

Application Number: 20/11192 Outline Planning Permission

Site: LAND SOUTH OF, MILFORD ROAD, PENNINGTON (NB: PROPOSED LEGAL AGREEMENT)

Development: Residential development (Use Class C3) comprising up to 110 dwellings; open space, including Alternative Natural Recreational Green Spaces; footpaths, cycleways, and internal roads; associated landscaping, utilities and drainage infrastructure including connection to the strategic foul network; and associated infrastructure and groundworks (Outline application with details only of access) (AMENDED PLANS & DOCUMENTS)

Applicant: Bargate Homes Ltd & Vivid Homes

Agent: Turley

Target Date: 25/01/2021

Case Officer: Richard Natt

Extension Date: 30/06/2021

20/11192

1 SUMMARY OF THE MAIN ISSUES

This application is to be considered by Committee because the application is a Strategic Housing Site to be delivered as part of the recently adopted Local Plan

The key issues are:

- 1) Principle of development including 5-year land supply
- 2) The relationship of the proposed development to the wider strategic site allocation (as defined by Policy Strategic Site 5).
- 3) The quantum and mix of development.
- 4) The location of built development; the layout and landscape impact of the development; and the density and scale of development.
- 5) The quantum and quality of green infrastructure (including ANRG land and Public Open Space).
- 6) Heritage - whether the development would have an appropriate -impact on designated heritage assets (Listed Buildings)
- 7) The transportation impacts of the development, including the suitability of the access arrangements and whether sustainable travel modes are adequately promoted.

- 8) Ecology - on site impact on protected species, Biodiversity Net Gain (BNG), Recreational Habitat Mitigation and provision of Alternative Natural Recreational Greenspace (ANRG), Habitat of Principle Importance, wider off-site impacts on designated sites; and achieving nutrient neutrality in respect of nitrates
- 9) Air quality, noise, odour and amenity Impacts
- 10) Flood risk, surface and foul water drainage
- 11) Affordable Housing provision.
- 12) Infrastructure provision, including education requirements.
- 13) Whether the proposals constitute a sustainable and safe development.

2 SITE DESCRIPTION

The application site

2.1 This planning application relates to approximately 6.4 ha of land to the south of the A337 on the south western edge of Pennington in Lymington. For clarity, the A337 is also referred to as Milford Road. The A337 forms the main road that connects Everton and New Milton in the west with Lymington in the east. The application site forms part of Strategic Site 5 allocated in the local plan for a residential led housing development. The application does not extend to the whole allocation, but covers a significant part of the allocation.

2.2 The application site consists of a series of grassland paddocks, horse grazed fields and a free -range egg poultry business, with associated fruit trees. The site is well contained, with most boundaries formed by lines of mature trees with hedgerows and bramble scrub. A small collection of single storey structures, which include a shed / barn lie within the northern part of the site.

2.3 A stream runs along the eastern field boundary, and a small area of land lying next to the stream is at greater risk from flooding (Flood Zones 2 and 3). Most of the site lies within land that is at the lower risk from flooding (Flood Zone 1). Ground levels on the site gently fall in a south east direction towards the stream along the eastern boundary.

2.4 There are several Public Rights of Way (PROWs) in the vicinity of the site, including Footpath 84a which crosses the western part of the site and Footpath 81 which runs along the southern boundary of the site (FP 81 lies outside the application site).

The areas surrounding the application site

2.5 The site bounds the A337 to the north and a haul road/ service road also know as Milford Road runs along the western boundary of the site. The haulage road/service road provides access to a waste recycling site operated by New Milton Sand and Ballast (NMSB), Pennington Wastewater Treatment Plant and Efford Road Household Waste Recycling Centre. These operations lie south and south west of the application site.

2.6 Also to the south and west of the site comprises predominantly agricultural

land of crops and pasture, which is fragmented by a series of linked woodland blocks and hedgerows.

2.7 The application site is immediately bounded by Crewkerne Copse to the north, further residential dwellings to the east by the rear gardens of dwellings at Grafton Gardens, Clausen Way and Newbridge Way, together the grounds of Manor Farm House, which is a Grade 2 listed building.

3 PROPOSED DEVELOPMENT

The application

3.1 The application proposes the following development:

Residential development (Use Class C3) comprising up to 110 dwellings; public open space, including Alternative Natural Recreational Green Spaces; footpaths, cycleways, and internal roads; associated landscaping, utilities and drainage infrastructure including connection to the strategic foul network; and associated infrastructure and groundworks.

3.2 The application has been submitted in outline form, with the only matter for detailed approval being the access to the site - i.e. the proposed primary access onto the A337.

3.3 Aside from a Site Location Plan, the application is supported by an Access Plan which illustrates the proposed access arrangements. These access arrangements for detailed approval include:

- The primary access into the development, which would be in the form of a new priority junction onto the A337 to include vehicular, along with pedestrian and cycle access,
- Road alignment to the A337 to include a right hand turn into the existing road to the west which serves the recycling centres
- Footways on either side of the carriageway, which tie into the existing footway on the southern side of Milford Road;
- A pedestrian refuge island, with associated dropped kerbs and tactile paving to the east of the proposed site access across the A337;
- The provision of a 3 metre wide linking footway and cycleway on the northern side of the A337 to link to Harford Close
- Dropped kerb pedestrian crossings, with associated tactile paving, are proposed across the bellmouth of the proposed site access junction and the access to the recycling centre
- To the west, the footway on the southern side of the A337 will be widened to provide an improved link west toward the relocated bus stop.

3.4 The application is accompanied by Parameter Plans, which are for detailed approval, comprising:

- a) a Land Use parameter plan, which defines the areas of the site where built residential form would be provided, the areas where Public Open Space and Alternative Natural Recreational Greenspace (ANRG) would be provided and the retained Priority Habitat;
- b) a Site Framework parameter plan, which shows the site footpath connections throughout the site, public right of way, areas of Public Open Space, preserved Priority Habitat and ANRG;

- c) a Land Use Massing parameter plan, which shows the heights of the building across the site
- d) a Analysis Parameter Plan, which shows the housing perimeter blocks, site constraints, footpath connections.

3.5 The application is supported by illustrative layout master plan, a Landscape Framework Plan and strategy that illustrates how the green infrastructure, including ANRG could be laid out, the proposals to manage the Priority Habitat and a play strategy.

3.6 The application is also supported by a comprehensive suite of reports that aim to show how the development satisfies particular needs and policy requirements. These reports include all of the following:

- A Design and Access Statement - Updated March 2022
- Planning Statement
- A Landscape and Visual Assessment - Updated March 2022
- An Arboricultural Assessment and Tree Protection Report - Updated March 2022
- Information for a Habitats Regulations Assessment
- An Ecological Impact Assessment - Updated March 2022
- Biodiversity Metric Assessment - Updated March 2022
- Outline Biodiversity Mitigation and Enhancement Plan - Updated March 2022
- A Flood Risk Assessment and Drainage Strategy - Updated March 2022
- Utilities Statement
- A Built Heritage Statement and an Archaeological Desk Based Assessment - Updated March 2022
- A Transport Assessment and a Framework Travel Plan- Updated March 2022
- A Statement of Consultation
- Phase 1 Desk Study Report
- A Phase 1 Preliminary Geotechnical and Contamination Assessment Report
- A Noise Assessment - Updated December 2021
- An Air Quality Assessment - Updated March 2022
- Minerals Assessment
- Odour Assessment - Updated January 2021
- Draft Construction Environmental Management Plan

Amendments to application/ Amended submission - March 2022

3.7 Following detailed discussions, the applicant has significantly amended their proposal to address the concerns set out by the Case Officer. The initial proposals submitted would have resulted in a significant loss of a Habitat of Principle Importance or Priority Habitat in the form of Lowland Meadow, Lowland Fen and Coastal and Floodplain Grazing Marsh. Following discussions, the Case Officer identified a requirement to incorporate a significant proportion of the Priority Habitat to be retained and incorporated into the scheme design. The amendments to the scheme entail the retention of approximately 1.0 hectare of the Priority Habitat in the centre of the site. Other amendments include a larger area of public open space provided along the western boundary which has resulted in the proposed development being set further away from the haulage/service road to the west of the site and additional space for greenspace around the Public Right of Way.

3.8 The overall changes to the scheme has resulted in an increase in the level of Green Infrastructure throughout the site and changes to the location of the built development and Green Infrastructure. Illustrative drawings have also been amended to show a more detailed layout of the site including streets, buildings and their plots.

3.9 The proposed access arrangements from the A337 into the site have been amended. This includes the enlargement in size of the two 'right hand' turnings into the application site and into the haulage road serving the Household recycling centre and NMSB. Other changes entail increased visibility splays, wider footpaths and cycle footpath from the site to Harford Close.

3.10 Furthermore, a series of amended plans, Framework Strategy and technical reports have been updated and received March 2022. These amended details have been the subject of a further round of consultations both with the consultees listed in this report and local residents. The amended application was also advertised in the Local Press.

4 PLANNING HISTORY

Screening Opinion (20/10847) Not EIA development dated 7th September 2020.

5 PLANNING POLICY AND GUIDANCE

Site constraints

Strategic Allocated Site
Tree Preservation Orders
Adjacent to Grade 2 listed buildings
Part of the site is located within Flood Zone 2/3
Public Right of Way within site

The Core Strategy (Saved policy)

CS7: Open spaces, sport and recreation

Local Plan Part 2 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 2016-2036 Part 1: Planning Strategy

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 STR7: Strategic Transport Priorities
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 15: Open Spaces. sport and recreation
Policy HOU1: Housing type, size and choice
Policy HOU2: Affordable Housing
Policy CCC1: Safe and Healthy Communities
Policy CCC2: Safe and Sustainable Travel
Policy IMPL1: Developer contributions
Policy IMPL2: Development standards
Policy Strategic Site SS5: Land to the south of Milford Road

Supplementary Planning Guidance and other Documents

SPD - Housing Design, Density and Character
SPD - Lymington Local Distinctiveness
SPD - Mitigation Strategy for European Sites
SPD - Parking Standards

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

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 Advice

Relevant Government advice
National Planning Policy Framework July 2021 (NPPF)

- Section 2 Achieving sustainable development and the tests and presumption in favour Including tilted balance
- Section 5 Delivering a sufficient supply of homes
- Section 11 Making effective use of land including appropriate densities
- Section 12 Achieving well designed places
- Section 14 Climate change, flooding and coastal change
- Section 15 Conserving and enhancing the natural environment

National Design Guide

6 PARISH / TOWN COUNCIL COMMENTS

Lymington and Pennington Town Council:

Amended plans

PAR4: Recommend Refusal.

The Town Council approves the scheme, in principle. However, concerns do remain regarding the proposed road access.

Original submission

PAR2: Recommend Refusal.

We support the application for this development in principle and in particular because of the commitment to meet the Local Plan target of providing 50% affordable homes. We are, however, seriously concerned by what we consider is a dangerously inadequate means of vehicular access to the A337 Milford Road and for this reason recommend refusal.

In respect of the proposed 'T junction, we comment as follows: - The A337 is heavily trafficked and particularly so in the rush hours. Access from side roads and driveways is already extremely difficult, particularly when it involves crossing a line of traffic.

- The proposed access for 140 properties is only 50 metres from the 'T junction serving the Household Waste Recycling Centre (HWRC) and the Efford Landfill Site. The latter is heavily trafficked with cars, vans and HGVs.
- When the SS5 Local Plan Site to the north of the A337 is developed, another access serving 40 plus properties will be constructed. There will then be three junctions within a stretch of 200 metres.
- Much of the traffic from this development will be turning right to go towards the town in the rush hours. As such, drivers will have to try to cross an almost continuous line of vehicles travelling westwards as well as finding a gap in the heavy eastbound traffic. This will result in delays, frustration and accidents. We consider that the junction requires either traffic signals or preferably a roundabout which could also serve the HWRC access road.
- The Transport Assessment, provided with the application, includes an October 2020 update. The update notes that a roundabout has been discounted because it has not been mentioned in four years of discussion with HCC and is viewed as inappropriate in the Manual for Streets (MfS).
- We are concerned that the possibility of a roundabout has not been discussed and we are also surprised that it has also been discounted as inappropriate as there are examples of new developments being connected to busy main roads in this way. In addition, we understand the MfS focuses on lightly trafficked residential areas and its reference to roundabouts is not appropriate in this instance.
- We note that no highways report was provided by HCC and suggest that the NFDC should consider commissioning an independent report regarding traffic provision at this proposed series of junctions.

- The Town Council trusts that the traffic issues will be satisfactorily resolved and looks forward to the detailed planning application. At that stage it is hoped that the current regimented residential layout will have been softened, and that rural landscaping will be incorporated into the development

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

Internal Consultees

8.1 Council Ecologist: No objection

Original submission

Objection

Unimproved neutral grassland and marshy grassland have been recorded on-site which include portions which are Habitats of Principal Importance. The northern fields are characteristic of unimproved and semi-improved meadows which conform to the SINC criteria. The area covered by Priority habitats totals 1.32 ha (20% of total site area). The proposed development would result in the total loss of the lowland meadow and partial loss of the coastal and floodplain grazing marsh and lowland fen.

Lowland fen and lowland meadow are 'irreplaceable habitat as defined in the NPPF and where these habitats are proposed for removal they would normally be refused unless there are exceptional reasons and an adequate compensation strategy in place. This is contrary NPPF and NFDC saved policy DM2.

Bats

The majority of the key bat commuting and foraging areas are retained. I agree that the lighting design should follow the guidance and a condition for a detailed lighting assessment including modelling and lux contours should be included to ensure that the dark corridors proposed for bats are deliverable.

Reptiles

A good population of slow worm and a low population of grass snake and adder has been recorded on-site over the two survey years. Trapping and translocation is proposed. I agree this is the preferred approach over alternatives such as displacement via habitat manipulation. A receptor site is proposed in the east of the application and additional habitat creation suitable for reptiles is proposed in the south west. I have concerns about the suitability of the receptor site identified. The technical studies submitted suggest this area is liable to flooding and a swale connecting to the existing watercourse is proposed and will dissect this area as detailed in the FRA.

Hedgehogs

The incorporation of post and rail fencing (or close board fencing with appropriately sized holes in gravel boards) to maintain permeability for hedgehogs is welcomed.

Invertebrates

For any building that doesn't have either a bat box or swift brick I would recommend incorporation of a bee brick within the fabric of the building as an enhancement measure.

Amended Plans

No objection

Habitats

I am pleased to see that the revised scheme has sought to respond positively to my previous comments regarding the previous near complete loss of irreplaceable habitats on-site (lowland fen and lowland meadow). The previous design would have resulted in the total loss of the lowland meadow and partial loss of the coastal and floodplain grazing marsh and lowland fen. Approximately 75% of these higher value habitats would have been lost. The revised and redesigned scheme retains the vast majority of these habitats on-site (all but 0.05ha of lowland meadow and all but 0.02ha of lowland fen) and these will be bought into active positive management.

I note that the Landscape Strategy picks up on the design issues identified in relation to this habitat including a mown path route through the middle to allow pedestrian connectivity (picking up the desire line) and focus this in one area and inclusion of a knee rail to prevent further access and unwanted, potentially damaging parking etc. The inclusion of information board to explain the ecological value is also welcomed and agreed.

Reptiles

The re-location of the reptiles to the north of the site is acceptable.

BNG

The BNG assessment has been updated to reflect the scheme design changes. The principle of additionality has been adequately and transparently addressed. The scheme still results in a biodiversity net loss of 18.78 habitat units (-32.77%). I am content that the mitigation hierarchy has now been demonstrably applied. It will be necessary to offset the net loss of biodiversity on-site and secure a 10% gain off-site. There are currently no details provided for how this could be achieved.

8.2 Environmental Design (Conservation): No objection

Original submission

No objection: I have read through the submitted heritage assessment for the proposed scheme which covers the area for the phase 1 works. I have visited site and looked through the layout proposals. I would agree with the main scope of the assessment and its findings in relation to phase 1 of the proposal. I note that the phase 2 area will have much greater potential impacts on heritage assets and as such a new assessment and design response will be required at this stage.

Amended Plans

No further comments to make and would rely on original comments

8.3 Environmental Design (Urban Design Officer): Support in principle

Original submission

Objection

In setting a minimum target of 185 homes, the policy responded to design aspirations to find approximately 140 dwellings on the whole of the strategic site south of Milford Road. This is a moderate increase on the local plan expectations. In the absence of any comprehensive masterplanning, one might try to consider the application (in design terms) on its own merits ie as a stand-alone site.

In and of itself, the application does not provide mitigation space that is of dimensions that would be compliant with the council's guidance on mitigation spaces.

The layout does not follow the local plan's concept drawing and as shown, it is a rather awkward intrusion onto the edge of the countryside in terms of appropriateness and attractiveness. Considering the development ideas, there are some fundamental flaws in the illustrative layout which suggest that the design work does not demonstrate that the numbers of dwellings sought is likely to be brought forward in a policy compliant manner through design.

There is a persistent and serious disconnect between the consideration of landscape, its design and the design of development parcels resulting in harsh transitions, edges and poor relationships between buildings and spaces. The western edge of the development (including the landscape to the southern section is poorly dealt with. The intended urban character of parts of the site is not justified and is not appropriate. Streets and routes are aligned to offer an inappropriate character in themselves that does not tie in well with the context. The remainder of the site is not properly considered to create a harmonious and workable scheme where habitat creation, habitat protection, recreational uses, circulation and drainage are all provided in an aesthetically pleasant, appropriate and functional landscape.

Amended Plans

No objection

Parameter plan – land use massing:

This conceptual plan is acceptable given the explanations given in the D&AS and illustrative masterplan. The introduction of three storey development may assist in creating character, but it should be noted that reserved matters will determine exact designs for such buildings features with an expectation that variation in roof form is introduced to create legibility and a skyline in sympathy with the landscape.

Indicative site masterplan

Generally, this is well laid out with logical sequences of streets and blocks creating interesting spaces, well defined routes and for the most part, responding well to the rural edges. There are, however, some concerns and care will be needed to ensure that these are sorted out at reserved matters stage.

There may be a small knock-on effect on building sizes and numbers especially in the vicinity of no 111 in the north west and in the line of dwellings facing the watercourse down the far east of the site. The impact upon the setting of no 111 and upon character of the landscape of the proposed flatted block and associated car parking is too great with no apparent mitigation for its effects. The gap between the proposed and existing buildings needs to be widened, and the impact of car parking all along this dwellings boundary needs to be ameliorated.

The suggested row of two storey houses, set with over-deep gables, tandem car

parking and garaging deep within the garden spaces, is a poor edge to the eastern edge facing across green space to bungalows in garden settings. This needs to be loosened up with use of low-rise dwellings also in garden settings where the car parking and manoeuvring is not going to dominate the street elevation or the combined garden space within the block. These are issues that can be addressed at Reserved Matters Stage.

Design and Access Statement

This is well explained and for the large part demonstrates how the layout is generally appropriate. When we come to character studies, I am less convinced. That said, the sketches illustrate pleasant looking buildings and combinations of dwellings whereby repetition of materials and detailing can offer dwellings in small groups of apparently contemporaneous building interspersed with occasional variance and highlight (rather than the usual unrelated variety and mixture of applied decoration that makes so much volume house building in other areas of the country look so poor). This suggests a place of some distinctive character will be forthcoming at reserved matters stage if we can ensure that the D&AS applies to any consent given

Overall, a very slight reduction in building sizes and numbers (around 3 to 4 dwellings) would certainly help/ make it easier to resolve the design issues at reserved matters stage.

8.4 Environmental Design (Landscape and Open Space Officer):

No objection

Original submission

Objection.

The LVIA has not been used to influence and lead design considerations for the proposed layout and design of the site. The Illustrative layout that has been submitted shows new built development is placed up tight against the western boundary. This has the effect of maximising the landscape and visual impacts of development whilst minimising the available space for suitable native buffer planting to help soften and partially screen such impacts.

The landscape concept drawing is entirely inadequate to justify this layout and contradictory in several ways. Corridors and spaces appear to have been labelled simply to follow the development assumptions rather than picking up on the opportunities and constraints and of course the fundamental failures of that section are now carried forward.

Amended Plans

General comment

This is generally acceptable with the proviso that the tree planting arrangements must be redesigned in parallel with the design of streets and buildings. The assumed avenue lines are not necessarily appropriate in the landscape, whereas more natural groupings and possibly far more trees will be needed to assimilate the scheme into its environment. This can be addressed at reserved matters stage.

