions towards the Council's mitigation package will be paid via a S106 Legal Agreement.

#### **c) Nitrate neutrality and impact on Solent SAC and SPAs**

There is existing evidence of high levels of nitrogen and phosphorus in the water environment, with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. Natural England have now raised this with the Council and other Councils bordering the Solent catchment area and have raised objections to any new application which includes an element of new residential overnight accommodation unless nitrate neutrality can be achieved or adequate and effective mitigation is in place prior to any new dwelling being occupied. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. The Council has a policy in its new Local Plan which seeks to safeguard against any adverse impact and to ensure that suitable mitigation is in place to avoid any harmful

impact on sites of importance for nature conservation. An Appropriate Assessment as required by Regulation 63 of the Habitat Regulations has been carried out, which concludes that the proposed project would have an adverse effect due to the additional nitrate load on the Solent catchment. As the Competent Authority, the Council considers that there needs to be a mitigation project to provide this development with a nitrate budget. For this reason, a Grampian Condition will be imposed and a further Appropriate Assessment carried out on discharge of this condition.

#### Developer Contributions

As part of the development, the following will need to be secured via a Section 106 agreement:

- Air quality monitoring contribution of £103
- The Habitat Mitigation (Access Management and Monitoring) Contribution of £912
- The Habitat Mitigation (Bird Aware Solent) Contribution of £834
- The Habitat Mitigation (Infrastructure) Contribution of £6,275
- Monitoring Charges- Recreational Habitat Mitigation commencement of £808

As part of the development, subject to any relief being granted the following amount Community Infrastructure Levy will be payable:

Type	Proposed Floorspace (sq/m)	Existing Floorspace (sq/m)	Net Floorspace (sq/m)	Chargeable Floorspace (sq/m)	Rate	Total
Dwelling houses	114		114	114	£80/sqm	£12,452.31 *

Subtotal:	£12,452.31
Relief:	£0.00
Total Payable:	£12,452.31

## 11 CONCLUSION / PLANNING BALANCE

The site is located in a sustainable location and the proposal would represent an additional contribution to the housing supply and an effective use of land, whilst ensuring residential amenity and the character of the area are not harmed as a result. The proposal is considered acceptable with regard to adopted local and national planning policy, supplementary planning documents and other material planning considerations

## 12 RECOMMENDATION

Delegated Authority be given to the Service Manager Development Management to **GRANT PERMISSION** subject to:



- i) the completion by the Owner of the Land of a planning obligation entered into by way of a Section 106 Agreement to secure the relevant habitat mitigation / air quality contributions.
- ii) the imposition of the conditions set out below.

**Proposed Conditions:**

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

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

- 2. The development permitted shall be carried out in accordance with the following approved plans:

- 001
- 002
- 003 Rev B
- 004 Rev B
- 005 Rev A
- 006

Reason: To ensure satisfactory provision of the development.

- 3. Before development commences above slab level, samples or exact details of the facing and roofing materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved details.

Reason: To ensure an acceptable appearance of the development in accordance with Policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

- 4. Before first occupation of the development hereby approved, a surface water sustainable drainage system (SuDS) shall be designed and installed to accommodate the run-off from all impermeable surfaces including roofs, driveways and patio areas on the approved development such that no additional or increased rate of flow of surface water will drain to any water body or adjacent land and that there is capacity in the installed drainage system to contain below ground level the run-off from a 1 in 100 year rainfall event plus 30% on stored volumes as an allowance for climate change as set out in the Technical Guidance on Flood Risk to the National Planning Policy Framework. Infiltration rates for soakaways are to be based on percolation tests in accordance with BRE 365, CIRIA SuDS manual C753 and Step 3 under Section 26.7.1 of the SuDS Manual in relation to drinking water supply or a similar approved method. In the event that a SuDS compliant design is not reasonably practical, then the design of the drainage

system shall follow the hierarchy of preference for different types of surface water drainage system as set out at paragraph 3(3) of Approved Document H of the Building Regulations. The drainage system shall be designed to remain safe and accessible for the lifetime of the development, taking into account future amenity and maintenance requirements.

Reason: In order to ensure that the drainage arrangements are appropriate and in accordance with the New Forest National Park Authority Strategic Flood Risk Assessment for Local Development Frameworks.