The proposed areas of ANRG are acceptable in principle but it is important that the design for these areas must provide an appropriate landscape as part of providing the right balance of the combined requirements of amenity, flood alleviation and biodiversity. While it is important that the south-west space needs to be designed to include wide space for recreational use (not just meadow) and logical path layout,

the north-eastern area will need to offer a different combination of the uses through design, so that flood areas and wet meadow allow some minor amenity use by way of walking routes and margins but maintain a highly diverse habitat by way of an appropriate landscape.

8.5 Environmental Design (Tree Officer): Comment

I am in general agreement with the Tree Survey Report and Arboricultural Impact Assessment and any losses of trees specified for removal within the site can be compensated for by suitable replanting within an approved landscape scheme.

The access points as shown on the submitted plans are generally acceptable providing suitable additional arboricultural detail is provided to demonstrate they can be constructed without adverse impacts on retained trees. These aspects can be dealt with by condition.

I do have some concerns on the potential layout shown within the submitted plans specifically within the central area of proposed public open space and areas of hard surfacing with defined Root Protection Areas (RPAs). The relationship between retained trees and some of the proposed units is likely to be an issue with post occupancy pressure for significant pruning in order to provide suitable separation. This aspect is something that could be addressed with amendments to the finalised layout and supported by additional arboricultural information.

8.6 Environmental Health (Pollution): No objection subject to condition

Noise

At the outline stage, I am satisfied that noise affecting the proposed properties can be suitably mitigated, however further information shall be required at reserved matters stage to show how this is to be achieved across properties on the site

Odour

A full assessment has been made in accordance with relevant guidance and has determined that 'intermittent sewage like odours were detected within the application site boundary, but worst-case impact is 'Slight Adverse' within the site, based on the findings of olfactory surveys.' This then leads to an assessment of the odour experienced at this location being 'not significant'.

Air quality

No objection subject to condition - dust management and condition for electric charging points to be provided and Travel Plan

8.7 Environmental Health (Historic land use and Contamination):No objection subject to conditions

8.8 Strategic Housing Officer: Comment

The section entitled "Housing Tenure and Affordable Housing" states that the Applicant has committed to the provision of 50 % affordable in line with the Council's adopted Local Plan policy and this is welcomed. Whilst an overall indicative Housing Mix has been set out at table 3.1 and the Applicant has given a commitment to meeting the Local Plan tenure mix requirements, no commitment has yet been made to the mix of affordable housing (by accommodation size) that is to be provided. This needs to be addressed and that an outline consent should incorporate an affordable housing mix schedule.

External Consultees

8.9 Natural England: Comment

Original submission

Recreational Impacts to New Forest SAC, SPA and Ramsar

This application is in close proximity to the New Forest Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar. Natural England is aware that the New Forest District Council has recently adopted a Supplementary Planning Document (SPD) to mitigate against adverse effects from recreational disturbance on the European site(s). Provided that the applicant is complying with the SPD, Natural England are satisfied that the applicant has mitigated against the potential adverse effects of the development on the integrity of the European site(s), and has no objection to this aspect of the application.

Appropriate financial contribution to the New Forest and Solent recreational mitigation schemes and the strategic air quality monitoring strategy. We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

Nutrient neutrality

The application site is within the catchment of the Solent Maritime Special Area of Conservation (SAC) and the Solent & Southampton Water Special Protection Area (SPA). Natural England advises that there is a likely significant effect on the Solent's European Sites due to the increase in waste water from the new housing within the Solent catchment.

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal's nutrient impacts in accordance with Regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

Amended Plans

No further comments to make and would rely on original submission

8.10 Highway Authority: No objection subject to condition

8.11 HCC Minerals and Waste Planning: No objection

The updated assessment submitted has thoroughly examined the mineral potential underlying the site. There are however significant constraints confirmed. Firstly, the water table – 85% of material lies beneath the water table. It is understood that part of the site has been found to have an 'area of unimproved grassland (irreplaceable habitat/priority habitat)' meaning that it should not be disturbed. From plans submitted only 35% of the total site is proposed to be developed.

Therefore, following the submission of a full mineral assessment, it can be concluded that the potential for prior extraction has been examined and found to be unviable as part of this development.

8.12 Archeologist: No objection subject to conditions

8.13 Hampshire County Council Lead Local Flood Authority: No objection subject to condition

8.14 Environment Agency: No objection subject to condition

Original submission

Objection. In the absence of an acceptable flood risk assessment (FRA) we object to this application and recommend that planning permission is refused. The submitted FRA does not comply with the requirements for site-specific flood risk assessments of the planning practice guidance. The FRA does not therefore adequately assess the flood risks posed by the development.

Amended Plans

No objection subject to condition. The Environment Agency accepts the applicants Flood model and details set out in the Flood Risk Assessment.

8.15 Southern Water: No objection

Our initial investigations indicate that Southern Water can provide foul sewage disposal to service the proposed development. Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.

8.16 Education Authority: No objection

No contribution is sought for Education from this development. Pennington Infant and Junior Schools both have surplus accommodation and Priestlands Secondary School will be able to accommodate the anticipated additional pupils from this development through less out catchment recruitment.

8.17 Hampshire Fire & Rescue Service: Comment

Standard advice

8.18 HCC Public Rights of Way Officer: Comment

Original submission

Objection:

The proposal fails to accommodate footpath 84a in an open space area away from vehicles in line with Local Plan policy which details there is a presumption that wherever a footpath runs through the site these routes will be retained and improved by the development, and requires development to prioritise the provision of safe and convenient pedestrian access within developments, by linking to and enabling the provision of more extensive walking networks wherever possible.

Where vehicular access to the development uses a Public Right of Way (PROW) we advise the applicant should revise the proposals to provide a different vehicular access to the development site. The site layout should therefore be amended to move the proposed houses east of the path and protect a route away from vehicular traffic. Revision of the layout would protect the setting and character of the path, avoid crossing construction traffic and ensure the PROW is kept open throughout

the construction period.

Amended Plans

Comment

The amended plans retrain the definitive route of Lymington and Pennington Footpath 84a through the site in suitable open space and ANRG. However, in our initial response we requested that the length of Footpath 84a through the north and south sections of the site was improved to Countryside Service design standards through a S278 Highway Agreement in line with Local Plan policy IMPL1 and NPPF paragraph 100. This would meet the surface expectations of residents and users of the footpath which provides access to the ANRG, the obligation to improve the whole footpath within the application site.

8.19 Historic England No Comment

9 REPRESENTATIONS RECEIVED

Original submission

3 letters of support

- Support the application for new affordable homes in Pennington. The site is in an ideal location and suitable for much needed new, affordable homes including shared ownership options of which there are so few currently available.

2 letters of support but does raise concerns in relation to the following:

- The impact on public highway safety
- the impact on infrastructure in the town.

1 letter of observation

- It is encouraging to see the recommendations to include both bat and bird accommodation in a small number of the dwellings. What is of most concern is the loss of 75% of “irreplaceable” or “high value” fen/wet meadow habitat. Surely this potential loss must be reduced by adjusting the design.
- In terms of building design, there is a fantastic opportunity here to be innovative. Sustainable technology needs to be incorporated into the design.
- The plans show a proportion of the existing hedgerows being lost during development. The same volume, and additional, needs to be planted.

30 letters of objection concerned with the following

Principle of Development

- Loss of Green Belt land/ countryside.
- Intensive form of development - too many dwellings when combined with Phase 2.
- Any planning proposals should include plans for Phase 2 and north of Milford Road to have a full understanding of the whole site allocation
- Impact on climate change
- Loss of trees, vegetation and fields

Community Services, Infrastructure and Facilities

- The development would give rise to unacceptable pressures on other local infrastructure (health facilities, schools, emergency services etc.).

Layout, Character, Design

- Out of character - poor layout and design
- Scale of development - 3 storey buildings
- Impact on rural character/urban sprawl/ Cramped form of development
- Councils Urban Design Officer objects on several design grounds

Housing

- How would the developers guarantee that the 50% affordable homes would help mitigate the shortage of homes for.

Ecology

- Impact on wildlife including the impact on Deer, Fox, Bats, Dormice, Reptiles, Birds and Buzzards. It also provides habitat for endangered species including nightingales, slow worms and stag beetles.
- The northern boundary is adjacent to Crewkerne Copse, this comprises Ancient Woodland where there are many nesting birds to Tawney Owls.
- Loss of irreplaceable habitat
- Run off from housing estates would pollute the river and jeopardise the wildlife.

Transport

- Concerns in relation to increase in traffic generation
- There will be three junctions in close proximity - which include the application site, the existing access service the recycling centre and the proposed land to the north
- Highway safety concerns from exiting the site, in particular, turning right
- What provision would be made for children to cross over the road to attend them and for other pedestrians wanting to get into Lymington?
- The Transport Assessment is inaccurate as only one automatic traffic count was carried out due to Covid 19 restrictions and that was undertaken in April 2020 during the period of reduced traffic
- There have been many accidents including 2 fatalities on the A337 over the past 5 years.

Flooding, Surface Water and Foul Drainage

- The north east side of the site is vulnerable to flooding and this include the existing gardens bordering the site.
- Other parts of the site are also vulnerable to flooding
- The land has high groundwater, plus significant surface run off flooding.
- There are concerns about surface water drainage run off from the development
- Who will be responsible for the upkeep of this ditch in the future.

Impact on amenity

- Loss of light to nursery
- Impact from noise and disturbance including noise from cars
- Impact from privacy, outlook, and overshadowing - three storey building next to

boundary

- Major dust & pollution caused by N M S B
- Impact on health from dust and poor air quality
- Close proximity of children's play area
- Odour impact from Sewer Treatment Plant. Odour assessment was only carried out in one day

Impact on existing businesses and operations

- The existing businesses and operations that use the haul/service road will be adversely affected by the new dwellings given the close proximity and such as use, new residents may raise complaints due to noise, dust and other disturbances. The dwellings are located too close to the haul/service road.
- Security concerns with 110 new homes
- Noise survey submitted was carried out at the time of lockdown and the business operations were not at full capacity. The survey didn't also cover the weekend period

Other Concerns

- Loss of views to Isle of Wight
- Impact on existing facilities such as doctors/schools medical
- Will the stream along the eastern boundary be fenced off to protect children
- The Air Quality assessment is inadequate. The air quality from dust emissions on the site resulting from existing activities along the tip haul road and at the NMS Sand and Ballast plant has not been considered

Amended Plans

13 further letters of objection received which reiterate some of the concerns raised above. Concerns have been raised in relation to the siting of the pumping station - noise and odour concerns.

10 PLANNING ASSESSMENT

10.1 Principle of Development

10.1.1 Land at Milford Road is one of the Strategic Site Development sites that has been allocated for development in the recently adopted New Forest Local Plan 2016-2036. Policy Strategic Site 5 applies. This policy states:

Strategic Site 5 Land at Milford Road

i) Land at Milford Road, Lymington as shown on the Policies Map is allocated for residential development of at least 185 homes and public open space, dependent on the form, size and mix of housing provided.

ii) The masterplanning objectives for the site as illustrated in the Concept Master Plan are to:

a. Plan development including the design of recreational greenspace to define a new rural edge and enhanced boundary to the Green Belt, and to soften the transition between the development and the open countryside.

b. Retain tree belts and enhance the water course on the eastern boundary as landscape features softening visual impacts and providing some green amenity space buffer to existing residential areas.

c. Integrate the site into the built-up area of Lymington and Pennington connecting to its footpath networks.

iii) Site-specific Considerations to be addressed include:

a. Design or other appropriate measures to mitigate potential noise and odour impacts from Efford waste and recycling centre and Pennington Sewage Treatment Works.

b. Measures to manage watercourse flood risks south of Milford Road along the eastern perimeter and in the south west corner of the site, as part of an integrated site approach to sustainable urban drainage.

10.1.2 Policy Strategic Site 5 is accompanied by a Concept Masterplan that illustrates how the allocation might be developed. It identifies, in broad terms, the areas where residential development could be provided, as well as areas where Alternative Natural Recreational Greenspace (ANRG) and Public Open Space could be delivered. The concept masterplan has been drawn up to show how development within the allocated area can fit its landscape context, identifies the vegetation of local landscape value and also indicates the approximate position of the vehicular access and pedestrian links. Whilst the concept masterplan is designed to be illustrative rather than prescriptive, it does provide a framework for shaping development of the allocated area.

10.1.3 The Concept Masterplan illustrates the requirement for there to be a green buffer along the east and south and south west boundaries of the site, in which the residential development would be largely concentrated in the central part of the site immediately to the south of Milford Road, including along the western boundary. The Masterplan also identifies existing vegetation of Landscape Value to be retained which includes the majority of the north and south belt of trees and vegetation running through the central part of the site and the trees fronting onto A337.

10.1.4 The applicants proposal shows that residential development is to be provided south of the A337 and the Green Infrastructure shown to the west, south, central and eastern boundary, which broadly reflects the Concept Masterplan accompanying Policy Strategic Site 5. Equally the plans show the majority of the 'Vegetation of Value' to be retained with key pedestrian links shown to be provided throughout the development. Vehicular access is also shown to be provided as envisaged in principle under this policy. The proposed parameter plans show that the site will incorporate significant areas of Green Infrastructure.

10.1.5 In summary, as this site is identified within the adopted Local Plan as a suitable location for residential development, the principle of development on this site is clearly acceptable.

10.1.6 There are several key criteria set out in the policy and other legislative requirements that must be met and these are considered within the assessment

10.2 Housing Land Supply and the Tilted Balance

10.2.1 The Council cannot at this point in time demonstrate a five-year supply of deliverable housing land and the Council 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 updated housing land supply position remains below the required 5 years.

10.2.2 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 accorded in the overall planning balance to the provision of new housing (and affordable housing). The current proposal is for a new estate development of 110 units which will make a valuable contribution to housing supply in the District.

The July 2021 NPPF 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.

10.2.3 The remainder of this report will now turn to other environmental and sustainable development factors to be balanced against this government advice to Local Planning Authorities.

10.3 The Relationship of the Development to the Wider Strategic Site

10.3.1 In terms of its geographical area, Strategic Site 5 is a single strategic allocated site, which includes land to the north and south of the A337. The policy seeks to provide at least 185 homes and public open space on both parcels, in which the land to the south forms the larger part of the allocation where there is an expectation to provide the majority of the homes. This is highlighted in the supporting text, which states that about 140 homes is to be provided to the south of the A337 and 45 homes to the north.

10.3.2 Strategic Site 5 is in multiple ownership, and the ownership situation is a relatively complex one. This means that development of the allocation as a single entity is not realistic and that the development of the allocation will inevitably come forward in phases or separately. In this case, the land to the south of the A337 will come forward in two phases (Phase 1 and Phase 2). The application has been referred to as Phase 1. For the avoidance of doubt, the applicant is not the owner and does not have any control of the land referred to as Phase 2. With regards to the land to the north of the A337, this is also under different ownership, and this is expected to be a separate proposal, but to date, no planning application has been submitted.

10.3.3 The Concept Masterplan illustrates the requirement for there to be a green buffer along the east and south and south west boundaries of the site, in which the residential development would be largely concentrated in the central part of the site immediately to the south of Milford Road, including along the western boundary. The Masterplan also identifies existing vegetation of Landscape Value to be retained

which includes the majority of the north and south belt of trees and vegetation running through the central part of the site and the trees fronting onto A337.

10.3.4 With regard to the land to the south of the A337, given that the application site forms a much larger part of the Strategic Site and bounds the west and eastern boundaries of the site, the overall land forms a logical development parcel that can reasonably come forward separately from the land to the far south identified as Phase 2. It is important to ensure that there is an appropriate vehicle access and connecting road between the A337 through this site and up to the boundary of land at Phase 2. This is a matter that can be secured through this application and is discussed in greater detail below

10.3.5 Accordingly, what is important is that each phase of development has regard to the wider strategic site requirements. Each will need to provide their own necessary mitigation and infrastructure, and are developed in a way that does not prejudice the need to ensure that the allocation is well designed and coherent in terms of its built form, transport connections and green infrastructure. This is considered in detail below.

10.4 The connectivity of the Green Infrastructure to the wider Strategic Site allocation

10.4.1 In the interest of achieving well designed, sustainable development, it is important that development of this part of the Strategic Site does not cause there to be a disjointed or disconnected development on the most southern (phase 2) part of the allocation. Accordingly, it is considered imperative that there are suitable connections provided between the application site and adjacent land, particularly so that there is good access to the proposed ANRG land and public open space from adjacent land; and to ensure that the ANRG land and public open space that will need to be provided on adjacent land can link in with the application proposals to create a more cohesive whole.

10.4.2 The submitted parameter plan, illustrative layout, Landscape & ANRG framework plan shows the ANRG along the south west and north eastern boundary, both of which provide potential linkages to future ANRG and Public Open Space to be provided on Phase 2. This also reflects the Local Plan Concept Masterplan which envisages Green Infrastructure to be provided on the south west and east boundaries of the allocation.

10.4.3 For the reasons outlined above, it is considered that the green infrastructure is appropriately located within the development site and there is appropriate connectivity built into the design addressing the edges or boundaries of the site, and as such, there is no reason why this larger area should not come forward independently of the smaller area immediately to the south.

10.5 The Quantum and Mix of Residential Development

Quantum of Development

10.5.1 The supporting text to Policy Strategic Site 5 suggests that the part of the allocation to the south of the A337 can accommodate about 140 homes based on the masterplanning work that was undertaken through the Local Plan process. However, in considering the capacity of the application site, it needs to be noted that the application site amounts to a significant part of the allocated site (land to the south).

10.5.2 Taking into consideration, the amount of development that is likely to be appropriate on the remainder of the site, which has constraints due to the proximity to the listed building and Green Belt edge to the south, it is considered that the provision of up to 110 dwellings on the application site would be consistent with Policy Strategic Site 5, based on the Council's own masterplanning work.

Mix of Development

10.5.3 The policies of the Local Plan 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 table within the Local Plan (Figure 6.1) sets out the need for different house types within the District.

10.5.4 The applicant has confirmed that the proposed development would provide a full range of housing, from 1 and 2 bedroom apartments up to 3 and 4 bedroom family houses, with it being noted that the precise unit size mix will be determined at reserved matters stage.

10.5.5 Whilst the precise unit mix will have to be agreed at reserved matters stage, it is considered important that the mix of development reasonably reflects the identified housing need across the district. Based upon the indicative details provided, the proposal would provide a significant number of flats and smaller dwellings which meets the aspirations of the local plan to provide smaller homes. A condition is considered necessary to ensure that the mix that comes forward at reserved matters is appropriate, having regard to these points.

10.6 Design/ Character matters including the Location, Layout and Landscape Impact of the Development

The Location of Built-form and Green Infrastructure

10.6.1 The site's location is defined by its part rural edge, its proximity to the Green Belt to the west and south and New Forest National Park to the north west and south. This distinctive character requires that the development is of an appropriate quality. This is an expectation not just of Local Plan policy but also National Planning Policy and Guidance.

10.6.2 As the application is in outline form, we do not currently have detailed plans showing the layout, what the streets will look like and precisely where buildings will be placed, or detailed elevational designs. As such, it is important that through this outline planning application that the fundamental 'building blocks' are in place for guiding all future 'reserved matters applications. The Parameter Plans, illustrative layout Plan, the Design and Access Statement and Landscape Framework, all play a key role in setting out the fundamentals upon which the detailed schemes will be developed.

10.6.3 The submitted parameter plans and supporting Framework plans show that built development would be provided in 3 distinct perimeter blocks within the site: a western parcel of built-development partly linked to a central parcel and an eastern parcel of built development. The western and central parcel would be separated from one another by an area of public open space and a belt of existing trees and vegetation running north to south. The eastern block would be separated by a large meadow. This grassed area is being retained following its classification as a Priority Habitat and forming one of the most significant landscape elements within the development. Large areas of Green Infrastructure are generously provided across the site, separating the built development, but also forming the west and east

boundaries of the site. A large area of green space would also be concentrated in the south west corner of the site.

10.6.4 The parcels of Green Infrastructure and built development would be broadly in line with the Local Plan Concept Masterplan. However, the proposed built development does not extend up to the western boundary or extend as far to the south west of the site as envisaged. Instead, the applicants plan show that this area would be Green Infrastructure. In effect, the overall site provides a much larger amount of Green Infrastructure with smaller areas of built development than indicated on the Concept Masterplan. A green buffer on the western boundary, which will form of the Green Belt edge is a benefit and is supported by the Councils Urban Design Officer.

10.6.5 Overall, it is considered that the slight deviation from the Local Plan Concept Masterplan will provide significant benefits through generous areas of green space throughout the site and adjacent to the boundaries of the site. This is a justified change from the Concept Masterplan, which in itself was illustrative. Indeed, the generous Green wedge along the west and south west boundary accords with the policy criteria set out in SS5. This criteria seeks development, including the design of recreational greenspace to define a new rural edge and enhanced boundary to the Green Belt, and to soften the transition between the development and the open countryside.

The Layout of Development

10.6.6 Layout is a matter for detailed approval at Reserved Matters stage. Nevertheless, this Outline planning application does set a framework for the proposed layout. This is achieved through the position of the access point onto the A337, through the parameter plans, and through some of the other supporting plans and illustrative information, including the Design and Access Statement and illustrative layout.

10.6.7 The applicants illustrative layout for the development shows how each of the 3 main parcels of built-development is expected to be divided into a number of distinct perimeter blocks, broken up by roads, paths and areas of public open space. To support the proposal, the applicants supporting plans breaks the layout into different character areas, setting out the key features and characteristics of the proposed development. This is very helpful in providing a clear vision for the site and how the proposed development responds to the context of the site and landscape characteristics. The different character areas are named 'Parcels 'A', 'B' and 'C'.

10.6.8 Taken each character in turn; Parcel A comprises the residential block immediately to the south of the A337 and to the east of the proposed primary access road running through the site. At the entrance to the site, the illustrative plan shows a larger residential flat/apartment building fronting onto the A337. The design concept seeks to create a strong 'Gateway' building to respond to the distinctive character of the existing buildings fronting onto the A337, which comprise larger detached buildings set in a fairly spacious setting. This is considered to be the appropriate design response. The western edge to Parcel A facing the primary access road forms a mixture of predominantly two storey detached and semi-detached dwellings, which offer space between buildings and vegetation creating an appropriate edge to both the development and Green Belt. Parts of Parcel A including the courtyard will be more condensed and designed at a higher density.

10.6.9 Parcel B, forms the central part of the site, comprising of a lower density arrangement of dwellings formed around a perimeter block with deeper rear garden areas. The development extends northwards where further dwellings are arranged along a narrow street linking to a larger block of apartments to the far north of the site. The eastern edge of this development faces onto the preserved priority habitat including two apartment blocks.

10.6.10 Parcel C occupies the eastern part of the site and this area incorporates the preserved habitat to the west and green space the east. The arrangement of this development is a simple perimeter block of lower density dwellings, most of which are shown to be detached. A single larger apartment block lies within this group. Deeper gardens and gaps between these buildings is a strong characteristic feature within Parcel C. This would be the correct design approach adjacent to the existing lower density development to the east of the site and the importance to have a 'looser' built form adjacent to the green space on this edge.

10.6.11 The applicant has submitted illustrative images of the dwellings within the Design and Access Statement. Illustrative building types tend to be a mixture of traditional but simple building forms with decorative detailing traditional porches, chimneys and bay windows which will add to the overall design quality of the development. It is considered that from the plans submitted, the dwellings and buildings are designed and detailed to a high quality and are rich in detail and attractive. This has been endorsed by the Urban Design Officer.

10.6.12 Although noting that the application is in outline, the Councils Urban Design Officer considers that generally, this is well laid out with logical sequences of streets and blocks creating interesting spaces, well defined routes and for the most part, responding well to the rural edges. It is recognised that there has been some minor criticism with the design and layout of the development, in which the Urban Design Officer considers that care will be needed to ensure that these are addressed at reserved matters stage.

10.6.13 In summary, the Urban Design Officer notes that the proposals make efficient use of the site, with a combination of well-located greenspaces acting as a setting for development that allows an innovative collection of buildings to work well on this site. Overall, the broad character principles in the supporting documents demonstrate that a quality development at this scale could be delivered on this site. The submitted illustrative plans and Design and Access Statement shows one option for a design and layout, and whilst there are clearly some matters within the layout that will need improvement/refinement, this is a matter that will be considered in detail at the reserved matters stage.

The Landscape Impact of the Development

10.6.14 The application is supported by a Landscape and Visual Appraisal with Impact Statement (LVAIS). This document assesses the landscape and visual effects of the development, both on the site landscape elements and features and in views from both the immediate vicinity of the site and from more distant viewpoints. The LVAIS concludes that the visibility of the site is limited to the immediate surroundings and most of the site is well contained visually by the density of both boundary and intervening vegetation. The main views into the site will be localised from the Public Rights of Way within and bounding the site. The appraisal concludes that the landscape value of the site and its immediate context ranges between 'low

-medium'. There is no reason to disagree with this assessment.

10.6.15 The applicant has submitted an Illustrative Landscape Masterplan for the whole site. The submitted Landscape Strategy employs a sensitive approach recognising the importance to locate recreational greenspace within the west and southwest of the site, to define a new rural edge and enhanced boundary to the Green Belt, softening the transition between the development and the countryside

10.6.16 The Landscape Strategy and Illustrative Landscape Masterplan also highlights that the north-eastern part of the site will comprise of existing retained semi-improved grassland with the introduction of permanent water areas and seasonally wet attenuation basins. These will accommodate sustainable drainage with gentle gradients, native planting and seasonally wet meadows. The semi-improved grassland habitat will consist of long grassland swathes, intersected by mown grass paths and new tree planting. This would accord with the policy requirements that seek to enhance the water course on the eastern boundary as landscape features softening visual impacts and providing some green amenity space buffer to existing residential areas.

10.6.17 The PRow footpath (no.84) that runs through the site will be retained along its same axis, with its western setting informed by retained green space. This space has been utilised as a central focal point to development surrounded by scattered groups of trees, meadows and new planting.

10.6.18 The submitted landscape and ANRG Framework plan, whilst only illustrative, provides some detail to the proposed green infrastructure and shows a comprehensive area of Green Infrastructure on the western side of the development. This will form a buffer between the development and the Green Belt, together with the Green Space provided along the eastern boundary incorporating the watercourse. The submitted Landscape Strategy employs a sensitive approach within the western, southern and eastern parcel that abuts the Green Belt through the introduction of an expansive landscape area and setting back of development, that limits the impact of the development, which is sympathetic to the local surroundings. The proposals seek to create a landscape character which is in keeping with the local landscape, including the Lowland Fen Meadow Priority Habitat on the central part of the site and Crewkerne Copse to the north.

10.6.19 The landscape impact of the development is significantly reduced by the fact that in excess of half of the application site (65%) is proposed to be green infrastructure. This will provide significant opportunities for new tree and hedgerow planting and landscape management that will assist in helping the reduce the impact of the development by reflecting local landscape characteristics.

10.6.20 In summary, it is considered that the overall landscape strategy has carefully considered how the development might impact on the open rural landscape within and beyond the site. This has resulted in a detailed landscape framework which demonstrates an attractive and pleasant landscape and green infrastructure for the site, together with a soft rural edge to the boundaries of the site, which is appropriate and acceptable to the sites context. As recognised by the Council's Landscape and Urban Design Officer, there are elements of this Plan that need to be refined, but these largely relate to matters of detail that can be reasonably resolved through the reserved matters application.

The density of the development

10.6.21 Local Plan Policy does not prescribe particular densities for any of the strategic sites. When considering density, what is important is that the proposed

density of development (which stems from the number of dwellings proposed) is contextually appropriate and capable of being delivered in a way that is sympathetic to the landscape context. Nevertheless, for an outline application of this nature, a consideration of density does provide an important indication of a development's character.

10.6.22 Density can be measured in different ways, but excluding the main areas of green infrastructure, a development of up to 110 dwellings would result in a maximum net density across the site of over 40 dwellings per hectare. If the density is calculated including the areas of Green Infrastructure, this would equate to a gross density across the site of around 16 dwellings per hectare.

10.6.23 Whilst the proposal shows a net density of over 40 dph, which differs from most of the immediately adjacent context, consideration has to be given to the amount of green infrastructure to be provided on the site and the character of development proposed. Given the need to retain the Priority Habitat on the site and provide both public open space, play and ANRG, the total green infrastructure provided equates to 4.1 hectares (total size of site is 6.4 hectares). The extent of built development on the site equates to 2.3 hectares, which is around 35% of the total site. It is also worth noting that a density of 16 dwellings per hectare across the site is very low. Accordingly, it is important to note that the quantum of Green Infrastructure to be provided within the site far exceeds the minimum policy requirements and this will help create an attractive development and enables a significant amount of the developments housing to have their main views or aspects facing onto green open space, which gives the 'feeling of being within the countryside'.

10.6.24 Importantly, as higher density elements are sought within the built up areas of the site, it has to be demonstrated within the application, how this can be achieved through high quality design and by providing enough information (in the Masterplan, D&AS and landscape strategy) to enable such designs to be delivered through the planning process. The applicants supporting information and illustrative proposal has demonstrated that a good quality development can be achieved on the site through an innovative layout with perimeter blocks, courtyard and shared spaces. Overall, the broad character principles in the supporting documents provide comfort that a quality development at this density could be appropriately delivered on this site. It further demonstrates that the applicant has sought to make efficient use of the site, as required under paragraph 122 of the NPPF, in a manner that would integrate well with its surroundings.

The Scale of Development

10.6.25 Whilst scale is a matter for reserved matters approval, it is important to have some understanding of what type of scale will come forward on this site. Building heights and massing is referred to in the submitted Design and Access Statement and Parameter Plan. The applicant's Design and Access Statement and Parameter Plan suggests that the majority of the development will be 2-storey, but with some 2.5 and 3 storey development in key locations and focal corners. The supporting documents go on to state how careful and considered use of two and a half storey and three storey dwellings within the more central parts of the site will add visual interest.

10.6.26 It is considered that the suggested scale would be appropriate to the site's context, with some variety helping to create legibility and a stronger sense of place. The sensitive edges to the site would rise to no more than two stories which is the correct scale. The Council's Urban Design Officer considers that the conceptual parameter plan is acceptable given the explanations given in the D&AS and

illustrative masterplan. He goes on to state that the introduction of three storey development may assist in creating character, but it should be noted that reserved matters will determine exact designs for such buildings features with an expectation that variation in roof form is introduced to create legibility and a skyline in sympathy with the landscape.

10.7 Impact on New Forest National Park

10.7.1 There is a statutory duty for the Local Planning Authority to have regard to the purposes of the adjacent National Park, and it is therefore important that what is proposed has an acceptable impact on the setting of the New Forest National Park. Both Local and National Planning policies make it clear that very significant weight must be given to ensuring that the character, quality and scenic beauty of the landscape and coastline of the National Park is protected and enhanced.

10.7.2 The applicants LVAIS highlights the extent of trees, vegetation and built form situated between the site and National Park boundary, which limits intervisibility or physical connectivity. The Site forms a discrete parcel on the western edge of Pennington, framed by mature trees, vegetation and built form to the north and east. For these reasons, the site does not perform a significant role in the setting to the National Park. Accordingly, the submitted LVAIS concludes that the proposals do not adversely affect the designation and there would be no change to the setting of the National Park. This assessment is accepted.

10.7.3 In summary, given the distances involved and the significant quantity of Green Infrastructure, the proposal would not diminish the visual appreciation of the New Forest National Park from key viewpoints, nor would it be to the detriment of the special qualities of the National Park.

10.8 Arboricultural Impacts

10.8.1 There is currently one Tree Preservation Order (TPO No. 13/02), which affects one individual Willow tree within the site (T17). It is noted that there are protected tree's immediately adjacent to the site.

10.8.2 The site benefits from extensive tree, vegetation and hedgerow coverage primarily concentrated along the northern, western and southern boundary, including the A337 frontage. In addition, the belt of trees running north-south through the central part of the site. The Local Plan Concept Master plan highlights the boundaries of the site, and the belt of trees running north -south as a Vegetation of Landscape Value.

10.8.3 Twenty-nine trees, twenty-two groups and two hedgerows were classified within Retention Category B, representing approximately 80% of the surveyed trees. The mature trees comprise predominantly of Oak with Ash, Monterey Cypress, Willow, with Lombardy poplar and Leyland Cypress also present. The Councils Tree Officer agrees with the categorisation assigned to the individual and groups of trees.

10.8.4 The proposal seeks to retain most of the existing trees on the site, but there will be some tree loss to facilitate the development. The Protected Willow tree will be retained.

10.8.5 Two Category B trees will be removed, which includes an Ash tree and Oak tree. Five Category B groups (G13, G22, G26, G27 and G28) and one Category C tree (Sycamore tree) and Cat C group (G10). A further five Category B groups (G2, G9 and G24) and one Category C group (G5) require partial removal to facilitate the illustrated layout. The majority of the trees identified for removal are poor quality specimens.

10.8.6 All the significant boundary tree cover will remain intact. The Council's Tree Officer raises some concern of the potential layout shown specifically within the central area of proposed public open space and areas of hard surfacing with defined Root Protection Areas (RPAs). In particular, the relationship between retained trees and some of the proposed dwellings is likely to be an issue with post occupancy pressure for significant pruning. However, this is a matter that could be addressed with amendments to the finalised layout submitted as part of the reserved matters application and supported by additional arboricultural information with a review of the Arboricultural Impact Assessment in order to achieve the satisfactory juxtaposition of trees with structures.

10.8.7 Significant new native tree and hedgerow planting will be incorporated into the proposed landscape response to strengthen the site character, particularly along the internal streets and within the Green Infrastructure. Additional trees will be provided throughout the entire site, which includes the western boundary of the site and it is considered that these new trees would have the potential to reach a significant height without excessive inconvenience and be sustainable into the long term, significantly improving the potential of the site to contribute to local character.

10.8.8 It is considered that, in the context of the proposed development tree losses have been minimised to those required to facilitate the new development. Tree planting as part of the supporting Green Infrastructure will be a positive gain for arboriculture over and above that which currently exists on the site.

10.9 Impact on Heritage Assets

Listed Buildings and Conservation Areas Act 1990

10.9.1 Section 66(1) of the Listed Buildings and Conservation Areas Act applies. It requires that special regard shall be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. In considering applications that impact on Listed Buildings the Planning Authority must take note of the following -

- The significance of the heritage asset
- Its setting - wider rather than narrower meaning of visual relationship
- Substantial harm (complete loss) – only in exceptional circumstances
- Less than substantial harm – to be weighed against the public benefits

10.9.2 Local Plan Part 2 Policy DM1 states that development proposals should conserve and seek to enhance the historic environment and heritage assets, with particular regard to local character, setting, management and the historic significance and context of heritage assets. This includes a balancing exercise between impact on Heritage Assets against public benefits which is also referred to in the National Planning Policy Framework (NPPF) 2021.

- Paragraph 199 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
- Paragraph 202 of the NPPF states that 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

10.9.3 The application is accompanied by a detailed Heritage Assessment which identifies that there are several heritage assets in relatively proximity to the

application site, whose setting could be affected by the proposed development. Although there are no designated heritage assets recorded on the site, the Heritage Assets that could be affected by the proposed development because of changes to their setting are the following.

- Grade 2 listed Granary at Manor Farmhouse Barn at Manor Farm
- Grade 2 listed Manor Farmhouse to the south east of the site
- Grade 2 listed Barn at Manor Farm

10.9.4 The Manor Farmhouse, Barn and Granary form an important heritage group, which are located approximately 170 metres south east of this site. The group consists of the farmhouse within gardens, with the free-standing granary on the corner of the drive approach from the south, and the late 19th century farm courtyard (incorporating the structure of an earlier barn) to the north east, which was converted into four dwellings in the mid 1990s.

10.9.5 The Manor has maintained its outlook and farmland setting to the west. There are views out from and back to the Farmhouse across some very flat landscape running to Milford Road and beyond. The rural setting to the east has been compromised over time with the urban expansion of Pennington. This makes the open outlook and landscape to the west important to retain that link and setting for the farmhouse.

Significance and impact of proposed development

10.9.6 The Heritage Assessment states that the heritage value of the listed buildings lies principally in the architectural and historic value of the fabric, appearance and arrangement of the buildings, and the functional divisions and hierarchy visible within the group. The other landscape features that contribute to the significance of the asset are the two fields to the immediate west and south that retain the historic boundaries of the agricultural landholding. The field along the stream immediately to the west of the house retains the long narrow form, unchanged from that shown on the 1870 map, unlike the fields to the north that were amalgamated late 19th century changes to the farmstead.

10.9.7 The Heritage Assessment goes on to state that the proposed development is unlikely to be visible from the farmhouse itself, the enclosed gardens, the drives or the surrounding spaces, or from the granary and the converted courtyard to the north east. The assessment also considers that the layout of the development and the Green Infrastructure preserve the separation of the development from the land to the south east, and the spaces that are of value as part of the setting of Manor Farm.

10.9.8 The Conservation Officer concurs with the conclusion in the applicant's Heritage Assessment. There will be no change to the value derived from the fabric of the listed buildings and from the physical layout and visual qualities of the setting of the gardens, the drive and the spaces between the buildings of the group. The surviving elements of the historic farm holding that are of value as part of the setting; the stream, the two fields that retain their older form and vegetation of boundaries and the course of the track leading west, all of which are outside of the site and no physical change is proposed. In summary, it is considered that there will be no harm or loss to the significance of the heritage assets.

Policy Balance

10.9.9 Paragraph 199 of the NPPF makes it clear that when considering any harm to a heritage asset, great weight should be given to the asset's conservation, and the more important the asset, the greater the weight should be. Paragraph 200 of the NPPF makes it clear that any harm to a heritage asset requires clear and convincing justification, whilst Paragraph 202 of the NPPF advises that in the case of less than substantial harm, the harm should be weighed against the public benefits of the proposal. No harm is identified and therefore these policies are not engaged

10.9.10 The applicants consider their proposals would deliver significant public benefit comprising: delivering the Local Plan the creation of an exceptional quality of built and natural environment; the creation of a sustainable community that delivers new homes. The applicant's position is noted, and the overall balance is considered at the end of this report after all relevant matters have been assessed.

10.10 Transportation Impacts

10.10.1 Transport is another significant issue that has been addressed in detail in the applicants Transport Assessment. The key test is whether the development would have an unacceptable impact on highway safety or a severe impact on the local highway network. It is also necessary to assess whether the proposed highway works and access arrangements within the scheme would be safe, sustainable, and meet the appropriate needs of all highway users; and whether the proposed development would have an acceptable impact on existing public rights of way within and in the vicinity of the site.

10.10.2 The application site is bordered to the north by the A337, which is a single carriageway road with a 30mph speed restriction, along the site frontage in an eastbound direction. Approximately 100 metres west of the proposed site access, the speed limit increases to 40mph in a westbound direction. The A337 provides access to Lymington and Pennington to the east and Everton to the west.

10.10.3 Local Plan Policy SS5 sets out the need for the creation of the primary access to the site from the A337 at a point just east of the access to the New Milton Sand and Ballast Plan and recycling centre. The proposed access arrangements accord with this policy requirement.

10.10.4 The submitted application is accompanied by a detailed Transport Assessment (TA), which, among other things, considers the trip generation rates that would be expected for the development, the likely growth in traffic, and the likely increase in traffic on specific routes and using specific junctions.

10.10.5 In terms of traffic generation and distribution, the TA estimates that the proposed development would generate 57 two way movements during the morning peak period and 56 two way vehicle movements during the evening peak period. In terms of distribution, it is estimated that 59% of the traffic would travel to/from the north east and 41% travel to/from the south west.

10.10.6 The applicant's TA has considered the distribution of trips associated with the proposed development and the impact this will have on key junctions at the site and near to the site, which includes committed developments and future growth. The TA assessed the capacity of the following junctions:

- The proposed site access with Milford Road
- Milford Road/South Street
- North Street/Ridgeway Lane Roundabout
- Christchurch Road/Lymington Road Priority junction; and
- Christchurch Road/Everton Road priority junction

10.10.7 The traffic impact assessment demonstrates that the proposed junction is expected to operate well within theoretical capacity following the implementation of the proposed development with minimal impact on the A337. The TA also concludes that all junctions except the A337/North Street/Ridgeway Lane Roundabout are expected to operate well within theoretical capacity with the development traffic, other strategic sites and future growth all allowed for in the assessments.