5. Before development commences, a scheme of landscaping of the site shall be submitted for approval in writing by the Local Planning Authority. This scheme shall include :
- (a) the existing trees and shrubs which have been agreed to be retained;
  - (b) a specification for new tree and shrub planting (species, size, spacing and location);
  - (c) areas for hard surfacing, and the materials to be used;
  - (d) the treatment of the boundaries of the site;
  - (e) a method and programme for its implementation and the means to provide for its future maintenance.

No development shall take place unless these details have been approved and then only in accordance with those details.

The hard and soft landscaping scheme including all tree and shrub planting as may be approved shall be fully implemented prior to first occupation or in accordance with any phasing submitted to and agreed in writing with the Local Planning Authority. Any trees or shrubs which die, become damaged or diseased within 5 years of the full completion of the development, or planting whichever is the later, shall be replaced with the same species in the first available planting season (November to March) unless the Local Planning Authority has agreed in writing to a change of species beforehand.

Reason: To ensure that the development takes place in an appropriate way and to safeguard trees and natural features which are important to the visual amenities of the area in compliance with Policies ENV3 and ENV4 of the Local Plan Part 1.

6. Before first occupation of the dwelling hereby approved, a scheme for the provision of infrastructure and facilities to enable the installation of charging points for electric vehicles to serve the new dwelling shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be provided before the approved dwelling has been occupied and shall thereafter be retained in accordance with the approved details.

Reason: In the interests of sustainability and to ensure that provision is made for electrical charging points in accordance with Policy IMPL2 of the Local Plan Part 1 Planning Strategy for the New Forest (outside of the National Park).

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any re-enactment of that Order) no extension (or alterations) otherwise approved by Classes AA, A, B or C of Part 1 of Schedule 2 to the Order, garage or other outbuilding otherwise approved by Class E of Part 1 of Schedule 2 to the Order, or means of enclosure otherwise approved by Class A of Part 2 of Schedule 2 to the Order shall be erected or carried out without express planning permission first having been granted.

Reason: In view of the physical characteristics of the plot, the Local Planning Authority would wish to ensure that any future development proposals do not adversely affect the visual amenities of the area and the amenities of neighbouring properties, contrary to Policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park.

8. The development hereby permitted shall not be occupied until:

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

b) A mitigation package addressing the additional nutrient input arising from the development has been submitted to, and approved in writing by, the Local Planning Authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European Sites by the development when fully occupied and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites; and

The mitigation package shall include a timetable for implementation and measures for retention and maintenance of that mitigation package, which shall thereafter be implemented.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation for is provided against any

impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017.

9. Before development commences, details of cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle storage shall be provided prior to first occupation of the dwelling and shall thereafter be retained and maintained at all times.

Reason: To ensure cycle storage provision is provided in accordance with the Council's adopted standards to ensure the proposal offers appropriate alternatives to the motor car in the interests of sustainable development.

10. Notwithstanding the approved plans and before development commences, the proposed slab levels in relationship to the existing ground levels set to an agreed datum shall be submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with those details which have been approved.

Reason: To ensure the satisfactory appearance of the development in the streetscene, the satisfactory impact on the amenity of neighbouring residential properties and that the development takes place in an appropriate way in accordance with Policy ENV3 of the Local Plan Review 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

11. The development hereby permitted shall not be occupied until the parking spaces shown on approved plan have been provided. The spaces shall be retained and kept available for the parking of vehicles for the dwelling hereby approved at all times.

Reason: To ensure adequate parking provision is made and in the interest of highway safety and in accordance with Policy CCC2 of the Local Plan Part 1 Strategy for the New Forest outside of the National Park.

12. The parking area hereby approved shall be constructed of porous materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse and such provisions thereafter retained.

Reason: To ensure the satisfactory drainage, appearance and functioning of the parking area.

13. The first floor landing/stairwell window on the south-east elevation of the approved building and the first floor bathroom windows on the north-west elevation of the approved building shall be permanently glazed with obscure glass, and the bathroom windows shall also be non-opening at all times unless the parts that can be opened are more than 1.7m above the finished floor level.