10.10.8 In relation to the A337/North Street/Ridgeway Lane Roundabout, the modelling results show that this junction (western arm) is already operating over its capacity in the morning peak period and with the development traffic, future growth and when developments of other allocated sites coming forward, the capacity of the junction would continue to be exceeded.

10.10.9 This increased queuing on the western arm, when one includes the development site, future growth and committed sites would constitute an adverse impact on the local highway network. It is therefore necessary to mitigate this effect by way of improvements to the capacity of this junction. The applicant has submitted a possible mitigation scheme which includes the widening of the A337 west arm of the junction to allow a two lane approach to the junction.

10.10.10 Accordingly, the proposed development would need to make a proportionate contribution to these works (reflecting its overall contribution to some of the other Strategic Sites). In this case, the Highway Authority have sought a contribution of £41,920, which appears reasonably justified and this contribution would need to be secured through a Section 106 legal agreement.

10.10.11 Subject to the scheme contributing towards improvements to this nearby junction, it is considered that the level and distribution of vehicular traffic generated by the proposed development would not in itself or as part of the wider allocation be harmful to the capacity of the local highway network.

Personal Injury Accident

10.10.12 Personal Injury Accident (PIA) data is included within the Transport Assessment and the data indicates that there has been a total of 28 collisions recorded within the search area (length of Milford Road between Ridgeway Lane/North Street Lymington and Everton Road Priority junction) over the last 5 years.

10.10.13 Of the collisions, 23 were recorded as 'slight' in nature and 3 as 'serious' and 2 fatal accidents were recorded. In reviewing the records for the previous 5 year period, all the recorded incidents occurred at different locations, were not in similar time periods and with different contributing factors. Moreover, it is noted that the majority of accidents recorded were attributed to factors such as loss of control and poor driver judgement/error rather than any identified deficiency in the road layout itself.

10.10.14 Representations from the residents with regard to the difficulty of turning right from side roads onto the A337 Milford Road are noted. However, the injury accident record has been reviewed and does not identify accidents that are directly linked with this problem and there is no pattern, common cause or cluster of accidents that would warrant casualty reduction measures at present. Therefore, it is

not considered the difficulty of right turning to be a major safety concern for Milford Road although it may cause inconvenience to drivers.

10.10.15 In summary, the PIA records, in the most recent five year period indicate that all the recorded incidents occurred at different locations, were not in similar time periods and had different contributing factors. The records do not, therefore, contain any patterns that might suggest any areas of highway concern within the search area. The Highway Authority has confirmed this position.

Bus stops

10.10.16 The nearest bus stops to the site are located on either side of Milford Road, adjacent to the proposed site access. The bus stops are served by the X1, which runs between Lymington and Bournemouth providing an hourly service between 06:36 and 17:40 and the local 119 bus service between Lymington and New Milton. Bus service X2 is also accessible from the Fox Pond bus stops (Pennington shops) which provide a connection between Lymington and Bournemouth. Both X1 and X2 services operate Monday to Saturday/Sunday at regular intervals. The X2 also provides connectivity to mainline rail services at New Milton.

10.10.17 As part of the highway works proposed along Milford Road, the existing bus stop on the southern side will be moved further west just beyond the access to New Milton Sand and Ballast and recycling centre. This would make the walking distances from the site within 400 metres, which is considered to be an acceptable distance.

10.10.18 Given the scale of the proposed development and location to existing bus facilities, it is not proposed to alter or provide changes to existing services. This is reasonable and such a requirement has not been requested by the Highway Authority who have confirmed that the current level of bus services is adequate to serve the demand arising from the proposed development.

The Site Access onto Milford Road

10.10.19 Vehicular access is proposed to be taken from the A337, approximately 50 metres to the east of the access serving the New Milton Sand and Ballast (NMSB) and Household Waste Recycling Centre (HWRC). The proposed access has been designed in the form of a ghost island priority junction with a right turn from the north east bound side of the A337. Additionally, a right turn by to NMSB and HWRC is also proposed. Pedestrian/ cycle crossing points in the form of a refuge island are also proposed across the A337, together with a 3 metre wide off-road cycle way to Harford Close. The proposed access alterations have been subject to a Road Safety Audit.

10.10.20 Based upon the speed surveys carried out, visibility splays of 2.4m x 55m in both directions would be provided. Pedestrian visibility is also shown to be provided at the crossing points. The Highway Authority raise no objection to the methodology used and acceptability of the visibility splays. Planning conditions can be imposed to ensure that any vegetation/ trees are removed to ensure that all visibility splays are provided prior to use and maintained at all times.

10.10.21 Swept path analysis plans have been submitted showing large vehicles using the proposed junction along Milford Road. The Highway Authority's advice is that there are no fundamental concerns with the access arrangements for all vehicle types entering and leaving the site from a highway safety perspective.

10.10.22 In relation to crossing points, comments have been made why a signalised crossing point isn't proposed. In response, the proposal does provide a crossing point in the form of a refuge island. The provision of a new crossing on the A337 near the site has been discussed at length with the Highway Authority and the applicant. HCC requested evidence that the proposed refuge crossing accorded with relevant guidance. In response, the applicant provided a Walking, Cycling and Horse-Riding Assessment Review (WCHAR), which set out the suitability of the proposed crossing with reference to the relevant guidance and this has been endorsed by HCC. The Highway Authority has clearly stated that there is no justification for signalised crossing given that it is located about 500 metres from any services (e.g. shops and schools) therefore the crossing demand level is likely to be low and would not meet their criteria for signal controlled crossing.

10.10.23 Comments have been received requesting that consideration be given to the junction design, using either traffic signals or a roundabout which could also serve the HWRC access road. These comments have been assessed by the Highway Authority and they have confirmed that these works are neither necessary nor feasible. In particular, the Highway Authority specifically state that there are several reasons why a roundabout or signalised junction is not appropriate for the site. Firstly, there is not sufficient highway land for either a roundabout or signalised junction at this location. The applicant has carried out the junction assessment which shows that the proposed junction and nearby junction would operate within capacity. Roundabout can be hazardous for cyclists on the circulatory carriageway and a new traffic signal junction would require ongoing maintenance costs and energy requirements. Moreover, both roundabout and signalised junction will increase carbon emissions which is contrary to the policy of Local Transport Plan. Furthermore, based upon the traffic flows on the A337 and those at the site access, the applicant's Highway Consultant states that this falls outside the flow range where roundabouts or traffic signals should be considered. Accordingly, the highway technical advice given is that the proposal is well within the range where a ghost island right turn lane would be appropriate.

10.10.24 The flow of traffic is just one consideration in junction selection. It is also important to ensure that the design of accesses and junctions are not unattractive, and provide good movement functions. It is considered that both roundabouts and traffic signals are not attractive features, do not make a positive enhancement to the character of the area and do not provide good movement functions. As such, this is a further reason that a roundabout or traffic signals are not appropriate for the proposed development. Furthermore, the access arrangements propose a comprehensive scheme to also improve access serving the New Milton Sand and Ballast (NMSB) and Household Waste Recycling Centre (HWRC).

10.10.25 Further concern has been expressed that the A337 is heavily trafficked and access from side roads and driveways is already extremely difficult, particularly when it involves crossing a line of traffic. With over half of the traffic from the development turning right to go towards the town centre, the concerns raised state that drivers will have to try to cross an almost continuous line of vehicles travelling westwards as well as finding a gap in the heavy eastbound traffic.

10.10.26 In response, the Transport Assessment shows that right turns out of the site will be limited to around one every two minutes in the busiest hour of the day and the associated junction capacity modelling shows these vehicles will not be subject to any significant delay. Furthermore, Road Safety has been carefully considered in the design of the proposed access and has been subject to an Independent Road Safety Audit, in which no safety concerns have been raised. This has been endorsed by the Highway Authority.

10.10.27 For comparison, the nearby junction of Haglane Copse has been assessed using Personal Injury Accident data from Hampshire Constabulary and the data shows that there has not been accidents at this junction in the last 3 years. Accordingly, there is no evidence that the proposed access will cause delay, frustration, or accidents. The Transport Assessment shows that the proposed junction serving the site will experience no queuing and very little delay – the maximum delay at the busiest time of day being just 20 seconds.

10.10.28 In summary, having regard to survey data and the design details that have been put forward, the Highway Authority are satisfied that the proposed access point onto A337 would have acceptable visibility splays, and would enable all vehicles (and other users) to enter and leave the site in a safe and acceptable manner.

Relationship of the proposed Site Access onto Milford Road and its relationship with the remainder of site allocation

10.10.29 Although this application site can come forward for development independently from the remainder of the site allocation, it is important that the design of the proposed access to serve the development does not prejudice the deliverability of any future planning applications on land to the north of the A337, with particular regard to access, crossing points and footpaths.

10.10.30 Further highway technical work and access plans have been prepared between Hampshire County Council, the applicant for the current application and the applicant for the land to the north of the A337.

10.10.31 Whilst this is not a matter to be assessed as part of this application, the Highway Authority consider that the current proposals do not prejudice any future access proposals for the wider strategic site allocation.

The need to ensure that the internal road within the development connects to the immediate land to the south of the site allocated for development (identified as Phase 2)

10.10.32 It is important that this application does not prevent any developer of the land to the south of the site being able (subject to agreement between the landowners) to connect their development to the road infrastructure that is provided as part of the current application.

10.10.33 The applicant has confirmed that the development can be delivered so as to accommodate connection points to enable a connecting road to be delivered should landowners determine to do so. This can be secured by way of a Section 106 Agreement. Matters of access rights and any easements across the connecting road will have to be resolved between the landowners.

Car parking

10.10.34 Paragraph 107 of the NPPF specifically addresses car parking. It does not prescribe standards, but provides guidance for councils when setting out local standards for residential and non-residential development. It states that any local standards should take into account the accessibility of the development, the availability of and opportunities for public transport and the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles. Local Plan Policy CCC2: 'Safe and sustainable travel' requires new development to provide sufficient car and cycle parking.

10.10.35 The Council uses its Car parking standards SPD to inform as to an adequate standard of car parking spaces and car space sizes bearing in mind also Government and other local policy seeking a shift away from cars to more sustainable forms of transport.

10.10.36 The applicant's Transport Assessment suggests that both car and cycle parking would be provided in accordance with the Council's parking standards, as set out in the Parking Standards Supplementary Planning Document. This would be appropriate. The detailed arrangements, however, will need to be considered at reserved matters stage as part of a detailed layout. It will be important that the parking is well designed.

Access for Cyclists and Pedestrians

10.10.37 The provision of safe cycling and walking opportunities within and outside the new development is critical to ensuring that the vision of creating a sustainable new community is achieved and there are good connections to the existing footpath network and public right of ways.

10.10.38 Lying to the south west of Pennington, it is important that there are good cycle and footpath connections to all facilities including the schools, recreation, amenities and shops along Milford Road and Pennington centre. Lymington town centre offers the full range of facilities, but is situated approximately 2km walk, which is further away than the facilities and school in Pennington.

Pennington shops, including local convenient store along Milford Road are situated within 800 metres from the site, which is around a 10 minute walking distance from the application site. The proposed access alterations to the site and Milford Road would entail a crossing point for pedestrian and cyclists (a generous refuge island) to the north side of the road and from that point there is a continuous footpath with street lights to the shops. There are a further group of shops at Pennington village located 1250 metres from the site, which is around a 15 minute walk and can be accessed with a good range of footpaths through Harford Close, Haglane Copse and Widbury Road. The proposed access works also entail an off road cycleway to Harford Close.

10.10.39 Overall, there are a good range of footpaths, uncontrolled crossings and drop kerbs within the local area to facilitate access to the local centre. General guidance on acceptable walking distances to local facilities suggests preferred maximum walking distances of 2km and the application site is well within this threshold.

10.10.40 In relation to access to schools, Priestlands School is located 1450 metres from the site, which is just less than a 20 minute walk and is therefore within the 'Acceptable' walking distance as set out within 'Providing for Journeys on Foot'. Similar to the access to the shops at Pennington, there are existing footpaths along Milford Road or through Harford Close via Haglane Copse and Widbury Road which are street lit. The latter route would be a preferred route for cyclists.

10.10.41 Pennington Infant and Junior School, which are located close to Pennington Village are situated just under a mile from the site, which is just within a 20 minute walk. Again, as stated above the route through Pennington Harford Close via Haglane Copse and Widbury Road is the preferred route.

Off-Site Highways Works

10.10.42 A Non-Motorised User (NMU) Audit / WCHAR assessment was carried out by the applicant at the request of the Highway Authority to review any existing issues with pedestrian and cyclist routes to key destinations from the application site. The following improvement works have been sought by the Highway Authority as a result:

- A 3 metre wide shared use foot/cycleway on the eastern side of the site access road;
- A pedestrian/cycle crossing refuge island with dropped kerbs and tactile paving on Milford Road;
- A 3 metre wide off-road cycle/footway on the northern side of Milford Road to connect to Harford Close; and
- Cycle facilities (staggered barriers) for cyclists to slow cyclists on the approach to Milford Road.
- The provision of a dropped kerb and tactile paving across the Widbury Road / Southlands junctions;
- A new dropped kerb and tactile paved crossing of Widbury Road to access the pedestrian path to Meadow Road.

10.10.43 All of these off-site works would need to be secured through a Section 278 Agreement with the Highway Authority. Provided these various works are secured in this way, then it is considered that the development's impacts would be appropriately mitigated in respect of pedestrian and cycle infrastructure.

Impacts on Public Rights of Way

10.10.44 There are several Public Rights of Way (PROWs) in the vicinity of the site, including Footpath 84a which crosses the western part of the site and Footpath 81 which runs along the southern boundary of the site (outside the application site). Maximising the use of the existing Public Rights of Way is important to gain access to the countryside and any footpath links within the development need to align/ link with other off site PROWs. The Concept Masterplan illustrates the key links/ crossing points with PROWs.

10.10.45 It is noted that the definitive route of Footpath 84a differs from the grassed path on the ground. There are no proposals to alter the definitive route and this is represented in the applicant illustrative plans. In essence, the proposal would entail the walked alignment of FP84a being subtly amended such that it aligns with HCC's designated route.

10.10.46 The proposals include providing an enhanced footpath, with new surfacing and landscaping including replacement trees to create an attractive route through the site. Whilst the submitted landscape plans indicate that the type of surface will be hoggin, the exact details of the type of material to be used can be dealt with by condition.

10.10.47 The existing PROWs to the south of the site provide good walking routes to Keyhaven, Lower Pennington and Lymington Salt Marshes. The illustrative internal layout of the development provides footpath connections to the existing PROWs to the south of the site.

10.10.48 Overall, it is considered that a new attractive surface provided in a Green corridor will provide benefits through enhancement works to the footpath, but incorporating the footpath into the Public Open Space will enable a long term solution for the management and maintenance of this route.

Travel Plan

10.10.49 One of the most effective ways of achieving a modal shift away from single occupancy car journeys and encouraging journeys by foot, cycle, and public transport, is through the implementation of a Travel Plan.

10.10.50 A Framework Travel Plan, as required by policy, accompanies the application, in order to encourage future occupants of the development to travel by modes other than single occupancy car use. Having regard to the advice of Hampshire County Council, the principles set out in the Framework Travel Plan are considered to be acceptable. However, there will be a need to secure a Full Travel Plan, together with appropriate monitoring requirements through planning conditions and a Section 106 legal agreement.

10.11 Nature Conservation

10.11.1 The site is not located in a sensitive area and there are no International, National or local designations on the site that need specific consideration. There are however a number of designations within the vicinity of the site.

10.11.2 In relation to European designated sites, Solent and Southampton Water Ramsar and Special Protection Area (SPA) are approximately 800 metres south of the site, the New Forest Special Area of Conservation (SAC), approximately 1.3km north west, Solent Maritime Special Area of Conservation (SAC), approximately 1.4km south, The Isle of Wight Lagoons approximately 1.4 km east; and The New Forest Ramsar and SPA, approximately 3.8km north.

10.11.3 There are a number of Sites of Special Scientific Interest (SSSI) within 10km of the Site, the closest being the Hurst Castle and Lymington River Estuary SSSI approximately 0.7km south, and the New Forest SSSI approximately 0.8km north. The closest Local Nature Reserve (LNR) to the Site is the Lymington-Keyhaven marshes, approximately 1.5km south.

10.11.4 Crewkerne Copse lies to the north of the site and is a Habitat of Principle Importance as a Lowland Mixed Deciduous Woodland.

Ecology: Mitigation of Recreational Impacts

10.11.5 In accordance with the Habitat Regulations, the Council's Local Plan policies require that the recreational impact of new residential development on European designated nature conservation sites within the New Forest be mitigated. For larger Strategic Sites, the most significant element of such mitigation is expected to be the provision of Alternative Natural Recreation Greenspace (ANRG).

ANRG (Alternative Natural Recreational Green Space) provision

10.11.6 Policy ENV1 of the Local Plan specifically requires that at least 8 hectares of natural recreational greenspace per 1000 population be provided on Strategic Development sites in order to mitigate the recreational impacts of development on designated New Forest European sites.

10.11.7 The applicant will provide on-site Alternative Natural Recreational Greenspace (ANRG) and habitat mitigation areas under Local Plan Policy ENV1. These ANRG areas are necessary particularly in relation to dog walkers (but also the general new resident population created) to reduce the number of trips into the sensitive sites. ANRG provided on site is therefore a mechanism to deflect additional visits which might affect European protected areas within the Park areas and those

listed above.

10.11.8 Because of the outline nature of the application, and because the precise dwelling mix is not yet agreed, it is not possible to specify precisely what quantum of ANRG land needs to be provided. However, using the Council's ANRG calculator (which assumes a mix that is in accordance Figure 6.1 of the Local Plan), the proposal for up to 110 dwellings would generate an ANRG requirement of around 2.31 hectares, which is based on an estimated population of 289 people.

10.11.9 The ANRG land that is defined by the applicant's parameter plan measures 2.32 hectares. This is just in excess of the quantum that would be needed if a policy compliant housing mix were to be provided. It should be noted that the applicant has provided a indicative housing mix which shows a higher proportion of smaller homes and should this be proposed at the reserved matters stage, this would result in a considerable reduction of the estimated population and therefore would result in a smaller area of ANRG required.

10.11.10 The ANRG land is shown to be located across the south west of the site and to the east of the site, with these two areas being connected by a Green Link. The ANRG land is shown to be located and connected to the development and public open space that is proposed, and within easy walking distance of the main residential dwellings. The landscape and ANRG framework plan help to demonstrate how the ANRG will be designed and function. This shows incorporation of circular walks, links to existing Public Rights of Way and opportunities for off lead dog walking and semi natural habitats, that are also designed to provide biodiversity benefits.

10.11.11 It is important to note that the 120m radius area cannot be achieved for the mitigation land, as set out in the Mitigation for Recreational Impacts SPD. Whilst this radius cannot be achieved, there is no reason why the full radius cannot be achieved when the development for Phase 2 comes forward, in which the ANRG for that scheme can be sited adjacent to the ANRG proposed within this current application.

10.11.12 The approach to mitigation in the New Forest District involves the provision of a network of natural greenspaces located close to people's doorsteps. This will provide a realistic alternative to visiting the natural habitats of the New Forest and Southampton Water and Solent Coast European Sites for recreational purposes, including dog walking (as well as providing attractive and healthy places to live).

10.11.13 The Urban Design team have referred to the way in which the ANRG is designed on the ground and essentially says that it is not completely in line with guidance – principally because of the circular circumference of the main area being smaller than that required in the guidance as stated above. The Urban Design team have stated that the quality of the ANRG however is good as it contains a large open area to enable dogs to be left off their leads. In assessing the quality of any ANRG area it is also necessary to consider that this area of ANRG needs to be read in context with other areas of ANRG provided on the remainder of Site 5 which lies adjacent to the application site and is anticipated to come forward soon.

10.11.14 In addition to the ANRG, the site itself also contains another 0.7 ha of POS and a walking route through the preserved habitat which is also available to those wishing to exercise their dogs. Taken as a quantum whole, the amount of ANRG is in excess of that required, added to POS which is available and taking into consideration the new improved linkages to the Public Rights of Way and other ANRG areas to be provided at a later stage on Site 5. The Council are in this respect

the competent authority in which to carry out this judgement as to whether or not the ANRG area provided is acceptable. In this case the judgement made for the reasons set out above is that the ANRG provided is acceptable and in line with Policy ENV1.

10.11.15 Normally, surface water attenuation features would be discounted from counting towards the ANRG land, however, these will be predominately dry basins, gently contouring and appearing as wet meadows contributing to a variety of meadow grass mixes. Importantly they will be accessible to the public. As such, these features are not discounted towards the overall quantum of ANRG Land.

10.11.16 A critical aspect of providing ANRG is their future maintenance and management. There is a need for a detailed management and maintenance plan to be submitted with ongoing monitoring to ensure that the space is managed to achieve the planning outcomes needed to deliver sustainable development and that there is no significant impact on the European sites resulting from this development. These are all matters that will be secured through the Section 106 legal agreement.

10.11.17 Overall, through the provision of the ANRG on the development, it is considered that the scheme will not have an adverse impact upon protected environments. Therefore, the proposal meets the requirements of the Habitats Regulations. As such, the broad design principles for the ANRG is considered appropriate and reasonable, although detailed landscape designs for these areas will need to be secured through planning conditions and a Section 106 Agreement to include a future management and maintenance plan.

Other measures required to mitigate impacts in New Forest sites

10.11.18 Policy requires that all development involving additional dwellings contributes towards New Forest Access Management Costs per dwelling (the New Forest People and Wildlife Ranger service). This contribution will be secured within a Section 106 Agreement.

10.11.19 Policy also 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 rate of £63 per dwelling, which would generate a total contribution of £6,300. This contribution will be secured within a Section 106 legal agreement.

10.11.20 A further contribution that is now required through the newly adopted Local Plan is a contribution towards monitoring and mitigating air quality impacts on the New Forest European sites. This contribution is sought at a rate of £85 per dwelling, and again would generate a total contribution of £8,500 in respect of the District Council's area of jurisdiction. This contribution will be secured within a Section 106 legal agreement.

10.11.21 As the development is within 5.6km of the Solent and Southampton Water European Sites, policy requires that mitigation contributions be paid towards the Solent Recreation Mitigation Partnership (SRMP) Mitigation Strategy (Bird Aware). The development is immediately adjacent to the Solent and Southampton Water European sites, this contribution requirement evidently applies. The actual contribution is dependent on bedroom numbers within the development, and so cannot be determined precisely at this outline planning application stage, as the suggested mix is not absolutely fixed.

Nitrates and Achieving Nutrient Neutrality

10.11.22 Natural England have provided guidance to the Council that increased development is resulting in higher levels of nitrogen input into the water environment of the Solent, with evidence that these nutrients are causing eutrophication at internationally designated sites, thereby potentially adversely affecting the integrity of these sites. Natural England's guidance is reflected in the policies of the Council's Local Plan, which stipulates that where new residential development involving additional dwellings would drain or discharge wastewater into the Solent and Southampton Water, then such development must achieve nutrient neutrality in respect of nitrogen / nitrates.

10.11.23 The site lies within the catchment of the Lymington and Beaulieu Rivers which drains into the Solent and Southampton Water SPA/Ramsar site and Solent Maritime SAC. Recent studies have identified that an increase in nitrogen discharge as a result of new wastewater generated from new residential development has an in-combination effect upon the SPA/Ramsar site and SAC.

10.11.24 The applicant has submitted a nitrogen budget which concludes that the proposed development would result in a decrease in nitrogen load. This is based on the existing land use which comprises over 1 hectare of the site currently being used as a poultry farm, together with the number of dwellings proposed, area of site including's open space and ANRG. The applicant concludes that because the proposal would result in a decrease in TN (Total Nitrogen) in the Solent, there is no potential for an adverse effect on the integrity of the Solent European sites for nature conservation alone or in-combination.

10.11.25 Clearly there is uncertainty associated with predicting occupancy levels and water use for each household in perpetuity and identifying current land / farm types and the associated nutrient inputs is based on best-available evidence, research and professional judgement. Natural England's advice note states that the practical methodology to calculating how nutrient neutrality can be achieved is based on best available scientific knowledge, and will be subject to revision as further evidence is obtained. Advice given to local planning authorities is to take a precautionary approach in line with existing legislation and case-law when addressing uncertainty and calculating nutrient budgets.

10.11.26 Natural England have since issued updated guidance in March 2022. This includes a number of changes to the calculation of nutrient budgets, including additional layers of precaution, for example an assumption of higher water consumption. The applicant has provided an updated assessment using the latest calculator, based on the previous assumptions of land use, occupancy etc. This shows that following best available evidence, the development will achieve a net reduction in total nitrogen. It therefore still avoids any adverse effect on the integrity of the Solent and Southampton Water SPA or Solent Maritime SAC. The applicants nitrogen budget has been robustly assessed and it can be confirmed that the proposed development is nitrate neutral based upon the latest guidance.

On Site Biodiversity

Habitats of Principle Importance

10.11.27 The presence of Habitats of Principle Importance has been identified on the site and this is set out in detail within the applicant Ecological Report. Approximately 1.32 hectares has been identified and this includes Lowland Fen (0.27 hectares), Lowland Meadow (0.67 hectares) and Coastal and Floodplain Grazing Marsh (0.38 hectares).

10.11.28 This survey has identified the Lowland Fen and Lowland Meadow as being 'irreplaceable habitats' (as defined in the NPPF) and are considered as characteristic of unimproved and semi-improved meadows which conform to the HBIC SINC criteria and have been identified as being of County importance.

10.11.28 In assessing the loss of this priority habitat/irreplaceable habitat, there is a statutory duty to have regard to conserving biodiversity as part of policy or decision making (section 40 of the Natural Environment and Rural Communities Act 2006). In addition, both local and national policy (Paragraph 180 of the NPPF) is clear when determining applications, which is the loss of a 'irreplaceable habitats' should be refused, unless there are wholly exceptional reasons and adequate compensation strategy in place.

10.11.29 This position is echoed in Saved Policy DM2 of the Local Plan which states that 'Development which would result in damage to or loss of a site of biodiversity or habitats of species of principal importance for biodiversity will not be permitted unless the benefits of the development clearly outweigh the harm it would cause to the site, and the loss can be mitigated to achieve a net gain in biodiversity/geodiversity'.

10.11.30 It is important to note that the original proposal would have resulted in the total loss of the lowland meadow and partial loss of the coastal and floodplain grazing marsh and lowland fen. Approximately 75% of these higher value habitats would have been lost. The revised and redesigned scheme retains the vast majority of the irreplaceable habitats on-site (all but 0.05ha of lowland meadow and all but 0.02ha of lowland fen) and these will be bought into active positive management.

10.11.31 In assessing Paragraph 180 of the NPPF, which states that the loss of a 'irreplaceable habitats should be refused, it is important to note that the actual loss of the irreplaceable habitat is very small and the loss equates to around 4% of the total habitat. As such, given the scheme now seeks to retain this habitat, the proposal would not be contrary to Paragraph 180 of the NPPF.

10.11.32 It is also important to note that there is no statutory requirement to maintain an existing Priority Habitat or any obligation on a private landowner to manage the area. It is a local designation and its selection and designation is mainly to raise awareness of the importance of a site for wildlife or grassland species, particularly with regard to planning and land management decision making. As such, the site could deteriorate over time through poor management or change in land use practices such as grazing or mowing etc.

10.11.33 In this case, through the revised design, the proposal would secure the long term appropriate management of the site. A management and landscaping plan can be secured through the planning permission to protect this habitat in the long term. The Councils Ecologist fully endorses the proposals to retain a significant amount of the priority habitat on the site as part of the Green Infrastructure.

10.11.34 Whilst it is unfortunate that the proposal would result in the loss of part of the Coastal and Floodplain Grazing Marsh habitat, the submitted Landscaping and Ecological enhancement scheme proposes to create a mosaic modified grassland and other grassland on part of the ANRG land to the south west of the site. This area is currently used as a poultry farm.

10.11.35 In summary, the retained areas of Lowland Fen and Coastal and Floodplain Grazing will be subject to positive ecological management as part of their inclusion within the Green Infrastructure. Whilst these enhancements still result in a deficit in BNG, which is set out in more detail below, the proposal to create new

grassland habitat on the site is a positive benefits and the further off site mitigation and compensation would also be required to be secured off site to ensure the 10% BNG is achieved.

Fauna

10.11.36 Detailed protected species surveys have been completed for the following species, bats, wintering birds, badgers, water vole, otters, great crested newts, hazel Dormice and reptiles. Records of birds on site during the breeding season have also been made. The Councils Ecologist considers that the methodology used and the survey work carried out is acceptable.

Great Crested Newts, Otter, Badger and Hazel Dormice

10.11.37 No evidence of Dormice, GCN, Badgers, Otter or Water Vole has been recorded on the site. The applicants targeted Hazel Dormouse surveys undertaken on site did not record any evidence of Hazel Dormice using the site. It is concluded that Hazel Dormice are absent from the site and no further action is required.

10.11.38 In relation to Otter the applicants Ecological Consultant states that the on-site watercourse on the eastern boundary of the site has limited aquatic vegetation and does not provide suitable foraging or breeding habitat for otter. The ditch flows southwards off site along the edge of roads, gardens and cultivated in sections and as such the habitat on the site is unsuitable for Otter. Equally, whilst the eastern watercourse could provide a suitable habitat for Water Vole, no evidence of this species was found and for similar reasons for Otter, and lack of connectivity, Water Vole are considered absent from the site.

10.11.39 No badger setts were recorded within the site. Whilst the site contains a number of areas suitable for badgers, no setts were found during surveys, other than a badger latrine and associated footprints to the north of the site. Given the outcome from the surveys undertaken, the site is considered to be no more than site value for badger.

10.11.40 The Councils Ecologist has no reason to disagree with this assessment and conclusion in the applicants submitted ecological report.

Common Reptiles

10.11.41 The reptile survey recorded a high population of slow worm and a low population of grass snake present within the site. Land to the north west and parts of the south of the site held the largest numbers of slow worm. Both grass snake and slow worm are widespread and common in Hampshire and Dorset.

Bats

10.11.42 The application site has been assessed as being of local importance for foraging and commuting bats. The submitted Ecological Report concludes that the surveys indicated no direct evidence of bats within the existing buildings on the site and that they were found to have negligible bat roost potential. The trees identified as having bat roosting potential will be retained and buffered within the site.

10.11.43 Annexe II bat species were recorded on-site, which included barbastelle, but the numbers were low. A total of eight species of bat foraging and commuting at the site was found from the surveys. The semi-rural setting of the site and, its surroundings, together with Crewkerne Copse to the north and marshy grassland, trees and hedgerows offer moderate suitability for foraging and commuting bats.

10.11.44 The Councils Ecologist agrees with the survey work carried out and the majority of the key bat commuting and foraging areas are retained. In addition, the Councils Ecologist considers that it will be essential that a sensitive lighting strategy be designed and this can be secured by condition.

Birds

10.11.45 The site supports woodland and scrub habitat with the potential to support a range of common garden and woodland bird species.

10.11.46 The applicants Wintering birds survey indicated that only low numbers of wintering birds were recorded across the site typical of the habitats present. No waders or over wintering wildfowl were recorded during the survey work.

10.11.47 The assessment of a planning application must consider the implications of the proposal for habitat types and species found outside the boundaries of the designated sites, where the implications are liable to affect the conservation objectives of the site.

10.11.48 Whilst the grassland on the site is suitable for water birds that may use the Solent and Southampton Water SPA and RAMSAR site, the applicants Ecological Consultant states that known their Consultancy has knowledge of this area suggest that wintering water birds have a preference for areas beyond 500 metres south of the site rather than the area covered by the proposed development site.

10.11.49 The Solent Wader and Brent Goose Strategy partnership has also surveyed the area extensively and have taken the view not to include these fields within their survey work. Furthermore, the fields within the site are relatively well enclosed and small making them less suitable for wintering wildfowl and waders, which prefer more open fields and landscape.

10.11.50 Peregrine Falco peregrinus, black-headed gull and Mediterranean gull were recorded flying over the site. Given their presence for Heathland habitat, the species for which the New Forest SPA is designated are highly unlikely to utilise the site.

10.11.51 In summary, and based upon the Ecological Consultants report, which is agreed by the Councils Ecologist and Officers, is considered sufficient to demonstrate that the site's habitats do not represent supporting habitat of the Southampton Water SPA and RAMSAR and New Forest SPA.

10.11.52 Comments have been received in relation to the presence of breeding Tawny Owl within Crewkerne Copse, located adjacent to the north of the site. In response, the applicants Ecological Consultant states that the presence of breeding tawny owl within the adjacent Crewkerne Copse suggests that the species may use the site for foraging and commuting. The applicant's Ecological Consultant goes onto state that the trees within the site boundary do not provide suitable breeding opportunities for the species given that they lack suitably sized cavities for tawny owl nests. The Councils Ecologist concurs with these comments.

Assessment of impacts

10.11.53 Without mitigation, compensation and enhancement, the Ecological Impact Assessment recognises that the development would have a negative ecological impact. As such, several key mitigation and compensation proposals are

put forward. These include protection measures during construction and the creation of species rich wild flower meadow habitat within parts of the ANRG land / public open space; significant new tree and hedgerow planting, the wildlife pond/ SUDs.

10.11.54 The retained areas of semi-improved neutral grassland, Lowland Fen and Coastal and Floodplain Grazing Marsh will be subject to positive ecological management. The south west of the site currently associated with the poultry farm will be developed as a mosaic modified grassland and other neutral grassland.

10.11.55 In relation to reptiles, given their presence on the site, it will be necessary that these animals are not harmed during the ground clearance works and as such it will be necessary to undertake a capture and translocation exercise to move animals away from construction zones. A receptor site will be created within the northern area of marsh grassland.

10.11.56 The Council's ecologist considers that bat boxes/bricks, bird boxes and bee bricks opportunities and enhancements need to be specified in full and this is capable of being addressed through planning condition, in which the final details are submitted in accordance with the enhancement measures outlined in the applicant Ecological appraisal.

10.11.56 Overall, with the mitigation and compensation measures that are proposed, it is considered that the ecological interests of the site would be adequately safeguarded and negative impacts would be adequately mitigated. However, future management will be critical to securing long-term benefits and this can be secured through conditions.

Achieving Net Biodiversity Gain

10.11.57 Members will be aware that the recent Royal Assent of 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.

10.11.58 The applicant has accepted this position that the proposed development requires a 10% improvement in Biodiversity and the submitted application is supported by a '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 including extensive areas of new planting.

10.11.59 The applicant's BNG assessment and report shows that as a result of the existing biodiversity value of the site and the scale of the development proposed there would be a net loss of biodiversity as a result. The proposals will result in loss of 18.78 habitat units (-32.77%). Notwithstanding the retention of the irreplaceable habitat, and the incorporation of new grassland features, the proposal will still result in a deficit, because the site is undeveloped at present and is predominately open grassland which has allowed its biodiversity value to increase over time.

10.11.60 In recognising that the proposed development would result in a deficit in biodiversity, the applicant has confirmed that they are prepared to make a 10% gain off site. It is important to note that national guidance recognises that not all sites will be able to make the 10% increase on site in Biodiversity and off site compensation schemes would be acceptable.

10.11.61 The Council can accept off-site scheme is acceptable where BNG cannot be achieved on site. The applicant has the ability to enhance or create habitat at another area of land, which they already own or that they acquire outside of the development boundary. Alternatively, Biodiversity offsetting could be an option and this is where the applicant provides BNG off-site, through a third party provider.

10.11.62 However, to date, no effective BNG offset schemes has been identified, although the Council does expect this position to be resolved later this summer. Accordingly, unless an offset mitigation scheme is available or there is certainty of a mitigation scheme coming forward, in which it can be demonstrated that the applicant can deliver the 10% uplift in biodiversity, the proposed development would be contrary to local plan policy.

10.11.63 The applicant has confirmed that they are actively seeking to find a solution whether this would be land that they acquire or BNG off-setting in which they purchase credits. Accordingly, Officers recommendation is one of approval subject to a mitigation strategy being secured with one of the two options stated above. It is important that the mitigation scheme is a located project in or around the New Forest area. No decision will be reached on the application until the above is met and this is a matter which can be delegated to the Executive Head for Planning, Regeneration and Economy.

10.12 Flooding

10.12.1 The key issue to consider is whether the proposed development would be safe in terms of flood risk, having regard to the mitigation measures and drainage strategy that is proposed, and whether those mitigation measures would be appropriate and sustainable.

10.12.2 As part of the development design process for the planning application, the risk of flooding has been recognised and accounted for within the proposals. This is to ensure that no built development would be located within the floodplain of the watercourse flowing along the north and east of the application site that could increase river flood risk elsewhere now and in the future through the effects of climate change. This is in order to comply with the requirements of local and national flood risk planning policy but also to provide an appropriate design for future occupants of the proposed properties

10.12.3 Along the eastern boundary of the site in an unnamed watercourse which flows south. Field ditches are also present along the northern, western and southern boundary. The site in its greenfield form drains via natural infiltration and through overland runoff directed to the watercourse to the east.

10.12.4 Based upon the Environment Agency Flooding Maps, most of the site is located in Flood Zone 1, which is land outside the 1 in 1000 year probability of fluvial flooding and at low risk. A strip of land on the eastern boundary associated with the watercourse, which flows south is susceptible to fluvial flooding, and is categorised as Flood Zones 2 and 3. Flooding from the watercourse occurs when flows exceed the capacity of the channel or where a restrictive structure is encountered, which leads to water overtopping the banks into the floodplain.

10.12.5 The application is accompanied by a detailed Flood Risk Assessment (FRA), which considers in detail the flood risk to the development and key protective measures are proposed to ensure that the development does not flood (during a relevant flood event).

10.12.6 To ensure an accurate representation of the flooding constraints and theoretical risk of river flooding to the development on the site, the applicant carried out hydraulic flood modelling to establish the potential extent and depth of river flooding, which identifies the areas of risk as required by the Environment Agency. The work carried out also factored in the impact of climate change. The applicant's Flooding Consultant considers that this bespoke flood model is robust information to assess the impact of flooding.

10.12.7 The results from the applicants flood model confirm that the site is partially located within the floodplain of the watercourse flowing along the eastern boundary. The Environment Agency fully endorse the applicants flood risk assessment and modelling.

10.12.8 It is also important to note that whilst the risk of river flooding to the site is high, the comparison of flood levels to ground levels on site and the modelling floodplain demonstrate risk to the development and housing proposed is low.

10.12.9 The FRA sets out several mitigation measures that will be adopted to ensure the risk of flooding on the site and potential risk of flooding elsewhere will not increase and that surface water drainage from the development will accord with Sustainable Drainage Systems (SuDS) principles in compliance with current national and local standards.

10.12.10 The proposed mitigation measures set out in the FRA would sequentially develop the site, which means that the developable area (roads and houses) and surface water attenuation areas (SuDS) will be directed to Flood Zone 1 and therefore outside the areas at risk of fluvial and surface water flooding. This is in line with the NPPF' guidance and sequential test. In essence, this means that no built development or surface water attenuation features are proposed within the areas at risk from flooding (Flood Zones 2 and 3), based upon the applicant's site specific flood modelling.

10.12.11 The applicant's FRA suggests that this risk would be satisfactorily attenuated by the on-site drainage and flood attenuation features that are to be provided as part of the development. It is also proposed that finished floor levels will (where possible) be set a minimum of 600mm above the 100 year plus climate change flood levels applicable through the site. Furthermore, the proposed vehicular access junctions will be located within Flood Zone 1 and will provide safe access and egress for motorised and non-motorised vehicles to the A337 and the public road network.

10.12.12 Through the incorporation of flood mitigation measures and a sustainable drainage system, the proposed development would further reduce any risk from watercourse and surface water flooding. It should be noted that as the application site is an allocated one and because the Sequential Test in respect of flood risk was applied through the Local Plan process, there is no requirement to carry out a further Sequential Test as part of this outline planning application, as is made clear in Paragraph 166 of the NPPF.

10.12.13 The key consultees (the Lead Local Flood Authority at Hampshire County Council and the Environment Agency) are satisfied that the applicants strategic flood mitigation and drainage strategy demonstrates that the proposed development would be operated with minimal risk from flooding, would not increase flood risk elsewhere and is compliant with the requirements of national policy and guidance.