Reason: To safeguard the privacy of the adjoining neighbouring properties in accordance with Policy ENV3 of the Local Plan Review 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

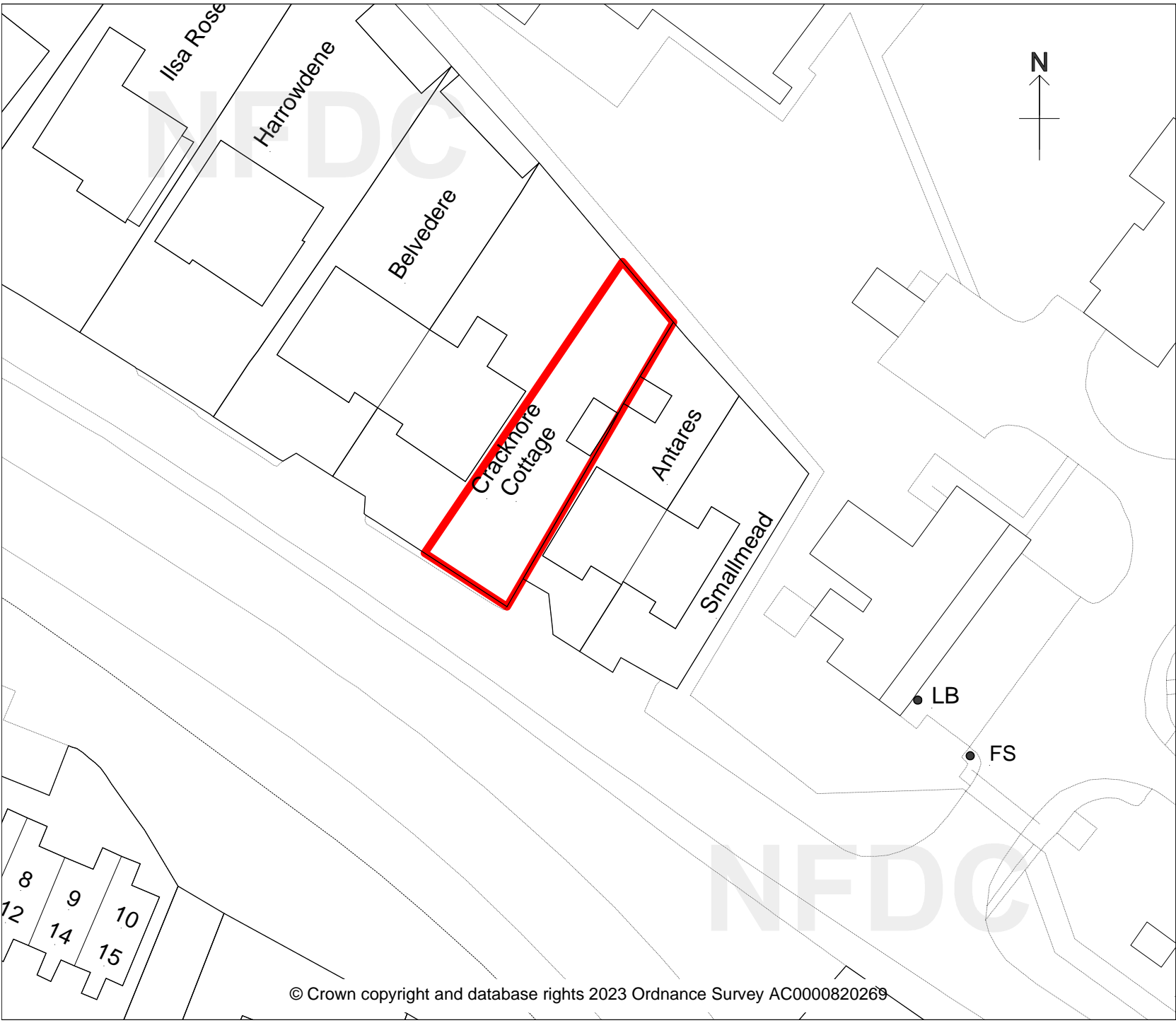
14. Specific details of ecological enhancements to be incorporated into the development shall be provided to the Local Planning Authority prior to commencement of the development. The identified ecological enhancements identified shall be installed prior to occupation of the dwelling hereby approved and shall thereafter be retained in perpetuity.

Reason: To deliver ecological enhancements in accordance with Policies STR1 and DM2 of the Local Plan for the New Forest District outside the National Park (Part 2 : Sites and Development Management).

**Further Information:**

Sophie Tagg

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# New Forest

DISTRICT COUNCIL

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David Norris  
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Development Management  
New Forest District Council  
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## PLANNING COMMITTEE

November 2023

Land Adjacent to Cracknore Cottage  
Cracknore Hard Lane  
Marchwood  
23/10630

Scale 1:500

N.B. If printing this plan from  
the internet, it will not be to  
scale.

150