However, more detailed drainage proposals will need to be agreed through planning conditions and at Reserved Matters stage when detailed development proposals come forward.

Drainage Strategy

10.12.14 The provision of a sustainable surface water drainage strategy, incorporating SuDS features such as attenuation basins and swales is an essential requirement of new development.

10.12.15 Because this is an outline application, the full surface water drainage details will form part of the Reserved Matters Application. However, the outline application requires a strategy as to how surface water drainage for the site will be dealt with. This includes technical information with the necessary drainage calculations and indicative drainage layout and design to demonstrate the effectiveness of the SUDs and the exact area of land required to accommodate the drainage system.

10.12.16 The ground investigations carried out on the site confirm high levels of ground water are present throughout the site which therefore precludes the use of soakaways as a form of surface water discharge. As a result, the proposed surface water drainage strategy is designed in which the surface water runoff from the application site will be managed through two systems.

10.12.17 One of the systems will drain into a detention basin and a treatment swale which will discharge into the watercourse on the southern site boundary. The other system will drain into a detention basin and a treatment swale which will drain into the watercourse on the eastern site boundary. The controlled outflow will be managed by a series of hydraulic controls, limiting peak rates of discharge to the site's existing greenfield runoff rates (i.e those prior to development).

10.12.18 Although the submitted plans are indicative, the basin along the south west corner of the site is designed to be shallow at around 0.7 metres deep. The basin on the eastern boundary will be shown to be smaller in size but would be deeper. Other than small areas within the basin which will contain permanent water, the basins and swales will be generally dry features, other than in an extreme event or during very heavy rainfall.

10.12.19 It is important to note that the attenuation features will be sized to accommodate runoff in up to the 100 year return period with 40% allowance for climate change and 10% allowance for urban creep to the domestic catchment.

10.12.20 Hampshire County Council's Flood and Water Management team have confirmed that the applicant's drainage strategy is acceptable in principle, having regard to the underlying geology. However, more detailed drainage proposals will need to be agreed through planning conditions and at Reserved Matters stage when detailed development proposals come forward. However, with regards to the comments of the Lead Local Flood Authority, the clear conclusion that can be reached is that the flood risk associated with the development would be acceptable and that an appropriate and sustainable drainage system could be delivered.

10.12.21 It is acknowledged that areas of the application site are liable to waterlogging, in part due to the high water table and level of groundwater present. The surface water drainage strategy has been produced in view of this knowledge and intrusive ground investigations undertaken.

10.12.22 The strategy has been produced to comply with local and national planning policy and industry best practice concerning the inclusion of sustainable drainage storage techniques. This will prevent an increase in the runoff rate of surface water to the watercourse by restricting the runoff rate to the annual average, reflective of the application site greenfield conditions. By doing so it will provide a betterment to the receiving watercourse catchment area, adjacent and downstream land by holding back flows of runoff from a variety of magnitude storm events, which would ordinarily be able to discharge runoff uncontrolled to the watercourse.

10.12.23 Areas of waterlogging that may occur now would not do so once the proposed development is constructed through the installation of a formalised drainage network that would intercept and control surface water runoff generated.

10.12.24 Overall, the Flood Risk Assessment demonstrates that the proposed development would be operated within minimal risk from flooding and would not increase flood risk elsewhere and through the implementation of mitigation measures and a surface water drainage strategy, it can be concluded that the flood risk associated with the new development would be acceptable.

Foul drainage

10.12.25 The application states that the developments waste water will be discharged to the public sewerage network owned and operated by Southern Water (the Sewerage Undertaker). There is an existing foul sewer pipe which runs along the western boundary of the site and Southern Water have confirmed that this could serve an acceptable point of connection for foul flows from the development. Moreover, Southern Water has not raised any concerns that the capacity of the existing waste water treatment plant at Pennington cannot accommodate the additional foul water from the proposed development.

10.12.26 The applicants have confirmed that an on site pumping station will be required to discharge foul water into the existing public sewer network. The pumping station will lift the foul drainage from the north of the site to discharge it to the existing public foul sewer located beneath the existing access at the north of the site which falls by gravity to the east. Stand-off distances between the pumping station and proposed units will be between 5m-15m and will be dependent on the overall size of the pumping station. This will be determined at Reserved Matters.

10.12.27 Concerns have been raised in relation to a pumping station on the site and its close proximity to existing residential properties. In response, the submitted illustrative plan is only for indicative purposes and as such, the specific siting of the pumping station will be a matter to consider at reserved matters stage and consideration given to its design, siting and relationship from any noise or odour at that time.

10.13 Public Open Space

10.13.1 The Council's policies require that new residential development makes provision towards public open space, with the expectation for larger developments being that this public open space should be on site. Public Open Space provision is additional to the requirement for ANRG provision and should be provided at a rate of 3.5 hectares of public open space per 1000 population, including all of the following elements:

- 2.05 hectares on Informal Public Open Space per 1000 population
- 0.2 hectares on Children's play space per 1000 population
- 1.25 hectares of formal Public Open Space per 1000 population

Informal Public Open Space

10.13.2 The local plan policy objectives for the site, as illustrated in the Concept Masterplan seek to create a broad area of green recreational space along part of the east boundary of the site and along the central north-south spine, together with a central pocket of open space to the northern section of the site.

10.13.3 As with the ANRG provision, the exact amount of informal public open space that needs to be provided will be dependent on the final mix of dwellings and at this stage, the exact amount of open space is unknown. However, based on the Council's calculator that assumes a mix of dwellings that reflects Figure 6.1 of the Local Plan, a minimum of 0.57 hectares of informal public open space should be provided on the application site.

10.13.4 The actual area of proposed informal public open space as defined by the applicant's parameter plans is around 0.76 hectares. This would be in excess of the minimum policy requirement. The open space is shown to be provided along the western boundary and the central part of the site, immediately adjacent to the housing. In addition to the open space, the proposed layout retains around 1 hectare of the Priority Habitat and whilst this is not an area of play, an informal footpath provides access through the grassland and can be enjoyed and experienced by the public.

10.13.5 The proposed landscape and open space strategy is set out in detail within the applicant's Landscape Framework. New wildflower and amenity grassland, scrub, hedgerow and tree planting will make a significant element of the Open Space. It is considered that such diversity of new planting and landscaping, will not only provide an attractive space for recreation, but has also been designed to blend into the existing landscape character. A hierarchy of footpaths would be provided within the open space providing good connections between the houses, open space and ANRG areas.

10.13.6 In summary, the proposed informal open space, in conjunction with the ANRG land, forms an extensive network of green infrastructure that would be well distributed across the site and offer an attractive amenity for the future residents of the proposed development. The areas of informal public open space and their future management would need to be secured through a Section 106 legal agreement, and their detailed layout and landscape design would need to be secured at Reserved Matter stage. In terms of this outline planning permission, however, what is proposed would be consistent with policy. (Management and biodiversity considerations are considered further in other sections of this report.)

Children's Play Space

10.13.7 Assuming a mix of dwellings that reflects policy expectations, the development would be expected to deliver a minimum of 0.07 hectares of Children's Playspace, in the form of a Locally Areas of Play (LEAP), which is a medium sized area.

10.13.8 The submitted Landscape Strategy sets out an indicative play strategy for the site. A single LEAP is indicatively proposed within the central part of the site and will integrate a minimum of six pieces of play equipment and the full range of play experiences. To supplement the proposed LEAP, the play strategy indicatively proposes three (Local Areas of Play (LAPS)), one to be located along the western boundary, one adjacent to the LEAP and one along the central spine.

10.13.9 The Council's Urban Design Officer has advised that the applicant's Play Strategy document is interesting and promotes natural play in a very positive way. The location of the play areas would be close to the houses to ensure good natural surveillance.

10.13.10 It should be noted that the applicant's plan is illustrative and therefore the children's play is fixed in this position, should the outline permission be granted. What it does show, is that sufficient children's play areas can be provided based on the minimum space criteria to serve the proposed development and that the broad play strategies appropriate in principle.

10.13.11 The full details of the Public Open Spaces, in respect of play provision, including the functions and roles of the different play spaces, the relationships between them, and the type of equipment and features to be provided, will form part of a play strategy within the Reserved Matters Application. It is necessary that the proposed children's play space provision be secured within a Section 106 legal agreement, how the land will be managed in the future has not been agreed at this stage.

Formal open space

10.13.12 Given the amount of green space to be provided on the site, there is no reason why formal public open space cannot be provided on the site. Based upon the proposed population to be generated from the development, this would equate to 0.35 hectares

10.13.13 The main recreational to the south west of the site could be laid as a small grass pitch. This does not deter this area being used as a multi sports and recreational space, but the laying out of a grassed surface will not only count towards formal open space but also enable all ages and abilities to use. Through the use of a landscape management plan secured by condition, this can set out a maintenance regime that this area is regularly cut (compared to the wild flower or meadows which require less cutting), this will ensure that this space is used for multi use recreation.

10.14 Amenity

10.14.1 In terms of impact on residents, there are two main issues in this case. The first issue is, whether the proposal would have a significant impact on the living conditions of the adjoining neighbouring properties. The second issue is whether the future occupants of the development will have an acceptable living environment given the proximity of the application site to the A337 and the access road on the west boundary leading to New Milton Sand and Ballast, Pennington Wastewater treatment Plant and Pennington Household Waste Recycling Centre. Policy SS5 of the local plan had regard to such matters in allocating the site for development, and requires the need to consider and where required, mitigate the impact from these facilities.

10.14.2 Starting with the first issue, there will inevitably be some impact arising from a development of this scale on the amenities of existing neighbouring properties. The most likely impact would be because of additional noise and disturbance resulting from the proposed development. However, the site forms part of the SS5 allocation for a development in excess of 185 dwellings. Approximately 140 dwellings of which are anticipated to be delivered on land to the south of the A337. There is an expectation as a consequence that such development will have an impact on amenity and this has to be balanced against the benefits the proposal

would create.

10.14.3 There are several existing residential properties with garden boundaries that abut the application site: properties in Grafton Gardens, Clausen Way and Newbridge Way. There are also several residential properties along the south side of the A337 which either back onto or in close proximity to the application site: 95 to 111 and Southerwood the A337. It is also noted that there are glasshouses adjacent to the site associated with a nursery. Dwellings to the north side of Milford Road will also be affected and this includes Robins Copse, Dene Lodge, Little Dene and Havenhurst Road.

10.14.4 As this is an outline planning application, with matters of detail reserved for future determination, except access, the precise position of dwellings and other infrastructure is not known. However, the submitted Parameter Plans show the arrangement of proposed uses, including for residential and Green Infrastructure. In addition, the point of access into the site from the A337 is fixed as part of the application.

10.14.5 The Parameter Plans show Green Infrastructure proposed along the eastern boundary of the site, which would immediately abut the residential properties along Grafton Gardens, Clausen Way and Newbridge Way. Given the extent of Green Infrastructure on the eastern part of the site and the distances between the proposed residential development and the neighbouring properties in Grafton Gardens, Clausen Way and Newbridge Way, it is not considered that the proposals would be materially harmful to the amenities of these properties by way of overlooking and loss of light/ outlook. Moreover, it is considered that the activity associated with use of the Green Infrastructure land would not be materially harmful to the amenities of these properties.

10.14.6 The proposed access onto the A337 will face onto the rear boundary of Dene Lodge. Along their rear boundary is a high hedge and dense vegetation and the property is situated back from the A337. Whilst there will be some harm to that neighbour caused by additional noise and disturbance, and light spillage from vehicles, it will not be so severe or adverse to refuse permission

10.14.7 In relation to No's 107, 109 and 111 Milford Road, these neighbouring properties lie to the south of the A337 and the application site immediately abuts the side and rear boundaries. The actual position, scale and relationship of the proposed development is unknown at this stage, but the submitted Parameter Plans do show development will be located close to the boundaries of these properties. As such, the arrangement and layout of buildings, windows, roads and car parking will need to be carefully considered as part of any future reserved matters application.

10.14.8 Overall, based upon the details submitted, it is considered that should outline planning permission be granted, there is no reason why an acceptable layout cannot be designed at the reserved matters stage that achieves an acceptable relationship to the neighbouring properties.

Noise

10.14.9 The application is accompanied by an environmental noise assessment which measures the existing noise climate of the proposed development site and the potential impact the existing noise climate may have on the end users of the site. The submitted report focuses on noise from the road traffic using the A337 and the haulage road to the west of the site, noise operations at nearby New Milton Sand and Ballast, Pennington Wastewater Treatment Plant and Efford Household Waste Recycling Centre.

10.14.10 In terms of context, New Milton Sand and Ballast is a waste recycling site and is located to the south of the site at a distance of at least 200 metres. Pennington Wastewater Treatment Plant is located 760 metres to the south and Efford Household Waste Recycling Centre is located 475 metres to the south. The submitted Parameter Plan shows that there will be a 60 metre buffer within the site and there is a substantial earth bund between the closest noise receptor New Milton Sand and Ballast.

10.14.11 The applicant's noise report concludes that noise operations at New Milton Sand and Ballast, Pennington Wastewater Treatment Plant and Efford Road Household Waste Recycling Centre should not create any adverse noise impact on the application site. The application site will be affected by noise from the A337. Indeed, the noise report concluded that the noise was dominated throughout by road traffic accessing the household waste recycling depot and the A337.

10.14.12 The noise report considers that road traffic could be mitigated by a combination of site layout, design and masterplanning, and if necessary, through acoustically rating glazing and alternative means of ventilation. With these measures in place, it is considered that noise levels inside and out of the proposed dwellings will fall within the acceptable noise limits. It is noted that the Parameter plans and illustrative layout plan supporting the application show the front aspects of dwellings predominately facing these main sources, which is the correct design response. This is because the buildings can be designed with good noise insulation (such as window design) to mitigate noise, whereas outside private amenity space is more difficult to mitigate against noise sources.

10.14.13 It is also important to note that the noise report confirms that noise from New Milton Sand and Ballast was barely audible during the surveys and the results of the survey stated that the southern boundary was dominated by noise from road traffic. Moreover, NMSB operations are restricted by virtue of limits by a planning condition which include noise levels and time restrictions.

10.14.14 The Council's Environmental Health Officer has considered this noise assessment and agrees with its conclusions, namely that the noise impacts associated with the development would be acceptable subject to adherence to a number of detailed mitigation measures, all of which can reasonably be secured through planning conditions.

10.14.15 It is proposed to impose several specific mitigation conditions to ensure the noise impacts associated with the development are acceptable. These include a requirement to adhere to an agreed Noise Management Plan and a Construction Environment Management Plan, a requirement to restrict construction working hours (to normal working hours), and a requirement to ensure the noise levels within dwellings and their gardens do not exceed national minimum standards, having regard to the site's location. Subject to these conditions, it is considered the development can be provided without there being material harm to the amenities of existing and future residents.

Odour impacts

10.14.16 The application is accompanied by an odour assessment which analyses the potential odour impact from the existing waste water treatment works and two waste recycling centres on the end users of the site. It should be noted that the prevention of nuisance, of which odour could be classed, is a material consideration and guidance on odour assessment is provided by the Institute for Air Quality Management (IAQM). This guidance provides an overview of the varying types of odour assessment, odour assessment criteria and methods for drawing significance

from predicted and / or observed impacts.

10.14.17 The applicants report concludes that Efford Household Recycling Centre is not a significant source of odour which could reasonably affect the site, due to there being no known complaints from the facility; its distance to the development (750m); and no detectable odour during the sniffing test within the site. Moreover, the report confirms that no odour was detected from the construction waste management site, this includes within the site.

10.14.18 Pennington Wastewater Treatment Works is located approximately 475 metres south west of the application boundary. The results from each of the olfactory surveys are consistent, finding the strongest sewage-like odours when in close proximity to Pennington WwTW. Intermittent sewage-like odours offensive in nature were barely detectable within the application site boundary, with a 'Slight Adverse' effect concluded.

10.14.19 An odour dispersion model has been developed Maximum odour contours were produced the 98th percentile hourly mean concentrations were predicted by the model. The contour shows that the modelled C98, 1-hour concentrations are within the 0.5 to 1.5 OUE/m³ contour across the application site. High sensitivity receptors exposed to these concentrations would indicate a 'Slight Adverse' effect, which is not significant.

10.14.20 It is important to note that from the complaints record provided by New Forest District Council, it is evident that no identifiable odours were detected and 'No Nuisance' was concluded as a result of council monitoring in response to complaints. It is also important to note that there have been no complaints made to the council since 2015.

10.14.21 The Council sought an independent consultant to assess the applicant's odour assessment and provide an independent assessment report to the Council. The Council's assessor advised that a full assessment has been made in accordance with relevant guidance and has concluded that 'intermittent sewage like odours were detected within the application site boundary, but worst-case impact is 'Slight Adverse' within the site, based on the findings of olfactory surveys.'

10.14.22 In summary, the methodology and assessment criteria applied in this assessment is acceptable and the conclusions reached, that the impact on the proposed residents of this proposal is not expected to be considered significant adverse impact, which has been agreed with the councils Environmental Health Officer.

10.15 Air quality

10.15.1 The impact of the proposed developments on air quality is an important environmental consideration that has been considered in detail in the applicants Air Quality Report. As expected the report shows that the proposals will generate emissions during both the construction and operational phases of the development.

10.15.2 The Council's Environmental Health Officer agrees with the conclusions of the assessment and the methodology that has been used. As such, with respect to construction related activities, it is considered that the dust impact of the development would not be significant provided appropriate dust mitigation measures are implemented throughout the construction of the development, and this is something that can reasonably be secured through a planning condition requiring the submission and approval of a Dust Management Plan (DMP) as part of a wider Construction Environment Management Plan (CEMP).

10.15.3 The Council's Environmental Health Officer also agrees with the conclusions of the applicant's air quality assessment insofar as there should be a negligible impact on air quality as a result of vehicle movements associated with the development. On the basis of this, it can be reasonably concluded that the development is capable of being provided without significantly harming air quality, or without there being adverse air quality impacts on future residents.

10.16 Affordable housing

10.16.1 The District Council's adopted policies in respect of affordable housing require that at least 50% of the dwellings within the development be for affordable housing. They also require that the affordable housing mix be comprised of 70% dwellings for rent, split equally between social and affordable rent, and 30% intermediate or affordable home ownership tenures including shared ownership.

10.16.2 The application has been submitted on the basis that a policy compliant number and mix of affordable housing dwellings will be provided. Because the application is in outline, the actual housing mix (i.e 1, 2, 3 or 4 bedroom houses/flats), distribution of affordable housing across the site and types of housing is unknown and is not a matter to be considered at this stage.

10.16.3 The proposed scheme seeks to deliver a policy compliant level and mix of affordable housing. Therefore, subject to securing these requirements through a Section 106 legal agreement, the proposed development would be consistent and in accordance with the Council's affordable housing policies.

10.17 Contamination

10.17.1 Ground conditions and contamination have been assessed in detail in the submitted Desk Study Report and Ground Investigation Report dated October 2020 and a further update submitted in March 2022. Although the site is mainly used for agriculture, including a chicken farm, a former horticultural nursery was located in the north of the site, where there are some overgrown, derelict and partially collapsed structures. Historical landfills lie directly adjacent to the site's south west and western boundaries

10.17.2 The report concludes that a low to moderate risk is associated with the site, which means that there are some potential contaminated land risk identified, but the risk are not likely to affect the entire site, preclude development and remediation is considered to be feasible.

10.17.3 The report recommends ground gas monitoring and a Phase 2 site investigation to include the chicken farm and confirmation that the removal of the existing structure on site has not impacted the ground conditions with asbestos are still required. The relevant consultee (The Council's Environmental Health Officer) does not have any major objection to the proposed development, but as stated above, further investigation and assessment is considered necessary.

10.17.4 It is considered that through the imposition of appropriate conditions and more detailed consideration of contamination at reserved matters stage, that existing site contamination can be adequately dealt with and the ground made safe, so as to ensure there are no adverse effects on human health or the environment.

10.18 Minerals

10.18.1 The site lies within Minerals Safeguarding Area and therefore, any

development that could potentially sterilise this reserve is therefore a material consideration. A Mineral Assessment has been submitted to support this application, which states that whilst the applicants may be able to re-use some minerals for the construction of the development, full extraction on the site is not feasible given the significantly high groundwater table and the potential risk of mineral extraction on the site which could damage the land to the extent that development may not be deliverable on the site. In addition, part of the site has been found to have an 'area of unimproved grassland (irreplaceable habitat/priority habitat)' meaning that it should not be disturbed. As such, only a small section of the northern mineral area is proposed to be sterilised by built development and it makes prior extraction unlikely to be viable.

10.18.2 In assessing the policy position, Local Plan Policy STR9 states that for development on and within a Minerals Safeguarding Area or Minerals Consultation Area, viable mineral resources should not needlessly be sterilised by development and should be phased around the appropriate prior extraction of minerals. The policy states that appropriate extraction will depend on a) The scale and quality of mineral resource; b) Ground water levels if they would adversely impact on future re-use of the land; c) Amenity, environmental and other relevant considerations; and d) The need to ensure the timely provision of new homes and other development. Where there is a viable resource, minerals re-use on site for construction is encouraged.

10.18.3 In addition to Local Plan Policy STR9, Hampshire County Council, has also adopted a strategy of requiring the mineral to be extracted prior to the development. Policy 15 of Hampshire Minerals & Waste Plan states: Development without prior extraction can be permitted in exceptional circumstances if extraction is inappropriate.

10.18.4 In assessing the case put forward, Hampshire County Council Minerals Officer fully accepts the case put forward by the applicant that because of the high ground water levels on the site, this would be an exceptional circumstance that overrides the need for prior extraction. Officers do not disagree with this view, or the results from the technical reports which clearly demonstrate high ground water on the site, which if disturbed for prior extraction, could adversely damage the ground conditions and as such, compromise development being delivered on this site. Importantly, Hampshire County Council Officers has requested that as a minimum, that minerals on site are re-used for the construction of the development. This would be reasonable and can be dealt with by way of an informative note.

10.19 Archaeology

10.19.1 The archaeological potential of the site is considered within the submitted Desk-Based Heritage Assessment including the Geophysical Survey Report and Heritage Statement.

10.19.2 The Council's archaeologist has confirmed that the submitted reports are all fit for purpose. However, the Council's archaeologist recommends that an archaeological trenched evaluation be undertaken to determine the nature, survival and significance of the results within the geophysical survey, including evaluation trenching to ensure the 'blank areas are really devoid of interest. The archaeologist also recommends that targeted trenches should be considered across the rest of the application site on those areas significantly impacted by built development. These are all matters that can reasonably be secured through a condition requiring the submission and approval of a Programme of Archaeological Work, i.e. a Written Scheme of Investigation. Subject to such a condition (and related conditions), it is

considered that the archaeological interest of the site would be appropriately recorded and safeguarded.

10.19.3 To satisfactorily mitigate the development's impact on potential archaeological remains, and in accordance with the advice of the Council's archaeologist, it is considered reasonable to impose conditions requiring the submission, agreement and implementation of a Written Scheme of Investigation. Provided such conditions are imposed, it is considered that the proposed development could be implemented without adversely affecting archaeology.

10.20 Education Provision

10.20.1 Hampshire County Council (HCC), as the Local Education Authority, has advised that the site falls within Pennington Primary catchment area. HCC, has advised that Pennington Infant and Junior Schools both have surplus accommodation. HCC, has also advised that, although Priestlands Secondary School is full, it is only at capacity owing to out catchment recruitment. This means the pupil yield from this development will, over time, be able to access a place at Priestlands Secondary School as it admits less out county pupils. Consequently HCC have stated that they will not be seeking a contribution towards the expansion of any of the Pennington Schools.

10.21 Sustainable Design

10.21.1 The application is accompanied by a Sustainability Statement which sets out how the development will achieve sustainability objectives in a number of key areas, including measures to reduce emissions and promote sustainability. The incorporation of detailed design features into the development will need to be considered through the use of planning condition which secure the delivery and implementation of these features. The applicants have noted the specific requirements of Local Plan Policy IMPL2 and have confirmed that their proposals will provide:

- Improved energy efficiency
- A higher water use efficiency standard of 110 litres per day;
- Accessibility in accordance with Visitable Dwellings standards;
- The provision (where practicable) of a high speed fibre broadband connection to the property threshold;
- Provision to enable the convenient installation of charging points for electric vehicles.

10.21.2 It is important to note that in December 2021 the Government confirmed that new Building Regulations will come into effect in June 2022 in the form of amendments to Approved Document L 'Conservation of Fuel & Power' that will require new homes to produce around 30% less CO₂ than the current standards. These requirements are enforced through the Building Regulations which the applicant will be required to adhere to.

10.21.3 In essence, all new dwellings will be constructed to secure a reduction in carbon emissions, reduce energy usage and minimise energy loss (e.g. through enhanced building fabric). A range of technologies and products will be drawn on to achieve this, for instance solar photovoltaics (PV), air source heat pumps, battery storage and waste water heat recovery. Under the new regulations, CO₂ emissions from new build homes must be around 30% lower than current standards and emissions from other new buildings, including offices and shops, must be reduced by 27%.

10.21.4 Heating and powering buildings currently makes up 40% of the UK's total energy use. Installing low carbon technology, such as solar panels and heat pumps, and using materials in a more energy efficient way to keep in heat will help cut emissions – lowering the cost of energy bills for families and helping deliver the UK's climate change ambitions.

10.22 Appropriate Assessment

10.22.1 As required by the Habitats Regulations, the Local Planning Authority (as the Competent Authority) has carried out an Appropriate Assessment.

10.22.2 The Appropriate Assessment concludes that subject to relevant mitigation measures, the development would have no adverse impact on the integrity of the affected European sites.

10.23 Other matters raised by representees

Why do the proposals not include a roundabout to facilitate the two allocated sites (Land to north and South of Milford Road and existing access to the recycling centre)

10.22.1 Representations have been made that the proposed site access arrangements should have been designed in the form of a roundabout junction to include the existing access into NMSB and HWRC together with both proposed accesses. In response, both the applicants and the Highway Authority have discounted any proposal to create a roundabout for several reasons. In particular, the proposed access arrangements has been designed in accordance with Manual for Streets design standards, which states the following:

'Conventional roundabouts are not generally appropriate for residential developments. Their capacity advantages are not usually relevant, they can have a negative impact on vulnerable road users, and they often do little for the street scene'.

10.22.2 Moreover, the associated traffic capacity modelling shows that the proposed priority junction has ample capacity to safely accommodate the development traffic , and the proposed access is in line with many other accesses long this section of Milford Road. As such, the comments made that a roundabout should be considered to provide the access are noted, however, both the applicants Transport Consultant and the Highway Authority consider that a roundabout is not appropriate or feasible.

10.22.3 It should also be noted that the provision of a roundabout would appear visually discordant and 'urban' on the approach to Lymington from the west. The proposed design of the access would appear less intrusive and more sympathetic to its surroundings.

Transportation matters and accuracy of traffic surveys

10.22.4 In response to the concerns raised that the Traffic data collected is out of date and was carried out during Covid 19 Lockdown and therefore does not provide an accurate representation of the traffic flows and impact, it is important to make the following comment. The initial Transport Assessment submitted as part of the planning application, presented a suite of baseline traffic count data that was used for the purposes of traffic impact analysis, and this recognised that the traffic surveys were carried out a few years ago. As such, the applicant carried out an evidence base methodology using future traffic growth to provide a more accurate representative of the current base line traffic. This is set out in the Transport

Assessment.

10.22.5 At the request of Officers, and to confirm the accuracy of the traffic data, the applicant carried out further traffic surveys in October 2020 and this is set out in the Transport Addendum. The results show that the additional data captured was comparable to that utilised to undertake the traffic impact analysis within the submitted Transport Assessment with no significant magnitude of difference in link flows at either of the surveyed junctions recorded. The data utilised for traffic impact analysis purposes within the Transport Assessment therefore remained representative of 'typical traffic volumes on the local highway network and the conclusions of the Transport Assessment remained valid

10.22.6 Accordingly, Officers and the Highway Authority have robustly assessed the applicant Transport Assessment and are content with the methodology of the surveys and modelling that has been carried out to assess the transport impact of the proposal on the highway network and key junctions.

Impact on local infrastructure

10.22.7 Concerns has been expressed that the development would give rise to unacceptable pressures on other local infrastructure (health facilities, schools, emergency services etc). In response, and as set out above, the proposed development will not need to make a contribution towards local schools. In relation to health facilities, whilst it is recognised that the proposals would add to pressures on health services, the upgrading existing facilities or additional doctors/ nurses are funded/ contributed from central government and there is no evidence to suggest that the development either alone or as part of the wider allocation would put unacceptable pressure on local health or indeed other community related infrastructure.

Impact on existing businesses and operations

10.22.8 NMSB are extremely concerned the proposed dwellings will be adversely affected by noise from the adjacent haulage road and their operations, which may subsequently impact on the ongoing business that currently handles, sorts, separates, crushed and screens incoming commercial waste.

10.22.9 This is highlighted in Paragraph 187 of NPPF which states "...Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities and existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed".

10.22.10 In response and as set out in the Noise Report, these issues have been accounted for in which the haulage road is the main noise source. The conclusion of the Noise Report states that through the layout of the site and the design of the building, this will ensure that future residents will be mitigated from the noise. At this stage, as the layout and design of the dwelling is unknown, the full details can be provided at reserved matters stage. Moreover, the revised plans show that the proposed dwellings would be moved further away from the haul/service road and the majority of the dwellings would have their windows and building facade facing the noise source which can enable better protection and mitigation from noise.

Submitted noise report was carried out during Covid19 times and is not reflective of current conditions

10.22.11 In response to the concerns that all surveys should be representative of 'normal conditions', outside national lockdown times, the noise surveys were undertaken in September 2020 which at that time was not under any restrictions. In addition, it is understood that NMSB was operational during the surveys. Accordingly, Officers consider that this has been robustly assessed in the applicants noise report and are content with the methodology of the surveys and modelling that has been carried out to assess the noise impact of the proposal on the proposed development.

The air quality report hasn't addressed the dust and impact on air quality from the service road leading to the recycling centres on future residents

10.22.12 In response, the air quality assessment has addressed the potential impacts of potential poor air quality from the vehicles using the service road and the operations themselves on future occupiers. The conclusion is that there would not be any significant harm and this is supported by the Councils Environmental Health Officer. Indeed, receptor tubes were installed near the site entrance along the A337 which concluded that there would be no significant harm and the A337 generates significantly more traffic than the service road.

Odour assessment was carried out on one day which is not an accurate representative

10.22.13 In response to the concerns raised, a revised odour assessment was carried out to address the concerns from the Councils Environmental Health Officer. The revised assessment provided further details in relation to a review of complaints data, results from further olfactory surveys (2 additional odour surveys conducted) and results from a detailed atmospheric dispersions modelling assessment.

Are there any plans for the long term maintenance of ditches

10.22.14 The long term maintenance of the river, watercourses or ditches are the responsibility of the riparian landowner. As such, should the function of these watercourses be affected by silt or vegetation, the responsibility falls within the landowner. Action can be taken by the Environment Agency in the case of a main river to remedy.

10.22.15 In this case, most of the stream falls within the control of the applicant and as such, will be responsible for the management and maintenance of the stream. As part of the wider landscape enhancements for the site, the stream form an integral part of the Green Infrastructure with new planting and a detailed long term management plan will be required and this will be secured by condition and Section 106 Agreement as part of the planning permission.

11 CONCLUSION AND PLANNING BALANCE

11.1 The site is allocated for development under policy SS5 of the Local Plan which establishes the principle of development on this Greenfield site. The above assessment has highlighted how the proposed development would deliver a range of significant, economic, social and environmental benefits. The proposed development would significantly change a greenfield site on the edge of Lymington into a large housing development including many affordable homes for local people, as well as significant new areas of open space and habitat would be created, resulting in a more connected landscape that would benefit both people and biodiversity.

11.2 Inevitably, as with any large scale development, what is proposed is not without its environmental impacts, which in this case are given greater significance by virtue of the highly sensitive designated landscapes, features and habitats that are located and surround the site. It is necessary to be satisfied that any potential adverse impacts have been satisfactorily mitigated, and that where adverse or negative effects have been identified that the schemes benefits outweigh these effects.

11.3 One key area of balance that must be considered is in relation to the harm to the setting of Listed Buildings at Manor Farm. In applying this balance, it must be noted (as per paragraph 190 of the NPPF) that the significance of the Heritage Asset at Manor Farm is particularly high.

11.4 Paragraph 199 of the NPPF makes it clear that when considering any harm to a heritage asset, great weight should be given to the asset's conservation, and the more important the asset, the greater the weight should be. Paragraph 200 of the NPPF makes it clear that any harm to a heritage asset requires clear and convincing justification, whilst Paragraph 202 of the NPPF advises that in the case of less than substantial harm, the harm should be weighed against the public benefits of the proposal. No harm is identified and therefore these policies are not engaged

11.5 Notwithstanding this, the benefits of developing the site would provide significant boost in housing supply, together with 55 new affordable dwellings. The proposal would provide social and economic benefits including employment for construction workers and increased spending in local shops.

11.6 As such, it is considered that the relevant tests of the NPPF (notably paragraphs 194 and 196 are satisfied) and special regard has been be paid to the desirability of preserving the setting of the Listed Building as set out Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

11.7 What considerably assists the setting of this development is the significant and generally well-considered green infrastructure that would be provided. This green infrastructure would not only mitigate the development's impact on protected nature conservation sites, but it would also provide important health and well-being benefits for the occupants of the development and beyond. Around 65% of the site would form the Green Infrastructure which will be publicly accessible with a network of walking routes connecting to the existing public rights of way. This is considered to be a significant positive which weighs in favour of the development

11.8 Understandably, there are local concerns with flooding on and off the site, however, the detailed technical reports demonstrate that both flooding and surface water drainage will be adequately dealt with through the delivery of a comprehensive surface water drainage strategy incorporating features , which will reduce the risk of flooding, taking account of future climate change, improve water quality and support biodiversity. Hampshire County Council, as Local Lead Flood Authority and the Environment Agency have endorsed the proposals.

11.9 Overall, the proposed development is considered to be one that meets the three key objectives of sustainable development, it would meet social objectives, by creating a safe, vibrant and healthy new community; and it would meet environmental objectives by securing a high quality built environment and by protecting and enhancing the natural environment. It is considered that the proposed development would satisfy all of the relevant requirements of Policy Strategic Site 5, as well meeting other relevant local and national planning policy requirements.

11.10 As such, it is considered appropriate to grant outline planning permission subject to a detailed Section 106 legal agreement, subject to an extensive list of conditions as described below,

11.11 Lastly, and to confirm the position and recommendation, a planning permission can and will not be issued until the Council is satisfied that there is an off-site mitigation project that is capable of being delivered that will enable the required 10% gain in biodiversity to be achieved in an acceptable manner. Delegation to the Executive Head for Planning, Regeneration and Economy is recommended.

Conditions and Section 106 legal agreement

Those matters that need to be secured through the Section 106 legal agreement include all of the following:

Affordable Housing

- There will be a requirement to secure 50% of the proposed dwellings as Affordable Housing, in which the affordable housing mix be comprised of 70% dwellings for affordable social and rent (split equally) and 30% intermediate/shared ownership.

Public Open Space

- There will be a requirement to secure the on-site public open space within the development to an approved design.
- There is a requirement to secure the long term management and maintenance of the POS.
- There will be a requirement to secure a policy compliant level of children's playspace within the development to an approved design, together with its long term management and maintenance.

ANRG Mitigation Land

- There will be a requirement to secure the on-site ANRG land to an approved design, and to secure permanent public access to these areas in an appropriate phased manner.
- There is a requirement to secure the long term management and maintenance of the ANRG.
- There will be a requirement for a detailed management plan and contribution to future monitoring of the ANRG. The ANRG must be laid out as agreed together with a Habitat Mitigation Scheme and made available for use prior to first occupation of any Dwelling on the land.

Other Mitigation Contributions and Measures

- There will be a requirement to secure the New Forest Access and Visitor Management Contribution, Solent Recreation Mitigation Contribution, and the New Forest Air Quality Monitoring Contributions in full.

Biodiversity net gain (BNG)

- There is a requirement to secure the long term management/maintenance plan to achieve Bio-diversity net gain. The way the BNG will be managed and monitored will be secure through the S106 together with monitoring charges.

There will be a requirement for a minimum of 30 years for BNG on site.

Transport

- There will be a requirement to secure and carry out the provision of the access, junction and associated highway works onto and along Milford Road including crossing, bus stop relocation and cycle path to Harford Close. through reference to the applicant entering into a Section 278 agreement with HCC Highways
- There will be a requirement to construct a vehicle access road within the site between Milford Road and to the point of the boundary of 'Phase 2'
- There will be a requirement to secure a contribution of £41,920, towards transportation improvements towards the A337/North Street/ Ridgeway Lane roundabout.
- Cycle facilities (staggered barriers)for cyclist to slow cyclist on the approach to Milford Road.
- There will be a requirement to pay the Travel Plan approval and monitoring fees, and a need to provide a surety mechanism to ensure implementation of the travel plan.
- The provision of a dropped kerb and tactile paving across the Widbury Road / Southlands junction;
- A new dropped kerb and tactile paved crossing of Widbury Road to access the pedestrian path to Meadow Road.

Drainage

- There is a requirement for the developer to provide and complete the surface water drainage scheme on site. The details shall include the setting up of a private management company/ statutory undertaker to manage and maintain the surface water drainage.

Priority Habitat

- There will be a need to secure a long term landscape management plan for the future maintenance and maintenance of the Priority Habitat.

It is to be noted that some of the finer details of these obligations are still the subject of ongoing discussion with the applicants, and would need to be resolved after this Committee meeting

Those matters that need to be secured through conditions are set out in the detailed schedule of conditions below.

It is to be noted that some of the finer details of these obligations are still the subject of ongoing discussion with the applicants, and would need to be resolved after this Committee meeting

Those matters that need to be secured through conditions are set out in the detailed schedule of conditions below.

12 OTHER CONSIDERATIONS

Crime and Disorder

12.1 The proposed development has been designed so as to have good natural surveillance, thereby helping to minimise potential crime and disorder. The streets and public spaces are considered to be well designed and safe, although more

detailed designs would need to be agreed through the submission of applications for reserved matters.

Local Finance

12.2 If this development is granted permission, the Council will receive the New Homes Bonus amounting to £ in each of the following four years, subject to the following conditions being met:

- a) The dwellings the subject of this permission are completed, and
- b) The total number of dwellings completed in the relevant year exceeds 0.4% of the total number of existing dwellings in the District.

Tables setting out all contributions are at the end of this report.

The CIL liability associated with this development can only be determined at Reserved Matters stage.

Equality

12.3 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.

Human Rights

12.4 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. Whilst it is recognised that there may be an interference with these rights and the rights of other third parties, such interference has to be balanced with the like rights of the applicant to develop the land in the way proposed. In this case it is considered that the protection of the rights and freedoms of the applicant outweigh any possible interference that may result to any third party.

13 RECOMMENDATION

Delegated Authority be given to the Executive Head for Planning, Regeneration and Economy to **GRANT PERMISSION** subject to

- i) being satisfied that there is an off-site mitigation project capable of being delivered that will enable the required 10% gain in biodiversity to be achieved in perpetuity.
- ii) the completion by end of 2022, of a planning obligation entered into by way of a Section 106 Agreement to secure the following contributions and other benefits
 - **Affordable Housing (AH)** – 50% of the proposed dwellings as Affordable Housing, in which the affordable housing mix be comprised of 70% dwellings for affordable social and rent (split equally) and 30% intermediate/shared ownership.
 - **Biodiversity net gain (BNG).**
 - **ANRG provision and maintenance** and monitoring
 - **Habitat mitigation for recreational impact** – non infrastructure access and management contributions per dwelling as per standard formula
 - **Solent Recreation Mitigation Contribution**
 - **POS provision and maintenance including play spaces** – triggers for implementation, management arrangements to ensure long term public access and proper management and maintenance of those areas.
 - **Provision and management of on-site drainage**
 - **Air quality assessment** monitoring contribution of £9,350 in line with Local Plan policy.
 - **On and Off-site highway works** -There will be a requirement to secure and carry out the provision of the access, junction and associated highway works onto and along Milford Road including crossing, bus stop relocation and cycle path to Harford Close, to construct a vehicle access road within the site between Milford Road and to the point of the boundary of 'Phase 2', to secure a contribution of £41,920, towards transportation improvements towards the A337/North Street/ Ridgeway Lane roundabout, Cycle facilities (staggered barriers)for cyclist to slow cyclist on the approach to Milford Road, dropped kerb and tactile paving across the Widbury Road / Southlands junction, A new dropped kerb and tactile paved crossing of Widbury Road to access the pedestrian path to Meadow Road.
 - **Provision of a full Travel Plan** with bond, monitoring fees and approval fees.
 - **Monitoring contributions**
 - **Priority Habitat** -There will be a need to secure a long term landscape management plan for the future maintenance and maintenance of the Priority Habitat.
- iii) Delegated authority be given to the Executive Head of Planning, Regeneration and Economy to include the conditions as set out in this report together with any further additions, and amendments to conditions as appropriate

Proposed Conditions:

1. Condition 1 – Time Limit for Approval of Reserved Matters

The first application for the approval of reserved matters shall be made within a period of three years from the date of this permission. All subsequent reserved matters applications shall be submitted no later than 3 years from the date of the approval of the first reserved matters application.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. Condition 2 – Time Limit for Commencement of Development

The development shall be begun no later than two years from the final approval of the last of the reserved matters to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

3. Condition 3 – Reserved Matters Details

In respect of each phase of development, no development shall commence until the layout, scale and appearance of the development, and the landscaping of the site (herein referred to as the “reserved matters”), insofar as they relate to that phase of development, have been submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out in accordance with the approved details.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

4. Condition 4 – Parameter Plans

The reserved matters shall fully accord with the Development Parameter Plans comprising:

- Site Framework Parameter Plan Drawing No 21.026.010
- Land Use Parameter Plan Drawing No 21.026.011
- Land Use Massing Parameter Plan Drawing No 21.026.013
- Analysis Parameter Plan Drawing No 21.026.012

Reason: To ensure high standards of Urban Design are achieved and maintained; to ensure that there is a coordinated and harmonious integration of land uses, built-form and spaces, reflecting the scale and nature of development; and to ensure that the development is responsive to its context

5. **Condition 5 - Phasing**

Prior to the commencement of any part of the development, a scheme detailing the phasing of the development, including all infrastructure (green infrastructure, drainage works, highway works, services), shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved phasing details unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the development is provided in an appropriate and comprehensive phased manner.

6. **Condition 6 - Landscape & ANRG Framework**

The layout and landscape details to be submitted in accordance with condition no. 3 above shall be broadly consistent with the design principles and strategy that are illustrated on the illustrative Landscape & ANRG Framework Plan by Fabrik dated February 2022, or such other variation (as may be considered necessary by the Local Planning Authority and) that is agreed in writing by the Local Planning Authority.

Reason: To ensure the delivery of an appropriate landscape framework that will provide a high quality setting for the development, and which will provide suitable recreational opportunities that will help mitigate the development's impact on European sites.

7. **Condition 7 - Dwelling Numbers & Development Mix**

The development hereby permitted shall not exceed 110 dwellings. The detailed designs for the approved development shall substantially accord with the following residential mix, or as otherwise may be agreed through the approval of reserved matters:

1 & 2 bedroom units: 60-70% of all Affordable Rental Homes, 55-65% of all affordable homes ownership, and 30-40% of all market homes
3 bedroom units: 25-30% of all Affordable Rental Homes, 30-35% of all affordable homes ownership, and 40-45% of all market homes
4 bedroom units: 5-10% of all Affordable Rental Homes, 5-10% of all affordable homes ownership, and 20-25% of all market homes

Reason: This reflects policy expectations and is the basis on which the required level of mitigation has been assessed. The Local Planning Authority would wish to properly consider any mix that does not reflect policy expectations to ensure that housing needs are adequately met, and noting that a material change to the residential mix will affect the level of mitigation that would be necessary to offset the development's impacts, and this may not necessarily be achievable.

8. **Condition 8 - Site Levels**

Prior to the commencement of development in any phase of development, details of levels, including finished floor levels for all buildings, existing and proposed levels of public open space areas (including ANRG), and the existing and proposed site contours for that phase, 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.

9. **Condition 9 - Archaeology: A Programme of Archaeological Work**

Prior to the commencement of development within each residential phase of development, a programme of archaeological work in respect of that phase, including a Written Scheme of Investigation, shall have been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

- The programme and methodology of site investigation and recording.
- The programme for post investigation assessment.
- Provision to be made for analysis of the site investigation and recording.
- Provision to be made for publication and dissemination of the analysis and records of the site investigation.
- Provision to be made for archive deposition of the analysis and records of the site investigation.
- Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Reason: To ensure the archaeological interest of the site is investigated and assessed.

10. **Condition 10 - Archaeology: Implementation of Written Scheme of Investigation**

No development (other than demolition) shall take place other than in accordance with the Written Scheme of Investigation approved under condition 9.

Reason: To ensure the archaeological interest of the site is adequately investigated.

11. **Condition 11 - Archaeology: Completion and Archive Deposition**

No dwelling within a phase of residential development shall be occupied until the site investigation and post investigation assessment for that phase has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 9 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To ensure the archaeological interest of the site is adequately investigated and recorded.

12. **Condition 12 - Protection of Trees: Adherence to Approved Arboricultural 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 Tree Protection Plan reference HDA 969.1/03b and Tree Survey Report and Arboricultural Impact Assessment dated March 2022 - Ref: 969.1, or such other variation (as may be considered necessary by the Local Planning Authority and) that is agreed in writing by the Local Planning Authority

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

13. Condition 13 - Protection of Trees: Submission of additional details

No development shall take place within each phase of development until the following information has been submitted to and approved in writing by the Local Planning Authority:

- A plan showing the location of service routes, including the position of soakaways;
- A plan showing the location of site compound and mixing areas;
- A plan showing the location and details of all footpaths and roads within the root protection areas of retained trees;

Development shall thereafter be carried out in accordance with these approved details.

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

14. Condition 14 - Protection of Trees: Footpaths and walkways

No development shall take place within each phase of development until a method statement and engineering drawings for footpaths and walkways within that phase, where within the root protection areas of retained trees of the approved development, have been submitted to and approved in writing by the Local Planning Authority.

Development shall thereafter be carried out in accordance with the approved details.

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

15. Condition 15 - Protection of Trees: Pre-commencement Site Meeting

Prior to the commencement of works within each phase of development, 3 working days' notice shall be given to the Local Planning Authority Tree Officer to inspect the tree protection measures as specified within the submitted Tree Survey Report and Arboricultural Impact Assessment (HDA, March 2022), unless otherwise agreed in writing by the Local Planning Authority.

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

16. **Condition 16 - Landscape & Ecological Enhancement, Mitigation and Management Plan**

Prior to the commencement of development within each phase of development, a detailed Landscape and Ecological Enhancement, Mitigation and Management Plan for that phase shall be submitted to and agreed in writing by the local planning authority. The Plan for that phase shall be broadly in accordance with the outline ecological mitigation and enhancement measures detailed within the Ecological Impact Assessment (ECOSA February 2022) and outline Biodiversity Mitigation and Enhancement Plan (ECOSA February 2022) or such other variation (as may be considered necessary by the Local Planning Authority and) that is agreed in writing by the Local Planning Authority. The Plan shall include (but not be limited to):

- details of all habitat and species-related avoidance and mitigation measures (e.g. timings, methods, responsibilities);
- plans of, and details describing, all habitat impacts and measures to compensate impacts (e.g. location, methods of establishment, responsibilities, care and maintenance);
- plans and details of all habitat and species-related enhancement measures (e.g. location, methods, responsibilities, care and maintenance);
- a programme of ongoing ecological monitoring and management.

The development shall be implemented and thereafter maintained and managed in accordance with the approved details.

Reason: To ensure that the landscape and ecological interest of the development site is maintained, enhanced, and managed in a way that will secure long-term landscape and ecological benefits.

17. **Condition 17 - Ecological Measures (Opportunities for Birds / Bats / Invertebrates)**

A minimum of 1 in 4 of the dwellings / development plots hereby approved shall incorporate either a bird nesting box (including nesting opportunities for swifts and house sparrows), a bat box or bat roosting provision, or enhancements for invertebrates such as bee bricks, the precise details of which shall be submitted with each Reserved Matters application where new buildings are proposed. The submitted details shall comprise a mix of these measures and shall be provided in accordance with the approved details before the house / plot where the measures are to be incorporated is first occupied.

Reason: To ensure that biodiversity enhancement measures are delivered throughout the development; and to ensure that a key aspect of sustainability is delivered.

18. **Condition 18 – Net Biodiversity Gain:**

The first residential unit of the development hereby approved shall not be

occupied until details of a package of off-site Biodiversity Net Gain (BNG) has been submitted to, and approved in writing by, the Local Planning Authority. This package should secure the identified 10% BNG arising from the development and include: (i) a calculation of the number of biodiversity units required to provide a 10% BNG in accordance with DEFRA Biodiversity Metric 2.0 Calculation Tool (Beta) (2019); (ii) details of the BNG project including its location; (iii) a timetable for the provision of the BNG project; (iv) details of the management of the BNG project (v) details of the future monitoring of the BNG project in perpetuity. The BNG package as approved shall be provided prior to the occupation of the penultimate dwelling on the site and thereafter retained as such.

Reason: To ensure Biodiversity Net Gain is secured as part of the development in accordance with Policies ENV3, ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park and Policies DM1, DM2 and DW-E12 of the Local Plan for the New Forest District outside the National Park (Part 2: Sites and Development Management), NFDC interim Biodiversity Guidance and the Environment Act 2021.

19. **Condition 19 - Finished Floor Levels**

The development shall be carried out in accordance with the submitted Flood Risk Assessment (by Cotswold Transport Planning Ltd, ref CTP-21-0559, dated October 2021) and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 600mm above the 100 year flood event plus climate change (35% allowance), as stated in paragraph 5.4 of the FRA.

The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants. The condition is in line with the Planning Practice Guidance (PPG) to the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change

20. **Condition 20 - Connectivity to the Wider Strategic Site**

Notwithstanding the submitted plans and illustrative material, no development shall take place until a plan showing the locations where pedestrian connections will be made/secured to the immediately adjacent land to the south (identified as Phase 2) that is allocated for development through Policy Strategic Site 1 of the Local Plan 2016-2036 Part One: Planning Strategy. The approved connection / pedestrian access points shall thereafter be provided to the boundary of the site and made available either before occupation of the penultimate dwelling or such other timescale as may be approved in writing with the Local Planning Authority. Any fencing installed at the boundary of the site or at the end of the pedestrian access/connections, shall remain in situ until Occupation of the first dwelling on land identified as Phase 2, unless otherwise agreed in writing by the Local Planning Authority.

Reason: The application site forms one part of a Strategic Site allocation, and in the interests of securing accessible and joined-up green infrastructure it is essential that there is appropriate connectivity between the different parts of the Strategic Site.

21. **Condition 21 - Lighting**

Prior to the erection of any external lighting on the site in connection with each development phase (but excluding lighting associated with the construction phase of the development), a Lighting Scheme for that phase shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall accord with Guidance Note 08/18 "Bats and Artificial Lighting in the UK" prepared by the Bat Conservation Trust / the Institution of Lighting Professionals guidance, and shall:

- Set out details of all proposed operational external lighting;
- Include timings of lighting operation;
- Include a lighting plan showing locations and specifications of all proposed lighting;
- Demonstrate that vertical illuminance into adjacent habitats has been minimised and avoided.

The scheme shall be implemented as approved.

Reason: To ensure that the level of lighting within the development is acceptably minimised, having regard to ecological interests and the site's rural edge context.

22. **Condition 22 - Surface Water Drainage Details**

Prior to the commencement of residential development within each phase of development, a detailed surface water drainage scheme for that phase, based on the principles within the Flood Risk Assessment & Drainage Strategy by Cotswold Transport Planning dated October 2021 and Reuby and Stagg Ltd 10621 dated February 2022, shall be submitted and approved in writing by the Local Planning Authority. The submitted details should include:

- A technical summary highlighting changes to the design from that within the approved Flood Risk Assessment.
- Detailed drainage layout drawings at an identified scale indicating catchment areas, referenced drainage features, manhole cover and invert levels and pipe diameters, lengths and gradients.
- Detailed hydraulic calculations for all rainfall events, which should take into account the connectivity of the entire drainage features including the discharge locations. The results should include design and simulation criteria, network design and result tables, manholes schedule tables and a summary of critical results by maximum level during the 1 in 1, 1 in 30 and 1 in 100 (plus an allowance for climate change) rainfall events. The drainage features should have the same reference as the submitted drainage layout.
- Evidence that Urban Creep has been considered in the application and that a 10% increase in impermeable area has been used in calculations to account for this.
- Confirmation on how impacts of high groundwater will be managed in

the design of the proposed drainage system to ensure that storage capacity is not lost, and structural integrity is maintained.

- Confirmation that sufficient water quality measures have been included to satisfy the methodology in the Ciria SuDS Manual C753.
- Exceedance plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria.

Development shall only proceed in accordance with the approved details.

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no flood risk on or off site resulting from the proposed development.

23. **Condition 23 - Surface Water Drainage: Maintenance**

Prior to occupation of the development within a development phase, a scheme relating to the management and maintenance of the Surface Water Drainage System (including all SuDS features) within that phase shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the following:

- (i) a detailed maintenance schedule in respect of the repair and maintenance of each drainage feature type (the Maintenance Scheme);
- (ii) details of intended ownership, and a management regime which shall set out the responsibility for the maintenance of the SuDS in accordance with the approved Maintenance Scheme, following their provision;
- (iii) details of protection measures;
- (iv) details of a monitoring and review scheme.

The approved drainage features shall thereafter be maintained in accordance with the approved scheme.

Reason: To ensure the satisfactory maintenance of the drainage system in accordance with national and local planning policies.

24. **Condition 24 - Noise Levels**

Prior to the commencement of development within each phase of development, a scheme including necessary mitigation to ensure that internal noise levels within each dwelling shall not exceed the minimum standards stated in BS 82233:2014 (paragraph 7.7.2 [Table 4]). External noise levels should, where feasible, not exceed the maximum value set out in paragraph 7.7.3.2. The appropriate details shall be submitted to and approved in writing by the Local Planning Authority. Development in the respective phase shall thereafter be carried out in full accordance with the approved scheme.

Reason: To safeguard residential amenities and to ensure that future residents have an acceptable noise environment.

25. **Condition 25 - Construction Environmental Management Plan**

Prior to the commencement of development within each phase of development, 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.
- A public communication strategy, including a complaints procedure.
- A Dust Management Plan (DMP) including suppression, mitigation and avoidance measures to control dust.
- A Noise Management Plan with noise reduction measures, including use of acoustic screens and enclosures, the type of equipment to be used and their hours of operation.
- Any 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 or security lighting that is installed.
- Details of storage and disposal of waste on site.
- A construction-phase drainage system which ensures all surface water passes through three stages of filtration to prevent pollutants from leaving the site.
- Safeguards for fuel and chemical storage and use, to ensure no pollution of the surface water leaving the site.

The construction of the development in each respective phase shall thereafter be carried out in full accordance with the approved details.

Reason: To safeguard the amenities of existing and proposed (post occupation) residential properties.

26. Condition 26 - 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.

Reason: To safeguard residential amenities.

27. Condition 27 - Construction Traffic Management Plan

Before the commencement of development, a Construction Traffic Management Plan shall be submitted to and approved in writing by the Planning Authority. The Construction Traffic Management Plan shall include the following details: construction traffic routes; the provision to be made on site for the parking and turning of contractors' / construction related vehicles; measures to prevent mud from being deposited on the highway; and a programme for construction. The agreed measures and details shall be put

into place (as appropriate) before the development is commenced and shall thereafter be adhered to / retained throughout the duration of construction.

Reason: In the interests of highway safety.

28. Condition 28 - Nitrates: Water Efficiency

The installation of fittings and fixed appliances in the dwelling(s) hereby approved shall be designed to limit the consumption of wholesome water to 110 litres per person per day in accordance with the Building Regulations 2021.

Reason: The higher optional standard for water efficiency under Part G of the Building Regulations is required in order to reduce waste water discharge that may adversely affect the River Avon Special Area of Conservation by increasing phosphorous levels or concentrations and thereby contribute to the mitigation of any likely adverse impacts on a nationally recognised nature conservation interest.

29. Condition 29 - Car & Cycle Parking

For each reserved matters application, details of the car and cycle parking that is to be provided in association with that phase of development shall be submitted to the Local Planning Authority for its written approval, and, prior to the occupation of each dwelling the approved car and cycle parking arrangements for that plot shall have been provided in accordance with the approved plans, and thereafter retained for their intended purpose at all times.

Reason: To ensure that appropriate levels of car and cycle parking are delivered in association with the development.

30. Condition 30 - Electric Vehicle Charging Points

For each reserved matters application where buildings or car parking spaces are proposed, a scheme for the provision of infrastructure and facilities to enable the installation of charging points for electric vehicles to serve that part of the development, shall be submitted to the Local Planning Authority for its written approval. Thereafter, the development shall be implemented in full accordance with the approved details.

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

31. Condition 31 - 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.

32. Condition 32 - Travel Plan

Prior to the construction above damp proof course level of each phase of the development, a Full Travel Plan based on the principles set out in the Framework Travel Plan (Ref: i-Transport Residential Travel Plan: SJ/BB/SG/ITB11397-008A) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, no dwelling shall be occupied until the approved Full Travel Plan has been implemented unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that sustainable modes of travel are duly promoted.

33. Condition 33 - Waste Collection Strategy

All applications for the approval of reserved matters relating to occupiable buildings shall be accompanied by a waste collection strategy in relation to the relevant phase. The development shall be carried out in full accordance with the approved details.

Reason: To ensure a satisfactory form of development.

34. Condition 34 - Visibility Splays

Prior to the occupation of any dwelling, the accesses and visibility splays shall be provided in accordance with submitted drawing ITB11397-GA-018 Rev E with dimensions of 2.4 metres x 55 metres to the west and 2.4 metres x 55 metres to the east as measured from the centre of the access along the carriageway edge. Prior to the occupation of any dwelling, the pedestrian crossing visibility splays shall be provided in accordance with submitted drawing ITB11397-GA-018 Rev E.

Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays. The vehicular and pedestrian visibility splays shall be retained free from any obstruction at all times thereafter.

Reason: In the interest of highway safety and 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.

35. Condition 35 – Contamination General

Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions relating to contamination no 36 to 38 have been complied with.

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 condition 39 relating to the reporting of unexpected contamination has been complied with in relation to that contamination.

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 Review 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park and Policy DM4 of the Local Plan For the New Forest District outside the National Park. (Part 2: Sites and Development Management).

36. **Condition 36 Contaminated Land Site Contamination**

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. This is to include the completion of ongoing ground gas monitoring. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with the Environment Agency's technical guidance, Land Contamination Risk Management (LCRM).

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 Review 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park and Policy DM4 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and

Development Management).

37. **Condition 37 Contaminated Land Submission of Remediation**

Where contamination has been identified, a detailed remediation scheme 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.

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 Review 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park and Policy DM4 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

38. **Condition 38 – Implementation of remediation**

Where a remediation scheme has been approved in accordance with condition 37, the approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. 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 Review 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park and Policy DM4 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

39. **Condition 39 Contaminated land - 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 DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'. 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 Review 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park.

40. **Condition 40 - Approved Plans**

Plans for Detailed Approval

Site Location Plan: Drawing No. 21.026.001
Site Framework Parameter Plan Drawing No 21.026.010
Land Use Parameter Plan Drawing No 21.026.011
Land Use Massing Parameter Plan Drawing No 21.026.013
Analysis Parameter Plan Drawing No 21.026.012
Access Strategy - ITB11397-GA-018 Rev E

41. **Condition 41 - Implementation of access and crossing points**

No occupancy of any of the dwellings shall take place until the proposed accesses and highway works including crossing points as shown on drawing No ITB11397-GA-018 Rev E or in accordance with any final plans that may be agreed are completed to the required standard.

Reason: In the interest of highway safety and 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.

Further Information:

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New Forest

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SO43 7PA

PLANNING COMMITTEE

May 2022

LAND SOUTH OF, MILFORD ROAD
PENNINGTON
SO41 8DP
20/11192

Scale 1:2000

N.B. If printing this plan from
the internet, it will not be to
scale.

